

University of Massachusetts Lowell Bias Incident Response Protocol

Introduction

The University of Massachusetts Lowell strives to provide an educational, working and living environment that welcomes and respects all people. All of us are expected to commit to maintaining a safe, respectful, inclusive and welcoming community. Acts that are an affront to the core values of the institution destroy the sense of community we all share. Additionally, acts of intolerance do untold and unjust harm to the well-being, dignity and safety of those who are victimized by these acts.

Purpose

The Response Protocol developed by the Bias Incident Response Team delineates a coordinated approach to bias-motivated situations involving members of the campus community. (BIRT) members receive sensitive information on a need-to-know basis, assess the circumstances of the reported incident, and assist in creating and implementing an appropriate campus community response. BIRT keeps the campus community appropriately informed of the resolution of the reported bias incident. The objectives of the Bias Incident Response Protocol are to:

- (1) Respond to bias incidents in a timely and coordinated manner
- (2) Support the well-being of the campus community by ensuring all participants are welcomed, valued and respected
- (3) Offer campus members a convenient and efficient means to report bias incidents
- (4) Document and monitor all bias incidents
- (5) Engage our community in an effort to create a safe and inclusive community environment

Definitions (Massachusetts General Law)

A **Hate Crime** is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias.

A **Bias Incident** is any conduct or expression that demeans, degrades or harasses an individual or group based on their actual or perceived identity such as ancestry, age, gender, gender identity, gender expression, sexual orientation, religion, ability (physical, emotional or intellectual), veteran status, ethnicity or national origin.

For the purpose of this protocol, a bias incident is any of the following:

- **Discrimination** – conduct that denies any individual or group equal privileges or access to a particular activity or opportunity because of the individual's identity (as listed above).
- **Harassment** – unwelcome conduct based on identities (as listed above) that unreasonably interferes with the person's work or educational performance or creates an intimidating or hostile work or educational environment. Examples may include, but are not limited to, images, slurs, jokes, epithets, electronic communication or other verbal, graphic or physical conduct.
- **Acts of Intolerance** – conduct motivated by discriminatory bias or hatred toward other individuals or groups based on perceived or actual characteristics of identities listed above.

Behavior reflecting bias may constitute a violation of university policies, including but not limited to, the *UMASS Lowell Equal Opportunity and Outreach Guidelines*, *Student Code of Conduct*, and *Residence Life Guidelines*. These behaviors may also violate local, state and/or federal laws and regulations.

Procedures of Reporting a Bias Incident or Hate Crime:

For immediate assistance or for an emergency please contact the UMLPD at x4-4911 from an on-campus phone, or 978-934-4911 from off-campus or from a cell phone.

University employees, students, vendors and visitors, who perceive that they have experienced a bias incident or hate crime, as well as those who witness one, are urged to report the incident immediately by calling UMLPD. In addition a report can be filed by one of the following means:

A. *Report Electronically:*

https://cm.maxient.com/reportingform.php?UMassLowell&layout_id=10

B. *Filing in Person at University Offices including:*

- UMass Lowell Police Department (UMLPD) – University Crossing
- Office of Equal Opportunity and Outreach (EOO) – Wannalancit Building
- Office of Residence Life – University Crossing
- Office of Student Conduct – University Crossing
- Dean’s Office/Division of Student Affairs – University Crossing

C. *University Bias Incident Response Team: The team includes, but is not limited to:*

- **Annie Ciaraldi, Associate Dean of Student Affairs, Co-Chair**
- **Joel McCarthy-Latimer, Assistant Dean of Student Affairs: Residence Life, Co-Chair**
- Ron Dickerson, *Deputy Chief, UMLPD*
- Melissa Mullen, *Lieutenant, UMLPD*
- Clara I. Orlando, *Director of the Office of Equal Opportunity and Outreach*
- Paulette Renault-Caragianes, *Assistant Dean of Student Affairs: Wellness*
- Sarah Rine, *Director of Student Activities and Leadership*
- Leslie Wong, *Director of Multicultural Affairs*
- Christopher Hansen, *Assistant Professor of Mechanical Engineering*
- Christine Gillette, *Director of Media Relations*

Persons reporting an incident may self-identify or remain anonymous by calling the Student Affairs’ Office at 978-934-2100 or by completing the electronic form (see above). *Anonymous reporting, however, will impact the University’s ability to respond or pursue appropriate action against the alleged accused.*

Reports will ask for information and knowledge of the incident including:

- A detailed account of the incident, including date, time and location if available;
- Specific content of the words, gestures, or other behavior;
- The name of the alleged accused, if known to you, and/or a detailed description;
- Names of all witnesses and their contact information;
- Any relevant documentation (i.e. emails, letters, texts, notes, pictures, screen shots). Call UMLPD to take photographs of visual evidence;
- Any other pertinent information that will assist the University in its response.

For additional information about the team, or if you have questions, please contact one of the members of the *Bias Incident Response Team (BIRT)*.

Contact Information:

Bias Incident Response Team: bias_response@uml.edu

Student Affairs’ Office: 978-934-2100; Ann_Ciaraldi@uml.edu

Office of Equal Opportunity and Outreach: 978-934-3567; Clara_Orlando@uml.edu

UMass Lowell Police Department (UMLPD): 978-934-2398; Police@uml.edu

Office of Residence Life: 978-934-5160; ResLife@uml.edu

Office of Student Conduct: 978-934-5068; StudentConduct@uml.edu

Institutional Responsiveness:

1. UMLPD and members of BIRT will respond immediately to the needs of the affected party or parties and notify members of the campus community as appropriate and/or as required by federal law. For incidents that affect the immediate health and safety of the campus community, UMLPD will be notified for response.
2. All reports of an alleged bias incident or hate crime will be forwarded to the appropriate University office with a summary given to the Bias Incident Response Team (BIRT) by that office as soon as possible.
3. UMLPD will conduct an investigation and will inform the BIRT of the outcome when appropriate.
4. Coordinated campus responses may include, but are not limited to:

- Identification of and referral of affected individuals and communities and/or alleged accused to appropriate support resources and services on or off campus;
 - Disciplinary action if appropriate will be administered based on the *Student Conduct Code, Residence Life Guidelines, University Guidelines, and/or any local, state or federal laws and regulations.*
 - Informal resolutions, if appropriate, will be used; examples include mediation, facilitated dialogue between parties, discussions; and/or
 - Educational awareness programs for the University community.
5. UMLPD, the Office of Equal Opportunity and Outreach, and the Office of Student Conduct maintain a record of reports that occur on campus or at college sponsored events or programs. The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (The Clery Act) requires the University to publish statistics in certain types of crimes, including Hate Crimes. For annual UMass Lowell crime statistics, visit <http://www.uml.edu/police/> and click on the “Annual Security Report.”
6. Additional members of the Bias Incident Response Team may be added as part of the Response Protocol as need arises to include:
- An individual with authority, experience or essential perspective relevant to the reported incident
7. The BIRT team will be responsible for determining if a University response to the incident is necessary and will recommend, as appropriate, the University response when it is deemed warranted. The team will consider:
- Relevant legal standards with special regard to the First Amendment and academic freedom concerns
 - Concerns and requests of the alleged victim, especially in regard to anonymity and desired outcome(s)
 - Available University resources relevant to the situation
 - Whether the incident is a violation of any university policy, which would require following established University procedures
8. The BIRT team will identify and contact appropriate departments and offices necessary to implement an appropriate intervention.