

## VII. Bias Incident and Hate Crime Protocol

Vassar College strives to provide educational, working, and living environments free from discrimination, harassment, intolerance, and hate. Such behavior will not be tolerated. The purpose of bias incident and hate crime protocol is to provide information about responding to bias incidents or hate crimes that occur on campus and to outline the procedures and resources available to members of the Vassar College community. It is not the purpose or the intent of this protocol to define whether or not an act may violate Vassar College regulations or state or federal law.

### A. New York State Hate Crimes Act of 2000 (Article 485)

Federal and state statutes on hate crime vary in terms of the acts and categories of bias that are covered. Under New York State law, a hate crime is committed when a person commits a specified offense and either (1) intentionally selects the person against whom the offense is committed or intended to be committed, or (2) intentionally commits the act or acts because of a belief or perception of the person's or group's race, color, national origin, ancestry, sex, religion, religious practice, age, disability, or sexual orientation, regardless of whether the belief or perception is correct. When a person is convicted of a hate crime pursuant to Article 485, the law provides for the level of a hate crime to be deemed one category higher than the specified offense, when that specified offense is a misdemeanor or a class C, D, or E felony. When the specified offense is a class B or A-1 felony, the term of sentence is enhanced.

### B. Reporting a Bias Incident or Hate Crime

Vassar strongly encourages the reporting of all hate crimes and bias incidents that occur on campus or at college-sponsored events or activities occurring off campus. A bias incident is characterized as a behavior or act—verbal, written, or physical—which is personally directed against or targets an individual or group based on perceived or actual characteristics such as race, color, religious belief, sex, marital status, sexual orientation, gender identity or expression, national or ethnic origin, disability, veteran status, or age. Behavior reflecting bias may constitute a violation of Vassar College regulations. The kinds of incidents that may constitute a bias incident include, but are not limited to, threatening telephone calls or mail (including electronic mail), graffiti, postings on social media, physical assault, sexual assault or abuse, stalking, vandalism, destruction of personal property, harassment, or coercion.

1. **Safety:** CALL SAFETY AND SECURITY AT (845) 437-7333 IF YOU ARE DEALING WITH AN EMERGENCY SITUATION OR TO REPORT A CRIME IN PROGRESS. Vassar College considers personal safety and wellbeing to be of the utmost importance in the handling of all bias incidents and hate crime reports. Incidents that threaten, result in, or potentially could result in physical harm or violence should be reported immediately to the Vassar Safety and Security Department, (845) 437-7333.
2. **Privacy:** Every effort will be made to protect the identity of individuals involved, and to maintain the level of privacy requested by the reporting party. Persons reporting an incident may self-identify or remain anonymous. Anonymous reporting, however, may impact the college's ability to respond or pursue appropriate action against the alleged perpetrators. Information about an incident may be disclosed (i.e., nature of the incident,

location of incident, etc.) in the form of safety announcements, summary report updates, or as required by law.

3. **Documenting the Incident:** Target person(s) or witnesses should immediately document what happened and report the incident as soon as possible. When documenting the incident:
  - a. Provide a detailed account of the incident including date, time, and location.
  - b. Do not remove or tamper with physical evidence. Contact Vassar Security to document and collect physical evidence.
  - c. If the incident involves a verbal act, write down exactly what was said to the best of your recollection.
  - d. Identify the perpetrator(s) if known or provide a detailed description of the individual(s) involved.
  - e. List all witnesses including their names and contact information.
  - f. Include other pertinent information that may assist Vassar in responding to the incident.
  
4. **Documenting Graffiti, Vandalism, Telephone, Email, or Public Postings:** Take the following actions, depending on the form of the incident:
  - a. Graffiti, vandalism, or public postings: Security will document it for evidence and take responsibility for ensuring its prompt removal.
  - b. Email: Keep the email in your inbox. Do not delete, alter, or forward the message. Contact Safety and Security, (845) 437-7333, to inform them of the email. Safety and Security will contact appropriate campus officials to investigate the source.
  - c. Telephone call: Do not engage in or encourage conversation. Report all harassing calls to Security, (845) 437-7333. Record the time and date of the call, and keep a record of the telephone number if you have caller ID. Security will work with telecommunications to trace the call. Do not leave identifying information, such as your name and phone number, on your answering machine or cell voice message. If you have received repeated calls, record a message similar to: "I'm sorry we cannot come to the phone right now. We are receiving harassing calls and the phone company has a tap on this line." For calls on your Vassar line, depress the hook switch and dial \*(2). This will help to trace the call.
  
