RESPONDING TO BIAS ACTIVITY PROTOCOL

Introduction

The Saint Joseph’s University mission affirms our rigorous, learner-centered education to prepare students for personal excellence, professional success, and engaged citizenship. The University is committed to being a diverse and inclusive community, strengthened intellectually and socially by the range of knowledge, opinions, beliefs, political perspectives, identities, and backgrounds of its members. Bias based conduct (“Bias Activity”) targeting protected characteristics or beliefs creates barriers to inclusion, access, and trust, and affects not only the targeted individual or group, but often adversely affects an entire group or community.

Given the potential negative and/or hurtful impact that such conduct has on members of the University community and to reinforce the climate necessary to achieve and maintain a diverse and inclusive community, the University has developed the following protocol. This protocol supplements existing University policies and procedures and coordinates University resources in response to complaints of Bias Activity.

Definitions

The term 'Bias Activity' includes the following:

- **Bias Activity**: is conduct, verbal or written speech, images, or expression that demonstrate conscious or implicit bias, and which a reasonable person could reasonably experience as hurtful, or targets an individual or group because of that individual or group's actual or perceived “sex/gender, race, age of 40 or over, color, religion, national origin, ethnic origin, sexual orientation, gender identity, disability, genetic information, pregnancy, marital status, military and military veteran status, and any other status protected by law” (categories from SJU Non-Discrimination Statement). The expression of an idea or point of view may be offensive or inflammatory to some, but may not be determined to be Bias Activity. Whether something is Bias Activity is determined through a process based on a combination of the subjective feelings of the recipient/target of that activity and the objective “reasonable person” standard.

- **Discrimination or Harassment**: is conduct in violation of the University's Interim Policy Prohibiting Discrimination, Harassment and Retaliation. **Discrimination** is any unlawful distinction, preference, or detriment to individuals as compared to others in the terms or conditions of their employment or education on the basis of a protected category status. **Harassment** is verbal, written, or physical conduct directed toward an individual due to that person’s protected category status that has the purpose or effect of unreasonably interfering with the individual’s work or academic performance or otherwise creating an intimidating, hostile, or offensive working or learning environment. Further definitions on Discrimination and Harassment, including Sexual Harassment, can be found within the Interim Policy Prohibiting Discrimination, Harassment and Retaliation (www.sju.edu/PPDHR) and the Interim Grievance Policy for Addressing Formal Complaints of Sexual Harassment Under Title IX of the Educational Amendments of 1972 (www.sju.edu/titleixpolicy). Both Discrimination and Harassment fall under the broader category of Bias Activity.

- **Hate Crime(s)**: 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. Hate crimes are illegal and subject to prosecution. It is important to note that all hate
crimes are bias incidents, but not all bias incidents are hate crimes. The University tracks and shares reportable hate crimes in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. For more information see: https://www2.ed.gov/admins/lead/safety/campus.html#handbook. Hate Crime(s) fall under the broader category of Bias Activity.

**Reporting Bias Activity**

Reporting Bias Activity allows the University to address reported conduct of concern promptly, to strengthen our support for those in the community targeted or impacted by these incidents, to gauge emerging patterns and climate, and to inform educational and training activities.

In the case of an immediate threat or emergency, call the Office of Public Safety and Security at 610-660-1111 or activate a blue light or red emergency call phone on campus, or call local law enforcement at 911.

For non-emergency incidents of Bias Activity, to share additional information about a previously reported incident of Bias Activity, or to make a third-party report of Bias Activity, use the online Bias Activity Reporting Form (https://sites.sju.edu/oid/bias) or contact:

**Office of Public Safety and Security**
610-660-1111

**Lexi Morrison**
Director of Title IX & Equity Compliance
Title IX Coordinator
Bias Activity Review Group Coordinator
Campion Student Center, Room 243E
5600 City Avenue
Philadelphia, PA 19131
titleix@sju.edu | 610-660-1145

Both anonymous and non-anonymous reports of Bias Activity may be made through the online Bias Activity Reporting Form (https://sites.sju.edu/oid/bias). Anonymous reports should be as specific as possible as anonymity may affect the University’s capacity to investigate, respond to, or follow up regarding reports of Bias Activity.

Students, faculty, and staff may report a hate crime to the proper police agency. The Office of Public Safety and Security can assist with such reporting.

**Responding to a Report of Bias Activity**

Upon receipt of a report of Bias Activity, the Office of Public Safety and Security will immediately conduct a preliminarily assessment of the information reported to determine if any imminent danger or harm is present, and will act accordingly.

All reports of Bias Activity will be reviewed by the Bias Activity Review Group. This review will be initiated by the Director, Office of Title IX, Equity, and Compliance (Bias Activity Review Group Coordinator), with the goal of reviewing the incident within one business day. In addition to the Bias Activity Review Group Coordinator, the Bias Activity Review Group includes the Chief Inclusion & Diversity Officer, the Director of Public Safety and Security, the Chief Human Resources Officer, and
depending on the circumstances, other member(s) of the Student Life staff, the appropriate Dean (for faculty), and others as appropriate.

During this review, the Bias Activity Review Group will initiate efforts to identify the appropriate individual(s) to provide ongoing support to those involved, as well as explore avenues to minimize future harmful impact (e.g. contact or area restrictions, academic/class adjustments, temporary housing relocation, Public Safety and Security escorts) and provide ongoing support and education for the community. Ongoing support will be monitored in order to ensure continued adequacy and that no one person or department is over-tasked with providing the support.

When warranted, the Behavioral Intervention Team (https://sites.sju.edu/bit/) or the Critical Incident Response Team (https://sites.sju.edu/emergency/critical-incident-response-team-cirt-mission/) will be convened.

The Bias Activity Review Group will review the information reported and determine the avenue for investigation and resolution, in accordance with the applicable University policy (Interim Policy Prohibiting Discrimination, Harassment and Retaliation for Harassment and Discrimination or the Community Standards for Bias Activity). Additionally, the Director of Public Safety and Security will determine if the reported conduct constitutes a Hate Crime. If desired, students, faculty, and staff may report a hate crime to the proper police agency. The Office of Public Safety and Security can assist with such reporting.

**Processes for Addressing Reports of Bias Activity**

Reports of Bias Activity by student respondents will be addressed by the Office of Community Standards, through an Alternative Resolution or a Community Standards Hearing.

Alternative Resolutions are utilized to address reports in the absence of formal charges for violations of policy, including through conflict resolution, facilitated dialogues, and/or mediation. Alternative Resolutions are generally not appropriate for more impactful cases, and must be agreed to by the involved parties.

If not resolved through an Alternative Resolution, the respondent will be charged with the Community Standards violation “Engaging in Bias Activity,” along with other appropriate violation(s) of the University’s Community Standards. The alleged violation(s) will be addressed through a Community Standards Board Hearing (three-member panel of faculty/administrators/staff and students) or a Peer Review Board Hearing (three-member panel of students), depending on the nature and impact of the reported conduct, and absent extenuating circumstances when the alleged violation(s) will be addressed through an Administrative Hearing, as recommended by the Bias Activity Review Group.

All Board Members and Administrative Hearing Officers are trained to understand the values of Saint Joseph’s University, the impact of Bias Activity on individuals and the community, and the process for conducting fair hearings. The goal is to adjudicate the Bias Activity as quickly as possible, while maintaining the integrity of the process. The involved parties will be kept informed of the timeframe as the case moves forward.

**Processes for Addressing Reports of Discrimination or Harassment**

Reports of Discrimination or Harassment by student respondents will be addressed by the Office of Community Standards, through an Alternative Resolution or a Community Standards Hearing.
Alternative Resolutions are utilized to address reports in the absence of formal charges for violations of policy, including through conflict resolution, facilitated dialogues, and/or mediation. Alternative Resolutions are generally not appropriate for more impactful cases, and must be agreed to by the involved parties.

If not resolved through an Alternative Resolution, the respondent will be charged with a violation of the Interim Policy Prohibiting Discrimination, Harassment and Retaliation, along with other appropriate violation(s) of the University’s Community Standards. The alleged violation(s) will be addressed through a Community Standards Board Hearing (three-member panel of faculty/administrators/staff and students), absent extenuating circumstances when the alleged violation(s) will be addressed through an Administrative Hearing, as recommended by the Bias Activity Review Group.

All Board Members and Administrative Hearing Officers are trained to understand the values of Saint Joseph’s University, the impact of Discrimination and Harassment on individuals and the community, and the process for conducting fair hearings. The goal is to adjudicate the Discrimination or Harassment as quickly as possible, while maintaining the integrity of the process. The involved parties will be kept informed of the timeframe as the case moves forward.

**Communication of Outcome of Community Standards Hearing**

The outcome of the Community Standards process will be communicated in compliance with the University’s policy on student records. For more information regarding access to student record information by respondents and complainants (including the ability to review process documents, the notification of outcomes, and the opportunity to appeal an outcome), please reference the Community Standards - Access to Student Record Information document found at [https://sites.sju.edu/communitystandards/access-to-student-record-information/](https://sites.sju.edu/communitystandards/access-to-student-record-information/).

Information regarding the Community Standards process and the *Interim Policy Prohibiting Discrimination, Harassment and Retaliation* may be found in the Student Handbook ([https://sites.sju.edu/communitystandards/student-handbook/](https://sites.sju.edu/communitystandards/student-handbook/)).

**Processes for Addressing Reports with Non-Student Respondents**

Reports of Discrimination or Harassment by employee respondents shall be addressed through the process outlined in the *Interim Policy Prohibiting Discrimination, Harassment and Retaliation*.

Reports of Bias Activity by employee respondents shall be addressed consistent with the policies and procedures made available in the respective Administrator/Staff or Faculty Handbook.

Reports of Discrimination, Harassment, or Bias Activity by non-members of the SJU community, shall be referred to the local police department.