

TOOLKIT ON CAMPUS HATE AND BIAS

STRATEGIES TO CREATE MORE INCLUSIVE CAMPUSES



"Hate will never win," U. of Nebraska rally, Craig Chandler

TOOLKIT ISSUED
FEBRUARY 2019

CREATED BY
FUND FOR LEADERSHIP, EQUITY,
ACCESS AND DIVERSITY (LEAD FUND)

Incidents of hate, bullying and other forms of harassment have proliferated across the country in recent years – and college campuses are no exception. As the American Association for Access, Equity and Diversity (AAAED) continues its long-standing work of leading, directing, and managing affirmative action, equal opportunity, diversity, and programs to promote inclusive campuses – a become a focal point of emboldened hate and religion, disability and/or and sexual orientati



The toolkit is based on listening sessions on selected campuses in the Midwest. The Fund also held conference calls with campus equal opportunity professionals — some of whom are members of the American Association for Access, Equity and Diversity (AAAED). The Fund also conducted individual discussions with university leaders in Wisconsin and on other AAAED member campuses. In addition, the Fund’s coordinators conducted online research to supplement information related to the issue and attended a Hate Bias Response Symposium at the University of Wisconsin at La Crosse, where anti-bias staff from campuses within the University of Wisconsin system were in attendance.

- A. Who are the Key Players?
- B. Crisis Management Systems
- C. Faculty-Student Issues, Free Speech and Training

This toolkit is designed to be an aid in meeting the challenge of maintaining a safe and welcoming environment for students, faculty, staff and the communities surrounding all of the nation's institutions of higher education.

THE LEAD FUND

AFFIRMATIVE ACTION, EQUAL OPPORTUNITY, EQUITY, ACCESS, CIVIL RIGHTS, AND DIVERSITY
AND INCLUSION IN EDUCATION, EMPLOYMENT, BUSINESS AND CONTRACTING.

The LEAD Fund would like to thank the following individuals who worked on this project: Shirley J. Wilcher, MA, JD, CAAP, President and CEO of the LEAD Fund and Executive Director of AAAED; Sandra K. Hueneman, Region V Director of AAAED and Principal of Manchester Consultants; and LEAD Fund Chair Jennifer Tucker. Richard A. Baker, MPA., JD, PhD, Assistant Vice Chancellor and Vice President, Office of Equal Opportunity Services, University of Houston, University of Houston System; and Christopher Jones, JD, Assistant Vice President and Director of Equity, Office for Inclusion, Diversity, and Equal Opportunity, Case Western Reserve University, conducted the survey that accompanies the Toolkit and deserve our thanks as well. The Fund also wishes to thank Taylor Lawson, student at Howard University, and Sasha Pierre-Louis, office manager, who also assisted with this project.

The Fund is grateful for the generous grant from the



LAWYERS' COMMITTEE FOR
CIVIL RIGHTS
UNDER LAW

Lawyers' Committee for Civil Rights Under Law and its Stop Hate Project staff: Aunna Dennis, Senior National Coordinator, Voting Rights & Stop Hate Project; Nadia Aziz, Policy Counsel; and Becky Monroe, Lawyers' Committee Board Member and Former Stop Hate Project Director.

**STOP
HATE
PROJECT**

THE LEAD FUND

The Fund for Leadership, Equity, Access and Diversity (LEAD Fund) was established to provide thought leadership in promoting inclusive organizations and institutions through research and education on issues related to diversity, social responsibility, human and civil rights. The LEAD Fund is a "Think and Do" tank, which advances new knowledge and tested strategies aimed at eliminating prejudice and discrimination.



The Project on Campus Civility, Hate and Bias is one of the programs of the LEAD Fund.

The LEAD Fund is a 501 (c) (3) charitable organization. It complements the work of the American Association for Access, Equity and Diversity (AAAED) through programs and activities that address a range of concerns including affirmative action, equal opportunity, equity, access, civil rights, and diversity and inclusion in education, employment, business and contracting. The scope of the Fund's activities is both domestic and international. The LEAD Fund places a special emphasis on the emerging demographics in the United States in all of its work.

Founded in 1974 as the American Association for Affirmative Action (AAAA), AAAED has four decades of leadership in providing professional training to members, enabling them to be more successful and productive in their careers. AAAED's Professional Development and Training Institute (PDTI), established in 1991, provides training and certificate programs in areas including EEO and Affirmative Action law, Diversity Management, Title IX and Federal EEO. AAAED also promotes understanding and advocacy of affirmative action and other equal opportunity and related compliance laws to enhance the tenets of access, inclusion and equality in employment, economic and educational opportunities.



THE LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW



The principal mission of the Lawyers' Committee for Civil Rights Under Law is to secure equal justice for all through the rule of law, targeting in particular the inequities confronting African Americans and other racial and ethnic minorities. The Lawyers' Committee is a nonpartisan, nonprofit organization, formed in 1963 at the request of President John F. Kennedy to enlist the private bar's leadership and resources in combating racial discrimination and the resulting inequality of opportunity — work that continues to be vital today.

The Stop Hate Project of the Lawyers' Committee seeks to strengthen the capacity of community leaders, law enforcement, and organizations around the country to combat hate by connecting these groups with established legal and social services resources.

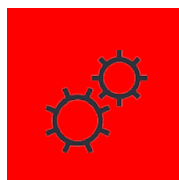
THINK RUBIX

Think Rubix is a Washington, DC- based thought-leadership firm for creative policymaking and political strategies. The firm emphasizes ideas, strategies and solutions.



WHO IS THE TOOLKIT FOR?

The Toolkit on Campus Hate and Bias is for members of the college and university community who have responsibilities for addressing these issues. Such officials include university presidents, equal opportunity professionals (EOPs), student affairs personnel, deans, diversity and inclusion professionals, multicultural affairs personnel, campus safety officials and other members of the university leadership as well as faculty, students and others who wish to know how to address these issues



CONTENTS OF THE TOOLKIT

This toolkit presents the following three sections and a final synopsis of what we learned in our listening sessions and research:

1. Hate and Bias on Campus: The Challenge, the Statistics
2. Crisis Intervention and Communications Strategies
3. Maintaining a Welcoming Campus Climate
4. What Have We Learned?

A Report Accompanying the Toolkit is also available for additional information. Included in the Report is an extensive Appendix with resources that we hope you will find useful as you work to make your campus a welcoming and safe environment for students, faculty, staff and the surrounding communities.

For more information about the LEAD Fund, the Lawyers' Committee, the Stop Hate Project, the American Association for Access, Equity and Diversity and ThinkRubix, please visit our respective websites below.

