



BIAS RESPONSE SYSTEM WORKING GROUP
FINAL REPORT & RECOMMENDATIONS

Submitted To
Vice President Jon Dooley
Vice President Randy Williams
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I. EXECUTIVE SUMMARY

In July 2020, Elon University President Connie Ledoux Book announced the redesign of the current bias reporting and response system at Elon University. As President Book stated in her announcement of multiple action steps toward improving racial justice, “We need Elon’s bias response to be as effective and transparent as the law allows. I’m asking for a public dashboard that provides our community with data regarding incidents of racism on our campus as well as the actions taken by the university.”¹ Dr. Book charged vice presidents Jon Dooley and Randy Williams with the review and redesign of the current bias reporting system.

Dooley and Williams established the Bias Response System Work Group (BRSWG) in response to the charge and invited members of the faculty, staff and administrators to serve. The BRSWG was charged with reviewing the existing bias reporting and response system at Elon; researching bias response systems at comparable colleges and universities; addressing strategies for using information from the bias response process in evaluating campus climate, and developing recommendations for future changes to the bias reporting and response system at Elon by June 1, 2021. (**Appendix A: Working Group Charge**).

After the appointment of and consultation with co-chairs, the BRSWG began meeting in October 2020. The BRSWG reviewed the history of bias-based reporting at Elon. Next, the BRSWG conducted a SWOT analysis of the current Bias Reporting System. Then, each member of the BRSWG researched similar systems at selected peer and aspirant colleges and universities. We branched out to include colleges and universities in North Carolina with similar demographics, and other schools that were suggested during the benchmarking process. The Working Group developed benchmark questions as a guide to ensure consistency in the information we gathered. (**Appendix B: Benchmarking**). In December 2020, Dooley and Williams, joined by Co-Chairs Royster and Scott, hosted the first listening session with Elon University alumni to learn of their experiences with bias reporting while matriculating.

In January 2021, Leigh Anne Royster, Director of the Center for Inclusive Excellence and co-chair of BRSWG resigned from the university. Dr. Royster’s resignation necessitated an extension of the timeline for completion of the Working Group’s assignments. Vice Presidents Dooley and Williams appointed Ms. Jenni Spangenberg, Director of Student Conduct and a member of BRSWG, to serve as co-chair with Dean Scott. In February 2021, Carla Fullwood joined the new Division of Inclusive Excellence, under the leadership of Dr. Williams, as the Director for Inclusive Excellence Education and Development. Ms. Fullwood also joined the BRSWG. The university hired Dr. Laké Laosebikan-Buggs as Director of Inclusive Excellence for Graduate and Professional Education. Dr. Buggs attended meetings and assisted BRSWG in facilitating student

¹ <https://www.elon.edu/u/news/2020/07/08/president-book-announces-new-action-steps-for-diversity-equity-and-inclusion/>

listening sessions for graduate students. Co-Chairs Scott and Spangenberg submitted the BRSWG interim report to Dooley and Williams on April 15, 2021, and agreed to submit the final report on June 15, 2021.

From January through April 2021, the BRSWG held listening sessions online with faculty and staff (separately and together), undergraduate students, graduate students and members of the current Bias Impact Response and Education Team (BIRET). An in-person listening session was held with members of the Physical Plant Staff. Undergraduate and graduate students were also surveyed to garner a critical mass of responses to the questions posed in the listening sessions. **(Appendix C: Listening Sessions Summaries).**

In May 2021, the BRSWG interviewed Joe LeMire, the new Chief of Campus Safety & Police; reviewed the processes used by Human Resources, Student Conduct and other departments to resolve reports of bias by faculty, staff and students; and reviewed bias resolution mechanisms employed by third party vendors contracted with Elon University. University Counsel Benita Jones reviewed the BRSWG draft reports and offered helpful insights that have been incorporated in the final report. Members of the BRSWG, Academic Council, students, and others were invited to provide additional input.

The BRSWG offers recommendations for developing and maintaining a system to effectively address identity-based bias and discrimination. Making this recommended system a reality will require more staff to promote partnership with various stakeholders and to provide education, training, transparency, accountability, clear policies and effectively use technology in the Division of Inclusive Excellence, as well as the Office of Human Resources and the Division of Student Life. Maintaining a campus climate that does not condone identity-based bias and discrimination also requires a sustained and ongoing commitment, from the entire university community, to advancing inclusive excellence at Elon University. The BRSWG encourages the university to immediately begin the implementation of these recommendations and move towards resolution of the various considerations raised in the Report.

Respectfully Submitted,

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Co- Chairs

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II. BIAS REPORTING SYSTEMS AT ELON UNIVERSITY 2012-2020

Since its inception, the bias reporting system has undergone changes in staffing, structure, and response processes. These changes included improvements in consistency of incident reporting and tracking; the development of protocols for immediate response from Student Life; the creation of a “hotline” that later became SafeLine, and adding a bias-related conduct policy in the Student Handbook. While these changes were helpful, they were not systemic. Over time, it has become increasingly apparent that the Elon campus community needs a bias reporting and response system that is education-based and provides greater transparency and accountability. This section highlights the evolution of the bias reporting and response system from 2012 – 2020.

In 2012, pursuant to its Strategic Plan, the university established the Inclusive Community Council (ICC) and appointed Dr. Brooke Barnett to serve as the interim associate provost. Her duties included “convening Elon’s Inclusive Community Council, being a resource in the strategic hiring of faculty and for employee resource groups, working with the Office of Student Life on multicultural academic programming and intercommunity relations, working to enhance the residential campus experience and living-learning communities, administering diversity grants for Elon’s Center for the Advancement of Teaching and Learning, and working with Elon’s Isabella Cannon Global Education Center to enhance academic programs with an international perspective.”².

Several initiatives focused on inclusion and sexual harassment, as noted in an August 2012 Elon News Network article, “Elon adds new program in compliance with Title IX.”³ The article highlights the establishment of the Bias and Harassment Reporting Hotline (currently known as “SafeLine” for sexual or relationship based violence response) as one of the first acts of the ICC. Students were able to call the “Bias and Harassment Hotline” to immediately receive response from a trained staff member. The Hotline operated from the Office of Inclusive Community Well-Being consistent with the requirements of Title IX for reports of “sexual or bias harassment.” Additionally, an online form was created that allowed reporting to seek assistance, or remain anonymous. The data collected through the reporting processes was to be used to assess efforts at improving the campus climate.

Between 2013 and 2020, the office went through several name and structure transitions. In 2013, the Office of Inclusive Community Well-Being was established and Leigh-Anne Royster was appointed as the Director, which transitioned to the Center for Equity and Inclusion in 2017. The bias response objectives remained similar throughout the office and center transitions: to receive and respond to bias complaints; gather information; provide resources and support to those who experienced a bias incident; develop redress options; and make referrals to other offices on campus

² <https://www.elon.edu/u/news/2012/11/27/brooke-barnett-named-interim-associate-provost/>

³ <https://www.elonnewsnetwork.com/article/2012/08/elon-adds-new-programs-in-compliance-with-title-ix>

when appropriate. The Center staff also kept track of the number and types of incidents in our community each year; tailored educational efforts and reported on the campus climate based on the type of incidents tracked. In addition, Student Conduct and Human Resources could also receive and respond to incidents of bias. SafeLine continued to receive and respond to confidential reporting of sexual and relationship violence.

In 2015, Elon News Network reported that that Office of Inclusive Community Well-Being received 12 reports of bias, discrimination and harassment in the fall and 29 in the winter and spring.⁴ In a survey conducted by the Presidential Task Force on Black Student, Faculty and Staff Experiences, 74% of staff and faculty and 65% of students reported racially-disparaging comments having been directed towards them.⁵

In 2017, the online reporting process transitioned to *Maxient Conduct Manager* (“Maxient”). The utilization of Maxient aided in managing and tracking the number of reported incidents of bias and discrimination. There were 229 unique reports submitted between August 2017 and August 2020; data was not retrievable prior to 2017, unless noted earlier. The reports indicated 111 individuals were directly impacted by the behavior within the report. Twenty-two of the reports occurred off-campus, 36 occurred in an online platform, and 171 occurred on campus.

In 2020 the shooting deaths of Ahmaud Arbery, Breonna Taylor, George Floyd and other unarmed African American citizens by police and civilians sparked a call to action on Elon’s campus. Elon students petitioned for reform of the university’s bias response reporting.⁶ In June 2020, a streamed series called “Authentic Dialogue toward Real Change” was made available to answer questions about how the bias response system operated as well as other questions pertinent to fostering equity and inclusion.⁷ University leaders received a letter from the Black Student Union on June 18, 2020 calling for “a new bias reporting system” and generating public report about actions taken following reports of racism.⁸ In a letter dated June 25, 2020, the Elon Black Alumni Network called the president, provost and senior staff administrators to, among other things, “immediately examine, amend and execute a new Elon bias reporting system,” and for the university to implement a Zero Tolerance policy against acts of bias and discrimination, add anti-racism language in the University Honor Code and to report the number, type and identity of those impacted on the bias reporting system webpage in accordance with FERPA limitations.⁹

⁴ <https://www.elonnewsnetwork.com/article/2015/09/task-force-black-experience> and <https://www.elonnewsnetwork.com/article/2015/10/reported-bias-incidents-rise>

⁵ <https://www.elonnewsnetwork.com/article/2015/02/bias-incident-generates-diversity-discussion>.

⁶ <https://www.elonnewsnetwork.com/article/2020/06/elon-community-condemns-racist-comments-made-in-elon-gop-group-chat> and <https://www.elonnewsnetwork.com/article/2020/07/elon-university-bias-report-concerns>

⁷ <https://www.elon.edu/u/news/2020/06/18/addressing-the-issues-authentic-dialogue-toward-real-change/>

⁸ Letter on file with Vice President Jon Dooley.

⁹ https://www.elon.edu/u/alumni/wp-content/uploads/sites/314/2020/06/EBAN-Letter-to-Dr.-Book-regarding-Black-Life-at-Elon_June-25-2020.pdf.

On July 8, 2020, President Book called for several action steps to promote diversity, equity and inclusion, including the review and redesign of the university's bias response reporting system.¹⁰ The following sections describe the current bias reporting system, raise considerations for further attention by senior leadership and offer recommendations for improving the bias reporting system.

