

# Policy on Bias Incidents

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## Introduction

St. Norbert College's mission offers the following as guiding principles for our community:

- Respect the sacred dignity of all persons;
- Live with integrity, acting consistently with one's values and beliefs;
- Communicate truthfully, with openness to diverse perspectives and experiences;
- Practice radical hospitality, demonstrating concern for others and actively opposing intolerance;
- Serve the world, understanding the needs around us and sharing ourselves in response.

St. Norbert College is committed to sustaining a living and learning community where all members of the community are respected and differences among us are celebrated. Hate and bias-related incidents are inconsistent with the mission, values and goals of St. Norbert College and its Catholic intellectual, Norbertine, and liberal arts traditions. In addition, they are hurtful to individuals and groups of individuals in our community. In its commitment to providing an environment conducive to learning, St. Norbert College condemns acts of hate and bigotry and will work with members of the community to address them.

By providing a first-line SNC contact, support, and follow-up to reporters of bias incidents, the SNC Bias Incident Response Team strategizes according to the needs of victims of bias incidents, using appropriate resources.

## Bias Incidents

### What is a Bias Incident?

A bias incident involves behavior that is hostile, harassing, intimidating, or discriminatory and is based on actual or perceived race, color, religion, ethnicity, national origin, sexual orientation, gender, gender identity, disability, or other difference.<sup>1</sup> According to federal and Wisconsin state laws<sup>2</sup>, some bias incidents rise to the level of a hate crime.

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<sup>1</sup> Definition adapted from Anthony, Michael D. and Johnson, Jonathan L. 2012. From inception to execution: responding to bias incidents on campus. StudentAffairs.com. April 19, 2012. (Webinar)

<sup>2</sup> WI Statute 939.645 Penalty; crimes committed against certain people or property. [939.645\(1\)\(b\)](#) (b) Intentionally selects the person against whom the crime under par. (a) is committed or selects the property that is damaged or otherwise affected by the crime under par. (a) in whole or in part because of the actor's belief or perception regarding the race, religion, color, disability, sexual orientation, national origin or ancestry of that person or the owner or occupant of that property, whether or not the actor's belief or perception was correct.

The Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act of 2009 is a federal civil rights law that "criminalizes willfully causing bodily injury (or attempting to do so with fire, a firearm, or other dangerous weapon) when (1) the crime was committed because of the actual or perceived race, color, religion, national origin of any person or (2) the crime was committed because of the actual or perceived religion,

## What is a Hate Crime?

A hate crime<sup>3</sup> is any crime of violence, property damage or threat that in whole, or in part, is motivated by the offender's bias toward the victim's (real or perceived) race, color, religion, ethnicity, national origin, sexual orientation, gender, gender identity, or disability.

While all hate crimes fit the definition of bias incident, not all bias incidents are hate crimes.

## Reporting an Incident

St. Norbert College encourages prompt reporting of any bias incident. Report a bias incident by contacting the chairperson of the [Bias Incident Response Team](#) [Insert Link].

If you experience or witness a bias incident:

- First, remember that your safety is most important. If you are injured or fear immediate physical harm, call 911.
- Second, it is important to document what you experienced or witnessed. Please do the following to document the incident the best you can:
  - If you see a written slur or discover graffiti, do not erase the words or images. Take a picture of them and contact Campus Safety. They will also need to see it in order to document and photograph the image(s).
  - If the incident was verbal, be sure to immediately document what was said, where it was said, when it was said, and, if known, the names of the person or person who said it.
  - If the incident involved threats of or actual physical harm, immediately document what was said or done, where it was said or done, and, if known, the names of the person or person who said it.
  - Get names of and contact information for any witnesses.

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national origin, gender, sexual orientation, gender identity, or disability of any person and the crime affected interstate or foreign commerce or occurred within federal special maritime and territorial jurisdiction." (United States Department of Justice, Department of Civil Rights Web Page 2013, <http://www.justice.gov/crt/about/crm/matthewshepard.php>, retrieved November 4, 2013).

<sup>3</sup> Definition taken from "Hate Crimes: The Problem and Efforts to Confront It" prepared by the Center for the Prevention of Hate Violence at the University of Southern Maine under contract with Community Research Associates, Inc.

## St. Norbert College's Response to Bias Incidents

Members of the Bias Incident Response Team review every bias incident that is reported. Team members handling cases may ask to meet with all parties involved in the incident, explore options for the resolution of the matter, and/or educate the community, as appropriate. Should further action be warranted, intervention by BIRT Team members and/or referral to other offices and procedures may be considered and discussed. The Bias Incident Response Team will work with the reporting individuals to discuss options for responding to the reported incident, even if those responsible for it are not initially known.

St. Norbert College community members reporting bias related incidents can expect the following:

- | <u>Support</u>   | <u>Safe, Confidential Response<sup>4</sup></u>   |
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| <ul style="list-style-type: none"><li>• Connect you with a faculty member, administrator or staff member who serves on the Bias Incident Response Team and is trained in bias incident response</li><li>• Provide follow-up and feedback regarding the status of the report</li><li>• Treat your concern with respect</li><li>• Educate individuals involved in the incident, the community, or both</li></ul> | <ul style="list-style-type: none"><li>• Every report taken seriously</li><li>• Facts and information gathered</li><li>• Options for responding outlined, explained, and discussed. Actions may include, but are not limited to: informal discussion, educational intervention, mediation, restorative justice, and/or referral to the formal grievance processes and/or formal legal procedures.</li><li>• When appropriate, the person reporting will be advised about options for working with the De Pere Police Department to determine if an incident rises to the level of a hate crime.</li></ul> |

Whether perpetrators of bias related incidents are known or unknown, the College will always actively respond to the incident. When formal sanctions are pursued, the College's adjudication of charges may proceed regardless of the status of the criminal justice process.

### **Bias Incident Response Team**

The Bias Incident Response Team reports to the College President who assures that a chairperson is designated and the Team is supported. The team may include faculty and staff from a variety of relevant areas of expertise on campus, but members must be willing and able to meet weekly with the team for meetings and training. The Bias Incident Response Team is charged with strategizing according to the needs of victims of bias incidents, using appropriate College resources.

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<sup>4</sup> Members of the team will make every effort to protect confidential information, and to explain to those reporting bias incidents the limits of the team's ability to protect this information. As a general rule, if individuals or the campus community, generally, are at risk of harming self or others, the team may be required -- legally or by College policy -- to inform others. In all cases, the team will work with those reporting incidents to be as transparent as possible about the resolution of the matter at hand.

## Community Notifications

A federal law, the Clery Act, requires timely notice of certain crimes or threats of crimes reported to Campus Safety or local police. The Clery Act requires copies of the report to be made available to the campus community annually. This report is available at;

<https://www.snc.edu/campussafety/cleryreport/>

Additionally, the President will receive a regular summary of bias incidents (with identifying information removed) from the chairperson of the Bias Incident Response Team, and will share that summary with his or her cabinet. In addition, this information may be shared with the broader community as appropriate.

## Questions and Support

Please contact the chairperson of the Bias Incident Response Team [Insert Link] for further information about bias related conduct on campus. If you believe there is a threat to personal safety, call 911.

## Bias Incidents and Freedom of Speech

St. Norbert College values and embraces the ideals of freedom of inquiry, freedom of thought, and freedom of expression, all of which must be vitally sustained in a community of scholars. It should be noted that while the expression of an idea or point of view may be offensive or inflammatory to some, it is not necessarily a violation of law or College policy. Certain protected speech may still, however, violate the College's commitments to *communio*, civility and inclusivity that are embedded in our mission statement, community standards, and code of conduct.