¹ <https://lawyerscommittee.org/>

https://www.aaed.org/aaed/LEAD_Fund_Project_on_Campus_Civility.asp

<https://www.aaed.org/aaed/default.asp>

<http://thinkrubix.com/>

TABLE OF CONTENTS



DEAR COLLEAGUE.....	2
THE LEAD FUND, THE LAWYERS' COMMITTEE AND THINKRUBIX	3
I. HATE AND BIAS ON CAMPUS: THE CHALLENGE, THE STATISTICS	6
THE CHALLENGE	6
DEFINITIONS: HATE CRIMES AND BIAS INCIDENTS.....	7
THE STATISTICS	8
THE LAWS: THE FIRST AMENDMENT AND ANTI-DISCRIMINATION LAWS.....	11
II. CRISIS INTERVENTION AND COMMUNICATIONS STRATEGIES	17
BEFORE THE CRISIS OCCURS: PREVENTION	17
DURING THE CRISIS: CRISIS MANAGEMENT	21
AFTER THE WORST IS OVER: ASSESSMENT AND HEALING.....	23
III. MAINTAINING A WELCOMING CAMPUS: CLIMATE SURVEYS	24
IV. WHAT HAVE WE LEARNED	26
LISTENING SESSIONS.....	26
DIVERSITY, EQUITY AND INCLUSION AS A REMEDY	27
FACING THE FUTURE	28
HELPFUL RESOURCES.....	29

I. HATE AND BIAS ON CAMPUS: THE CHALLENGE, THE STATISTICS

THE CHALLENGE

Institutions of higher education, whether public or private, provide critical opportunities for the open and free exchange of different ideas and perspectives. At the same time, increasing incidents of openly expressed hate are adding pressure to find ways to address these challenges and maintain a safe, welcoming and inclusive environment for all students. Left unaddressed, these incidents can infringe on the civil rights, including the free speech rights, of targets of hate.

As Wessler and Moss wrote for a report published by the Department of Justice: “Bias-motivated violence or threats targeting students, staff, or faculty not only impair the educational mission of an institution of higher learning but also deprive young men and women of the chance to live and learn in an atmosphere free of fear and intimidation.”²

“Charlottesville,” once associated with a bucolic college town, now reminds people of hate-filled and deadly violence fomented by white supremacist groups who marched with torches across the campus of the University of Virginia and through the city to protest the planned removal of a confederate statue. At American University, a private university in the District of Columbia, a hate crime perpetrator hung bananas from nooses etched with the words “AKA Free” and the threat

² Wessler, Steven and Margaret Moss, “Hate Crimes on Campus, the Problem and Efforts to Confront it,” 2001, <https://www.ncjrs.gov/pdffiles1/bja/187249.pdf>, p. v. (Accessed May 1, 2018).

³ Equality Challenge Unit, “Promoting Good Relations on Campus” p. 18,



“Harambe Bait,” after an African American student was elected student body president. Later, cotton branches attached to Confederate flags were posted in public areas around the campus. An African American Bowie State (Maryland) student waiting at a bus stop near the University of Maryland, College Park was killed days before his graduation in what has been charged as a hate crime.

These events and more have forced colleges and universities nationwide to develop strategies to prevent, address and resolve the growing issues of hate and bias on their campuses.

Examples of hate and bias experienced on campus:

- Verbal abuse
- Threatening or offensive emails
- Use of social networking sites to threaten, harass or offend individuals or groups
- Vandalism of property, including offensive graffiti and the defacing of posters
- Abusive or threatening behavior relating to cultural or religious dress and artifacts, including pressure to dress in a certain way
- Physical assaults against staff or students
- Exclusion of particular groups through the presence of ‘no-go’ areas on campus
- Violent protests³

<https://www.strath.ac.uk/media/ps/sees/equality/promoting-good-relations-on-campus.pdf> (Accessed May 2, 2018).

DEFINITIONS: HATE CRIMES AND HATE AND BIAS INCIDENT



Campus Protest March against Hate speech -Fibonacci Blue

What is meant by “hate” on campus? The term “hate” can include several kinds of actions from bias incidents to crimes prosecuted by federal or state and local agencies.

WHAT IS A HATE CRIME?

A hate crime is generally defined as a crime against a person or property that is motivated by bias, prejudice, or hatred toward the personal, or perceived personal, characteristics of a victim, including: race, religion, disability, sexual orientation, ethnicity, gender, or gender identity.⁴ Forty-five states and the District of Columbia have hate crime statutes.

Hate crimes are message crimes. They are intended to hurt and intimidate individuals and entire communities, and seek to send a message that the targeted individual or community are not welcome.

WHAT IS A HATE OR BIAS-MOTIVATED INCIDENT?

A hate or bias-motivated incident is based on the same behaviors and motivations as a hate crime, but does not rise to the level of a crime. For example, you may be a victim of hate speech, which, depending on the circumstances, may not constitute a crime (and may be protected under the First Amendment), but which may constitute a hate or bias incident.

Such incidents include comments that may be hurtful but do not rise to the level of a hate crime. These incidents may also include cases of minor harassment or verbal slurs, and they may be precursors to more serious hate motivated violence. Racist flyers and leaflets, graffiti and, in some instances, name-calling appear to predominate.

⁴ Community Relations Service, U.S. Department of Justice, “Responding to Hate Crimes and Bias-Motivated Incidents on College/University Campuses,” <https://www.justice.gov/archive/crs/pubs/university92003.htm#21>, (Accessed August 13, 2018).

Hate crimes and bias incidents can have lasting effects on individuals and communities, including physical, emotional, and mental harm.

Issues of hate and bias have increasingly beset college campuses and have arisen in every sector of the United States, from small liberal arts colleges in New England to the large public colleges and universities on the West Coast. The Justice Department report warns that either kind of incident needs to be reported: “A campus culture in which the use of slurs becomes commonplace and accepted soon becomes an environment in which slurs can escalate to harassment, harassment can escalate to threats, and threats can escalate to physical violence.”⁵

The Anti-Defamation League (ADL) reports that a number of hate groups have expressly targeted colleges and universities in recent years.⁶

THE STATISTICS

The Chronicle of Higher Education confirmed the fact that “hate crimes were up in 2016.” *The Chronicle*, using Department of Education and Clery Act statistics, found that compared with an average of 970 hate crimes annually, in 2016 there were 1,250 hate crimes on college campuses. Forty percent of such crimes were racially motivated and nineteen percent were related to religious bias. In 2016, 50 cases were motivated by gender identity.⁷

RACIAL INTOLERANCE/ RACIALLY MOTIVATED BIAS

As mirrored by FBI statistics on the national level, the most commonly reported hate crimes by college campuses in 2016 were those associated



⁵ Bauman, Dan, “After 2016 Election, Campus Hate Crimes Seemed to Jump. Here’s What the Data Tell Us.” *Chronicle of Higher Education*, February 16, 2018, <https://www.chronicle.com/article/After-2016-Election-Campus/242577> (Accessed April 17, 2018).

⁶ ADL, “White Supremacist Propaganda Surges on Campus, Data show incidents more than tripled in 2017.” <https://www.adl.org/resources/reports/white-supremacist-propaganda-surges-on-campus>. (Accessed May 1, 2018).

