

BIAS INCIDENT PROTOCOL

Approved by: Student Development & Success

History: Revised 1997 | 2018 | 2022

Related Policies: Non-Discrimination Policy (<https://catalog.alverno.edu/collegepolicies/studentnon-academicpolicies/non-discrimination/>) | Anti-Retaliation/Whistleblower Policy (<https://catalog.alverno.edu/collegepolicies/studentnon-academicpolicies/anti-retaliation/>)

Related Forms, Procedures and References: Bias Incident Report (<https://alverno.wufoo.com/forms/bias-related-incident-report-form/>)

For Questions Contact: Dean of Students Office | 414.382.6118 | FO 119

DEFINITIONS

Bias Related Incidents - Any activity that intimidates, demeans, mocks, degrades, marginalizes, or threatens individuals or groups based on that individual's or group's actual or perceived age, ancestry, ethnicity, national origin, ability (physical, psychological, cognitive), sex, gender identity or expression, citizenship or immigration status, marital status, socio-economic class, race, religion, religious practice, sexual identity, veteran status or any other basis protected by law. A bias related incident can occur whether the act is intentional or unintentional, and may or may not be an illegal act. In identifying a bias related incident, the focus is on the impact on an individual or group, not the intention or motivation of the actor. Adapted from ACPA and Virginia Tech, there are two types of bias related incidents:

1. Contained Bias Related Incident – a comment, activity, or event that is seen or heard by a few people, may not be a violation of a policy or law, or has no interest from media or larger investigative bodies (examples include one on one meetings or small groups)
2. Community Bias Related Incident – a comment, activity, or event that is seen or heard by many, violates policies or laws, and/or has interest from the media or larger investigative bodies.

Retaliation - Retaliation is any adverse action that a person takes against another person because they filed a complaint about harassment or discrimination. This adverse action or threat of adverse action can deter that person from coming forward to report concerns.

Discrimination – According to the Office for Civil Rights, discrimination is conduct that denies any individual or group equal privileges or access to a particular activity or opportunity because of the individual's or group's actual or perceived age, color, disability, gender, gender identity or expression, genetic information, marital status, military status, national or ethnic origin, pregnancy or parenting status, political belief or affiliation, race, sex, sexual orientation, veteran's status, or any other basis protected by law.

Equity – The quality of being fair or impartial.

Harassment – Unwelcome conduct based on individual or group perceived or actual age, race, color, ancestry, national origin, creed or religion, sex, or sexual orientation. Intimidation and harassment can arise from a broad range of physical or verbal behavior, which can include, but is not limited to, the following:

- Physically or mentally abusive behavior towards another;
- Racial, ethnic, religious, or gender-based insults or slurs;
- Unwelcome sexual advances or touching;
- Sexual comments, jokes, stories, or innuendos;
- Requests for sexual favors as a condition of employment or affecting any personnel decision such as hiring, promotion, compensation, or transfer;
- Display of sexually explicit or otherwise offensive posters, calendars, materials, or slogans;
- Referring to another employee by any derogatory sexual, racial, or ethnic term;
- Making sexual gestures with hands or body movements;
- Intentionally standing too close to or brushing up against another employee;
- Inappropriately staring at another employee or touching his or her clothing or person;
- Asking personal or offensive questions about another employee's sexual practices;
- Repeatedly asking out an employee who has stated that he or she is not interested;
- Using vulgar, obscene, or offensive language;
- Any form of stalking, including unwelcome repeated phone calls, emails, or text messages;
- Posting comments about another employee on a website, whether private or public, that violate this policy (because, for example, they are sexually or racially derogatory or inappropriate)

Hate Crime – According to the report of the Wisconsin Advisory Committee to the U.S. Commission on Civil Rights, the Federal Bureau of Investigation (FBI) defines a hate crime as a “traditional offense like murder, arson, or vandalism with an added element of bias. It is a criminal offense against a person or property motivated in whole or in part by an offender's bias against a race, religion, disability, sexual orientation, ethnicity, gender, or gender identity.” Although hate itself is not criminal, acting upon hate with criminal behavior constitutes a hate crime.

