

# Bias Incident Policy

## POLICY ON BIAS-MOTIVATED MISCONDUCT AND CRIMINAL OFFENSES

Bucknell University is committed to maintaining an academic environment in which members of its community can pursue their academic and professional activities in an environment where each member of the University community is valued as an individual and is treated respectfully. Bias incidents and hate crimes are antithetical to the standards and values of the University, violate University policy and, in some instances, state and federal law, and will not be tolerated.

Bucknell recognizes that excellent educational experiences include and must allow for divergent viewpoints and perspectives, some of which may challenge individual beliefs, values, or cultural norms. As a campus community, we value and protect academic freedom and the open exchange of ideas. This bias policy is not intended to undermine or weaken these precepts; rather it is meant to address those incidents that fall beyond professional and academic discourse. All members of the university community are responsible for the maintenance of an environment in which people are free to learn and work without fear of discrimination or abuse.

### Key Definitions:

**Hate Crime:** Criminal homicide, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property, where such crime manifests evidence that the target was intentionally selected because of the perpetrator's bias related to the target's actual or perceived race, gender, religion, sexual orientation, ethnicity, national origin, gender identity and/or disability.

**Bias Incident:** Completed, attempted or threatened abusive or hostile acts against persons, property or an institution, where such acts manifest evidence that the target was intentionally selected on the basis of the target's actual or perceived age, class, color, disability, ethnic/regional/national origin group, gender, gender identity, gender expression, race, religion, sex or sexual orientation, including any Hate Crime.

**Bias Harassment:** A Bias Incident that has the purpose or effect of unreasonably interfering with a person's employment or education, or creating a hostile employment or educational environment, and has no legitimate relationship to the subject matter of a course or academic research. In evaluating whether such an environment has been created, the University will consider the alleged conduct from both a subjective and objective perspective. Specifically, it will evaluate the alleged conduct from the perspective of a reasonable person in the Alleged Target's position, considering all the circumstances.

**To report a bias incident if the target is a student, click here:**

[www.bucknell.edu/ReportingBiasTowardStudents](http://www.bucknell.edu/ReportingBiasTowardStudents)

**To report a bias incident if the target a faculty, staff or guest of the University, click here:**

[www.bucknell.edu/ReportingBias](http://www.bucknell.edu/ReportingBias)

**For questions related to bias incidents relating to students please contact:**

Amy Badal  
Dean of Students  
570-577-1601  
211 Elaine Langone Center  
[abadal@bucknell.edu](mailto:abadal@bucknell.edu)

Denelle Brown  
Associate Dean of Students for Diversity & Inclusion  
570-577-3216  
64A Elaine Langone Center  
[denelle.brown@bucknell.edu](mailto:denelle.brown@bucknell.edu)

**For questions or concerns related to bias incidents relating to faculty, staff or guests of the University, please contact:**

Human Resources  
570-577-1631  
1st Floor, Cooley Hall  
[hr@bucknell.edu](mailto:hr@bucknell.edu)  
[www.bucknell.edu/humanresources](http://www.bucknell.edu/humanresources)

Nikki Young  
Associate Provost for Equity & Inclusive Excellence  
570-577-1928  
230 Marts Hall  
[nikki.young@bucknell.edu](mailto:nikki.young@bucknell.edu)

**If the incident involves a possible violation of Bucknell University's Sex Discrimination, Sexual Misconduct, Relationship Violence & Stalking Policy, report the incident directly to the University's Title IX Coordinator or Human Resources:**

Samantha E. Hart  
Director of Institutional Equity  
Title IX Coordinator  
570-577-1551  
232 Marts Hall  
[titleix@bucknell.edu](mailto:titleix@bucknell.edu)  
[sh057@bucknell.edu](mailto:sh057@bucknell.edu)

Human Resources  
570-577-1631  
1st Floor, Cooley Hall  
[hr@bucknell.edu](mailto:hr@bucknell.edu)  
[www.bucknell.edu/humanresources](http://www.bucknell.edu/humanresources)

**If the Bias Incident involves a Hate Crime or presents safety concerns, please contact the Department of Public Safety:**

570-577-1111 (emergency) or 570-577-3333 (non-emergency)

580 Snake Road

[www.bucknell.edu/publicsafety](http://www.bucknell.edu/publicsafety)

**What happens after I submit the report?**

Once a report has been received, the Dean of Students or Associate Dean of Students (for reports involving students), and/or a representative from Human Resources or (for reports involving staff or faculty) will contact you.

