

Legislation Text

File #: 160885, **Version:** 0

Condemning Chestnut Hill College for seeking exemption from anti-discrimination laws in its appeal to Commonwealth Court following a finding of probable cause of racial discrimination by the Pennsylvania Human Relations Commission, in defiance of its obligation to respect the civil rights of its students and employees, and urging the College to withdraw its appeal.

WHEREAS, The Pennsylvania Human Relations Commission (PHRC) found probable cause for racial discrimination when Chestnut Hill College excessively punished and expelled Allan-Michael Meads, an African American student, in April of 2012, weeks before his graduation; and

WHEREAS, Meads was expelled from Chestnut Hill College on the grounds of alleged theft consisting of failing to adequately report all money he earned in a fundraising play, providing free tickets to students at a neighboring middle school, donating money to charity, and spending money on a cast party, although Meads offered to pay restitution and none of the aforementioned actions caused Chestnut Hill College to lose money for the production; and

WHEREAS, When white students committed similar cases of theft or even more severe violent crimes at Chestnut Hill College, they received lenient sentences such as mediation or writing reflection papers, always with the possibility of re-enrollment, with the rationale that these measures would allow students time to learn and mature from their misconduct; and

WHEREAS, Those practices sharply contrast with the PHRC's finding that in every case where an African American student was charged with a violation at Chestnut Hill College, the student was expelled or suspended and there was no articulated interest from the college's administration to provide African American students with opportunities for reconciliation or the opportunity to learn or grow from their mistakes; and

WHEREAS, African American students at Chestnut Hill College commit significantly fewer infractions than white students, and Chestnut Hill College's actions mirror a disturbing trend confirmed by national data that African American students are disciplined more harshly than their white counterparts; and

WHEREAS, Chestnut Hill College's decision to appeal the findings of the PHRC to Pennsylvania's Commonwealth Court could set a dangerous precedent of removing students at private religious colleges in Pennsylvania from the protections and jurisdiction of the Human Relations Act (HRA), as well as disciplinary action of the PHRC in cases of civil rights violations; and

WHEREAS, The appeal of Chestnut Hill College also defies the PHRC's finding of probable cause for racial discrimination and violation of section 4(a)3 of the Pennsylvania Fair Educational Opportunities Act (PFEOA) P.S. 5001-5010 in the case of the expulsion of former Chestnut Hill College student Allan-Michael Meads; and

WHEREAS, Chestnut Hill College received over \$950,000 in fiscal year 2013-2014 alone in state grants and student loans, thereby putting the students under the protection of the PFEOA and the institution within the jurisdiction of the PHRC; and

WHEREAS, Chestnut Hill College should use its religious affiliation to live up to its stated mission of an “inclusive Catholic community” that nurtures a sense of integrity, spirituality, and social justice by respecting and protecting the rights of all students no matter their race, gender, or sexual orientation; and

WHEREAS, Chestnut Hill College’s appeal disregards the numerous ways in which the United States has historically oppressed African American people, especially with regard to access to education, in the forms of preventing African American slaves to learn to read or write and severely punishing them if they were found doing so, establishing subpar schools after emancipation whose purpose was to develop and maintain a servant class, enacting “separate but equal” policies in which African American students were given the old textbooks of white students, among many others; and

WHEREAS, These historical acts of oppression must be understood as context for the unequal and inequitable educational policies and practices which persist throughout the United States today, in the form of disproportionate policing of African American schools, heightened suspension of African American students as early as preschool, and a clear school-to-prison pipeline that exists for children of color; and

WHEREAS, Chestnut Hill College, in failing to acknowledge and accept the findings of the PHRC that its actions constituted racial discrimination, continues to perpetuate racism, discrimination, and oppression against its students of color, contrary to its stated non-discrimination policy of “active inclusive love of all people without distinction”; and

WHEREAS, Philadelphia, in its Fair Practices Ordinance, has established wide-ranging legal protections against discrimination based on age, ancestry, breastfeeding, color, disability, domestic and sexual violence, ethnicity, gender identity, genetic information, familial status, marital status, national origin, pregnancy or childbirth or related medical condition, race, religion, sex, and sexual orientation; and

WHEREAS, Chestnut Hill College’s response to the findings of the PHRC, a government agency empowered by law to impose factual findings of probable cause of discrimination under state law, has the potential to set a dangerous precedent for over fifty religious colleges and universities across the state who serve thousands of students who deserve to be protected from racial, gender, religious, and other forms of recognized discrimination; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That it hereby condemns Chestnut Hill College for seeking exemption from anti-discrimination laws in its appeal to Commonwealth Court following a finding of probable cause of racial discrimination by the Pennsylvania Human Relations Commission, in defiance of its obligation to respect the civil rights of its students and employees, and urging the College to withdraw its appeal.

RESOLVED FURTHER, That an Engrossed copy of this resolution be presented to Sister Carol Jean Vale, President of Chestnut Hill College.