¹⁰ <https://www.elon.edu/u/news/2020/07/08/president-book-announces-new-action-steps-for-diversity-equity-and-inclusion/>.

III. CURRENT SYSTEM OVERVIEW, RESOURCES, & ACCOUNTABILITY PROCESSES

The working group reviewed the current structures and processes that support it in order to develop recommendations for the bias response system. This section includes a summary of the current system.

A. CURRENT BIAS REPORTING SYSTEM OVERVIEW

The bias reporting system currently resides under the auspices of the Vice President for the Division of Inclusive Excellence in the Office of the President. In the spring of 2021, the Division underwent restructuring and hired the Director for Inclusive Excellence Education and Development to focus on inclusive excellence development for faculty and staff, and have oversight of the bias response system. The information in this section reflects written documentation of the current bias reporting and response process. However, the steps in this process were not consistently implemented. There is opportunity to modify and expand the current process for future practices.

Bias Reporting Process

Step 1: Bias incident report is submitted through the report form where they are received by the Director of Inclusive Excellence Education and Development, Vice President and Associate Provost for Inclusive Excellence and Vice President for Student Life. All current and former members of the university can file a bias incident report. The identity-based bias [reporting link](#) is publicly available for any individual to submit a report and included on respective university webpages, including the [university report an incident page](#).

Step 2: Report is reviewed by the Director of Inclusive Excellence Education and Development to determine potential immediate referral and engagement with the Bias Impact Response and Education Team (BIRET).

Step 3: Action planning. Conferring with impacted parties and collaborating with appropriate resources, an action plan is created that may include supportive measures for affected parties, educational and restorative outreach, and accountability strategies.

Step 4: Plan implementation. The plan is implemented by taking into consideration the reported information, desired outcomes of harmed parties, and university resolution pathways.

Step 5: Ongoing support & additional harm transformation. Members of BIRET offer ongoing support and follow-up for harm transformation.

Step 6: Assessment. The Office of Inclusive Excellence education and Development (OIEED) engages with impacted parties to assess response.

Bias Response Process and Scope of Office

The Office of Inclusive Excellence Education and Development (OIEED) engages in restorative opportunities, mediation, and harm transformation practices. OIEED does not investigate or initiate institutional processes that could result in “formal” disciplinary sanctions (HR personnel processes or Student Conduct hearings); however, the OIEED may refer cases to those entities, when appropriate.

The following outlines responses within the scope of OIEED.

Initial Response: The initial response is the immediate (within 72 hours) type of contact made with the reporter. Using criteria to determine the “initial response,” the director will determine whether to follow up and how to engage the reporter. This occurs in “Step 2: Report is Reviewed” as listed above.

Short term/ Ongoing Response: The short term/ ongoing response includes working with the reporter to identify how they would like to proceed and informing them of options for support and/ or remediation. This is done in consultation with other departments, as needed. This occurs throughout Steps 3-5 listed above.

Supportive Measures/ Support: We are using the language of “support” to refer to options available to reporting parties that do not require the participation or engagement of the reported party.

Remediation: Remediation refers to any action or option that may stop the bias incident creating additional harm or engages the reported party/ both parties with hopes to create opportunities for resolution and reducing the harm or future harm.

B. RESOURCES

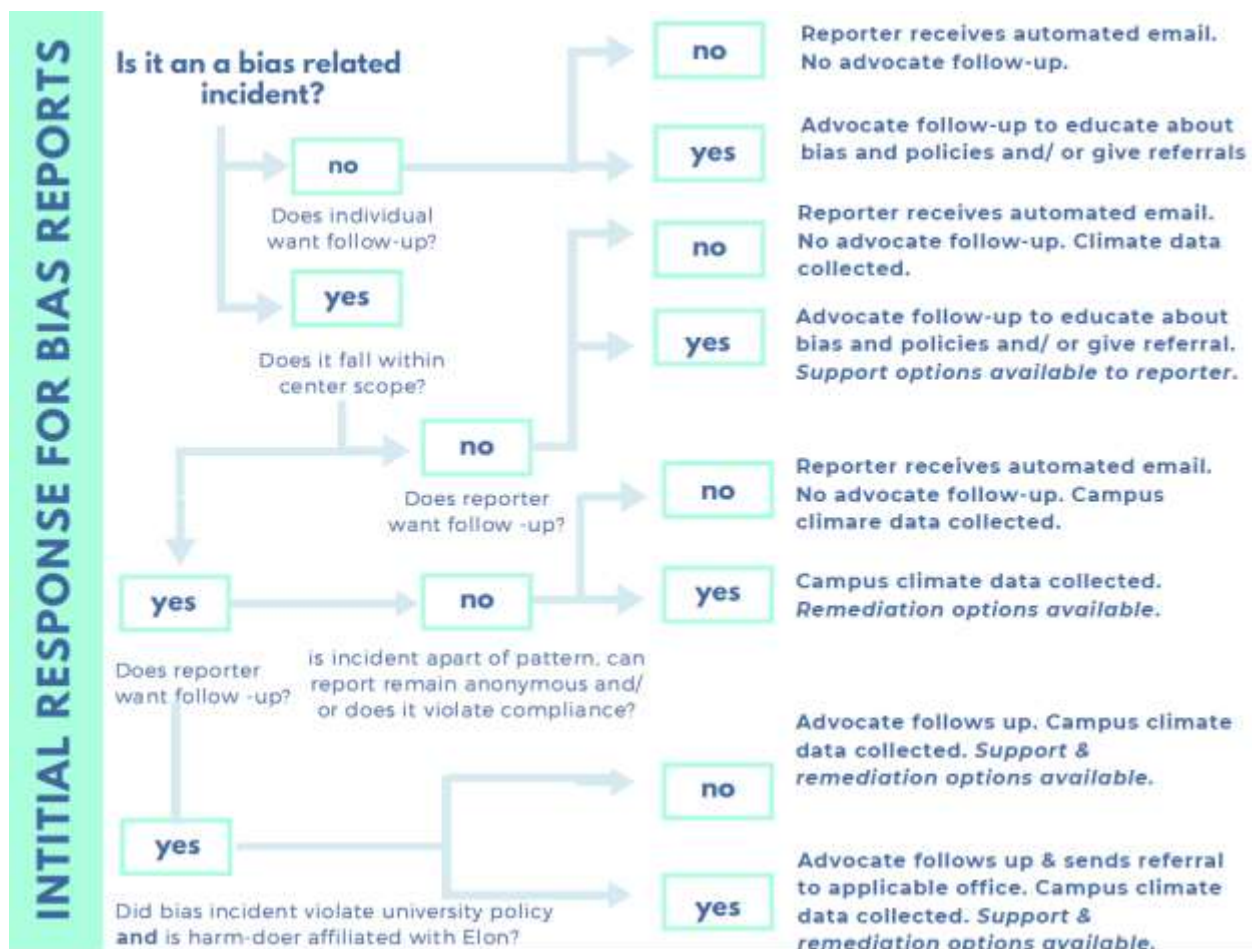
This section outlines current campus resources composed of staff and support systems for managing reports of bias incidents.

Bias Impact Response and Education Team (BIRET)

BIRET was created in summer of 2020 and convened in the fall to assist the Office of Inclusive Excellence Education and Development (formerly the Center for Equity and Inclusive Excellence- CEIE) in providing a comprehensive network to support community

members when a bias incident occurs. BIRET members work across the campus community to support documentation and response of bias incidents. BIRET supports affected individuals and populations through education, restorative opportunities, and harm transformation. The processes carried out by BIRET differ from Student Conduct and Human Resources. BIRET members were intended to consult regularly and participate in training to determine effective response mechanisms. This team's ultimate goal is to support a campus in which students, staff, and faculty are able to reach their fullest potential in navigating instances of bias observed or experienced on campus. More information can be found at <https://www.elon.edu/u/ceie/bias-response/bias-impact-response-and-education-team>.

The chart below is an illustration of the initial stages of the process created by a member of BIRET and utilized by the Director of OIEED during the leadership transition. This chart has not been published on the OIEED website.



The flowchart also references an “anonymous” report. Currently, anonymous reports are difficult to review and redress. Anonymous reports are more likely to be added into information for data collection with limited action, response, and follow-up. It will be important to consider and share the limitations regarding anonymous reporting as it relates to discrimination, with this information shared at the time of reporting, since follow-up and response may be limited, resulting in the information supporting data collection as highlighted in the chart.

Campus Safety and Police

Campus Safety and Police provides support to the campus community. Community members may call their office to report and seek response to acts of discrimination, hate, and bias by calling dispatch at 336-278-5555. Students may also submit a concern through a LiveSafe app.

Other Resources

Identity Centers

Inclusive Excellence at Elon highlights several Identity Centers across the University with missions to support student success.¹¹ Center staff also serve as advocates for students in regards to concerns over bias and other matters.

- The Center for Access and Success
- The Center for Race, Ethnicity, and Diversity Education and el Centro
- Disabilities Resources
- The Gender & LGBTQIA Center
- The Truitt Center for Religious and Spiritual Life

SafeLine

SafeLine is a 24/ 7 hotline for reporting and responding to sexual and relationship violence and gender-based violence response. This hotline is staffed by a violence response team trained as confidential advocates. Calls are received by campus safety dispatch then forward to advocates who offer options for support and resources. Advocates on call provide over the phone and in person/ real time advocacy. More information can be found at <https://www.elon.edu/u/ceie/violence-response>.

¹¹ <https://www.elon.edu/u/inclusive-excellence/offices/>

C. ACCOUNTABILITY PROCESSES

Students, faculty, and staff may be held accountable for the actions and behavior identified within university policy. While formal accountability is outside the scope of the Division of Inclusive Excellence, reports may be referred to respective offices as described below that may result in levels of accountability.

Referral to Human Resources

When Human Resources receives a report of alleged discrimination or harassment by an employee (outside of behavior that falls under Title IX), it creates a duty to investigate those matters. For staff, these allegations fall under the 2013 X-11 Discrimination and Harassment Violations in the Staff Manual. For faculty, these allegations would fall under the Faculty Grievance for Discrimination and Harassment under the Faculty Handbook. Both policies contain similar processes with slightly different vernacular.

