



Student Bias & Discrimination Guidelines

Bias Incident Report Team (BIRT) Reporting Form

Student Bias and Discrimination Guidelines

Statement of Philosophy

As per Franklin & Marshall College's [Mission Statement](#), the College's aims are "to inspire in young people of high promise and diverse backgrounds a genuine and enduring love for learning, to teach them to read, write, and think critically, to instill in them the capacity for both independent and collaborative action, and to educate them to explore and understand the natural, social and cultural worlds in which they live."

In order to actualize this mission of empowering students of diverse backgrounds, there must exist a climate of inclusion and respect that is free of acts of hate, discrimination, harassment, and bias-related behavior. The College provides equal opportunity to all programs and offerings, regardless of a student's age, race, mental or physical health, gender or identity expression, marital or familial status, veteran status, physical appearance, disability, national or ethnic origin, religion, sexual orientation, legal or socioeconomic status.

The College also values freedom of expression and views freedom of expression as an essential component of the learning process. ^{As per} [F&M's Statement on Freedom of Expression](#), the College encourages expression of multiple views, even if these views are seen as offensive, disagreeable or insensitive, provided that such speech does not demean, harass, or limit the sense of security and

insensitive, provided that such speech does not demean, harass, or limit the sense of security and belonging of any member of the College community.



The College is committed to addressing bias-related behaviors. Acts of bias may occur in our community in spite of our proactive efforts. These Guidelines will define bias-related behavior, provide a reporting procedure for complainants of bias-related behavior, and suggest resources to victims of bias-related behavior. Students who report bias-related behavior may be contacted for clarifying information and can expect to have a discussion about the College's response and the suitable options for resolution. In response to certain cases of bias-related behavior, education to prevent recurrence and to repair the harm caused may be the most appropriate institutional response. When an instance of bias-related behavior reaches the level of discrimination, disciplinary action may result.

Bias-Related Behavior and Speech

Bias-Related Behavior: Bias-related behavior broadly encompasses actions that may involve the use of images, language or behaviors that directly or indirectly demonstrate hostility or contempt toward a person or group on the basis of actual or perceived identity.


Bias-related behaviors frequently involve speech. Therefore, it is necessary to distinguish such speech from the open and respectful expression of ideas and opinions. Some points to consider when differentiating bias-related behavior from protected speech include the following:

- Speech that conveys reasoned opinion, principled conviction, political satire, or speculation does not necessarily constitute bias-related behavior, even though it may challenge people's perspectives or comfort.
- Claiming that the speech is merely an expression of ideas or opinions is not a sufficient defense against an allegation that the behavior is bias-related when that speech unreasonably or substantially interferes with an individual's safety, security, or educational opportunities by creating an intimidating or hostile educational or working environment.

Bias-related behaviors as defined above are not tolerated on the Franklin & Marshall College campus and will be addressed through educational and/or disciplinary means.

Definitions of Bias-Related Behaviors

You may find it helpful to understand some of these terms used on campus and within the larger community. The following definitions have been included as a reference for students seeking further clarification on these terms relevant to bias-related behaviors:

Ableism: "A set of beliefs or practices that devalue and discriminate against people with physical, intellectual, [psychological,] or psychiatric disabilities." This often rests on assumptions about and bias against people with disabilities. These assumptions can include a belief that people with disabilities need to be "fixed" in one form or the other  or a deliberate creation of inaccessible environments.

Anti-Muslim/Islamophobia: The “closed-minded prejudice against or hatred of Islam and Muslims.” Islamophobia includes the belief, assumption, and/or fear that Muslims have violent tendencies or are inherently opposed to concepts such as equality and democracy.

Antireligion: Hatred towards and/or discrimination against people who practice an organized religion. It can be expanded to include hatred towards people who hold any supernatural or divine beliefs. Antireligion is distinct from atheism, agnosticism, and antitheism.

Antisemitism: The belief or behavior hostile toward Jews just because they are Jewish. It may take the form of religious teachings that proclaim the inferiority of Jews, for instance, or political efforts to isolate, oppress, or otherwise injure them. It may also include prejudiced or stereotyped views about Jews.