⁷ Bauman, Dan, “After 2016 Election, Campus Hate Crimes Seemed to Jump. Here’s What the Data Tell Us.” *Chronicle of Higher Education*, February 16, 2018, <https://www.chronicle.com/article/After-2016-Election-Campus/242577> (Accessed May 14, 2018).

RACIAL INTOLERANCE/ RACIALLY MOTIVATED BIAS (CONT.)

with racial bias.⁸ The incidents surrounding the confrontations at the University of Missouri (Mizzou) are an example of on-campus racial bias and acts of hate that led to campus protests and the ultimate resignation of the college system's president.⁹



In 2015, African American students attending the University of Missouri in Columbia, the flagship of the system, complained about the institution's inaction in the face of racism and bias incidents. As a result of the combined efforts of a student on a hunger strike and the football team's refusal to play ball, both the university president and the chancellor were forced to resign. Since then, freshman enrollment at the institution has fallen by 35 percent.¹⁰

RELIGIOUSLY MOTIVATED HATE CRIMES OR BIAS

Hate crimes motivated by religious bias constituted 20% of hate crimes reported to the FBI in 2016. More than half of religious –related hate crimes reported were anti-Jewish. Anti-Muslim hate crimes make up about a quarter of religiously motivated hate crimes, and have increased sharply in recent years. From 2014 to 2015, anti-Muslim hate crimes increased by 67%; from 2015 to 2016, anti-Muslim hate crimes increased again by approximately 20%.



⁸ Wessler and Ross, Center for the Prevention of Hate Violence, University of Maine, "Hate Crimes on Campus: The Problem and Efforts to Confront It," p. 18 <https://www.ncjrs.gov/pdffiles1/bja/187249.pdf> (Accessed August 13, 2018).

⁹ Criss, Doug, "University of Missouri campus protests: 'This is just a beginning,'" November 10, 2015, CNN.com. <https://www.cnn.com/2015/11/10/us/missouri-football-players-protest-presidents-resigns/index.html> (Accessed Ma 14, 2018). See the YouTube video of the Mizzou incident filmed by Director Spike Lee. https://youtu.be/3eW-31F_7mY

¹⁰ Hartocollis, Anemona, "Long After Protests, Students Shun the University of Missouri," July 9, 2017, New York Times, <https://www.nytimes.com/2017/07/09/us/university-of-missouri-enrollment-protests-fallout.html>, (Accessed, August 10, 2018).

BIAS BASED ON SEXUAL ORIENTATION, GENDER IDENTITY AND TRANSPHOBIA

In 2017, the National Coalition of Anti-Violence Programs released a report documenting 52 documented reports of hate violence related homicides of LGBTQ people – an 86% increase in single incident reports from 2016. Twenty-two (22) of these homicides were transgender women of color.¹¹ The Merriam Webster dictionary defines “Homophobia” as “irrational fear of, aversion to, or discrimination against homosexuality or homosexuals.”¹² While the culture in the US is growing increasingly more tolerant, homophobia continues to exist on campus as well as in the broader community.



ACTS OF BIAS AGAINST INDIVIDUALS WITH DISABILITIES

In “Promoting good relations on campus: a guide for higher and further education,” the authors indicate that for many people with disabilities, harassment is an unwelcome part of everyday life. Too often that harassment can take place in full view of other people and the authorities without being recognized and addressed as unlawful harassment.¹³



¹¹ <http://avp.org/wp-content/uploads/2018/01/a-crisis-of-hate-january-release-12218.pdf>

¹² Merriam Webster, “Definition of homophobia,” <https://www.merriam-webster.com/dictionary/homophobia> (Accessed May 1, 2018).

¹³ Equality Challenge Unit, “Promoting good relations on campus: a guide for higher and further education,” (2003) p. 25, <https://www.strath.ac.uk/media/ps/sees/equality/promoting-good-relations-on-campus.pdf> (Accessed May 14, 2018).

According to the Anti-Defamation League (ADL), there have been 346 incidents (fliers, stickers, banners and posters) of white-supremacist hate and bias-based propaganda distributed since September 1, 2016, on college campuses.¹⁴

- Two hundred sixteen colleges and universities have been affected in 44 states and the District of Columbia.
- The most active of alleged hate groups include Evropa (IE), which accounted for 158 of the 346 incidents; the Patriot Front, Atomwaffen Division and Vanguard America. The hardest hit states were Texas (61) and California (43).
- Between September 1 and December 31, 2017, there were 147 incidents, a substantial increase over the 41 incidents that occurred during fall semester 2016.

THE LAWS: THE FIRST AMENDMENT AND ANTI-DISCRIMINATION LAWS RELATED TO HATE AND BIAS

The Constitution's protections under the First and Fourteenth Amendments are relevant in any discussion about rights to freedom of speech, the legal responses to hate speech and the right to due process and equal protection of the laws.

Civil rights laws enacted by Congress, particularly those originally passed in the 1960s and 1970s, also offer protections to students, faculty and staff at colleges and universities, both public and private, and institutions of higher education may be liable for violations of these laws. As will be noted below, colleges and universities must maintain a delicate balance between respecting the rights to free speech and maintaining an environment that is safe, bias-free and inclusive.

THE FIRST AMENDMENT

"CONGRESS SHALL MAKE NO LAW RESPECTING AN ESTABLISHMENT OF RELIGION OR PROHIBITING THE FREE EXERCISE THEREOF; OR ABRIDGING THE FREEDOM OF SPEECH, OR OF THE PRESS; OR THE RIGHT OF THE PEOPLE PEACEABLY TO ASSEMBLE, AND TO PETITION THE GOVERNMENT FOR A REDRESS OF GRIEVANCES."



¹⁴ ADL, "White Supremacist Propaganda Surges on Campus, Data show incidents more than tripled in 2017." <https://www.adl.org/resources/reports/white-supremacist-propaganda-surges-on-campus>

(Accessed May 14, 2018).

THE FIRST AMENDMENT

- The First Amendment protects all types of speech, including hate speech. Historically, speech codes were used to persecute minorities and political dissidents. But the First Amendment does not protect unlawful hateful activities, either on college campus or in other public forums.
- Hateful activities are defined as: conduct that incites or engages in violence, threats, defamation, or other unlawful action on the basis of the actual or perceived race, color, religion, national origin, sex, gender, gender identity or expression, sexual orientation, or disability of the target.
- Public colleges and universities can establish policies that prevent or restrict hateful activities in order to protect the safety of their students, faculty, staff, and campus. But they cannot restrict nonviolent speech solely based on its content; schools must balance the rights and interests of the community, the school, and academic freedom.
- Just as the First Amendment does not immunize against physical attacks on persons or property, it does not condone discriminatory conduct illegal under the Constitution's equal protection clause or federal/state civil rights and labor laws.
- Public colleges and universities may impose reasonable "time, place, and manner" restrictions on nonviolent speech, but these restrictions must be "content-neutral;" i.e. they must apply equally to any point of view or any speaker.
- Private colleges embrace the principles of academic freedom and free speech as well, but they must also respect federal and state civil rights and labor laws.