Employee and faculty policies allow for an informal procedure, which is conducted by the Director of HR Compliance, Equal Opportunity, and Title IX (the Director). The informal process may include an inquiry into the facts but does not include a formal investigation.

Both policies also allow for formal procedures, which may be initiated by a Complainant or Grievant at any time or in the event that the informal procedure is unsuccessful. The Director will assign two investigators from HR who investigate the complaint. The result of that investigation will be given to the Provost. The Provost appoints a committee (one faculty member, one staff member and one administrator). This committee conducts a hearing based on the information gathered by the investigation. The committee issues a written report of responsibility or non-responsibility to the Provost. The Provost presides over the appeal process, if necessary and implements sanctions, if applicable. For staff, if the sanctions include either dismissal or suspension, the Respondent has a right to request a separate hearing on the sanctions and the Provost then appoints a new committee to the matter. That committee makes a recommendation to the President, who then provides a final written statement of sanctions. If the sanctions do not include dismissal or suspension, the Provost appoints a new committee to the matter. That committee makes a recommendation to the Provost, who then provides a final written statement of sanctions. For Faculty, if sanctions are imposed, the Grievant case may be heard by the Academic Council with the recommendation of the Council provided to the President. Tenured faculty may also request that the Board of Trustees review the recommendations of Academic Council.

Referrals for Undergraduate and Graduate Students

Student behavior related to potential acts of discrimination, hate, and bias may be routed to a conduct office for review of Honor Code violations. The Office of Student Conduct will oversee this process for all undergraduate students and students in the identified master's level and professional programs, in accordance with the [Student Handbook](#). Students enrolled in the Law School will meet with staff at the Law School as outlined in the [Elon Law Student Handbook](#) that follow similar processes and policies. Students enrolled in masters programs, professional programs, and the law school may also be held to the respective professional standards.

A report may be referred from the OIEED after those reviewing identify a potential concern related to University policies. A report may also be submitted directly to the Office of Student Conduct through the Student Conduct Incident Report Form, or emailed/communicated to a staff member within the Office of Student Conduct.

The Student Handbook outlines the adjudication process; a summary is included for purposes of the report. After a report is received, the information is reviewed for potential policy violations and an appropriate resolution pathway is determined. A student may go through a formal conduct process where they receive a charge for a potential policy violation and meet with a hearing officer (or the Honor Board, when applicable) who will make a determination of responsibility and assign applicable outcomes, which typically include a disciplinary status and educational actions. In some instances, an alternative resolution pathway is identified to be most applicable, where the student receives charges of potential policy violations, but no finding of responsibility is assigned; students are assigned an educational action plan the focusses on learning from and understanding the impact of actions and behaviors.

Student Conduct or disciplinary records are protected under FERPA and may not be shared with other individuals, unless the action falls within an exemption identified under FERPA (identified as a “crime of violence” directed at an individual)

Student Handbooks outline the university's policies associated with acts of discrimination, hate, and bias, along with potential outcomes. The following are examples of policies within the undergraduate student handbook (2020-2021) and typically reviewed for student behavior regarding bias reports include:

Bias-Related Conduct

Elon University prohibits conduct directed toward a person, or persons that is intimidating or hostile in nature based on actual or perceived age, race, color, creed, religion, sex,

national or ethnic origin, disability, sexual orientation, gender identity, or veteran's status. Bias-related conduct may be in verbal, written, electronic, online, graphic, or physical form. The determination as to whether this policy has been violated takes into account the totality of the circumstances. This policy is not intended to undercut the free exchange of ideas, even on sensitive topics, but rather to prohibit personal threats and hostile conduct that results in harassment, discrimination or criminal conduct.

Harassment

Conduct (including verbal, written, visual, or physical conduct) that is pervasive and/or persistent, that denigrates or shows hostility against an individual/group/entity when such conduct has the purpose or effect of:

- unreasonably interfering with an individual's work or academic performance, or
- Creating an intimidating, hostile, humiliating, or offensive working, living or learning environment.

Discrimination

Conduct which is discriminatory and an individual suffers an adverse academic, employment, or educational opportunity on the basis of a person's actual or perceived race, color, gender, national or ethnic origin, age, religion, creed, disability, veteran's status, sexual orientation, gender identity or gender expression.

Referral to Campus Safety & Police

When reports of bias incidents also involve potential criminal activity, a report may be shared with Campus Safety & Police. Campus Safety & Police can assist with an investigation by following up when a situation involves non-university community members or non-university location sites and by reviewing relevant background information. Campus Safety & Police may access and review video footage and provide support with vehicles and incidents near campus.

IV. CONSIDERATIONS

The following matters will require further consideration by the Division of Inclusive Excellence, the Division of Student Life, and Office of Human Resources as they intersect with addressing reports of bias.

A. FIRST AMENDMENT

The university has adopted a formal statement, “[Commitment to the Values of Freedom of Expression and Inclusivity](#). (Appendix D). There is, however, an inherent tension between free speech and biased or hate speech. This tension arises because expectations in a university setting for interactions among students, and between students and faculty in the free exchange of ideas have the potential to create a hostile environment when such speech or conduct reflects racial or other forms of bias or hate.

Defining bias, addressing social media activism from all sides of the political spectrum, defining and responding to symbols of hate, and working against creating a chilling effect on the expression of ideas will challenge the ability of the administrators and staff charged with responding to bias complaints. Therefore, although Elon is a private university, not directly bound by the First Amendment, university and handbook policies should be reviewed to identify and determine how to resolve potential conflicts in responding to bias.

B. POWER IMBALANCE CONCERN

Power imbalance exists in multiple relationships on a university campus: faculty and students; faculty and staff; supervising staff and those who report to them; employees with language barriers; and in some instances between students and staff from different socioeconomic backgrounds. The dynamics for bias in these relationships were raised in listening sessions and in conversations with administrators at other institutions. Those we spoke with shared experiences where power imbalance often deterred the person experiencing the bias from reporting those experiences.

The administrators and staff charged with addressing bias on Elon’s campus and surrounding community should create ways to mitigate the effect of such power imbalances that not only deter reporting but also can potentially interfere with the resolution process. Each relationship is governed by different standards, but if there are “common denominators” in how these matters of power imbalance can be addressed they should be in all handbooks: student, faculty and staff.

C. CONFIDENTIALITY

Federal regulations and acts limit what information can be shared and mandate what information must be reported. It is not clear, however, what impact such laws have on confidentiality in the bias reporting and resolution process (including public disclosure) beyond the requirements of FERPA, the university's decision to make reporting through SafeLine confidential and personnel policies protecting employee confidentiality. Therefore, the administrators and staff should determine when confidentiality in bias reporting and resolution is appropriate under governing laws and university policies, and who serves as a confidential resource. The issue of confidential resources is especially significant for staff given the limitation on the role of the staff ombudsperson as discussed below.

D. LEGAL LIMITATIONS ON STAFF OMBUDSPERSON

Respective university staff members are required to document and take appropriate action upon receiving knowledge of potential harassment to determine what occurred. Under Title VI, institutions are required to respond to discrimination on the basis of race, color, or national origin.¹² The Staff Ombudsperson role is currently described as a resource for staff who have questions or concerns involving several topics, including “promoting a safe place to talk, to the extent provided by law; helps analyze situations, and identify and evaluate options for resolving problems or conflicts in the workplace; and remains impartial to all individuals.”¹³ However, unlike the faculty Ombudsperson (**Appendix E**), the staff ombudsperson is currently a staff member within the Office of Human Resources. This can present a challenge if a staff member were to seek consultation or assistance from the Ombudsperson regarding potential concerns of bias and discrimination.

¹² Title VII of the Civil Rights Act prohibits employment discrimination for race, color, religion, sex, national origin. <https://www.eeoc.gov/statutes/title-vii-civil-rights-act-1964>;

<https://www2.ed.gov/about/offices/list/ocr/frontpage/faq/race-origin.html>

¹³ <https://www.elon.edu/u/fa/hr/our-culture-diversity/staff-ombudsperson/>

V. RECOMMENDATIONS

The following recommendations are based on the SWOT analysis of the current bias reporting and referral processes and structures; listening sessions with the Elon community; surveys; researching and benchmarking over 40 institutions of higher education; and consultation with various administrators and staff. While the implementation of several recommendations will fall under the Division of Inclusive Excellence, the dynamic needs of the university will require all members of Elon and surrounding community to proactively engage in calling out acts of bias, hate, and discrimination.

The recommendations are organized around the following themes:

- Personnel and Partnerships
- Education and Training
- Transparency
- Accountability and Policy
- Technology and Enhanced Utility of Webpage

The BRSWG recommends that the university immediately begin to implement the recommendations and address the considerations. Vice Presidents Dooley and Williams should clarify what offices will be responsible for reviewing and implementing the recommendations and determine what additional resources, both staffing and finances are needed to effectively implement the recommended changes.

A. PERSONNEL

More personnel and resources are essential to develop an efficient and effective bias response system. Therefore, the University and the Division of Inclusive Excellence should:

1. Update the university Organizational Chart to reflect the creation of position of Vice President and Associate Provost for Inclusive Excellence and add the Division of Inclusive Excellence in the Office of the President.
2. Explore granting authority to the Director of Inclusive Excellence Education and Development (and other comparable offices) to issue appropriate supportive measures for individuals who have experienced an incident of bias, regardless of whether the matter proceeds to an accountability process. Supportive measures may include housing accommodations, class schedule accommodations and academic accommodations. These supportive measures would only apply to the reporting party. Supportive measures would not include interim measures regarding responding parties.

3. Hire additional staff in offices and divisions responsible for managing the bias response system and for developing accountability and resolution measures and pathways to ensure adequate staffing for conflict and dispute resolution, mediation, restorative actions.
4. Consider disbanding BIRET and establishing two new teams, under the leadership of the Director of Inclusive Excellence Education and Development:
 - (a) Assessment Team that assists with reviewing incoming reports to determine best course of action for immediate response, such as direct policy violation, further investigation, or an educational/restorative response. The Assessment team might include representatives to assist with policy violation and accountability procedures, such as Office of Human Resources, Campus Safety & Police, Office of Student Conduct, Office of Residence Life, and other appropriate stakeholders.
 - (b) Education Team that addresses immediate supportive measures, offers process advocate services, and assists with ongoing long-term prevention, education, and development. The Education team might include representatives from identity centers, Center for the Advancement of Teaching and Learning, Leadership and Professional Development, Office of Human Resources, and other appropriate stakeholders.
5. Develop ongoing evaluation and assessment of bias response system, including staffing needs to provide prompt and meaningful responses and support proactive training and development opportunities to meet current and future needs.
6. During listening sessions, students shared that they wanted to be able to check in with an advisor, mentor, or some other person familiar with the process prior to reporting. Therefore, the process advocates structure should be reviewed and reinstated.

