

## Bias Incident Guidelines

### Reporting & Procedures

#### Definition

A bias-related incident is any deliberate act or attempt to injure, harm or harass an individual or group because of the person or group's gender, race, color, religion, age, disability, veteran status, national or ethnic origin, ancestry, sexual orientation, gender identity and expression, or any other legally protected status or because the alleged perpetrator perceives that the other person or group has one or more of these characteristics. Such behavior includes acts or attempts that may pose physical or psychological harm or threat to individuals or groups.

The United States Congress has defined a hate crime as a “criminal offense against a person or property motivated in whole or in part by an offender’s bias against a race, religion, disability, ethnic origin or sexual orientation.” Hate itself is not a crime—and the federal government is mindful of protecting freedom of speech and other civil liberties. Bias related incidents and hate crimes both involve behavior that is motivated by bias. However, it is important to note the distinction between the two. Hate crimes include a definable crime such as threats of violence, property damage, personal injury, and other illegal conduct. A hate crime is an infraction of the law and may be addressed accordingly. A bias-related incident can be a violation of this policy but may not rise to the level of a hate crime, but all hate crimes are bias related-incidents. All incidents should be reported in order to determine the level and type of offense, to support the affected person(s) or group, to mitigate subsequent incidents by raising awareness of the offense, to develop an educational response, and to activate appropriate campus review and judicial processes when necessary to address individual or group behavior.

#### How Do I Report a Bias Incident?

If you have observed or experienced a bias incident, you are encouraged to contact a faculty or staff member with whom you are comfortable, call one of the following offices, or report at:



#### North Manchester Campus

- University Safety (260) 982-**5999**
- Counseling Services (260) 982-**5888**
- Human Resources (260) 470-**5038**
- Multicultural Affairs (260) 982-**5444**



- Residential Life (260) 982-5052
- Student Life (260) 982-5052
- Success Center (260) 982-5142

### **Fort Wayne Campus**

- Student Life (260) 470-2655

All reported bias incidents would be reported to the Title IX Coordinator (TIXC) who will provide a summary report to the President's Diversity/Equity and Inclusion Core Team and will notify University Safety when appropriate.

### **Responses by the University**

- The Bias Incident Response Team (BIRT) will review submitted reports, verify facts, and communicate promptly with the reporter and will offer services related to safety, counseling, or other supports as appropriate.
- BIRT will promptly document the report of the incident (i.e. who, what, when, where). Additionally, those directly concerned with the incident should take steps to retain any physical evidence.
- The reporter will be assured that their physical and emotional needs are important and appropriate actions will be taken (i.e. possible relocation, academic accommodations, counseling, etc.) by appropriate Manchester staff. The TIXC will coordinate all interim measures.
- When appropriate, enhanced safety measures (patrols, surveillance etc.) may be promptly initiated and directed by University Safety.
- An incident related to a victim's gender, sex, gender identity or expression may undergo a Title IX intake with choice of grievance process participation.

### **Response to accused**

- If accused is positively identified, BIRT will staff communication with the Vice President for Student Life or Human Resources and may contact that person or persons.
- BIRT will complete an investigation to the allegations and provide an administrative review. An investigative report will be generated. If the act involves a crime, appropriate referral to the conduct system may be initiated.
- The University Conduct System will be activated if the accused is suspected for violating the Student Code as defined by The Source. A judicial referral may be made by anyone in the University community.



- If the accused is a faculty or staff member, Human Resources shall take the appropriate action.

## **Bias Incident Response Team**

The Bias Incident Response Team consists of the Title IX Coordinator, Director of Student Diversity and Inclusion, Director of Human Resources, and Dean of Student Life – Fort Wayne. During an investigation and identified outcomes, BIRT can consult with members across the university, such as: Athletics, Faculty Members, Media Relations, Presidents Diversity, Equity and Inclusion Council, and Student Life. Other individuals/offices may be included as needed.

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Responsible Persons: Title IX Coordinator & Director of Student Diversity and Inclusion