



DISCRIMINATORY ACTS POLICY

August 27, 2025

INTRODUCTION

Eastern University is committed to the continuous development of an environment in which all members of its community are valued as individuals, and are respected, affirmed, welcome, and safe as they pursue their lives at Eastern University. As one component in the development of an equitable and safe University climate, this policy aims to clarify and expand procedure in the event of discriminatory acts, including hate crimes. It aims to simplify procedures for those submitting reports of discriminatory acts and to ensure respondent responsibility for such acts; in addition, it aspires toward an initial step in healing the community in the aftermath of such acts. The goal of this policy is to contribute to the formation of a diverse, inclusive, and just community that respects the humanity of all its members and puts them in the position to excel at Eastern and throughout their lives.

Eastern recognizes that excellent educational experiences include and must allow for divergent viewpoints and perspectives, some of which may challenge individual beliefs, values, or cultural norms. As a University community, we value and protect academic freedom and the free and open exchange of ideas. This policy is not intended to undermine or weaken these precepts. Rather, it emphasizes that all members of the University community are responsible for maintaining an environment in which people are free to learn and work without fear of discrimination or harassment. As an institution of higher learning, Eastern aspires to create a safe environment—one in which all members can live, work, and study together. Through providing clear procedures for responding to behaviors that harm marginalized members of our community, we aim to take one small, incremental step in improving our environment. These ideals are aspirational, and we have not always succeeded in the past at achieving them. However, they are not beyond our grasp.

This Policy sets forth the way the University will respond to reports of discriminatory acts, including hate crimes. The University will not only seek to hold responsible those who have perpetrated such acts but also endeavor to repair the deleterious impacts of such acts on our community and prevent them from recurring. Discriminatory acts, be they discriminatory harassment or hate crimes, violate college policy and, in many instances, state and federal law; are antithetical to the standards and values of the University; and will be addressed vigorously.

DEFINITIONS

A Discriminatory Act is a completed, attempted or threatened abusive or hostile act against persons, property, or an institution, where such acts manifest evidence that the target was intentionally selected on the basis of the target's actual or perceived race, color, national origin, gender, sexual orientation, gender identity or expression, religion, age, creed, ancestry, veteran status, marital status, disability, or other classification protected by applicable law.

Discriminatory acts comprise two sub-categories:

- **Discriminatory Harassment:** An act that has the purpose or effect of unreasonably interfering with a person's employment or education, creating a hostile employment or educational environment where the motivation for this act is based substantially on the target's actual or perceived identity as a member of a class protected by the University's non-discrimination policy.
- **Hate Crime:** A hate crime is defined by federal and state law. It requires an underlying criminal act – e.g., criminal homicide, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property — where such crime manifests evidence that the target was intentionally selected because of the respondent's bias related to the target's actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin and/or disability or other classification protected by applicable law.

A Target is someone who has been directly and individually subject to a discriminatory act.

A Complainant is someone who has submitted a report of a discriminatory act, whether or not that person was the target.

A Respondent is someone who has been identified by a complainant or by a preliminary investigatory process as an individual likely to have committed a discriminatory act.

HOW DO I REPORT A DISCRIMINATORY ACT?

There are three ways to report an act of discrimination generally:

1. **File a report with Public Safety** – Public Safety, located in Eagle Hall, is open 24 hours a day. Call 610-341-1737 or go to the office to file a report with a Public Safety Officer. **If the discriminatory incident presents immediate safety concerns, contact Public Safety (610-341-1737) or call 911.**
2. **[File a report using this online form](#)**: This form can be used by all members of the University community.
3. There are other ways to report an act of discrimination. These options depend on whether the person reporting the incident is a student, faculty member or member of the staff:

For Students: Contact the Vice President for Student Development, directly at VPSD@eastern.edu or 610-341-5823.

For Faculty and Staff: Contact Human Resources at CHRO@eastern.edu or 610-341-1569. Your call or email will reach the Chief Human Resources Officer.

Privacy: The University strives to protect the privacy of targets, complainants, and respondents; to speed investigations, anonymous reporting is discouraged. The privacy of all parties to a report of a discriminatory act will be respected, consistent with the University's policies; where privacy cannot be strictly kept, it will be tightly controlled. Witnesses are also expected to maintain the privacy of information shared with them during interviews and/or hearings. Violations of the privacy of the complainant or the responding party may lead to conduct action by the University. All parties, including witnesses, involved in an allegation are strongly encouraged to maintain the privacy of information and/or written materials.

IS IT EVER TOO LATE TO REPORT A DISCRIMINATORY ACT?

No. An investigation can be opened at any time based on new evidence that becomes available. The University does not limit the time frame for reporting, although a delay in reporting may impact the University's ability to investigate the incident and take certain actions.

WHAT HAPPENS AFTER I REPORT A DISCRIMINATORY ACT?

The University encourages students, faculty, and staff to report discriminatory acts as soon as possible upon experiencing or learning of the details of an incident. Reports will be forwarded to the appropriate University resource for follow-up.

Reports of discriminatory acts related to students will be handled in accordance with the [Student Code of Conduct](#) and/or the [Title IX and University-Defined Sexual Misconduct Policy](#).

Reports of discriminatory acts related to faculty, staff, or visitors of the University will be handled in accordance with the appropriate faculty and staff policies and procedures. See, for example, the [Statement of Non-Discrimination](#) and [Title IX and University-Defined Sexual Misconduct Policy](#).

Reports of discriminatory acts that contain information indicating a possible violation of the Title IX and University-Defined Sexual Misconduct Policy will be handled in accordance with that policy.

Reports of discriminatory acts that contain information indicating a possible discrimination based on disability will be handled in accordance with the [Accommodation Policy](#) through the [Office of Disability and Access \(ODA\)](#).

