

## **Bias Concern Response Team**

### **Rationale and Current Campus Situation**

**Student-to-student bias incidents can and do occur at Carleton.** Historically, bias concerns have not been addressed in a consistent manner. On occasion, incidents have escalated quickly and publicly in ways that precluded dialogue. **Thus, there is a need for clarifying guidelines to address student-to-student incidents that occur outside of the classroom in a fair, transparent, and sensitive manner.**

### **Protecting Free Speech and Building an Inclusive Community at Carleton**

**Carleton deeply values free speech and academic freedom.** The expression of controversial ideas and differing views is a vital part of education. A liberal arts education can be challenging, disturbing and unsettling.

**Carleton seeks to be a community inclusive of all its members.** We are committed to educating students from many backgrounds and perspectives and to building a culture of respectful engagement with each other. As noted in the Community Policies and Standards in the Campus Handbook, the College recognizes each member of this community has the responsibility to treat others with respect, and that freedom from discrimination and harassment is a necessity for real learning to take place.

**While open discourse may at times seem to be at odds with an inclusive community, both of these values must be upheld to provide the best learning environment for all.** Carleton is committed to the principles of free expression in an atmosphere of mutual respect and firmly believes these principles can and should exist side-by-side.

**The primary way to protect free speech, academic freedom, and build an inclusive community is through education and communication across the campus about issues of identity, diversity, inclusion, discrimination, and historical marginalization.** Offices, groups, and individuals across the College make a constant effort to address and educate the campus on these issues. Such initiatives must continually be strengthened and supported in a variety of proactive approaches. A Bias Concern Response Team (BCRT) will help to facilitate dialogue when incidents do occur.

**A BCRT is an educative, not a punitive, entity.** The mechanism for addressing student-to-student incidents, described below, is constructed on the principle that this community's response to bias incidents should be motivated by a desire to achieve mutual understanding. The BCRT exists to facilitate conversation and promote education across difficult terrain. It has no power to punish or compel and will not respond to student-to-student speech offered as a serious idea in academic discourse, broadly defined.

**This will be a student-to-student process only. As is now the case, reports involving a faculty or staff member will continue to be addressed by supervisors, heads of departments, the Dean of the College office, or Human Resources, in accordance with Carleton's policies and procedures, and will not involve the BCRT.** We recognize that the classroom and campus are permeable spaces, but this process will only address issues that are outside the classroom.

**Issues related to diversity and inclusion are multidimensional and complex. In assessing issues, we must recognize the systemic marginalization of certain characteristics of identity, as well as the current campus climate.** We are greatly influenced by the larger society around us, but at times we also have our own set of blinders. Shared responsibility for creating and maintaining an environment open to all perspectives is central to the ethos of the College.

### **Definitions**

**Hate crimes** are violations of the law that are intentionally motivated by bias. A hate crime might, for example, involve violence, threats of violence, sexual violence, personal injury or property damage where the perpetrator is motivated, in whole or in part, by actual or perceived identity characteristics. For more information on what can constitute a hate crime, consult the following websites: (<https://www.fbi.gov/investigate/civil-rights/hate-crimes>); (<https://www.revisor.mn.gov/statutes/?id=626.5531>). Hate crimes also constitute violations of College policy. As is the case already, students who have violated college policy will be subject to adjudication through the existing processes (<https://apps.carleton.edu/handbook/community/>).

**Bias incidents** are more difficult to define than hate crimes, given the need to balance free speech with an inclusive learning environment. Harm or intent to harm is not understood the same way by each person. We need to be cognizant of both historical marginalization and the ways we treat people on our campus. For this reason, we need a consultative committee to reason together about these sensitive issues.

With those caveats, a bias incident is defined as conduct that harms or threatens an individual or group, based on perceived or actual characteristics of identity. Such characteristics might include, but are not limited to: race, color, religion, sex, sexual orientation, gender identity or expression, linguistic background, socioeconomic status, national or ethnic origin, disability, citizenship, age, or marital or veteran status. The types of behavior that may constitute a bias incident include but are not limited to: targeted graffiti or vandalism; or threatening or degrading verbal, written, or online speech.

### **Reporting and Processes**

If immediate attention (for reasons of safety, preserving evidence, damage, etc.) is needed, please contact Campus Security (x4444) as soon as possible. If you are the victim of a crime, suspect that a crime has been committed, or have witnessed a crime, contact Campus Security.

The Community Concern Form ([https://apps.carleton.edu/campus/dos/forms/community\\_concern/](https://apps.carleton.edu/campus/dos/forms/community_concern/)) is available at any time for reporting bias incidents and hate crimes, as well as other concerns or conduct (such as sexual misconduct, concerns about the physical or mental health of a friend, etc.). Since 2010, we have used this system and it works well for reporting concerns when we have a clear person or process to address them (i.e., sexual misconduct concerns are channeled to our Title IX Coordinator; general concerns go to our Dean of Students Office “Care Team”).

