SPECIAL REPORT

of the

STATUS OF DIVERSITY COUNCIL

concerning

ADDING CASTE TO NON-DISCRIMINATION
AND HARASSMENT POLICIES

Presented at the
814th Regular Meeting of the Faculty Senate
April 28, 2022

STATUS OF DIVERSITY COUNCIL MEMBERSHIP

Background

The Board of Trustee policy “Non-Discrimination And Harassment Policy” (https://www.umassp.edu/sites/default/files/board-policies/T16-040-Non-Discrimination%20and%20Harassment%20Policy_rf012021.pdf) prohibits

“unlawful discrimination, harassment (including sexual harassment), and retaliation against anyone based on religion or religious belief, color, race, marital status, veteran or military status, age, sex, gender identity or expression, sexual orientation, national origin, ethnicity, disability, genetic information, or any other legally protected class, in education, admission, access to or treatment in, its programs, services, benefits, activities, and terms and conditions of employment at the University.

Similarly, the campus policy entitled “Policy Against Discrimination, Harassment, and Related Interpersonal Violence” (https://www.umass.edu/equalopportunity/policy-against-discrimination-harassment-and-related-interpersonal-violence) prohibits

“unlawful discrimination, harassment (including sexual harassment under Title IX, sexual misconduct in accordance with M.G.L. c. 6 §§ 168D and 168E, sexual misconduct and retaliation) on the basis of race, color, religion, creed, sex, age, marital status, national origin, mental or physical disability, political belief or affiliation, pregnancy and pregnancy related condition(s), veteran status, sexual orientation, gender identity and expression, genetic information and any other legally protected class of individuals protected from discrimination under state or federal law in any aspect of the access to, admission, or treatment of students in its programs and activities, or in employment and application for employment, in education, admission, access to or treatment in, its programs, services, benefits, activities, and terms and conditions of employment at the University of Massachusetts, Amherst (“University”).”

Based on an amalgam of scholarly sources and dictionaries, caste refers to “a form of social stratification characterized by endogamy, hereditary transmission of a style of life which often includes an occupation, ritual status in a hierarchy, and customary social interaction and exclusion based on cultural notions of purity and pollution.”¹

Caste is currently not an officially mentioned protected class in federal and state anti-discrimination laws. However, unlawful discrimination on the basis of caste can be construed to be covered by one or more other protected classes, including race, ethnicity, color, ancestry, religion or religious belief, and/or national origin.²³

The purpose of this motion is to request that caste be mentioned explicitly in both the campus-level and system-level anti-discrimination policies

MOTION: That the Faculty Senate requests that caste be added to the list of protected classes in the campus policy “Policy Against Discrimination, Harassment, and Related Interpersonal Violence” and in Trustee policy “Non-Discrimination and Harassment Policy” as presented in Sen. Doc. No. 22-081.