THE FOURTEENTH AMENDMENT

SECTION 1. "ALL PERSONS BORN OR NATURALIZED IN THE UNITED STATES, AND SUBJECT TO THE JURISDICTION THEREOF, ARE CITIZENS OF THE UNITED STATES AND OF THE STATE WHEREIN THEY RESIDE. NO STATE SHALL MAKE OR ENFORCE ANY LAW WHICH SHALL ABRIDGE THE PRIVILEGES OR IMMUNITIES OF CITIZENS OF THE UNITED STATES, NOR SHALL ANY STATE DEPRIVE ANY PERSON OF LIFE, LIBERTY, OR PROPERTY, WITHOUT DUE PROCESS OF LAW, NOR DENY TO ANY PERSON

WITHIN ITS JURISDICTION THE EQUAL PROTECTION OF THE LAWS. CONGRESS HAS POWER TO ENFORCE THIS ARTICLE BY APPROPRIATE LEGISLATION."



THE FOURTEENTH AMENDMENT (CONT.)

The Fourteenth Amendment includes:

- The Privileges and Immunities Clause - extended the Constitution to states
- The Due Process Clause
- The Equal Protection Clause

CIVIL RIGHTS ACTS

Both public and private colleges and universities that receive federal financial assistance (including financial aid) are covered by the various civil rights acts originally enacted in the 1960s and 1970s and enforced by civil rights agencies of the Federal Government. These agencies include the Office for Civil Rights, U.S. Department of Education and the Civil Rights Division, U.S. Department of Justice. Among these civil rights laws are the following:

- **TITLE VI OF THE CIVIL RIGHTS ACT OF 1964**

Title VI of the Civil Rights Act of 1964 was enacted as part of the landmark Civil Rights Act of 1964. It prohibits discrimination on the basis of race, color and national origin in programs and activities receiving federal financial assistance.¹⁵ Title VI is primarily enforced by the U.S. Department of Education's Office for Civil Rights, but other federal agencies that award grants or other forms of financial assistance may have civil rights offices to ensure compliance with this law.



- **TITLE IX OF THE EDUCATION AMENDMENTS OF 1972**

Title IX is a comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity including most, if not all, colleges and universities. The principal objective of Title IX is to avoid the use of federal money to support sex discrimination in education programs and to provide individuals with effective protection against those practices.¹⁶



¹⁵ U.S. Department of Justice, "TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 42 U.S.C. § 2000D ET SEQ, OVERVIEW OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964." <https://www.justice.gov/crt/fcs/TitleVI-Overview> (Accessed May 14, 2018).

¹⁶ U.S. Department of Justice, Overview of Title IX of the Education Amendments of 1972, 20 U.S.C. A§ 1681 ET. Seq., <https://www.justice.gov/crt/overview-title-ix-education-amendments-1972-20-usc-1681-et-seq> (Accessed May 14, 2018).

- **TITLE IX OF THE EDUCATION AMENDMENTS OF 1972 (CONT.)**

Title IX is primarily enforced by the U.S. Department of Education's Office for Civil Rights (OCR). In addition to issues related to equal opportunity in athletics, Title IX also includes protections against sexual harassment, discrimination in a school's science, technology, engineering, and math (STEM) courses and other programs, and discrimination based on pregnancy.¹⁷

- **SECTION 504 OF THE REHABILITATION ACT OF 1973**

Section 504 is a federal law designed to protect the rights of individuals with disabilities in programs and activities that receive federal financial assistance from the U.S. Department of Education (ED) and other agencies. Section 504 states: "No otherwise qualified individual with a disability in the United States . . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance"¹⁸ Note that OCR also enforces Title II of the Americans with Disabilities Act of 1990 (prohibiting disability discrimination by public entities, whether or not they receive federal financial assistance). These laws can be viewed primarily as statutes that protect students against discrimination.

- **EQUAL EMPLOYMENT LAWS**

There are civil rights laws that specifically pertain to employment, including Title VII of the Civil Rights Act of 1964 and Executive Order 11246. Title VII is enforced by the Equal Employment Opportunity Commission (EEOC). Most, if not all, colleges and universities are covered by Title VII. Executive Order 11246, which covers companies and institutions (including colleges and universities) that receive federal contracts, is enforced by the Department of Labor's Office of Federal Contract Compliance Programs (OFCCP).



EEOC also enforces the employment section of the Americans with Disabilities Act and OFCCP enforces Section 503 of the Rehabilitation Act of 1973, which protects persons with disabilities working for federal contractors.¹⁹



¹⁷ U.S. Department of Education, Sex Discrimination: Overview of the Law, <https://www2.ed.gov/policy/rights/guid/ocr/sexoverview.html> (Accessed May 14, 2018).

¹⁸ U.S. Department of Education, Protecting Students with Disabilities, <https://www2.ed.gov/about/offices/list/ocr/504faq.html> (Accessed May 14, 2018).

¹⁹ To learn more about the EEOC and OFCCP, visit their websites at www.eeoc.gov and www.dol.gov/ofccp.

FEDERAL HATE CRIMES LAWS

There are several federal statutes that may protect a person who is the victim of a hate crime. Under the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, (HCPA) (18 U.S.C. § 249), a person commits a hate crime if he or she “willfully causes bodily injury” or “attempts to cause bodily injury using a dangerous weapon” because of his or her perceived or actual race, color, religion, or national origin. Moreover, the HCPA protects people who have been victims of a crime based on their actual or perceived religion, national origin, gender, sexual orientation, gender identity, or disability if that crime affects interstate or foreign commerce or the crime occurs within federal special maritime and territorial jurisdiction.



Another federal law that may protect a person from a hate related incident is 42 U.S.C. § 3631 (relating to criminal interference with the right to fair housing). Under this federal law, a person commits a crime if he or she uses or threatens to use force in order to interfere with another person’s right to fair housing based on the victim’s race, color religion, sex, disability, familial status, or national origin.

One might also be protected under 18 U.S.C. § 245, Federally Protected Activities, if a person through force or threat of force “injures, intimidates or interferes with” another person based on his or her race, color, religion or national origin and because he was engaged in a federally protected activity (i.e. enrolling in a public school, serving as a juror, traveling across state lines, etc.).

In addition, the Damage to Religious Property, Church Arson Prevention Act, 18 U.S.C. § 247, prohibits the intentional defacement, damage or destruction of real property because of the religious nature of the property, where the crime affects interstate or foreign commerce, or because of the race, color, or ethnic characteristics of the people associated with the property. The statute also makes it a crime to intentionally obstruct by force, or threat of force, any person in the enjoyment of that person’s free exercise of religious beliefs.

Furthermore, 18 U.S.C. § 241, the Conspiracy Against Rights, makes it unlawful for two or more persons to conspire to injure, threaten, or intimidate a person in any state, territory, or district in the free exercise or enjoyment of any right or privilege secured by the Constitution or federal law.

STATE LAWS

There are also state constitutions and laws that grant civil rights comparable to those under federal law. For information about state hate crimes laws, go to <https://8449nohate.org/hate-crime-laws/state-hate-crime-overviews/>.