WHAT IS THE INVESTIGATORY PROCESS?

Consistent with the University's policies, the investigation may include review of the report and any supporting documentation, examination of other relevant documentation, and interviews with relevant individuals. The extent of the investigation will be determined by and at the discretion of the appropriate office listed above.

Possible outcomes of an investigation include (1) a finding that a discriminatory act occurred but that the individual responsible cannot be identified, with appropriate remedial measures; (2) a finding that a discriminatory act occurred, and that the responsible party can be identified, with the issuance of appropriate sanctions and/or remedial measures; and (3) a finding that a discriminatory act did not occur.

The investigation, including outcome, is confidential in accordance with University policies and applicable law.

If the respondent is a known student, and the investigation identifies sufficient information regarding a discriminatory act, the complainant may have the following options:

- **Restorative Resolution Process:** If both the complainant and the respondent agree to the Restorative Resolution process, they will participate in facilitated conversation, possibly with representatives of affected communities (for example, members of a specific identity group, a residence hall community, or members of a student organization), to establish a plan for repairing damage to those affected and/or targeted by the discriminatory act. This process requires respondents to acknowledge their part in the incident and to accept restorative actions agreed upon by all parties. **Note:** The perceived severity and impact of the discriminatory act will determine whether this option applies to particular cases. The case will be reviewed to determine whether this option applies. For example, restorative resolution would not likely be available for discriminatory acts resulting in significant property damage or any level of physical assault.
- **Student Code of Conduct Process:** Depending on the nature of the discrimination and the alleged prohibited conduct, the process may include a Hearing with a Conduct Review Officer. [Details](#)
- **No Disciplinary Action, Discrimination Reported:** Complainants may decide to report the incident and request that no further action be taken. Eastern will evaluate any such request in the context of the University's responsibility to provide a safe and nondiscriminatory environment for all members of its community. In certain situations, the University may need to move forward regardless of the target's wishes.

It is a violation of University policy to retaliate against any person making a discrimination complaint or against any person cooperating in the investigation of (including testifying as a witness to) an alleged act of discrimination. For these purposes, "retaliation" includes intimidation, threats or harassment against any such complainant or third party. Retaliation should be reported promptly to Public Safety or the Administrator handling the case and may result in disciplinary action independent of the sanction or interim measures imposed in response to the underlying allegations of discrimination. Whether or not the University moves forward with a resolution process, the incident will be coded and reported in Eastern's hate crime or discrimination incident statistics.

If the respondent is a known faculty or staff member and the investigation identifies sufficient information of a discriminatory act, disciplinary action and/or restorative resolution will be taken consistent with appropriate faculty and staff policies and procedures, including the University's Non-Discrimination and Equal Employment Opportunity Policy. Whether moving

forward with an adjudication process or not, the incident will be coded and reported in Eastern's discriminatory act or hate crime statistics.

If the respondent is unknown, the complainant may have the following options:

- **Request Further Investigation:** The target can request an investigation, at which point the incident will be turned over to the appropriate University officials for further investigation. If the alleged discriminatory act targets property or the institution, then we encourage University constituents to report the incident so that the University can commence with an investigation.
- **No Action, Discrimination Reported:** Eastern is committed to keeping accurate records of all discriminatory incidents, even when the respondent is unknown. As such, we encourage reporting of all incidents of discrimination, even if the respondent is unknown and unlikely to be known. Depending on the circumstances, the University may need to move forward with further investigation regardless of the target's wishes.

HOW WILL DISCRIMINATORY ACTS BE REPORTED TO THE UNIVERSITY COMMUNITY?

Reporting: The University will, as appropriate and consistent with University policies and the law, provide additional communication to faculty, students, and staff both in the immediate and longer-term aftermath of discriminatory incidents. The primary mode of communication to the University community will be email.

Hate Crimes Reporting: In addition, in accordance with the [Clery Act](#), the University will disclose statistics for hate crimes in its [Annual Security Report](#) released by October 1 each year.

HOW WILL THE COMMUNITY HEAL FROM ACTS OF DISCRIMINATION AND WORK TO PREVENT FUTURE INCIDENTS?

By their very nature, discriminatory acts reinforce and perpetuate inequalities in our community. These actions create an unsafe environment, increasing the isolation and discomfort of those individuals and groups that are often the targets of discriminatory acts. We aim to respond to these actions by collectively affirming our principles of inclusion and access for all. Discriminatory actions may cause physical damage, bodily harm, and serious wounds to our community, so it is essential that we seek to heal these wounds through actions that disavow discrimination. To this end, the University, through the [Dean of Student Belonging and Success](#) and the [Special Assistant to the President for Diversity, Equity, and Belonging](#), will work

collaboratively across divisions and offices to initiate actions that attempt to heal the injuries to both the targets of discrimination and the University as a whole.

WHAT IF I HAVE QUESTIONS?

For questions related to acts of discrimination involving students, please contact:

Assistant Vice-President for Student Development and Title IX Coordinator

VPSD@eastern.edu

610-341-5823

Walton Hall, 3rd Floor, Student Development Suite

For questions or concerns related to acts of discrimination involving faculty and staff of the University, please contact:

Chief Human Resources Officer

CHRO@eastern.edu

610-341-1459

Harold C. Howard (HHC) Building, 1st Floor

For questions or concerns related to acts of discrimination involving visitors of the University, please contact:

[Public Safety](#)

610-341-1737

Eagle Hall

HOW WILL THIS POLICY BE REVIEWED AND REVISED?

This is a living document as well as a policy statement, and it will be subject to improvement and revision as the University moves forward in the future. The policy will be reviewed on a regular basis by a team including members of Academic Affairs, Student Development, the University Leadership Team, and Office of the President, in light of incidents, reporting, adjudication, and restorative resolution.