Inclusion – The act of fighting against exclusion and assuring that all support systems are available to those who need such support. It involves bringing together and harnessing diverse resources in a way that is beneficial. Inclusion puts the concept of diversity into action by creating an environment of involvement, respect, and connection.

Micro-aggressions – Brief and commonplace verbal, behavioral, or environmental indignities, whether intentional or unintentional, that communicate hostile, derogatory, or negative racial slights and insults toward people of color or other marginalized group membership. (Adapted from Derald Sue, Columbia professor).

Responsible employee - A person witnessing or experiencing a bias related incident is encouraged to speak to College officials to report the incident. College officials who are perceived to have the authority to take corrective action or to address misconduct on behalf of the College

are considered “Responsible Employees.” Most college officials are considered Responsible Employees and should report any incidents to the Dean of Students Office.

Social Justice – Social justice is a concept that is based on human rights and equality. It can be defined as the way in which human rights are manifested in the everyday lives of people at every level of society. This includes dignity, economical and social equality, equal distribution of resources, justice, use of policy and laws, societal participation in change, personal responsibility, and creating access to opportunity and chance through action.

BIAS RELATED INCIDENTS

Alverno College continuously works to provide an environment that is free from discrimination, harassment, and intolerance. This response protocol for bias related incidents should be viewed as part of a larger effort to create an inclusive living, learning, and working environment. Prevention is preferable to response, yet we know that our work on behalf of prevention is ongoing. Bias related incidents occur and deserve responsible attention, with clear means of communication. The goal is to promote more conversation and listening and to work from a restorative approach.

When bias related incidents occur, they may not necessarily rise to the level of a crime, a violation of state law, college policy, or the student code of conduct. A bias act may, however, contribute to creating a negative, hostile, or unwelcome environment. Creating dialogue opportunities and protocol for all levels of bias to be addressed can help reduce the impact of micro-aggressions, those seemingly smaller acts of bias that accumulate over time and can create a chilling or hostile effect for others. When acts of bias occur on Alverno College’s campus, we have responsibility as community members to come together in our shared values and mission to denounce such acts. This protocol is intended to address incidents that happen within the Alverno College community.

Freedom of Expression

This protocol recognizes that freedom of expression in the context of our learning environment is protected, while offering a channel for responding to ignorance and bias that work against the mission of Alverno College. This may produce tensions between individuals whose ideas and speech may be considered controversial, offensive, or objectionable, which can lead to a blurred line between freedom of speech and acts of bias. Acts of bias, whether or not intended, threaten to undermine individuals’ or groups’ engagement in the free exchange of thoughts and ideas. Providing a clear avenue by which suspected acts of bias can be reported aligns with Alverno College’s commitment to freedom of expression and to our mission of teaching and learning.

Reporting

Alverno College urges all members of the community to report any bias related incidents. There are several ways to address and report an incident:

- Seek campus support– Students are encouraged to speak to College officials to report incidents of bias (e.g. academic deans, administrators with supervisory responsibilities, campus safety, human resources).
- Seek confidential support – To be assured the report will remain confidential, consult with one of Alverno’s Counselors, Coordinator of Health Services or the Campus Minister. Each will offer confidential

resources and options. These individuals are not required to tell anyone else private, personally identifiable information unless there is reason to fear for the safety of the victim or other community members.

- File an online, confidential, anonymous report - Bias Incident Report (<https://alverno.wufoo.com/forms/bias-related-incident-report-form/>) Alverno College accepts and investigates all allegations of improper activity by Alverno employees and students.
- File a complaint with the college - Students who believe they have been subjected to incidents of bias are encouraged to file a report with Dean of Students Office staff. Reporting means that only people who need to know will be told and information will only be shared as necessary with investigators, witnesses, advocates, and the accused individual(s). You can file a complaint in any one of the following ways:
 - You may submit an email to the Dean of Students Office by emailing deanofstudents@alverno.edu.
 - You may submit a phone report by calling the Dean of Students Office at 414-382-6118 during business hours. If you choose to leave a message your call will be returned at the earliest possible time. You can also call Campus Safety at 414-382-6158 (non-emergency) or 414-382-6911 (emergency).