REPORTING REQUIREMENTS



Reporting requirements for hate crimes vary according to federal and state laws. The FBI Uniform Crime Reporting Program (28 U.S.C. §534), Campus Security Act (20 U.S.C. §1092), and state and local hate crimes legislation list specific crimes that are identifiable as a hate crime, including murder, manslaughter, robbery, aggravated assault, burglary, motor vehicle theft, arson, forcible and non-forcible sex offenses, intimidation, destruction, damage or vandalism of property, and other crimes involving injury to any person or property in which the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim”²⁰



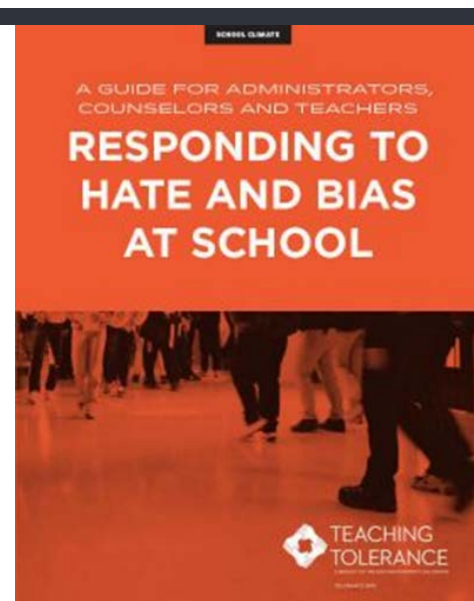
The Violence Against Women Reauthorization Act of 2013 (Public Law 113-4) amended the Clery Act of 1990 (Public Law 101-542) to require campus security and local law enforcement to identify, record and effectively respond to incidents motivated by gender identity bias and national origin bias in addition to the longstanding requirements to report hate crime incidents based on race, gender, religion, disability, sexual orientation or ethnicity bias.²¹

²⁰ Community Relations Service, U.S. Department of Justice, “Responding to Hate Crimes and Bias-Motivated Incidents on College/University Campuses.” September 2003. <https://www.justice.gov/archive/crs/pubs/university92003.htm> (Accessed April 18, 2018).

²¹ Federal Register, Final Regulations, Violence Against Women Act, October 20, 2014, <https://www.federalregister.gov/documents/2014/10/20/2014-24284/violence-against-women-act> (Accessed May 1, 2018).

II. CRISIS INTERVENTION AND COMMUNICATIONS STRATEGIES

BEFORE THE CRISIS OCCURS: PREVENTION



Observing the climate of an institution is important to avoid or prevent the escalation of potential incidents of hate and bias. Acts of intolerance may manifest in the form of harassment, name-calling, certain types of clothing that represent a hate group, social media messages or even more blatant acts of hate, including the distribution of racist posters around the campus. Some acts may be intentional or unintentional. A welcoming climate is less likely to foster acts of intolerance. In the classroom a bigoted comment should not go unnoticed.

In 2017, the Southern Poverty Law Center (SPLC) published the booklet, “Responding to Hate and Bias at School: A Guide for Administrators, Counselors and Teachers.” While it pertains primarily to incidents of hate and bias at elementary/secondary institutions, it represents an excellent guidebook for preventing, addressing and managing the aftermath of crises involving hate crimes and bias-related incidents on college campuses as well.²²

Attorney Beth Wilson, former president of the American Association for Affirmative Action (AAAA), and currently a member of the AAAED Professional Development and Training Institute faculty, contributed a presentation that was also informative on this issue.²³ This section highlights recommendations made by Ms. Wilson, the SPLC and others to address the challenge of hate and bias in the collegiate sector.

²² SPLC, “Responding to Hate and Bias at School: A Guide for Administrators, Counselors and Teachers.” 2017, <https://www.tolerance.org/magazine/publications/responding-to-hate-and-bias-at-school> (Accessed on May 14, 2018).

²³ See the Report Accompanying the Toolkit for more information.

IN ORDER TO PREVENT A CRISIS OF HATE AND BIAS ON CAMPUS, WILSON SUGGESTS THAT INSTITUTIONS SHOULD DO THE FOLLOWING:²⁴

1. ESTABLISH POLICIES AND PROTOCOLS

- Establish policies and procedures on discrimination and harassment based on race, religion, sex, national origin, gender identity and sexual orientation, disability and other protected categories.
- Establish a Bias Incident Reporting System:
 - Determine who can receive complaints: title, contact information
 - Provide complaint forms online
 - Provide a hotline for complaints, anonymous or otherwise
- Advertise the policies and protocols to the university community
- Explain policies and protocols to key student groups: sororities, fraternities, dormitories, athletes, student government²⁵

2. ADDRESS HATE SPEECH THAT DOESN'T VIOLATE POLICIES WITH COUNTER SPEECH

- Make sure that the university's mission statement includes the goal of a diverse campus
- Make sure the university has a non-discrimination policy that prohibits discrimination and harassment
- Generally, the response to hate speech is more speech that is counter to the hate speech. This can be accomplished through the following:
 - Position statements by university presidents that are widely disseminated to school and local press
 - Editorials written by other university students, faculty and officials stating their opposition to the sentiments expressed in the speech
 - Forums established to discuss issues of hate speech conducted at the same time as the speaker scheduled to deliver a speech known to provoke racial or other forms of hatred — to provide a contrary view consistent with the university's position. The forum could feature a panel of university officials and student leaders to discuss the university's position and that of student leaders on such matters.²⁶

²⁴ Ida "Beth" Wilson, JD, "Racial Conflicts on Campus: Dealing Effectively with Difficult Situations," PowerPoint presentation, 2018. A copy of the PowerPoint is available by contacting the LEAD Fund, email: leadfund@aaaed.org.

²⁵ Wilson PowerPoint, slide 2. See also Community Relation Service, "Responding to Hate Crimes and Bias-Motivated Incidents on College/University Campuses," in which the agency suggests that "Universities should have a hate crime policy and procedural administration and law enforcement protocol in place to assist campus administrators and law enforcement authorities to react promptly and seriously to all hate motivated episodes."
<https://www.justice.gov/archive/crs/pubs/university92003.htm#21> (Accessed August 13, 2018).

²⁶ Ibid, slide 3.

3.

MAKE TRAINING OPPORTUNITIES AVAILABLE TO THE CAMPUS COMMUNITY

- Develop a training program available for all first responders and investigators: faculty, administrators, key staff, campus police and relevant student leaders
- Ensure that the training is initially in person with Qs & As, case studies and scenarios for discussion drawn from actual incidents
- Make protocols and other critical information about what to do, when to do it, how to do it, and who else to involve readily available:
 - Online
 - In person
 - In writing

4.

CONDUCT A PRELIMINARY INVESTIGATION UPON NOTICE OF A POTENTIAL OR ACTUAL PROBLEM²⁷

- Take Immediate steps to determine
 - What happened
 - When it happened
 - Where it happened
 - Who was involved
- Take immediate steps to preserve evidence
- Determine next steps based on what is discovered
- Take immediate steps to protect persons and property

5.

