

Diversity Incidents Reporting & Investigation Procedures

Diversity Incident: encompasses a broad range of negative behaviors that individuals or groups are subjected to, based on actual or perceived characteristics and/or membership in groups. Any negative action committed against a person or group that is motivated, in whole or in part, by bias against any aspect of identity or status involving the person or group's protected or non-protected classes. Diversity Incidents include Bias Acts and Hate Crimes. All hate crimes are bias acts, but not all bias acts are hate-crimes.

For a full explanation on terminology utilized in this procedure, please see **Definitions**, below,

Reporting

1. Diversity incidents may be reported via the online reporting form at www.scnm.edu/diversity.incident.
2. If at any time your safety and/or the safety of someone else is at risk, please immediately dial 911.
3. A report is made either directly through the electronic reporting form or to a DART member, which is then documented in the electronic reporting form.
4. Receipt of an electronic reporting form activates the protocol and DART meets within 24-48 hours to discuss.
5. A DART member informs Alleged Committer that they have been alleged of committing diversity incident.
6. DART member reaches out to Reporter and/or Targeted Person of incident to acknowledge receipt of report and share next steps in protocol.

Investigation

1. The report is funneled to appropriate office/campus partner to investigate and address. The investigation may be confidential, but some information is shared with DART about how the incident is resolved and what actions will take place to address what occurred.
2. Reports alleging violations of university policy or criminal behavior by staff and faculty members will be referred to Human Resources.
3. Reports alleging improper behavior by students will be forwarded to Title IX Coordinator and Dean of Students.
4. Reports alleging criminal behavior or hate crimes will be investigated by appropriate law enforcement agency. A report may not be available until the investigation is complete.
5. A DART member loops back to the Alleged Committer and Targeted Person.
6. The relevant campus office to which the Diversity Incident was referred will advise DART of the progress of the investigation or report resolution and when it has been completed.
7. A designated DART member records decision/resolution and other details in the DART database.
8. Depending on the nature of the incident and if necessary, DART communicates to the SCNM community using methods and venues most suitable. This response will not include a direct investigation of the report itself and must not interfere with the primary investigation underway by other offices. See Campus Climate Response below.
9. If a particular protected group is affected, advice will come from the Office of Inclusive Excellence and Belonging on resolution.
10. A restorative response is offered as an option even if other actions are deemed necessary.

Scope Response

DART members will receive the report in various ways (e.g., online, in person, or by phone). The report will be evaluated and referred to the relevant office(s) for primary investigation (e.g., Human Resource Services, Title IX, Academic Affairs, Patient Services/ Clinic, and Student Conduct.)

DART response does not include an investigation into the facts of a submitted report but instead focuses on:

1. Receiving and acknowledging the report from the reporting individual.
2. Referring the report to the relevant office(s) for a timely and thorough follow-up.
3. Providing referrals to impacted individual, alleged committer, and those closely involved with the Diversity Incident for services and support including but not limited to counseling, no contact orders, Community Living support, medical visits, employee assistance, or on-going conversations.
4. Providing services and support.
5. Making campus notifications when appropriate.
6. Assessing campus climate issues resulting from the Diversity Incident.
7. Providing restorative practices where individuals involved in the report agree to proceed.
8. Documenting reports received.
9. Sharing data on diversity incidents to inform policy formulation and programming.

Campus Climate Response

Parallel to an investigation, DART may initiate a campus climate response as needed and based on the scope and request of those involved.

Examples of campus climate response may include:

1. An OMNI alert is sent to campus officers.
2. A meeting in the area (clinic, office, classroom) where the incident occurred.
3. A meeting of the department or specific area of the university impacted by the incident.
4. Restorative practices may include Community Circles or Community Conferencing. Restorative Practices can only occur if the targeted person and alleged committer of the reported conduct are willing and other parties including those from the campus community that are also affected by the incident are included.
5. A community-wide facilitated dialogue.
6. Other responses as deemed appropriate.

Campus Climate Debrief

DART will meet to discuss specific incidents, review practice, compare to common and best practices, and make improvements where necessary.

Distribution and Training

Upon approval of the policy, Human Resources will post it to the Employee Handbook, Student Affairs will post it to the Student Handbook. Please list any additional methods for distributing the policy and any training efforts.

Distribution: DART will be introduced to the entire campus community by a university-wide email. Also introduced at major milestones e.g., new student Orientation, new employee orientation, open houses, will be a part of admission conversations.

Training: DART members will receive onboard training on handling investigations and training annually as needed.

Definitions

Alleged Committer: The individual who allegedly committed the negative action against the

Bias Act: Conduct that adversely and unfairly targets an individual or group based on, or in substantial part, a belief or perception regarding the race, color, national origin, ancestry, body-size, gender, gender identity or gender expression, sexual orientation, genetic information, religion, religious practice, political beliefs, level of education, age, ability, learning styles, , ethnicity, veteran status, creed, marital status, parental status, socioeconomic standing or any combination of these or any other characteristics. Bias Acts may be intentional or unintentional and the act may be verbal, written, or physical and occur on the SCNM campus or within an area that affects the University community.

DART: Diversity Advocacy Response Team is a group of cross-functional employees whose offices/positions interact with groups this policy serves i.e., students, staff, faculty, patients, vendors, volunteers, and visitors. DART serves as the first point of contact for any reported Diversity Incidents.

Hate-Crime: A crime motivated by bias against race, color, religion, national origin, sexual orientation, gender, gender identity, or disability.

Microaggression: The slights, indignities, insults, put downs, verbal/nonverbal assaults, and invalidations that people with marginalized and minoritized identities experience in day-to-day interactions with well-intentioned individuals from dominant identities.

Non-Protected Classes: This term is used to refer to parts of an individual or group identity for which they may be targeted and/or discriminated against but are not protected legally under federal or state statute or law. While this is not an exhaustive list, examples of such would be targeting/discrimination based on appearance, body size, socio-economic status, political views, nepotism, power inequity, favoritism - (if not based on protected class characteristics). While there are forms of bias and discrimination that are not legally protected, reports of such will be addressed by DART to find solutions which offer support and resolution, as well as prevention and ongoing efforts to create and maintain an inclusive campus climate.

Protected Classes: Age, race, ethnicity, creed, color, national origin, sexual orientation, gender identity or expression, military status, sex, marital status, parental status, or disability and other legally protected classes.

Reporter: The individual submitting the diversity incident submission Targeted

person: The individual against which a negative action is committed