B. PARTNERSHIPS

The advancement of inclusive excellence to address bias benefits from various partnerships between the university with stakeholders on and off campus. We recommend, therefore that the University:

7. Continue to work with the Elon Black Alumni Network on the recommendations in their June 25, 2020 letter to President Book.
8. Engage regularly with representative student groups to systematically collect feedback and identify and address emergent needs.

9. Establish a relationship with and meet biannually with the Town of Elon and Alamance County leaders to determine ways to minimize bias incidents involving campus community members and members of the town or county communities.
10. Identify additional stakeholders to support the work of the Division of Inclusive Excellence and the university's response to bias and discrimination.

C. FACULTY AND STAFF EDUCATION AND TRAINING TO INCREASE THE VISIBILITY OF AND ACCESS TO THE BIAS RESPONSE SYSTEM

The need to increase the visibility of and access to the bias response system were prominent themes during the faculty and staff listening sessions. Faculty and staff in attendance indicated that they were not familiar with or even aware that a bias response system existed. Many disclosed that they attended the listening sessions to learn more about the process and system. Relatedly, staff suggested the need to create various ways to access the system. Therefore, the BRSWG recommends building awareness of the system by expanding bias training opportunities for faculty and staff as follow:

11. Identify strategies that increase awareness of the BRS and scope of response by the Office of Inclusive Excellence Education and Development.
12. Develop a marketing campaign to explain the meaning of "bias," who can use the BRS, how the process works, how to access the BRS, how to report an incident of bias, who will respond.
13. Disseminate information in Spanish (and other languages as determined) explaining how to report incidents of bias.
14. Develop alternative methods, in addition to online, for reporting incidents of bias, such as in paper form and via voice reporting.
15. Incorporate information pertaining to the reporting bias into faculty and staff orientation process. Conduct annual training and updates in all academic and administrative departments.
16. Students often seek guidance from a faculty or staff member immediately following an incident of bias. The BRSWG recommends developing training that prepares faculty and staff to appropriately respond in the moment and direct students to appropriate support

services.

17. Revise the “process advocates” structure described in Appendix F. by recruiting and training faculty and staff to serve in this revised role “process advocates” and to guide a reporting party to appropriate resources to aid in making an informed decision on whether and how to report a bias incident. The process advocates contact information should be publicly available on the Bias Response website and other appropriate locations.
18. Clarify the role of the faculty and staff ombudsperson in facilitating the process of reporting incidents of bias. Specifically, the staff ombudsperson position should be reviewed to determine if the position should remain in Human Resources.
19. Increase accessibility by including a bias reporting form link at the bottom of related Elon University webpages.
20. Establish a collaboration between the Division of Inclusive Excellence and Office of Human Resources to continue training on identifying and preventing bias, harassment, and discrimination and distinguishing the role/scope of response of each office.

D. STUDENT EDUCATION AND TRAINING TO INCREASE THE VISIBILITY OF AND ACCESS TO THE BIAS RESPONSE SYSTEM

Elon has demonstrated a commitment to advancing diversity, equity, and inclusion initiatives campus wide and in the classroom as outlined in the *Boldly Elon Strategic Plan 2030*. To further the commitment, the BRSWG makes the following recommendations:

21. Students expressed that Diversity Edu was a helpful introduction to setting the tone for all students entering Elon University. The BRSWG recommends that the university continue a pre-enrollment program (such as Diversity Edu) for first year students and supplement the pre-matriculation programming in Elon 101 and beyond.
22. Students suggested that information, prepared by the Office of Inclusive Excellence Education and Development, about the bias response and reporting system should be included on all course syllabi. Therefore, BRSWG recommends that all Deans encourage faculty to develop and adopt language in their syllabi that clearly explains the bias reporting system.

23. Prior to external educational experiences (internships, externships, residencies, practicum spaces) the university should inform placement locations of the university's policies on anti-discrimination and anti-bias. Supervising faculty and students should receive guidance on the operation of the bias reporting and response system.
24. Establish a collaboration between Office of Inclusive Excellence Education and Development and Student Conduct to develop a bias, harassment and discrimination training for all university student employees and student leaders, and distinguishing the role/scope of response of each office.

E. TRANSPARENCY

Questions raised during the listening sessions surrounding the transparency of the system and expectations for how complaints should be resolved led the BRSWG to develop recommendations around transparency. Students shared that in most cases they submitted a report with the assumption that it would be addressed through a formal accountability process, where the reported party would be subject to disciplinary action. The lack of transparency of the scope and limitations of the current process has created a lack of trust in the system. Listening sessions also highlighted the need to clarify the bias response system processes and what reporting parties could expect when submitting a bias report and concern. Education and transparency will help the community further understand the scope of the system and available resolution options. The recommendations to improve transparency are as follows:

25. Clarify the authority of and resolution options available through the Division of Inclusive Excellence. Explain the options of referral of bias complaints to the Office of Human Resources, Office of Student Conduct, Law Enforcement/Campus Safety & Police, and other offices who have authority to impose accountability resolutions when appropriate.
26. Improve communication regarding what to expect once a report is submitted. It was suggested, for instance, that staff send an automated response be sent with clarified expectations and appropriate resources to the person submitting the report. (Maxient has this capability).
27. Provide disclosure of what information can and must be shared in light of confidentiality considerations imposed, e.g., by Clery, FERPA and Title IX.

F. ACCOUNTABILITY AND CLEAR POLICY STATEMENTS

Students, faculty, and staff shared during listening sessions that clarity is needed regarding processes for accountability that go beyond the scope of resolutions under the bias response system. Therefore, the BRSWG recommends:

28. Review the relevant language and policies in handbooks (Student Handbook, Faculty Handbooks drafted by the Academic Council and Staff Manual) and employee onboarding materials regarding the bias response system to ensure consistent and clear communication of the process and distinguish accountability policies from the resolutions available through the bias response system.
29. Review reporting practices to ensure compliance with the Clery Act and all other federal laws.
30. Establish and clearly communicate a method of outreach to the reported party regarding their role in the process and potential resolution options.

G. TECHNOLOGY AND ENHANCED UTILITY OF THE WEBPAGE

Technology advances allow the university to respond and track patterns effectively and efficiently for preparing annual reports on the university's progress in addressing bias and assessing campus climate. And while the website should be the primary source for information surrounding the university's bias response system as well as opportunities for education about bias <https://www.elon.edu/u/ceie/bias-response/>, there are numerous other sites with links to the main page, or discussions of bias. Such duplication causes confusion and misdirection, which may discourage reporting. **Appendix B** highlights universities with websites that provide easy access to their reporting system and provide education and training to help prevent bias. Several websites included content in written and graphic form that clearly and quickly illustrated the reporting process from start to finish. In order to enhance Elon's website to respond to all of the above, we suggest that the university:

31. Redesign the current website to include a graphic explanation and flow charts that explain the reporting process and videos to illustrate examples of bias incidents.
32. Update additional websites that link to the bias response system to reflect recent staff transitions, structural changes, and ensure all consistent information.
33. Establish and provide information for each constituency (students, staff, faculty, non-community members) on the reporting and resolution process.

34. Market and review language/terminology to include definitions for discrimination, and acts of bias, including potential examples to create common language for the university.
35. The university should either create a public dashboard or issue annual reports that share reported acts of bias and the resolution. Examples of dashboards created and annual reports issued by benchmarked universities are included in **Appendix B**. The Elon reporting system should be easy to maintain and regularly updated on a designated space on the Elon website to disseminate responses and action taken to incidents. One example may be to expand information on the Inclusive Excellence “News & Initiative” webpage.
36. Make the report on bias incidents and bias response system available and accessible by creating a dashboard or designating a space to disseminate responses and action taken. (Combine 35 – 37). Easy to maintain and updated regularly.
37. Continue to use Maxient as the primary method of receiving reports. This platform allows for tracking of patterns for reporting purposes and assessment of campus climate. Maxient allows for the use of one form to receive all reports of bias and routing complaints to the appropriate offices and personnel (such as Human Resources, Student Conduct, Campus Safety, academic departments) for response. There is opportunity to expand use of Maxient to develop form letters or messages sent to reporters with support resources, and updates on the response.
38. Update the bias response reporting form to include clear and accurate information on response expectations, Title IX contact and disclosure, limitations to anonymous reporting, and an option for accountability referral (Maxient allows for respective staff members and offices to receive a copy of the report for review).

VI. CONCLUSION

Over the last decade, Elon University has worked to address and combat bias directed at members of the Elon community from within and from outside of the campus. However, the commitment to equity and meaningful responses to bias related incidents have led to overlapping efforts. A 2017 external review of diversity and inclusion initiatives advised that Elon should “respond to the perceived ‘busy’ culture of the institution and challenges this presents for diversity and inclusion efforts” as the university works toward “strengthening its diversity and equity agendas.”¹⁴ The recommendations proposed by the BRSWG are intended to advance the university’s goal of designing a bias response system that results in optimal outcomes and moves Elon closer to a campus culture where identity-based bias and discrimination are deemed unacceptable. The recommendation call for focused and efficient processes with adequate staffing and resources to minimize the perception of busyness. For example, using one platform, such as Maxient, for tracking all reports of bias from every division or office responsible for receiving reports enhances efficiency of response and maximizes staff resources.

A campus that welcomes diversity requires the continuous participation by the entire university community and a sustained commitment to “building a healthier and more diverse, equitable, and inclusive community,” as stated in Boldly Elon strategic plan, *Thrive*.¹⁵ A robust bias response system can further the university’s commitment to advancing inclusive excellence at Elon.

¹⁴ <https://www.elon.edu/u/ceie/wp-content/uploads/sites/1035/2020/06/2017DiversityInclusionEquityExternalReviewActionPlan.pdf> (Executive Summary, 2017)

¹⁵ <https://www.elon.edu/u/administration/president/boldly-elon>.