TAKE INTERIM ACTION UPON NOTICE²⁸

- Once made aware of a potential or actual problem by complaint, observation or other way, do the following:
 - Follow protocols for interim action prior to investigation or adjudication in order to protect campus community from further harm
 - Determine whether a position statement should be developed and disseminated to university community, public, press, and so on
 - Determine who will be spokesperson for addressing the matter to the university community and public, as warranted
 - Determine what information will be released on a preliminary basis and subsequently in what form and by whom
 - Determine what action should be taken, by whom, on behalf of or against those involved in incident, and on what basis the action can be justified, such as violation of specific institutional policy
- Prepare to take next steps to investigate and adjudicate the incident and deal properly with those involved

²⁷ Ibid., slide 5.

²⁸ Ibid., slides 6 – 8.

Preventing acts of hate and bias includes being watchful for the more conscious or unconscious acts, including off-handed comments or even slurs by faculty, staff or students that may be offensive to others. Even in an environment where academic freedom and freedom of speech are paramount, it is important to identify patterns of behavior and make it clear that promoting a welcoming environment is the responsibility of all administrators and staff.



6.

ESTABLISHING A BIAS-INCIDENT RESPONSE TEAM

In “Responding to Campus Protests: A Practitioner Resource,” the authors offer a checklist for campus safety and other administrators to consider in the event of a potentially controversial activity. They recommend that institutions establish an “integrated management plan” or otherwise called an “Incident Response Team” to prepare for crises that may arise.

This team would be activated in the case of demonstrations, protests, assemblies and other events. In convening the response team, the following questions should be asked:

- What is the command structure?
- Who is the incident point person? Is there a different point person on the ground versus at an off-site command center?
- Who should be present at the incident?
- What principles are used to delineate necessary presence? For instance, how do the protocols ensure for responder safety and command response team safety?
- How will the Campus Event Response Team assess incident priorities? What are the operational objectives?
- At what point will external or support agencies such as local law enforcement enter the environment? How will they be briefed and to whom do they respond?
- How will the Campus Event Response Team manage incident resources such as personnel, physical environment and building use, and finances to address the matter?
- Who will respond to the media?²⁹

²⁹ NACUA, Education Law Association and NASPA Research and Policy Institute, “Responding to Campus Protests: A Practitioner Resource,” p. 3. <http://www.nacua.org/docs/default-source/meetings/responding-to-campus-protests-legal-links.pdf> (Accessed May 14, 2018). See also CRS: “In addition to broad-based prevention programs, each college should have a policy in place specifying how campus authorities should react if a hate crime occurs on their campus. ...This policy should first offer medical attention (if necessary), protection and counseling to the targeted individuals and at the same time deal with the fears and concerns of the entire campus community. The key to any successful campus hate crime policy involves communication to the broadest possible audience in the most timely fashion.” <https://www.justice.gov/archive/crs/pubs/university92003.htm#21>.



DURING THE CRISIS: CRISIS MANAGEMENT

When an incident occurs that involves hate or bias, the first question to ask is: “Is it a hate crime or a bias-motivated incident?” The former may involve a referral to local law enforcement. The latter may invoke campus policies and practices and may involve the possible violation of state or federal civil rights laws. See section I of this toolkit for the definitions of hate crimes and hate or bias-motivated incidents.

In addition to assessing what resources, material and human, you have to manage the situation, it is important to convene the crisis management or bias incident response team. Ask yourself who needs to be involved, including senior level officials, the president’s office, the university’s general counsel, or even governing board members. Community members outside the institution may also serve as allies and supporters at that time and should be considered among those who should be consulted or enlisted as part of the response team.

The SPLC writes that there are nine major considerations when addressing incidents involving hate and bias:

● PUT SAFETY FIRST

- Denounce the act ASAP
- Investigate
- Involve others
- Work with the media
- Provide accurate information — and dispel misinformation
- Support targeted students
- Seek justice, avoid blame
- Promote healing³⁰

1

IN DENOUNCING THE ACT, KEEP IT SIMPLE. FOCUS ON THREE MAIN POINTS:

- An unacceptable incident has occurred (be specific in your description of it, otherwise gossip and rumor will allow mistaken information to take root).
- A full investigation is under way.
- Our institution stands for respect and inclusion, a place where all are welcome and appreciated.³¹

³⁰ SPLC, “Responding to Hate and Bias at School: A Guide for Administrators, Counselors and Teachers.” 2017, p. 18.

<https://www.tolerance.org/magazine/publications/responding-to-hate-and-bias-at-school> (Accessed on May 14, 2018).

³¹ Ibid., 18.

2

COORDINATE WITH CAMPUS POLICE AND OTHER INSTITUTIONAL DEPARTMENTS AS NEEDED AND APPROPRIATE³²

- Visit the scene of the incident.
- Interview parties and witnesses.
- Collect and secure evidence.
- Execute reporting protocols.
- Share with others on a “need to know” basis.

It is important to “balance the desire for speed with the need of thoroughness.” In this era of the Internet, rumors travel quickly, so it is essential to gather as many facts as you can and implement an information/communications strategy to address rumors and properly convey your message. To spread accurate information, it may be useful to create a website where updates can be posted about the incident and its resolution.

3

ADJUDICATE WHERE THERE IS WRONGDOING BY STUDENTS OR PERSONNEL THAT IS COVERED BY CAMPUS CONDUCT POLICIES:

- Follow the protocol for providing due process to those accused of wrongdoing in violation of institutional policy.
- Determine the appropriate remedy to punish and deter further violations as warranted and to otherwise provide relief to those victimized by the policy violation.
- Take measures, as warranted, to prevent or diminish the possibility of a recurrence of the policy violation by the violators or others. Measures may include:
 - Training of faculty, staff or students on institutional policies against hate or bias
 - Developing and disseminating new or revised policies and procedures³³

4

RESOLVE THE PROBLEM:

- Take steps to ensure an effective and appropriate resolution of the incident.
- Take steps to ensure that those who need to know how the incident was resolved are informed.
- Ensure that the university community knows, through actions taken, that such incidents will not be tolerated in the future.³⁴

³² Remember that campus and municipal police investigate criminal misconduct so that the burdens of proof and related evidence they collect may be different from that collected by administrators who are investigating violations of student or employee conduct codes and policies. Wilson PowerPoint, slide 7,

³³ Wilson PowerPoint, slide 8.

³⁴ Ibid., slide 9.

AFTER THE WORST IS OVER: ASSESSMENT AND HEALING

The crisis is over and the media have gone on to other news events. The challenge ahead is to make the culture and climate adapt to ensure that such an event never happens again and to protect the institution from future incidents involving hate and bias.