If you are a victim of a bias-related incident, or if you witness a bias-related incident, please do the following to document the incident as best you can.

- If you experienced a written slur or discovered graffiti, do not erase the text. Campus Safety will need to see it.
- If you have a camera or cell phone camera, take a picture of the graffiti, license plate, or anything else relevant.
- If the incident was verbal, immediately write down what was said to the best of your recollection.

Response

When a person reports an act of bias to any campus office, the incident will be shared with the Dean of Students or designee and the Bias Incident Response Team Co-Coordinator. If the complaint occurs off campus (internship, clinical, field experience, etc.), the program director will be contacted. Falsification, distortion, or misrepresentation of information during the course of a complaint resolution process may be grounds for disciplinary action. After the incident is reported:

- The Dean of Students or designee will review the complaint and appoint an Investigator and Bias Incident Coordinator.
- Interim measures may be put in place pending the outcome of the investigation.
- Both (all) parties are assigned a designated support person to guide them through the complaint process. Either party may refuse the assistance of a support person.
- The facts of the complaint are investigated as presented by the person making the complaint, the respondent, and any witnesses.

- The summary of the investigation is submitted to the Bias Incident Coordinator who will review the information and determine appropriate next steps.

Our response to bias related incidents will generally involve an educational process focused on understanding what harms may have been done and why, who has been affected, and how the harm can be repaired. Where possible and with the agreement of all involved parties, restorative practices will be utilized as a framework to empower those directly impacted.

Regardless of whether the behavior violates policy or the respondent's intent was malicious, it is important to respond to people who have experienced bias in a timely, caring manner. All parties involved in a bias-related incident will be treated with respect and a sincere willingness to hear their perspectives.

Every bias related incident has a unique context that requires consideration. The nature and impact of the incident, the desire of the person or persons reporting the incident, and the impact on the community are all factors that should be reviewed when considering a response. Regardless of the type of bias related incident, a timely and transparent response to the immediate concerns will be implemented.

Examples of responses could include, but are not limited to:

- A facilitated conversation between involved parties
- Restorative circles – Several members of the Alverno College staff are trained as facilitators for restorative circles. Those individuals could be brought in to work with those affected by the incident.
- Changes in policies or procedures – Depending on the nature of the incident, a change in policy or procedure may be warranted. Those affected by the incident would be consulted regarding any changes.
- Educational programs - Bias related incidents may indicate a need for education in our community in order to remedy harm done, and to provide opportunities for reflection and growth. Such educational efforts are not part of the investigation process and are not intended to be punitive. Appropriate staff and faculty will work with students to plan timely educational opportunities that are reflective of diverse learning styles and address relevant issues from multiple perspectives.
- Consultation with outside organizations.

Confidentiality

Anyone reporting a bias related incident can request confidentiality. In the event of such a request, reasonable steps to review the incident and respond consistent with this request will be made. Limits to the review or response based on this request should be discussed throughout the process with all individuals involved.

On Campus Resources

- Campus Minister: FO 259; 414.382.6352
- Campus Safety: FO 254; security@alverno.edu; 414.382.6911 or 414.382.6158
- Counseling & Health Services: AF 208; 414.382.6119 or 414.382.6319

- Dean of Students Office: FO 119; 414.382.6118

Off Campus (Milwaukee) Resources

- The Healing Center (414) 671-4325 for individual counseling, advocacy, and support groups
- Milwaukee LGBT Community Center (414) 271-2656 includes outreach to LGBT youth, adults, and their allies, and a mental health clinic for confidential outpatient care
- Milwaukee Police Department District 6 (414) 933-4444 for police officers in the district where Alverno resides
- The Zeidler Group – (414) 239-8555, 631 N. 19th St., Milwaukee, WI 53233 – <https://www.zeidlergroup.org/>