If possible, and depending on the nature of the conduct at issue, we encourage students to try to work out the issue directly with the other person(s) first. If the situation involves threats to safety or criminal behavior, do not confront the perpetrator and contact Campus Security

immediately. Where appropriate, the following offices may also be helpful resources for consultation and support in filing the form and other processes that may follow: Residential Life, Student Health and Counseling (SHAC), Office of Intercultural & International Life (OIIL), TRIO/Student Support Services, the Gender and Sexuality Center (GSC), Chaplains' Office, the Dean of Students Office, or many other campus resources.

If it is determined that a Community Concern Form appears to involve a hate crime or incident of bias, it will be automatically forwarded to the Coordinator of the BCRT for follow-up. If the incident involves a faculty or staff member, the BCRT Coordinator will forward it to the Dean of the College Office or Human Resources, respectively, as is now the case, and will not involve the BCRT. If it is determined that the incident includes allegations of sexual misconduct, it will be sent to the Title IX Coordinator. In most instances, the BCRT Coordinator will reach out to the reporter of the incident within 48 hours, though depending on the nature of the incident, follow-up may be immediate. The Coordinator will talk with the reporter of the incident for a better understanding of what has been reported and, if appropriate, will make the reporter aware of other potentially helpful campus resources. If it is determined that the incident involves a hate crime, additional actions may be taken, including reporting to law enforcement.

After a preliminary inquiry into the incident by the Coordinator, the BCRT will be consulted to determine next steps. The BCRT will consider the following responses to the incident:

- Determine whether the incident will not be responded to under this policy;
- Request a one-to-one or small group conversation between the BCRT Coordinator or Dean of Students staff with the student(s) involved;
- Determine whether a communication should be sent to the affected community (residential community, student group, full campus community, etc.);
- Offer educational sessions and/or community forum(s);
- Make a referral to Community, Equity and Diversity Initiative (CEDI);
- Make a referral to the Restorative Justice team (<https://apps.carleton.edu/campus/justice/>);
- Make a referral to the Dean of Students Office for further action to protect affected parties (such as a limited-contact agreement or housing changes)
- Make a referral to the Dean of Students Office for adjudication if it appears that College policy may have been violated.

In all instances where a bias incident has been reported, it will be documented in a database and later reported, without identifying information, in the BCRT end-of-year report to the campus. This report will help us identify patterns and the need for proactive responses.

### **The BCRT Coordinator and Composition of the Bias Concern Response Team**

Since this process falls under the purview of the Dean of Students (DOS), a staff member from the DOS will hold the position of BCRT Coordinator. The BCRT Coordinator should also be an ex-officio member of the Community, Equity, Diversity Initiative (CEDI) in order to enhance collaboration between the responsive (BCRT) and proactive (CEDI) work being done on bias incidents and identity issues.

In order to quickly and efficiently address a reported bias incident, the BCRT Coordinator will seek to convene a panel of one faculty member, one staff member, two students, and the BCRT Coordinator themselves, in addition to one or more non-voting relevant resource staff members. This panel will be drawn from a larger pool of trained BCRT members composed of

five students, two faculty members, two staff members, and the additional resource members. Members of this pool will be trained on an annual and ongoing basis. Faculty will be appointed by the Faculty Affairs Committee. Staff will be appointed through SAC and Forum in consultation with the President's office. Students will be appointed by the CSA Senate. All appointments will involve further consultation with the BCRT coordinator. Appointed faculty/staff members' terms will be for three years. It is preferred that students serve for more than one year on the BCRT. In convening the panel, the BCRT Coordinator will be responsible for determining and minimizing conflicts of interest and seeking workload balance among the BCRT members.

Additional resource members may be drawn as necessary from, but not limited to, staff in the following offices: GSC, OIIL, TRiO/SSS, Chaplain's Office, SHAC, Residential Life, Campus Security, Dean of Students Office.

### **Evaluation and Refinement of the BCRT**

The BCRT Coordinator will lead an annual review of BCRT processes, definitions, and outcomes. Feedback will be solicited from the wider campus community. The responses from the BCRT and from campus feedback should be reported annually to the Dean of Students and summarized in BCRT's annual report to the campus.

*Report to Dean of Students Carolyn Livingston from the Bias Incident Response Team (BIRT) Working Group (Carolyn Fure-Slocum '82, co-chair; Thomas Hiura '17, co-chair; Abhimanyu Lele '16, co-chair; Heidi Jaynes; Stephen Kennedy; Julie Thornton; Walter Paul '18; Brisa Zubia '05), May 26, 2016*