VII. APPENDICES

- A. WORKING GROUP CHARGE
- B. BENCHMARKING SUMMARY
- C. LISTENING SESSIONS SUMMARIES
- D. COMMITMENT TO VALUES OF FREEDOM OF EXPRESSION AND INCLUSIVITY
- E. FACULTY AND STAFF OMBUDPERSON ROLES
- F. PROCESS ADVOCATES STRUCTURE 2015

APPENDIX A

2020-2021 BIAS RESPONSE SYSTEM WORK GROUP CHARGE

Context

Elon University adopted a bias response system in 2013 to provide a coordinated mechanism and response and support for issues of violence, bias, harassment, and hate in the university community. The reporting system was designed with four primary goals in mind:

1. Support and respond to those who have experienced identity-based hate
2. Respond directly to offenders, if identified
3. Track the overall incidents in our community each year
4. Tailor educational efforts for our campus community and report about campus climate based on the type of incidents tracked

Reports can be filed anonymously for information purposes only, or individuals can file a report with a request to be contacted. A staff member from the Center for Equity and Inclusive Excellence responds to the individual to gather information, provide resources and support, and explain possible means for redress. Depending upon the nature of the situation, the individual may be advised of existing university processes through Student Conduct or Human Resources, and/or filing police reports.

Informal resolution may also be an option through university departments.

Over the years, various reporting strategies have been utilized to share information with the community about bias reports and how they are resolved. Individuals filing reports have requested additional information about what happens when reports are filed – particularly for those situations that may involve confidential processes through Student Conduct or Human Resources. In addition to changes in communication, the system has undergone other improvements since it was first developed, including protocols for immediate response from Student Life emergency response staff on evenings and weekends and the addition of a bias-related conduct policy to the student handbook in 2015.

Charge

In July 2020, President Book requested a review and redesign of the bias response system, charging vice presidents Jon Dooley and Randy Williams to oversee that effort. As President Book stated in her announcement of multiple action steps toward racial equity, “We need Elon’s bias response to be as effective and transparent as the law allows, and I’m asking for a public dashboard that provides our community with data regarding incidents of racism on our campus as well as the actions taken by the university.”

To that end, the Bias Response System Work Group is charged with reviewing the existing bias response system at Elon; researching exemplary models at colleges and universities; and developing recommendations for future changes at Elon. This work will include bias reporting and response through the Center for Equity and Inclusive Excellence, but also reviewing how bias-related issues are resolved through processes available to the community through Student Conduct, Human Resources, and other university departments. The work group should also address strategies to use information from the bias response process in evaluating campus climate.

A summary of preliminary findings is recommended by March 1, 2021, with a final report to be submitted by May 1, 2021 to Vice Presidents Jon Dooley and Randy Williams.

APPENDIX B

BENCHMARKING

The Bias Response Working Group contacted and researched over 40 Colleges and Universities to gather comparable information to assess how other institutions respond to reports of bias. While not all institutions responded to our requests for information, we were able to gather pertinent information from conversations with participating schools and by perusing the websites of all the schools identified for research. The Working Group selected schools from the list compiled by Elon University of aspirant and peer institutions. Several schools were recommended during conversations with those institutions. We also selected private colleges and universities in North Carolina from the North Carolina Independent Colleges and Universities that are similar in size and demographics of the university and surrounding local communities. We compiled a list of questions to use as a guide in our conversations and to gather as much comparable data as possible.

Questions reviewed during the benchmarking process

1. How long have you had a university system for bias response?
2. How does the process work from start to finish?
3. What office is your system/response affiliated with?
4. What are the greatest strengths of your system?
5. What are any weaknesses of your system?
6. What policies do they have to support student, faculty, and staff accountability?
7. Have you done any improvements or conducted assessment surveys? If so, what were your results?
8. What changes would you make to your system if you had unlimited resources and possibility?
9. What does training and professional development look like for staff, faculty, and students around reports of bias and bias response?

Bias Response Systems and Structures

Generally, we found that most colleges and universities have some sort of bias reporting/response system. The structures of those systems differ from school to school. Some of the institutions designed this reporting system to only collect data to be analyzed to study the impact bias incidents have on its community. Others have Bias Assessment Response Teams (BART) or Bias Incident Response Team (BIRT). These teams are typically charged: with providing the reporting individual with resources and support; proactively addressing potential community harm; and strategically responding by collecting aggregate data to “identify and make institutional recommendations and on-going educational initiatives.”

While the compositions of these teams vary among schools, several similarities were apparent. Some teams include representatives from the faculty, the office of the president and the office of the provost. Other teams consist of representatives from the dean of student's office, the office of diversity, equity and inclusion and students.

The reporting structures also varied among schools. While most schools locate the reporting system in the office of student affairs, some teams report to senior leadership in Human Resources, the Office of Diversity and Inclusion or the Office of the Provost. Several schools have combined their bias reporting system with the office or person responsible for Title IX reporting and adjudication.

The BRSWG found that most colleges and universities are either just beginning their systems and structure or they are, like Elon, reviewing and revamping their bias response efforts. Many of the schools highlighted the need to adequately staff these systems and to better market them to the community for overall effectiveness. Some expressed frustration with issues around accountability, especially as it applies to faculty and employee behavior and overall transparency of the process. Most of the institutions we spoke with emphasized the need for training to help users understand the system and educational initiatives to combat bias.

Summary of the Reporting and Resolution Process

Colleges and Universities differ significantly regarding the public information they provide regarding their response to reports and their resolution processes. BRSWG found schools that provided the potential reporter with reasonable expectations to be the most accommodating. We also found that while many schools have non-discrimination statements, they do not necessarily have detailed policies and procedures available. Additionally, some schools had dismissive language regarding "viewpoints that may challenge individual beliefs" that were not well-received by this working group.

Websites

The Working Group also gathered information from various websites. The benchmarking analysis considered messaging effectiveness, clarity and serviceability of bias response systems. We found that the websites with clear, concise language were the easiest to navigate. We also found various FAQ pages to be more helpful than others. Examples were pulled from university webpages as examples that should be considered for adapting in revitalizing Elon University's Bias Response System Webpage. The following examples highlight incident definitions, flow charts, data and report representation, frequently asked questions, and disclosures.

Example 1

Wake Forest provided information about what reporters could expect as a response.

Immediate Response

1. University Police will investigate to assess any immediate danger or harm

2. The **Review Group**, led by the Dean of Students and the Office of Diversity & Inclusion, receive the report.

Review Group Members

- ▶ **Matthew Clifford**, Dean of Residence Life and Housing and Assistant Vice President of Campus Life
- ▶ **Aishah Casseus**, Director of the Title IX Office/504 Coordinator
- ▶ **Adam Goldstein**, Dean of Students and Associate Vice President of Campus Life
- ▶ **Erica Still**, Associate Dean for Faculty Recruitment, Diversity & Inclusion, Associate Professor of English
- ▶ **José Villalba**, Vice President for Diversity and Inclusion and Chief Diversity Officer

Short-Term Response

The **Review Group**:

1. reviews report;
2. directs report to appropriate office for investigation and resolution in accordance with the applicable University policy;
3. reaches out to individual submitting report (if identified) to provide care and support;
4. assesses avenues for minimizing or eliminating the possibility of future harm;
5. may appoint a smaller team of appropriate individuals to provide ongoing support to the individual(s) involved and/or to explore avenues to minimize future harm;
6. supports ongoing community healing and educational outreach.

Long-Term Response

1. The **Review Group** aggregates reports and response actions into the Annual Bias Incident Report and shares it with the **Bias Steering Committee**.

2. The **Bias Steering Committee** reviews the aggregate Annual Bias Incident Report, identifies gaps, makes institutional recommendations, presents them to the Cabinet, and shares its recommendations with the University community on the reportbias.wfu.edu website.

3. **Annual report** informs ongoing educational and institutional reforms and initiatives.

Bias Steering Committee Members

- ▶ **Penny Rue**, Vice President Campus Life
- ▶ **Tim Auman**, Chaplain
- ▶ **Regina Lawson**, Chief, University Police

For more information, Visit our FAQ page.

<https://reportbias.wfu.edu/what-to-expect/>

Example 2

Lehigh University and Wake Forest websites include relatively easy to navigate comprehensive list of questions and answers available for both faculty and staff, and students. The following is an image from Lehigh University's webpage. The link for Wake Forest is included below.

Frequently Asked Questions - Harassment and Discrimination

- What is discrimination?
- What is harassment?
- What is quid pro quo sexual harassment?
- What constitutes a hostile or offensive environment?
- Is stereotyping considered harassment?
- What types of harassment and discrimination are prohibited by law or University policy?
- What does sexual harassment include?
- What is a bias incident?
- Is a bias incident different than a hate crime?
- Then what is a hate crime?
- If I think I've seen or experienced a bias incident and/or hate crime, what should I do?
- If I don't know whether I want to report what happened, is there someone confidential that I can talk with?
- What resources are available to provide information and support following an incident of harassment or discrimination?
- Does there need to be a difference in power between the parties for there to be harassment?
- If I don't mean to harass anyone, is it still harassment?
- What do I do if I think I'm being harassed?
- Do I have to try to stop the behavior myself?
- What do I do if I feel like I'm being harassed, but I'm not sure if I'm being harassed based on one of those legally protected bases?
- What should I do if I witness inappropriate conduct?
- What protection is there against retaliation if I make a report or file a complaint?
- How does Lehigh determine whether a violation of the University's policies has occurred?
- If I am a respondent, what type of sanctions could be imposed if I'm found to have engaged in harassing or discriminatory conduct?
- Does Lehigh have a mechanism for identifying repeat offenders?
- Who can I contact for more information and/or to investigate a complaint?
- If I make a report or file a complaint, is it confidential?

<https://eocc.lehigh.edu/faqs-studentsharassment-discrimination>

<https://reportbias.wfu.edu/resources-training/frequently-asked-questions/>

Example 3

Butler University defines bias on their respective landing pages. This example is from Butler University.

ADDRESSING INCIDENTS OF BIAS THE BUTLER WAY

Butler University was founded on the principle that everyone deserves an education, regardless of race or gender. In keeping with that tradition, Butler is committed to creating and maintaining a respectful educational environment in which all of our community members are welcomed, respected, and supported.