Cultural Appropriation: As defined by the Oxford Dictionaries, cultural appropriation is “the unacknowledged or inappropriate adoption of the customs, practices, ideas, etc. of one people or society by members of another and typically more dominant people or society.” Cultural appropriation can occur through the use of the following elements of another culture:

- dance
- dress
- music
- language
- folklore
- cuisine
- traditional medicine, or (but not limited to)
- religious symbols

in a manner that is exploitative or deemed hostile or derogatory. Such actions create a hostile or intimidating environment, and disregards societal power dynamics for personal gain at the expense of a protected class. In many cases, these actions draw upon stereotypes and involve the oppression of a group based on their cultural identity. Cultural appropriation that occurs through an exploitative context that creates a hostile, demeaning, or derogatory environment constitutes bias-related behavior. F&M encourages cultural appreciation, awareness, and education and hopes students can learn from the experiences and diversity of their peers in ways that do not constitute cultural appropriation.

Cultural Mockery: Cultural mockery happens when there is inappropriate misrepresentation, imitation, caricaturing, or making fun of a culture. Similar to cultural appropriation, cultural mockery can create a hostile and demeaning environment given that it involves an attempt to make fun of a group of people on the basis of their cultural background.

Discrimination: occurs when an individual is treated adversely because of their race, ethnicity, color, religion, national origin, disability, veteran status, marital/familial status, sexual orientation, gender identity, gender expression, sex, age, ⁽ⁱ⁾ genetic information. F&M’s [policy on Discriminatory Conduct can be found here](#).

Ethnocentrism: The practice of regarding one's own ethnic, racial, or social group as the center of all things. Just as egocentrism is a sense of self-superiority, so ethnocentrism is the parallel tendency to judge one's group as superior to other groups.

Harassment: As per the [Student Code of Conduct](#), harassment is "abuse, threats, intimidation, assault, coercion and/or conduct, by physical, verbal, signed, written, photographic or electronic means, which unreasonably interferes with, threatens, or endangers any person."

Hate Crime: An act which violates state or federal criminal law and is motivated by the offender's bias against an actual or perceived identity. Definitions of what constitutes criminal acts and their enforcement are determined by state and federal entities. While all hate crimes are bias incidents, not all bias incidents involve criminal acts. Franklin & Marshall's investigation and adjudication of a bias incident is not dependent upon whether an incident has been classified as a hate crime, meaning incidents which are not criminal in nature may still violate College policy and that criminal acts may be subject to both legal and College processes.

Heterosexism: is the assumption that all people are or should be heterosexual. Heterosexism excludes the needs, concerns, and life experiences of lesbian, gay, bisexual and queer people while it gives advantages to heterosexual people. It is used as a subtle form of oppression, which reinforces realities of silence and invisibility.

Homophobia: The irrational hatred and fear of LGBTQIA+ people. Homophobia includes prejudice, discrimination, harassment, and acts of violence brought on by fear and hatred. It occurs on personal, institutional, and societal levels.

Microaggressions: The everyday verbal, nonverbal, and environmental slights, snubs, or insults, whether intentional or unintentional, which communicate hostile, derogatory, or negative messages to target persons based solely upon their marginalized group membership or identity. It is important to note that those who inflict microaggressions are often unaware that they have done anything to the other person or people or do not intend to do any harm. Cumulatively, microaggressions have the potential to create a "chilly climate" in which members of a group feel marginalized or unwelcome based on their identity. Repeated acts of microaggression are called macroaggressions and could constitute harassment or discriminatory conduct and be grounds for conduct action, as stated earlier in this policy.

Outing: Exposing someone's LGBTQIA+ identity to others without their permission. Outing someone can have serious repercussions on their employment, economic stability, personal safety, and/or religious or family situations.

Racial Profiling: The discriminatory practice of targeting individuals for suspicion of crime based on the individual's race, ethnicity, religion or national origin.

Racism: Any attitude, action or inact (i) which subordinates a person or group because of her/his race/color/ethnicity. Racism is evident in the systemic mistreatment experienced by people of color.