**If the report contains information indicating a possible violation of Bucknell University's Sex Discrimination, Sexual Misconduct, Relationship Violence & Stalking Policy**, it will be forwarded to Bucknell University's Title IX Coordinator for investigation and review. (Please see the [Sex Discrimination, Sexual Misconduct, Relationship Violence & Stalking Policy](#) for information on the procedures related to these cases.)

**What is the investigatory process?**

The investigation may include review of the report and any supporting documentation, examination of other relevant documentation, and interviews with relevant individuals. The extent of the investigation will be determined by and at the discretion of the appropriate office listed above.

Possible outcomes of an investigation include (1) a finding that a Bias Incident occurred but that the individual responsible cannot be identified, with appropriate remedial measures; (2) a finding that a Bias Incident occurred and that responsible party can be identified, with the issuance of an appropriate sanction; and (3) a finding that a Bias Incident did not occur.

**What are my options for responding to the Bias Incident within the University System?**

*There is no statute of limitations.* An investigation can be opened at any time based on new evidence which becomes available. The University does not limit the time frame for reporting, although a delay in reporting may impact the University's ability to take certain actions.

**If the alleged perpetrator is a known *student*, and the investigation identifies sufficient information of a bias incident, the target may have the following options:**

- **Restorative Mediation Process:** If both the target (students, staff or faculty) and the alleged perpetrator (student) agree to the Restorative Mediation process, they will participate in facilitated conversation, possibly with representatives of affected communities (for example, members of a specific identity group, a residence hall community, or members of a student organization), to establish a plan for repairing damage to those affected and/or targeted by the bias incident. This process requires alleged perpetrators to acknowledge their part in the incident and accept restorative actions agreed upon by all parties. **Note:** The perceived severity and impact of the bias incident determine whether this option applies to particular cases. The Dean of Students or Human Resources will review the report to determine whether this option

applies. For example, restorative mediation would not likely be available for bias incidents with significant property damage or any level of physical assault.

- **Student Code of Conduct Process:** Depending on the nature of the bias and the underlying alleged prohibited conduct, the process may include an Administrative Hearing or Community Conduct Board Hearing.
- **No Discipline Action, Bias Reported:** Targets may decide to report the incident and request that no further action be taken. Bucknell will evaluate any such request in the context of the University's responsibility to provide a safe and nondiscriminatory environment to all members of its community. In certain situations, the University may need to move forward with appropriate disciplinary proceedings regardless of the target's wishes.

Whether moving forward with a resolution process or not, the incident will be coded and reported in Bucknell's hate crime or bias incident statistics.

**If the alleged perpetrator is known *faculty or staff member* and the investigation identifies sufficient information of a bias incident** disciplinary action will be taken consistent with appropriate faculty and staff policies and procedures.

Whether moving forward with an adjudication process or not, the incident will be coded and reported in Bucknell's hate crime or bias incident statistics.

***If the alleged perpetrator is unknown, the target may have the following options:***

- **Request Further Investigation:** The target can request an investigation, at which point the incident will be turned over to the appropriate University officials for further investigation. Investigators may include representatives from Human Resources, the Dean of Student's Office and/or the Associate Provost for Diversity.
- **No Action, Bias Reported:** Bucknell is committed to keeping accurate records of all bias incidents, even when the perpetrator is unknown. As such, we encourage reporting of all incidents of bias, even if the perpetrator is unknown and unlikely to be known. Depending on the circumstances, the University may need to move forward with further investigation regardless of the target's wishes.

**How will bias incidents and hate crimes be reported to the campus community?**

**Timely Warnings:** When the Department of Public Safety identifies or receives a report of a Hate Crime, occurring either on or off campus, that in the judgment of the Chief of Public Safety (in consultation with Human Resources, the Dean of Students and Office of General Counsel) constitutes a serious or continuing threat to the campus community, the Department of Public Safety issues a campus-wide "timely warning."

**Hate Crimes Reporting:** In accordance with the Clery Act, the University will disclose statistics for Hate Crimes in its Annual Security & Fire Safety Report. These statistics will also be included in Bucknell's Bias Incident Reporting.

**Bias Incidents Reporting:** Each year the University will post, via the University website, a summary report of Bias Incidents. To respect the privacy of all those involved, the report will disclose only the following:

- Type of bias (racial, national origin, sexual orientation, religion, etc.);
- Type of incident (assault, vandalism, hazing, etc.);
- General description of location (on or off-campus, residence unit, classroom, etc.);
- Status of the case (perpetrator unknown, referred to student conduct, no action requested, etc.);
- Whether the incident will be listed as a Hate Crime in the Annual Security & Fire Safety Report.

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