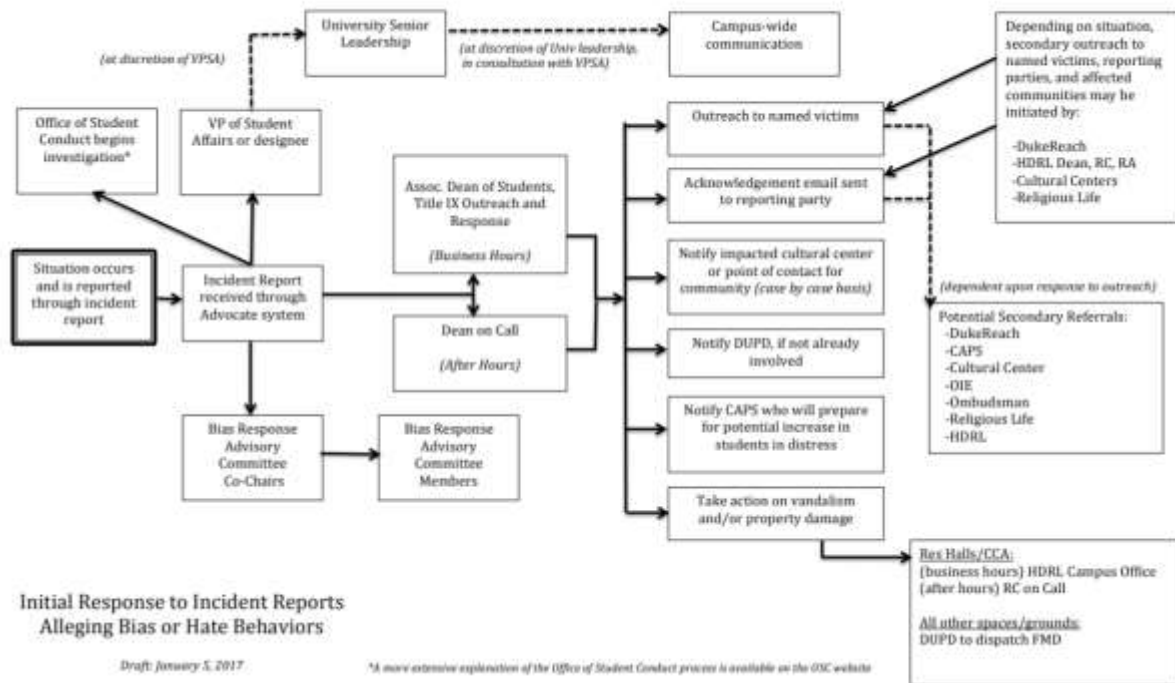
WHAT IS A BIAS INCIDENT?

A bias incident is an act or behavior motivated by the offender's bias against facets of another's identity. These facets may include, but are not limited to: race, color, religion, national origin, age, disability, citizenship status, military status, sex, gender, sexual orientation, gender identity, gender expression, or genetic information. Bias occurs whether the act is intentional or unintentional. Bias may be directed toward an individual or group. Bias may contribute to creating an unsafe or unwelcoming environment.

<https://www.butler.edu/bias>

Example 4

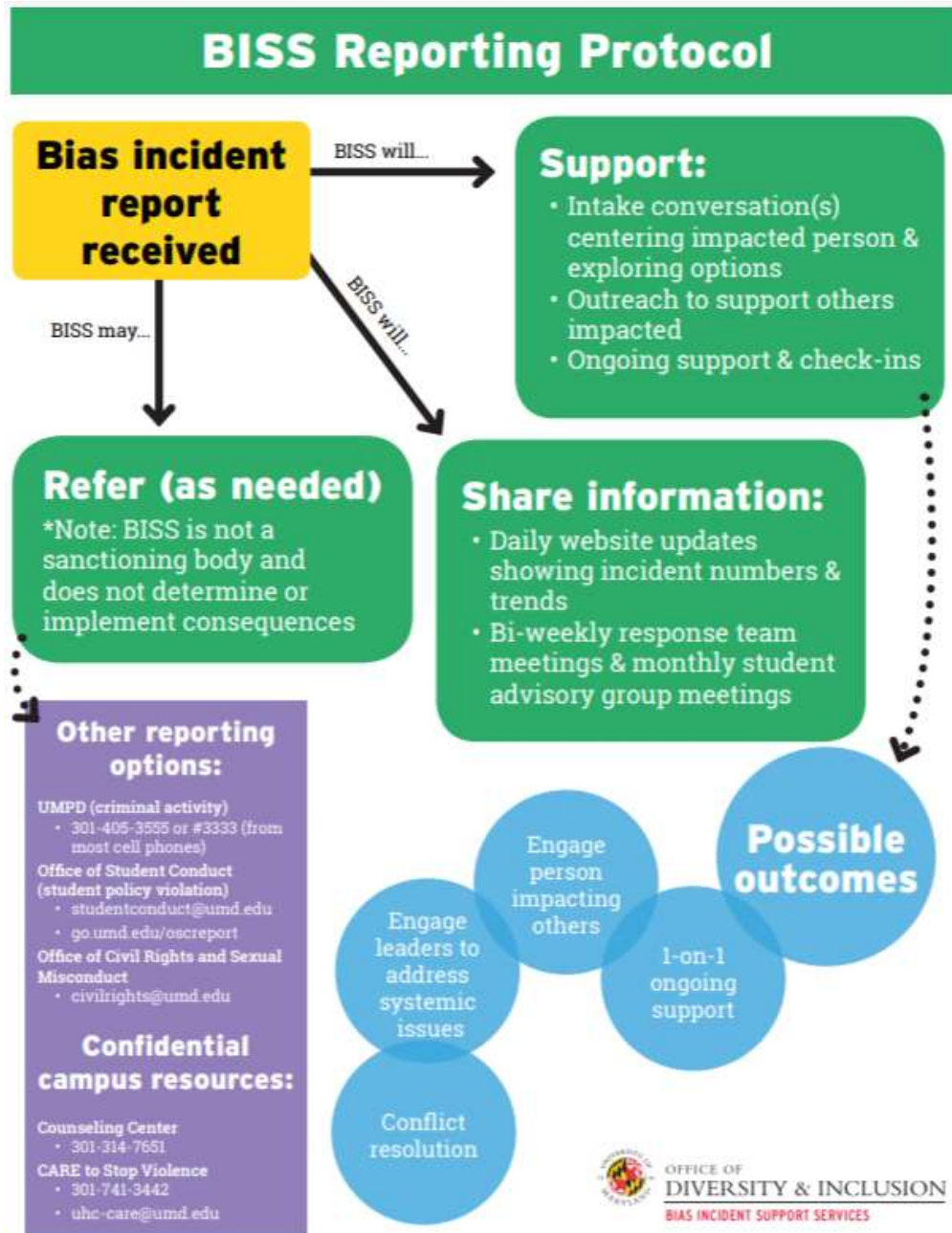
Duke University included a flowchart on its landing page so reporting parties could see how the university response to reports of bias.



<https://studentaffairs.duke.edu/sites/default/files/2017-06/Bias%20flow%20chart%20final.pdf>

Example 5

The University of Maryland, Bias Incident Support Services, includes a visual graphic of their Reporting Protocol that demonstrates another example that is clear and concise.



<https://diversity.umd.edu/bias/response/>

Example 6

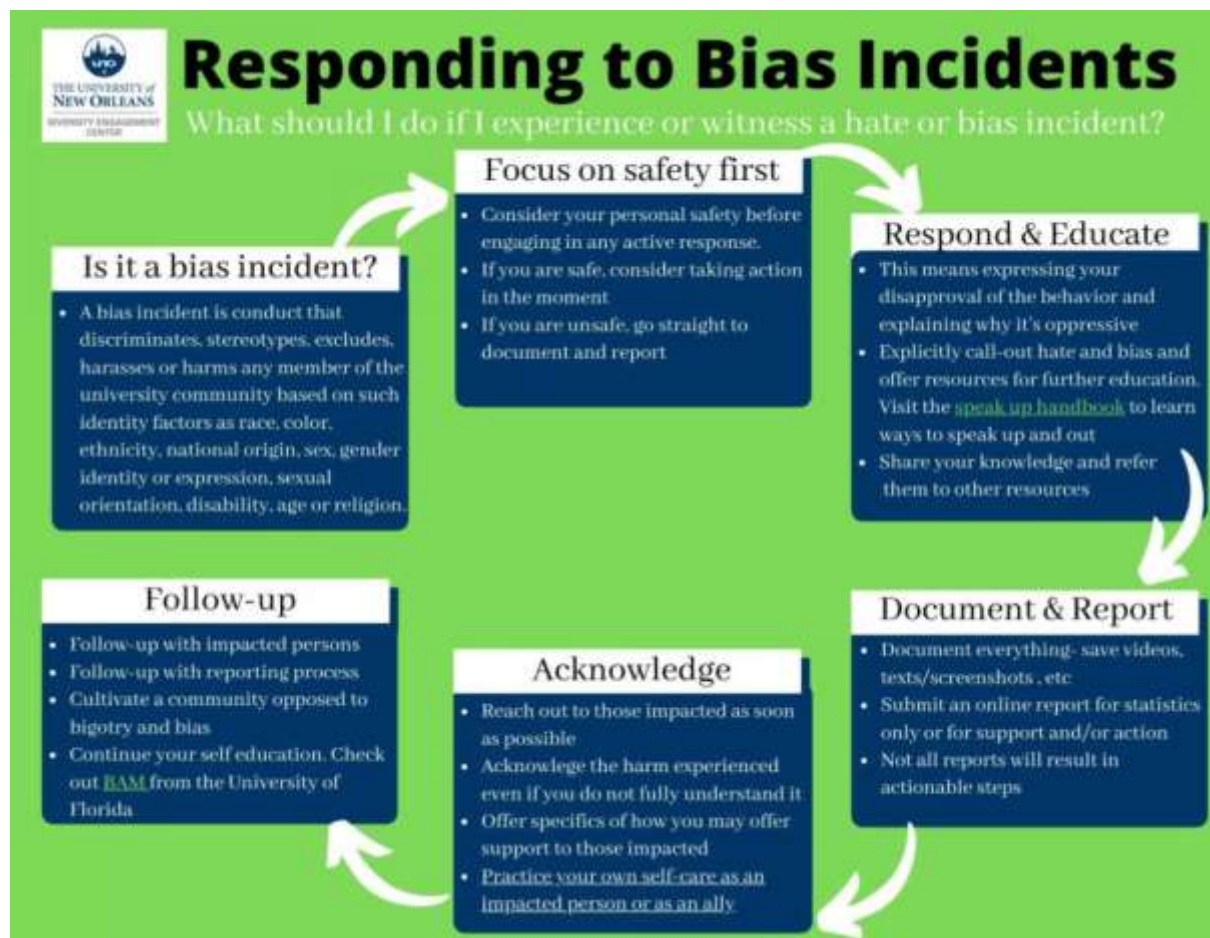
James Madison University has this Title IX disclosure on its landing page that provides information regarding reporting obligations.