1

REVIEW AND FOLLOW UP

- Review the incident and its resolution to determine whether it was handled in the best way possible.
- Take measures to ensure the well-being of the campus community:
 - Offer counseling or other assistance to those traumatized or otherwise injured by the incident.
 - Review policies, procedures and protocols to determine whether they should be updated or otherwise revised.
 - Review training to determine whether it is effective or could be improved in any way.³⁵

2

DEBRIEFING IS IMPORTANT

- Among the questions to be asked are the following:
 - What worked well?
 - Where are the opportunities for improvement?
 - What resources did we have, and how did we use them?
 - What resources did we lack, and how might we introduce and use new resources in the future?³⁶

3

SEEK JUSTICE, AVOID BLAME

³⁵ Ibid., slide 10.

³⁶ SPLC, "Responding to Hate and Bias at School: A Guide for Administrators, Counselors and Teachers," 2017, <https://www.tolerance.org/magazine/publications/responding-to-hate-and-bias-at-school> p. 30. The CRS states that "Victim assistance is one of the most important aspects of any hate crime and bias motivated incident response policy. Support should be made available to all victims of an incident whether they were directly or indirectly involved. Victims of hate occurrences need to be assessed both physically and emotionally. As hateful activity can tarnish an entire community, the victim's family and surrounding neighborhood should also be included in the healing process. In first approaching a hate crime or bias motivated incident, it is important to understand that although an occurrence may appear to be minor, the long term emotional impact upon the victim and the campus community may be immense." <https://www.justice.gov/archive/crs/pubs/university92003.htm#21>

4

PROMOTE HEALING

According to the Southern Poverty Law Center, “Now is the time for a plan steeped in hope — the hope that sensitivity and leadership training can genuinely improve school climate; the hope that we can develop compassion in students who will become culturally aware, community-building stewards of our future; the hope that we can make a difference.”³⁷

III. MAINTAINING A WELCOMING CAMPUS CLIMATE

CLIMATE SURVEYS

Climate surveys are essential if an institution wants to measure and gauge the extent to which its faculty, staff and especially students are thriving and productive in a creative environment that promotes learning and the free exchange of ideas. We asked Ken Coopwood, Sr., Ph.D., CDE, DROI Professional, and Vice President for Strategic Diversity & Infrastructure, Campus Climate Surveys, LLC, to share his views on the importance of climate surveys. Dr. Coopwood recommends the following:

With climate surveys, institutions can do the following:

- Design pathways to recruiting diverse faculty reflective of the community.
- Identify “misalignments” between public statements in support of diversity and the allocation of resources to effectuate these statements.
- Satisfy the requirement for “data-based action” responsive of significant findings in the surveys.
- Establish a platform to reward “multicultural competencies” and skills used to interact with diverse populations with sensitivity and respect.³⁸

“Diversity Makes Dollars” at every stage of the employment and admissions spectrum, from recruitment and retention to market shares and image branding. Before embarking on a Climate Survey, institutions should consider these questions:

- What are EDP (Economic, Demographic and Political) trends?
- What are the fiscal conditions of the institution?
- Is the institution (people, practices and policies) ready for change?
- How vital and relevant are the institution’s current programs?
- What is the level of interactivity between the matters above?
- Why do we need outside resources to do this initiative well?



³⁷ Ibid., 32.

³⁸ Dr. Ken Coopwood, webinar for AAAED on Climate Surveys, slide 12. See *Report Accompanying Toolkit* for more discussion. To obtain Dr. Coopwood’s presentation, contact the LEAD Fund, email: leadfund@aaaed.org.

In crafting questions for the survey, institutions should seriously consider the nature of the questions asked. For instance, asking “Do you feel safe on campus?” may yield a simple Yes or No answer, but asking “What must exist before you feel safe on campus?” yields a more helpful response, especially if among the possible answers are visible officers, parking lot lights, a ban on guns, anonymous reporting, a shuttle bus, designated drivers and other more specific and relevant responses.³⁹



cdrin / Shutterstock.com

Lastly, the structure of the questions on the survey may unearth underlying problems that have been heretofore unexpressed. For example, on the survey there may be a simple declarative sentence that seeks a response: “I trust the President’s staff.” Responses: 30% Undecided; 40% Disagree. What is being communicated is a complaint: staff not visible at major venues. The underlying structure that led to the complaint is that there is no requirement for senior staff to be present after hours. The resulting behavior is mistrust, impersonal relations, excess criticism.

CAMPUS SURVEYS AROUND THE NATION

Among the campus surveys or survey results that have been made available online are the following:

UC Berkeley Campus Climate Survey:

<https://diversity.berkeley.edu/initiatives/survey-results>

Washington University St. Louis, Mosaic Project Campus Climate Survey:

<https://diversity.wustl.edu/wp-content/uploads/2016/05/FINAL-Undergrad-Results.pdf>

NC State University, Spring 2015 Campus Climate Survey: Undergraduate Students’ Comments

<https://oirp.ncsu.edu/ccs2015-undergrad-comments/>

University of Chicago, Spring 2016 Campus Climate Survey, Diversity and Inclusion Survey Results:

<https://cpb-us-west-2-juc1ugur1qwqqqo4.stackpathdns.com/voices.uchicago.edu/dist/6/294/files/2016/09/UCM300717.ClimateSurveyReport.v4.111716-zl5ti8.pdf>

University of Wisconsin Madison, UW-MADISON To Use New Survey Data to Improve Campus Climate, November 1, 2017: <https://diversity.wisc.edu/uw-madison-to-use-new-survey-data-to-improve-campus-climate/>; **Results and Next Steps:**

<https://diversity.wisc.edu/wp-content/uploads/2017/10/FINAL-CCSTF-RECOMMENDATIONS.pdf>

Bloomsburg University Campus Climate Survey Questions (2012):

<https://intranet.bloomu.edu/documents/strategic/ClimateSurvey.pdf>

What is evident in reviewing some of the results of the surveys is that there is a marked difference between the level of satisfaction of the overall students and that of the minority or female student body, the latter appearing to be less satisfied with the climate on campus.

³⁹ Ibid, slide 16.

IV. WHAT HAVE WE LEARNED?



LISTENING SESSIONS

At each of the Listening Sessions, the LEAD Fund coordinators presented a presentation including scenarios that depicted major themes surrounding the incidents of hate and bias on campus. The three themes were:

- A. WHO ARE THE KEY PLAYERS?
- B. CRISIS MANAGEMENT SYSTEMS
- C. FACULTY-STUDENT ISSUES, FREE SPEECH AND TRAINING

Listening Sessions



- LEAD Fund Listening Sessions were held between February 6 and February 20, 2018. LEAD Fund Listening Sessions began with two on-campus institutions in the Midwest (Ohio and Indiana) followed by two webinars.
- There were 18 individuals present at the on-campus Listening Session and 36 in attendance on the webinars. Of the 54 individuals in attendance at the LEAD Fund Listening Sessions, there were 42 institutions represented from 27 states.