Racism takes two closely related forms: the first consists of overt acts by individuals, which cause death, injury, destruction of property, for example. This includes individuals acting against minorities. The second type is less overt: it originates in the operation of established and respected forces in our society. These covert acts occur in a majority white society against minority communities.

- **Institutional Racism:** Institutions have the power to reward and penalize. Career opportunities are available to some and closed to others. They reward by the way social goods are distributed, deciding who receives training and skills, medical care, formal education, political influence, proper justice in the judicial process, moral support and self-respect, productivity employment, fair housing, self-confidence and the promise of a secure future for self or children. Institutional racism refers to the oppressive biases and disparities based on race that constitute the foundation of society or an institution's structures and/or norms.

Sexism: Any act, gesture, visual representation, spoken or written words, practice, or behavior based upon the idea that a person or a group of persons is inferior because of their sex, which occurs in the public or private sphere, whether online or offline.

Transphobia: The fear, hatred, disbelief, or mistrust of people who are transgender, thought to be transgender, or whose gender expression doesn't conform to traditional gender roles. Transphobia can prevent transgender and gender nonconforming people from living full lives free from harm.

Xenophobia: Hostile attitudes or aggressive behavior toward people of nationalities, ethnic groups, regions, or neighborhoods other than your own. This can also include a strong and irrational, sometimes pathological, fear of strangers.

Examples of Bias-Related Behaviors

Here are examples of bias-related behaviors that are inconsistent with F&M's values:

- Deliberate and/or repeated humiliation and degradation;
- Directly commenting discriminatory ideas and beliefs on someone's social media;
- Deliberate interference with the life or work of an individual with a disability;
- Imitating a disabled individual;
- Desecration of religious articles or places;
- Repeated, unwanted proselytizing;
- Repeated interference with the reasonable pursuit or practice of religion;
- Repeated insults about loss of personal and professional competence addressed to an older person;
- Outing someone as a member of the LGBTQ+ community;
- Use of a racial, ethnic, or other slur directly to target or identify someone;
- Telling racist or sexist jokes related to another's real or perceived identity such that they create a hostile or demeaning environment ⓘ
- Exploitative, hostile, or derogatory cultural appropriation;

- Exploitative, hostile, or derogatory cultural appropriation,
- Drawing or creating pictures that imitate, stereotype, or belittle/ridicule someone based on another's identity (real or perceived) in a manner inconsistent with [F&M's Statement on Free Expression](#);
- Racist or derogatory graffiti or images/drawings;
- Vandalizing personal property.



Prohibited conduct may occur through:

- Direct oral expression and/or physical gestures or actions;
- Notes, letters, and other forms of written communication distributed via campus or general mail, or otherwise made visible to the public;
- Phone calls, voicemails, text messages, email, social media or other means of electronic communication.

Reporting Process

For an incident that requires immediate attention, please contact the Department of Public Safety at 717-337-6911 right away.

Please report any bias-related behaviors through the DEI office's Bias Incident Report Team [form](#) (BIRT).


If you become the victim or target of a bias incident or witness any bias-related behaviors, please do the following to document the incident the best you can:

- If the incident was verbal, be sure to immediately document what was said, where it was said and when it was said, and if known, the name of the individual(s) responsible and any witnesses.
- If you see a written slur or discover graffiti, do not erase the words or images. The Department of Public Safety will need to see it in order to document and photograph. Preserve all records and evidence related to the bias incident.

Franklin & Marshall College encourages prompt reporting of bias-related incidents so an investigation of the alleged facts can be conducted to determine if College policy has been violated, including violations of the [Student Code of Conduct](#).

Process for Investigating Reports of Bias-Related Behaviors

If you believe that you have been the target of bias-related behaviors or have witnessed bias-related behaviors, you may report the incident [online](#), or contact Public Safety or one of the offices based on the procedures listed below. Students can report other students, faculty, staff, and administrators.

The Bias Incident Reporting Team (BIRT) members thoroughly review each report and may reach out to both affected person(s) and alleged offenders. When a report is believed to reflect bias-related behavior, BIRT takes steps to respond, refers t'  report to the Student Code of Conduct process as needed, directs affected parties to campus resources, and records the incident and, when warranted,

communicates to the campus. For more information on the BIRI process, please refer to the [Bias Incident Reporting Page](#).



Outcomes and Conduct Process

Reports of bias-related behaviors that are deemed to be possible violations of discriminatory conduct will be resolved through the Student Conduct Process. The conduct process is based on the assumption that disciplinary procedures, when required, should be a means to both uphold institutional expectations and also be an educational and restorative process. The standard of proof for findings of responsibility is that the preponderance of evidence (“more likely than not”) indicates responsibility for violation of College policy.

If a policy violation is found: any educational processes and/or outcomes issued will be based on the nature of the incident. Any prior conduct violations; similar cases; and any other relevant facts may be taken into consideration.

Possible outcomes could include: A change in disciplinary status (Warning, Reprimand, Probation, Suspension, Expulsion), educational opportunities, mentoring/personal coaching, No Contact Orders, and/or any other outcome set forth in the [Code of Conduct](#).

Privacy


If the reporting individual desires, Franklin & Marshall College will make every effort to safeguard the identities of students and other College community members who seek help for and/or report instances of bias-related behaviors. While steps are taken to protect the privacy of all individuals involved, the College may need to investigate an incident and take action once an allegation is known, whether or not the complainant chooses to pursue a complaint. Files related to complaints of discriminatory or harassing conduct will be kept confidential to the extent possible, consistent with the need for a thorough investigation.

Group Infractions

When members of a student group, team or organization, or individuals representing a group or acting as a group, are involved in bias-related behaviors, they may be referred to the Student Conduct Process as a group. Outcomes would be individually determined based on each person’s involvement and level of responsibility for the incident, and may also be applied to the student group, team, or organization.

Retaliation

As per the [Student Code of Conduct](#), retaliation is “any adverse action intended to intimidate or punish another individual for or from reporting misconduct or participating in any College process or activity.”

Retaliation by any individual or agent  of the College against a person who reports, is accused of, or participates in an investigation of bias-related behavior is prohibited and will not be tolerated. These

participates in an investigation of bias-related behavior is prohibited and will not be tolerated. These actions are violations of College policy and will result in conduct charges and possible sanctions. Act retaliation may also violate state and federal laws. Acts of retaliation should be reported to the Dean of Students. Depending on the nature of the case, the Dean of Students may collaborate with the BIRT team and the Vice President for Diversity, Equity, and Inclusion.

Resources

[Bias Incident Report Team \(BIRT\) Reporting Form](#)
[Anti-racism Resources](#)

Administrative Resources

Vice President and Dean of Student Life

Margaret Hazlett
717-358-5816
mhazlett@fandm.edu

Vice President for Diversity, Equity & Inclusion

Dr. Gretchel Hathaway
717-358- 4209
gretchel.hathaway@fandm.edu

Dean of Students

Colette Shaw
717-358-4000
colette.shaw@fandm.edu

Assistant Dean and Director of Residence Life

Douglas Adams
717-358-4575
douglas.adams@fandm.edu

Associate Vice President for Human Resources & Chief Human Resources Officer

Johnson Eapen
717-358-4278
johnson.eapen@fandm.edu

Director of Faculty Diversity Initiatives

Jorge Mena-Ali
717-358-4867
jorge.mena-ali@fandm.edu

Assoc  Vice President for Public Safety

Bill McHale

717-358-3939

william.mchale@fandm.edu



Title IX Coordinator

Kate Snider

717-358-7178

kate.snider@fandm.edu

Director of Student Wellness Education and Violence Prevention

Kathryn Wanner

717-358-5857

kathryn.wanner@fandm.edu

Director of Faith & Meaning

Joe Pritchett

717-358-5814

joseph.pritchett@fandm.edu

Counseling Services

Lauren Firestone

717-544-9051

lauren.firestone@fandm.edu

Housing Coordinator

Lorelei Byer

717-358-4751

lorelei.byer@fandm.edu

Student Employment Manager

Keo Oura Kounlavong-Sabath

717-358-6045

kkounlav@fandm.edu

Office of Student Accessibility Services

Alison Hobbs; Kelly McAllister

717-358-3989

sas@fandm.edu

Cultural Resources

[Alice Drum Women's Center](#)