Note: Harassment on the basis of sex, sexual orientation, gender or gender identity is defined as sexual harassment. Sexual harassment also includes sexual assault, sexual misconduct, and sexual violence. All complaints of sexual harassment and misconduct are managed by the Title IX Office. To report any incidents of sexual harassment or sexual misconduct, please contact the [Title IX Office](#).

<https://www.jmu.edu/ceo/how-to-file-a-complaint/index.shtml>

Example 7

The University of New Orleans' web site includes this graphic that identifies an incident of bias and provides an overview of the process, and educational information such as bystander material and a section detailing the issue of micro-aggressions.



<https://www.uno.edu/diversity-affairs/hate-bias-discrimination>

Example 8

Wake Forest and University of Maryland have public links to their Bias Incident Annual Report that shows the types of reports that the university received and the university's response to those reports. University of Maryland also has a dashboard that requires university credentials to access.

Range of Actions Taken by Review Group

Action	Total Reports 2015-16	Total Reports 2016-17	Total Reports 2017-18	Total Reports 2018-19
Caring Outreach ²	23	46	35	55
BIR Team Convened	2	1	0	0

² Note: This number does not reflect the number of students contacted by the Review Group. Rather, it reflects the number of reports in which caring outreach was done. Routinely, there is more than one individual per BIR to whom the Review Group provides caring support and outreach. Additionally, this number does not reflect the caring outreach conducted by the Office for Diversity and Inclusion, the Dean of Students, the Dean of the College, Human Resources, the Title IX Office or other offices once a BIR has been referred to that respective office by the Review Group.

Page 5

May 10, 2019

Educational Intervention/Informal Discussions with Students (Review Group Facilitated)	7	16	8	16
Educational Intervention/Informal Discussions with Faculty (Review Group Facilitated)	2	5	6	4
Referrals to University Accountability Systems	16	16	14	26
Referrals to External Systems (e.g., ARAMARK, Greek National HQ)	0	3	1	0

<https://prod.wp.cdn.aws.wfu.edu/sites/206/2019/07/BIR-Annual-Report-2017-2019.pdf>

BISS BY THE NUMBERS

Bias Incident Support Services Report July 1, 2019-July 1, 2020

69
REPORTS RECEIVED

42
INCIDENTS LOGGED

*Reports received are all the reports made to BISS. The log does not include reports that the university could not look into. Reports involving the same incident are typically logged once.

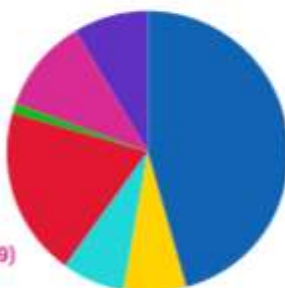
LOCATIONS REPORTED



Residence Halls: **24.5%**
Academic Buildings: **22.9%**
Online: **44.3%**
Other/Outside: **8.3%**

MOTIVATIONS REPORTED

Race/Color (38)
Gender/Sex (6)
Religion (6)
Sexual Orientation (16)
Disability (1)
National Origin (9)
Citizenship (7)



RESPONSE

25 Trainings & proactive programs
27 Reports involving restorative practices
5 Referrals to on- & off-campus entities
10 Reports with UMPD involvement

IMPACT

2,672 contact hours with impacted parties
36 1-on-1s with impacted parties
15 Hate-Bias Response Team meetings
37 consultations with departments
New Student Advisory Group

TRENDS



Prior to COVID: **3%** of reports involved online incidents
During COVID: **95%** of reports involved online incidents

<https://diversity.umd.edu/docs/annual-reports/umd-odi-biss-by-the-numbers-2019-2020.pdf>

APPENDIX C

LISTENING SESSIONS SUMMARIES

The Bias Response System Working group conducted a series of listening sessions across campus to engage campus constituents in their perception, experiences with the current system and ideation and feedback about ideas for revision. Listening sessions were hosted with faculty, staff, undergraduate students, graduate students and alumni. Below you will see a short summary and takeaways from the sessions.

a. Faculty and Staff Listening Sessions

The working group was able to conduct four listening sessions, three virtual formats open to all faculty and staff and an in-person session with members of Physical Plant to connect with about 75 faculty and staff members.

Questions presented to the group

- a. Are you familiar with how you can access services and reporting process? How did you learn about the bias response process/reporting form?
- b. When you think about the response system, what feedback do you have about the current process? What has caused confusion or misinformation?
- c. Response to Restorative measures- need to flush out question
- d. When bias incidents occur on campus/to a student, what do you see as an ideal outcome or resolution?
- e. One avenue for supporting students during an incident in bias is engaging and offering restorative programs and conversations. Do you have any thoughts about restorative options?
- f. What additional training opportunities or support would you like to see for faculty and staff to respond to bias concerns and to explain the process to peers and students?
- g. Thinking about the current information on the website- What is currently missing and needed to better explain the Bias reporting process?
- h. Are their elements of the process that you would recommend remain as we review our system?
- i. Is there anything we haven't asked that you would like to share/address regarding the bias reporting process?

What we learned from the faculty staff listening sessions

- j. The majority of faculty and staff did not know that the bias response reporting system was a reporting method they could use within themselves. The

perception was this was a reporting system only for student concerns. The majority of faculty and staff also noted that they attended the session not to give feedback but as an opportunity to learn more about the system. The faculty and staff who were familiar with the system became aware of it during their onboarding process, by the process being mentioned in a faculty/staff listserv e-mail as a follow-up to a bias incident occurring on campus, or by having to support a student through the process in the moment.

Suggestions and Ideas

- k. Opportunities for increased awareness and education on the process
 - i. Faculty and Staff recommended that the process should not only be reviewed in the onboarding process but also communicated annually via the campus listserv and at departmental and/or divisional annual meeting spaces. Awareness can also be through print marketing (brochures/ fliers) around campus. There was also a recommendation to have stronger messaging that this process is for all faculty, staff, and students.
 - ii. There was a suggestion that we could increase the training opportunities about the bias reporting systems by hosting in-person or virtual sessions that talk about the process and supporting others through process that staff could attend.
 - iii. Consider also having information in Spanish or other languages as appropriate.
- l. Sharing of information with the campus community and constituents
 - i. Faculty and Staff shared that it would be beneficial for annual reports to be shared that highlighted information about the years reporting. It was suggested that Academic Deans and Vice Presidents should be given a breakdown of reports connected to their schools/ division in order to find reactive and proactive ways to support or engage their teams to promote an inclusive environment, as they currently receive no information.
 - ii. Concerns around how information is tracked about faculty, staff, and students reported and how are they approached when patterns are forming with behavior. How will this information be followed-up on?

b. Law School Student Listening Session

A listening session was facilitated with students from the Elon Law School.

Questions presented to the group

- a. Are you familiar with how you can access services and reporting process?
How did you learn about the bias response process/reporting form?
- b. Thinking about our current bias reporting process, what has caused confusion or misinformation? Where do you see areas that could be more transparent?
- c. When bias incidents occur on campus/to a student, what do you see as an ideal outcome or resolution?
- d. Is there a specific experience that you would like to share as an example of how the process worked well or caused concern?
- e. One avenue for supporting students during an incident in bias is engaging and offering restorative programs and conversations. Do you have any thoughts about restorative options?
- f. Is there anything we haven't asked that you would like to share/address regarding the bias reporting process?

What we learned from the Law School Student listening sessions

- g. Overall, we found that there was awareness that they university had a system for reporting but not a deep understanding about the process. They also confirmed the perception that people feel like they don't know what happens to their report after submission which causes confusion and misinformation.
- h. There are culture and climate concerns that were brought forth by the students regarding the training that faculty should receive and how bias reports and considerations need to be taken to account when reports need to be submitted about a faculty member in the professional and graduate schools due to the long-term implications.

Suggestions and Ideas

- i. Increasing the level of communication in the process. Students wished there was more transparency and confidence in the system. Students understand the outcome might not be what they want but they feel there are gaps in the process that impact how the reporting party feels heard and cared for through since right now they don't feel a part of their process.
- j. Increase education about the system and the multipath the system can have as outcomes. Suggestions include clarification of terms about what is bias and how micro-aggression fit into that space as well as student try to navigate what is reportable. Along with more clarity on the types and range of outcomes that could occur. If restorative justice strategies are an option we also need to clarify what that means for the community.

- k. Assistance before submitting a report. Could the university consider creating process advocates that you could speak to before a student decides to submit a report to get clarity on the process and your situation in order to ask questions?
- l. External Educational Experiences (residencies, internships, etc.). The Law school specifically also need to consider how this reporting system can be utilized and support our students who will have external off-campus experiences for their academic journey. How do we make them aware and prepared to understand reporting structures in these places or track concerns or patterns from a particular site?

c. Bias Impact Response and Education Team (BIRET) Listening Session

A listening session was facilitated with the newly formed BIRET Team to better understand their perceptions of the current bias reporting system and how this team can better support the process moving forward.

Questions and topics presented to the group

- a. How do you see your role in the bias reporting process?
- b. Once a report is submitted when does BERIT get involved?
- c. Discussion the evolution of the process advocate role? Has it been eliminated?
- d. Anyone missing?
- e. Describe the kinds of reports are typical?
- f. Discuss how restorative processes can be integrated as a part of this process?
- g. Please provide any additional feedback?

What we learned from the BIRET listening sessions

- h. BIRET members discussed the lack of transparency in the process is the biggest concerns they have heard from students. They see the collective expertise of the group and hope a structure can be developed to better utilize this expertise. The BIRET Team also includes various culture and identity centers and representation. It was discussed that these culture nuances need to be taken into consideration when marketing material and trainings are developed.