Participants were asked questions following the showing of graphics related to each theme. They were also asked the hypothetical question of “If you were president of University X, what would you do?” During the two webinar/online listening sessions, we asked questions and conducted polls while discussing each of the three scenarios.⁴⁰

In polling the attendees of the LEAD Fund Listening Sessions, we learned that the institutions represented were in varying stages of development in having a concerted and organized policy of prevention, crisis management and cultural change.

- The Diversity and Inclusion (D&I) offices appeared to be a key point of contact when hate and bias incidents occur, followed by the campus police departments, the president’s office, multicultural affairs and student affairs. The equal opportunity professionals (EOPs) other than the D&I staff had supporting roles and were charged with conducting investigations of complaints of discrimination.

⁴⁰ See the *Report Accompanying the Toolkit* for an expanded discussion of the polls and listening session responses.

- Less than a third of attendees polled had conducted climate surveys, and only fourteen percent had conducted surveys for faculty and staff. Slightly less than half (47.4%) of those responding to the poll question wanted clear guidance on the roles of persons conducting the surveys. Thirty-one percent wanted guidance as to how to do a survey. Less than half (42.1%) indicated that they preferred an annual survey of the climate on campus.
- The majority of those responding to the webinar poll (57.9%) indicated that there was some kind of crisis management system including the police. A few institutions had a Bias Incident Response Team composed of the D&I office, the dean, the Chief Diversity Officer and police department. The majority responding (57.9%) indicated that they wanted a proactive plan that includes written guidance, safe spaces, directions for action and the roles of staff when incidents occur.
- No one stated that there was training on how to de-escalate “difficult conversations” in the classroom — e.g., heated discussions about race or the use of offensive language by students or faculty — other than “civility” training. There were also no policies on such incidents. The office that handles anti-discrimination complaints was most likely to be in charge of discrimination complaints emanating from the classroom. As for incidents arising in residence halls, there was some training in conflict resolution, but it was optional.
- Participants indicated that there was mandatory civility training at forty-two percent of the institutions reporting, and there was also training in training on free speech in fifty-three percent of the respondents’ institutions. Sixty-three percent conducted non-discrimination training including the Title IX, Title VII, Section 504 and other laws prohibiting discrimination and harassment.
- As for what kinds of programs participants would want, forty-two percent wanted programs in cultural respect. They also wanted D&I policies integrated in the staffing and in the classroom. Colleges and universities should solicit input from students, they suggested. Overall, Diversity, Equity and Inclusion should be among the principles for achieving an institutional culture that is welcoming, respectful and safe for all of the campus community.

DIVERSITY, EQUITY AND INCLUSION AS A REMEDY

Diversity and Inclusion as a Remedy

What is the role of Diversity, Equity and Inclusion and “Inclusive Excellence” in addressing and resolving these issues? See Diversity, Equity, and Inclusion Statement:

Diversity, Equity, and Inclusion Statement:

As a learning and research institution, ___ strives to be defined by inclusive excellence. This commitment requires that we hold ourselves accountable for achieving real change based on clear and transparent measures and that we regularly examine ourselves and everything we do. Integrated into the core of the institution, the Inclusive Excellence framework advances the idea that diversity, equity, and inclusion are catalysts for achieving institutional and educational excellence through:

- the compositional diversity of our administrative leadership, faculty, staff, students, alumni, and trustees;
- the alignment of our policies and organizational structures;
- the innovative nature of our curricula and co-curricular programs; and
- our ability to welcome, value, and affirm all members of our community.

At the end of our listening sessions, we showed a slide containing a quote from a president on a campus that was recovering from an incident of hate. We asked: “What is the role of Diversity, Equity and Inclusion and ‘Inclusive Excellence’ in addressing and resolving these issues?”

In the face of hate and bias, this president chose to reach back to the issue of diversity, equity and inclusion as a vehicle to promote change and emphasized the importance of the “ability to welcome, value and affirm all members of the community.”⁴¹ In response, one person at a listening session commented: “Students look to be enlightened [and want] a safe environment where they can interact with a certain amount of freedom.”

“It is important”, this person added, “that our president makes clear what the mission and goal of the establishment is. This mission should also be supported by the faculty and staff throughout the institution. It is a challenge that we all have to embrace.” Another noted that the programming of diversity and inclusion should spring from the top down as well as the bottom up to create a safe community within the campus.

FACING THE FUTURE

The increasing incidents of incivility, hate, and bias on campuses since 2016 demand that colleges and universities pay greater attention to prevention, crisis management, and post-crisis assessment, including cultural change with an emphasis on diversity and inclusion. Some colleges and universities have taken noteworthy actions in the face of daunting threats to the peace and stability of their campuses. From what we are learning in conducting our listening sessions and evolving research however, is that the academic community as a whole has much to do to develop comprehensive and sustainable systems to combat an increasingly hostile environment fomented by hate and bias from outside the campus community and within.



⁴¹ American University, “American University’s Plan for Inclusive Excellence,” January 30, 2018, p. 19.
https://www.american.edu/president/diversity/inclusive-excellence/upload/18-160-IE_PLAN.pdf (Accessed May 14, 2018).

HELPFUL RESOURCES⁴²

FUND FOR LEADERSHIP, EQUITY, ACCESS AND DIVERSITY (LEAD FUND)

1701 Pennsylvania Avenue, NW
Suite 200
Washington, DC 20006
202-349-9855

https://www.aaad.org/aaad/LEAD_Fund_Project_on_Campus_Civility.aspleadfund@aaad.org

INTERNATIONAL ASSOCIATION OF CAMPUS LAW ENFORCEMENT ADMINISTRATORS

1110 Bonifant Street
Silver Spring, MD 20910
855-4-IACLEA 855-442-2532

<https://www.iaclea.org/>

LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW

1500 K Street NW, Suite 900, Washington, DC 20005
202-662-8309

Stop Hate Project:

<http://www.8449nohate.org/>

SOUTHERN POVERTY LAW CENTER

400 Washington Ave.
Montgomery, AL 36104
(334) 956-8200 or Toll-Free at (888) 414-7752

<https://www.splcenter.org>

ANTI-DEFAMATION LEAGUE

823 United Nations Plaza
New York, NY 10017
212-490-2525

www.adl.org

⁴² See the Report Accompanying the Toolkit Appendix for more helpful resources, articles and other useful information.

THIS TOOLKIT IS DESIGNED TO BE AN AID IN MEETING THE CHALLENGE OF MAINTAINING A SAFE AND WELCOMING ENVIRONMENT FOR STUDENTS, FACULTY, STAFF AND THE COMMUNITIES SURROUNDING ALL OF THE NATION'S INSTITUTIONS OF HIGHER EDUCATION.

CONTACT



1701 Pennsylvania Avenue, NW
Suite 200
Washington, DC 20006



866-562-2233 (AAAED)
202-349-9855
FAX: 202-355-1399



leadfund@aaaed.org

WWW.AAAED.org/aaaed/lead_fund.asp



Thank you for the graphic design and layout of this document



GRAPHIC DESIGNSOURCE, LLC
ONE STOP MARKETING
GRAPHIC DESIGN & PROMOTIONAL PRODUCTS