4. **Filing a Report:** You may file an online written report with the Bias Incident and Response Team (BIRT) from the web pages of the offices Campus Life and Diversity or Equal Opportunity and Affirmative Action. You may also contact those offices directly. In the event of an emergency, you may email any administrator or contact Safety and Security. Students may also report an incident to a house advisor through the 24-hour administrator-on-call system. These offices and officers of the college are required to report all bias complaints that come to their attention. Individuals may still request that their complaint be anonymous. For more information about bias crimes or on or off-

campus resources, please contact the Dean of the College.

## **VIII. Dean Of The College Division Bias Incident Response Team(BIRT)**

The Dean of the College's division Bias Incident Response Team (BIRT) may be convened to ensure that affected students have access to appropriate resources, to assist the division in its response, and to facilitate a coordinated campus response to bias-related incidents and situations that may impact campus climate. Coordinated responses may include, but are not limited to, identification of and referral to appropriate support services and resources (on- or off-campus), informal resolution measures such as mediation, facilitated dialogue between parties, facilitated discussions in residence halls or other campus locations, recommendations for campus notices for fact sharing, and efforts towards wider educational awareness, prevention, and outreach. In the case of a potential violation of College Regulations, the Bias Incident Response Team does not play a role in the investigation of alleged incidents or play a role in separate adjudication and conduct processes where warranted.

### **A. Responsibilities of the BIRT**

1. Supporting affected persons through referrals on and off campus.
2. Determining a plan of action in response to the incident, in consultation with the affected person(s) and necessary college officials and/or departments.
3. Assessing community impact of the incident by paying attention to principal parties involved as well as those connected to the principal parties.
4. Disseminating accurate information to the affected person(s) and the larger campus community, as appropriate.
5. Identifying other campus resources beyond BIRT for addressing an incident.
6. Recommending channels for educational outreach and prevention.

### **B. Standing Members of the BIRT**

The associate dean of the college for campus life and diversity, who serves as the coordinator; a member of the teaching faculty (house fellow); the associate dean of the college; the director of equal opportunity and/or the faculty director of affirmative action; one representative each from Safety and Security, Residential Life, and the Counseling Service; a representative from the Office of Communications; representatives from the Campus Life and Diversity (ALANA, International Services, LGBTQ, Religious and Spiritual Life, Women's Center); the VSA Vice President for Student Life, and other members of the Vassar community as appropriate.

### **C. Role of the BIRT Coordinator**

The associate dean of the college for campus life, through the BIRT team, will coordinate the Dean of the College Division's efforts to respond to bias-related incidents. The associate dean may convene the a core group of BIRT members as soon as possible to determine initial steps, and to identify additional offices or members from the campus community who can assist with the college's response to the incident or situation being addressed. If the associate dean of the college for any reason of conflict of interest, illness, or prolonged absence is unable to carry

out her or his responsibilities, a designee from the Campus Life and Diversity Office or the BIRT team shall be appointed by the dean of the college.

The BIRT coordinator will inform the dean of the college and other senior administrative officers of BIRT's response and recommendations for institutional responses, including disseminating information to the broader campus community. In consultation with appropriate college personnel, the BIRT coordinator will work to ensure appropriate follow-through on commitments made during the response period and after the crisis or situation has subsided. In addition to addressing particular incidents, the BIRT team will meet on a regular basis to review campus incidents and/or identify priorities for educational programming and intervention. The Campus Life and Diversity Office will maintain a historical record of documented incidents to evaluate the college's response, and improve upon procedures and effectiveness of response systems.

#### **D. Privacy**

All incidents addressed by the BIRT shall be handled with privacy and discretion. In the handling of all reports, efforts will be made to protect identity and to maintain the level of privacy requested by individuals involved. Information about the incident may be disclosed in the form of safety announcements, summary report updates, or as required by law. Contact information: Campus Life and Diversity Office, Main, N-163, at (845) 437-5426.