Suggestions and Ideas

- i. Effective utilization of the team. This group discussed the past context of process advocate, which is model that has not been used since 2015. They suggested that their roles could be used for support for students but that the

group could regularly convene to best process and support cases holistically instead of in silos. It is recommended for this group to meet more frequently.

- j. Faculty Representation and Classroom Concerns- There are no faculty on the BIRET team, but many reported issues are incidents that occur in the classroom. This is an area worth exploring and discussion how the location and power dynamic might impact the response and role of the group to support the reported party.
- k. Support for impacted reporting party and the reported party. Consider having the team focus on these two parties in the process.
- l. Increase student engagement and feedback and consider creation of a student advisory group or where are the spaces to engage in student feedback and perception in marketing, updates, and changes.

d. Undergraduate Student Listening Session

Several listening sessions were facilitated with undergraduate students to understand their perceptions of the current bias reporting system and provide a space for ideation for gaps and issues in the system.

Questions presented to the group

- a. Are you familiar with how you can access services and reporting process? How did you learn about the bias response process/reporting form?
- b. When you think about the response system, what feedback do you have about the current process?
- c. Thinking about our current bias reporting process, what has caused confusion or misinformation? Where do you see areas that could be more transparent?
- d. When bias incidents occur on campus/to a student, what do you see as an ideal outcome or resolution?
- e. Is there a specific experience that you would like to share as an example of how the process worked well or caused concern?
- f. One avenue for supporting students during an incident in bias is engaging and offering restorative programs and conversations. Do you have any thoughts about restorative options?
- g. Is there anything we haven't asked that you would like to share/address regarding the bias reporting process?

What we learned from the student listening sessions

- h. Students shared that some were aware of the bias response reporting system and several were not aware until the listening session. Students also discuss concerns about what happens with reports and the timeliness of reports being processed.

Suggestions and Ideas

- i. Determine how to close to the loop with the responding party within the guidelines of FERPA since students are noting a lack of closure and a sense of transparency. Students understood they couldn't know everything but feel there is not much communication after the initial meeting.
- j. University transparency and denouncing incidents. While the university can't send an e-mail for every incident but if there was a system for annual or semester reporting the university could make a statement denouncing these actions that do not align with its values.

e. Alumni Listening Session

Dr. Williams and Dr. Dooley moderated the Alumni Listening Session. Alumni participants offered the following observations:

Comments regarding the process

- a. There is a need for more transparency
- b. The level of student and community awareness of the system should be raised
- c. The meaning of "bias" should be stated
- d. A person who reports having experienced or witnessed an incident of bias should receive a prompt response
- e. The titles and role of university members responsible for the process should be clearly defined, e.g. the role of the "process advocate," because titles can be especially confusing to entering students.
- f. A timeline should be provided from reporting to resolution
- g. The process should include terminal steps short of the whole process. For instance, a person may only want to report the incident or receive counseling.
- h. The university should manage expectations of the resolution process especially if there are no enforceable remedies, especially when the perpetrators are from outside of the university

- i. The process should be viewed as an opportunity to empower parties on both sides of the incident with an emphasis on restorative rather than punitive remedies

Comments regarding Institutional Responsibility

- j. The university should be careful not to minimize the experience of the person reporting an incident of bias
- k. The university should recognize that most students of color or students from other historically marginalized groups are not “privileged” to know staff and faculty who could “do something” to address an incident of bias, especially when the perpetrator is a faculty member
- l. The university should be mindful that the credibility of a white private institution in the South is always under scrutiny unless there is a change in culture to create physical and emotional “safe space.”

APPENDIX D

COMMITMENT TO THE VALUES OF FREEDOM OF EXPRESSION AND INCLUSIVITY

Elon University’s Commitment to the Values of Freedom of Expression and Inclusivity

As expressed in our [university mission statement](#), Elon University “embraces its founders’ vision of an academic community that transforms mind, body, and spirit and encourages freedom of thought and liberty of conscience” with a commitment to “foster respect for human differences.” The University encourages open, ongoing intellectual engagement and debate through mutually respectful interactions that preserve the openness of public dialogue, animate the [academic freedom](#) central to the enterprise of higher education, appreciate human dignity and difference, and reflect the shared tenets of honor codes that guide good practice across colleges and universities. An environment that encourages diverse views and the free exchange of ideas is vital to the Elon University mission and, indeed, the aims of higher learning.

Elon’s mission highlights both freedom of expression and inclusion as cornerstones of a dynamic academic community, and as necessary for holistic student development in a student- and learning-centered educational environment. The exchange of ideas and the safety and well-being of students are both essential elements of a rich intellectual community.

Nurturing both freedom of expression and inclusion, Elon is committed to creating and sustaining a strong campus community, wherein each member critically examines multiple ideas and perspectives about the issues that matter most to our campus, community, and world. We foster a campus community that embraces an exchange of ideas, with thoughtful discussion, ongoing dialogue, and respectful debate that is both robust and free from harassment.

The marketplace of ideas works best when multiple voices speak and are heard, when serious ideas are taken seriously, and when impassioned responses are coupled with reason. This can be difficult and nuanced, for free speech is not without consequence and may include the condemnation of ideas or social isolation due to the expression of ideas that others view as damaging. The advancement of knowledge arises out of a crucible of difference, wherein risk and challenge are essential.

While embracing an open exchange of ideas, we also acknowledge and expect all within our community to act in ways that acknowledge that words have impact, and that impact is differential and contextual, influenced by societal structures, life experiences, backgrounds, and identities. We abhor and rebuke speech that disenfranchises, denigrates, and dehumanizes. Targeted harassment, threats, and speech that creates a hostile learning environment have no place at Elon.

There are inherent responsibilities that accompany membership in an academic community committed to the advancement of knowledge and open inquiry. These responsibilities include acknowledging the impact of one's speech, listening openly to understand the perspectives of others, affording respect and dignity to all, contending with challenging and discomfiting ideas, being thorough in one's own inquiries, and actively engaging when speech threatens to harm others. These values are inscribed in the pillars of [Elon's honor code](#): honesty, integrity, responsibility, and respect. By assuming and acting on these responsibilities, each and all of us participate in sustaining the values of the academy and creating a healthy academic community reflective of dissenting views supportive of personal transformation.

Difficult conversations challenge members of our community to be logical in our arguments, capable of respectfully seeing things from others' perspectives, careful about what we say and how we say it, committed to the advancement of knowledge and understanding, open to change in one's own views and actions, and resilient in the face of adversity. The learning that takes place through a robust exchange of ideas and the skills of democracy that are sharpened through such exchanges are essential to our future success, individually and collectively.

<https://elon.smartcatalogiq.com/2020-2021/Faculty-Handbook/Definitions-and-Policy-Statements/Policy-Statements/Commitment-to-the-Values-of-Freedom-of-Expression-and-Inclusivity>

APPENDIX E

FACULTY AND STAFF OMBUDSPERSON ROLES

Faculty Ombudsperson

The Elon University Faculty Ombudsperson seeks to promote fairness, conflict resolution, and cooperation through education, negotiation and mediation.

The Faculty Ombudsperson adheres to the Standards of Practice adopted by The International Ombudsman Association. These standards were developed in accordance with commonly understood principles within the Ombuds profession and reflect the core values of IOA. The Standards of Practice help guide members in making responsible choices and further, are intended to promote constituents' understanding of and confidence in Ombuds Offices and their services.

The professional standards of independence, informality, neutrality, and confidentiality guide the work of the Ombudsperson. The Ombudsperson is independent of all formal university processes or procedures. Therefore, he/she is authorized to informally assist with the resolution of issues and disputes.

The Ombudsperson is a designated neutral party and does not function as an advocate or representative. All conversations with the Ombudsperson are confidential, except when the safety or security of others are concerned, when permission is given by the complainant to speak with others involved in the case, in cases dealing with concerns about violations of the university's non-discrimination policy, or where the Ombudsperson may be required by law to testify.

For concerns about discrimination or harassment on the basis of age, race, color, creed, sex, national or ethnic origin, disability, sexual orientation, gender identity, or veteran's status, please go to [Bias Response website](#).

Please review [Academics / Faculty Ombudsperson](#) for a fuller description of the role. Please review the [IOA Standards of Practice & Code of Ethics \(ombudsassociation.org\)](#).

Staff Ombudsperson

The staff ombudsperson is currently a staff member within Human Resources. To access the impartial staff ombudsperson, an employee would call Human Resources and to talk to the individual. Information regarding their role is listed on the university webpage: <https://www.elon.edu/u/fa/hr/our-culture-diversity/staff-ombudsperson/>. The role is identified as someone who will listen, coach on individual goal achievement, engage in shuttle diplomacy between individuals, mediation, promoting a safe place within the extent of the law, connect with resources to answer questions, assist evaluating work place conflicts or problems, and seeks to

prevent negative conflict through early intervention. They offer the services through individual consultation, referral, and mediation or group facilitation.

APPENDIX E

2015 PROCESS ADVOCATES STRUCTURE

Information from listening sessions indicate those individuals served as valuable resources to students, faculty, and staff engaging in the bias response system. One of the recommendations was to update and reimagine the process advocate role. The following introduces the Process advocate structure last operationalized in 2015.

The goal for process advocates was to support and advocate for students, staff and faculty members who have been targets for bias, harassment, bigotry, and/or hate. Central to that support was the agency of the person who has been targeted. A student may want to be associated with an affinity group based on the targeted identity or may not. You will be the best judge of that through conversation with the student. The Director of Inclusive Community Well Being (currently Director of OIEED) will determine with you whether or not additional reports are mandated.

Faculty and staff have different considerations than students: personnel records, community connections, job security concerns, continued work environment issues, including the basics of active listening, familiarity with the handbook policies and procedures.

Immediate considerations for students:

- Safety
- Emotional and psychological well-being

Immediate and/or Intermediate considerations:

- Criminal Justice Process/Student Conduct Process
- Family support/involvement
- Social circle support/involvement
- Secondary trauma
- Media

Long-term considerations:

- Restorative Justice
- Resolution
- Continued family support/involvement

Process Advocates Flow Chart from 2015:



