

## **Diversity Incident Response Policy**

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Policy Number:

Owner Department: V.P. of Inclusive Excellence and Belonging

Approved Date/Effective Date:

Approved By: President's Council

### **I. POLICY STATEMENT/PURPOSE**

SCNM values and supports the dignity of all community members and is committed to building a community where all individuals feel respected, included, supported, and valued. For the health and well-being of the University community, it is critical that individuals or groups who are subjected to and/or affected by a diversity incident (bias acts, microaggressions, bullying, hate speech, hate crimes) can easily report the incident and receive services and support, as needed. Diversity incidents encompass a broad range of negative behaviors that individuals or groups are subjected to, based on actual or perceived characteristics and/or membership in groups.

All diversity incidents are a violation of institutional policy as documented in employee and student handbooks and SCNM is committed to responding to all violations of these policies. Community members are encouraged to report diverse incidents and can find more information and the reporting form linked below.

### **II. POLICY STATUS**

New

### **III. HISTORY/BACKGROUND (non-mandatory)**

N/A

### **IV. DEFINITION(S)**

**Bias Act:** Acts of prejudice that are not crimes and do not involve violence, threats, or property damage

**DART:** Diversity Advocacy Response Team is a group of cross-functional employees whose offices/positions interreact 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.

**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.

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**Harassment:** Arizona law defines harassment as “conduct that is directed at a specific person and that would cause a reasonable person to be seriously alarmed, annoyed or harassed” (ARS 13-2921). Additionally, it is any course of conduct which annoys, threatens, intimidates, alarms, or puts a person in fear of their safety.

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

**Hate Speech:** Speech that is insulting or demeans a person or group of people based on attributes such as race, religion, ethnic origin, sexual orientation, disability, or gender. Additionally, it can be any form of expression through which the speaker intends to vilify, humiliate, or incite hatred against a group or a class or persons.

**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.

### **V. SCOPE/KEY STAKEHOLDERS**

This policy applies to all employees, students, patients/clients, customers, suppliers, vendors and visitors.

### **VI. POLICY ITEMS**

SCNM takes proactive steps to create an educational, work, and patient/client care environment that promotes diversity, equity, and inclusion. It provides support to individuals affected by diversity incidents and strives towards creating an atmosphere free from threat, intimidation, discrimination, and harassment, in which all persons and groups can learn, work, and heal.

#### **Response**

The Institution has established a team on campus, Diversity Advocacy Response Team (DART) which shall assess reported diversity incidents promptly to determine the appropriate response and to collaborate with the appropriate departments/campus partners, utilizing existing university policies and established investigative and adjudicative resources, as necessary. DART serves as the coordinating hub of a network of existing campus

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resources, focused on ensuring an appropriate response effort promptly. Examples of DART's specific responsibilities include:

1. Receiving incoming reports from the online form only by the VP Inclusive Excellence and Belonging, the Director of Human Resources, and the Dean of Students. Diversity Incident reports can be received in various ways.
2. Redacting all identifying information before it is shared with the entire team.
3. Advising persons or groups that experience a diversity incident of the possible options that are available to them.
4. Recommending or identifying appropriate responses to reports that do not constitute a violation of university policy
  - a. e.g., facilitated conversations for those who were involved, passive or active educational programming for individuals or groups, and restorative practice offerings such as circles or conferencing
5. Referring reports that constitute a violation of university policy or hate crimes that constitute a violation of criminal law, to the appropriate department or agency for appropriate action. Relevant departments will investigate policy violations.
6. Providing referrals for services and support including but not limited to counseling, no contact orders, law enforcement referrals, medical visits, employee assistance, or on-going conversations.
7. Serving as the campus response and referral resource. DART does not directly investigate or adjudicate cases but refers them to the appropriate campus office(s). (Refer to decision tree.)
8. Maintaining a record of reports and generating summary reports for use in meeting compliance, education/professional development and accreditation requirements.
9. Developing and implementing a communication plan to inform the campus community about incidents that impact the broader university community in ways that consider applicable federal and state laws. Communication will include the general nature of the incident and no identifying information will be included.
10. Campus communication will be posted to alert about incidents. The scope of the communication will depend on the nature of the incident and will be consistent with the university's shared values, Arizona and Federal law, and the responsibility that comes with freedom of speech.

### **VII. RESPONSIBILITY FOR IMPLEMENTATION**

DART will implement the responsibilities listed for its purpose. Appropriate departments will implement investigation and adjudication of reported diversity incidents.

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### **VIII. RELATED POLICIES (non-mandatory)**

Employee Handbook  
ADA Policy  
Anti-Harassment Policy (employee handbook p.9)  
Sexual Violence/Harassment Misconduct Policy  
Student Handbook  
Diversity and Inclusion Policy

### **IX. RELATED DOCUMENTS**

Bias Incident Reporting Form  
Diversity Incident Anonymous Reporting Form  
Decision Tree  
Incident Reporting & Investigation Procedures  
Operating Code

### **X. NEXT REVIEW DATE**

Annually

### **XI. VERSION CONTROL AND CHANGE HISTORY**

Version Control	Approved By/Date	Date Effective	Amendment
1	President's Council	5/25/2022	
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### **XII. POLICY AUTHOR/CONTACT**

The Office of Inclusive Excellence and Belonging is the primary resource center for the policy and is available to answer specific questions.