 Chelsea Reimann

717-358-3956

chelsea.reimann@fandm.edu



Office of Faith and Meaning

Joseph Pritchett

717-358-5814

joseph.pritchett@fandm.edu

Joseph International Center

Jessica Haile;

Alyssa Hostetter

717-358-7187

jhaile1@fandm.edu

alyssa.hostetter@fandm.edu

Office of LGBTQ+ Student Life

Chelsea Reimann

717-358-3956

chelsea.reimann@fandm.edu

Office of Diversity, Equity, and Inclusion

Christian Perry

717-358-3971

christian.perry@fandm.edu

Klehr Center for Jewish Life

Oren Yagil

717-358-2468

oyagil@fandm.edu

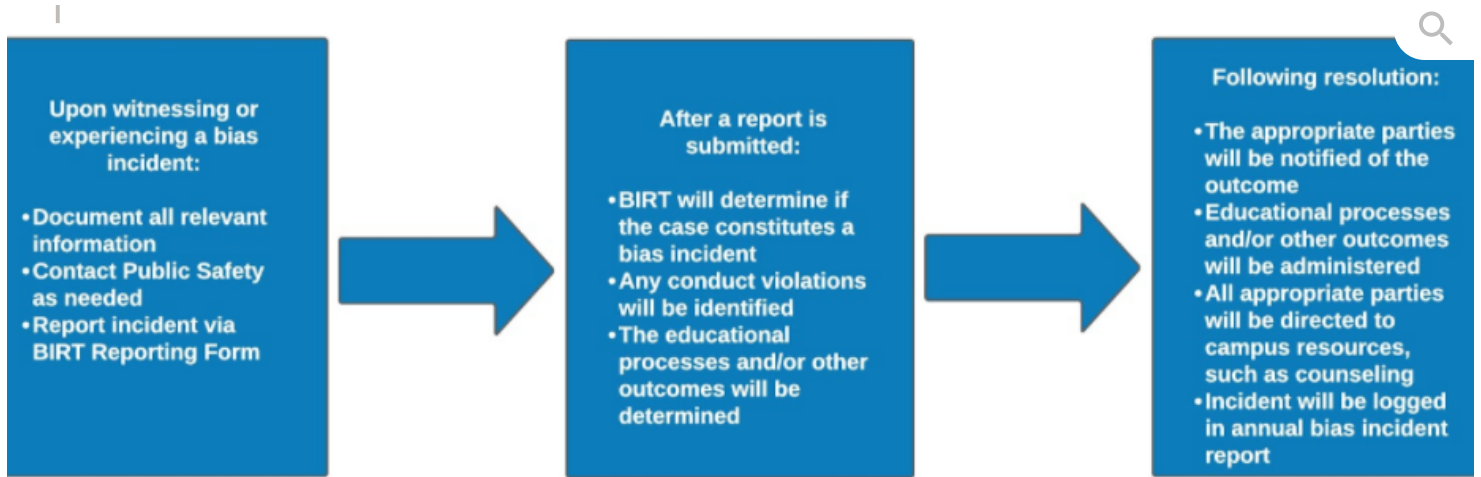
Review of the Student Bias and Discrimination Guidelines and Community Report

This Student Bias and Discrimination Guidelines document shall be reviewed on an annual basis in consultation and collaboration with students, faculty, staff, and campus cultural organizations.

All reports of bias-related behaviors will be included in an annual report published by the Bias Incident Reporting Team. This report does not include names or specific information which could reveal the identity of complainants or respondents, and is intended as a reference for the community to track the number and types of incidents on campus.



Simplified Flowchart



Last edited May 17, 2022



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Have a question or suggestion? Get in touch at [*cshaw@fandm.edu*](mailto:cshaw@fandm.edu)

