



2014

BIAS REPORTS

2015

Overview

The Stop Bias website and reporting system was designed and launched in 2012 to provide the campus community a way to report bias and discrimination incidents on campus. The Office for Institutional Diversity and Inclusion (OIDI) has overseen this system and responded to its reports since the office was established in 2014.

This report discusses the work of the OIDI with the bias reporting system during the 2014-2015 academic year, summarizes some of the findings, and suggests improvements to the system for the campus community to consider. The primary findings in this report are:

1. USE OF THE SYSTEM

Anecdotal reports from students, faculty and staff suggest that the rate of actual bias incidents on campus is higher than what appears in the bias reports. Use of the system continues to increase, but the overall number of reported incidents is low. Most of the reports filed in the system involve offenses such as verbal slurs, graffiti, or overheard comments.

2. DISPOSITION & RESOLUTION

The reporting process is confusing to many and lacks transparency. This report is designed to remedy this concern by detailing the procedures that should happen when a bias report is submitted. Bias reports are generally resolved in a timely manner, but achieving resolution from the reports, particularly the referrals process, could be streamlined and improved.

3. STATISTICAL REPORTING

The bias reporting system is not capable of reporting information about all incidents of bias throughout the campus because of the low numbers of bias reports and overlapping reporting systems. However, we are able to provide some information about what kinds of reports are submitted.

4. ANONYMOUS REPORTING

Anonymous reporting provides some useful information for tracking, but continues to pose problems for follow-up and resolving complaints. Anonymous reporting also permits some abuse of the system.

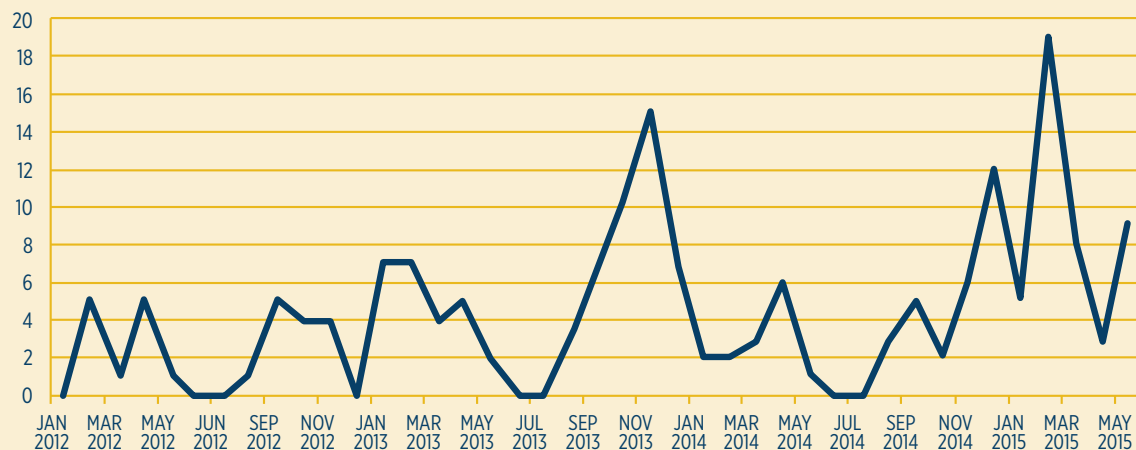
5. JESUIT MISSION & IDENTITY

The bias reporting system, by its nature, demands a careful balance between two important elements of our Jesuit mission and identity. The Jesuit educational ideal of a free exchange of ideas must be balanced against the Jesuit model of a community built on compassion, solidarity, and *cura personalis*. Any changes to the bias reporting system must be made in a mission-driven way, attending to this balance.

Use of the system in 2014-2015

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FIGURE 1 **BIAS REPORTS RECEIVED BY MONTH** FEB 2012 – MAY 2015



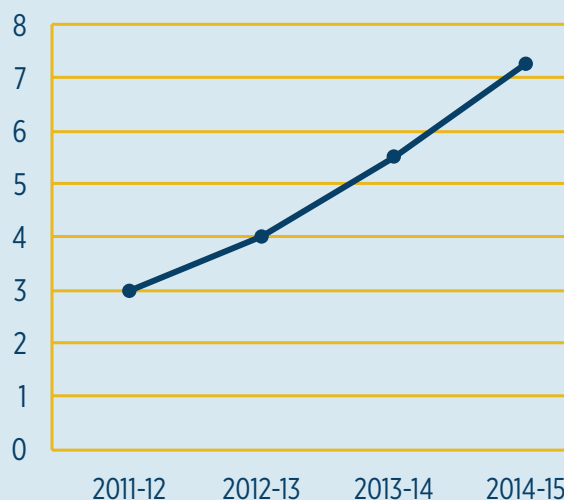
RATE OF REPORTING

It is clear from Fig. 1 that the system receives regular use by the campus community. The pattern is inconsistent, with certain months experiencing unusually high levels of reporting, often because of significant events that generate multiple reports, as well as declines during the summer. Despite this inconsistency, however, Fig. 2 demonstrates that there has been a gradual increase in the average rate of reporting over time.

During the 2014-2015 academic year, the average number of reports received while classes were in session was 7.2 per month (Fig. 2). This represents a steady increase of the rate of reporting since 2012, indicating an overall trend toward increased use of the system by community members. These reporting numbers should not be interpreted as representing numbers of bias incidents on campus for two reasons. First, not every incident reported fits the definition of bias. Second, many incidents are reported more than once.

The bias reporting system appears to be functioning as a catchall for many different kinds of incidents, some of which might not fit the definition of bias-related behaviors as described on the website housing the reporting system.² Therefore, not every report is one of actual bias. In addition, it is not uncommon for two or more people to file separate reports about the same incident. Because of this, we record both discrete incidents and total reports.

FIGURE 2 **AVERAGE NUMBER OF REPORTS PER MONTH IN EACH ACADEMIC YEAR**
(averaged over 10 months, AUG - MAY)



¹ This document focuses, for simplicity's sake, on statistics gathered from the system during the 2014-2015 academic year. Previous years' data is available upon request from the Office for Institutional Diversity and Inclusion.

² "Bias-related behaviors" are defined here as "intentional or unintentional actions against someone because of their actual or perceived age, gender, religion, race, ethnic or national origin, disability, or other targeted aspects of one's identity." (sites.jcu.edu/bias) Therefore, for example, a report of a conflict between two student clubs over the use of a campus room would not usually be considered an expression of "bias" according to the definition on the website. Such a report would be referred to the Office of Student Engagement for follow-up but would not be logged as a bias incident.

FIGURE 3 **BIAS REPORTS RECEIVED**
2014 – 2015 AY BY MONTH

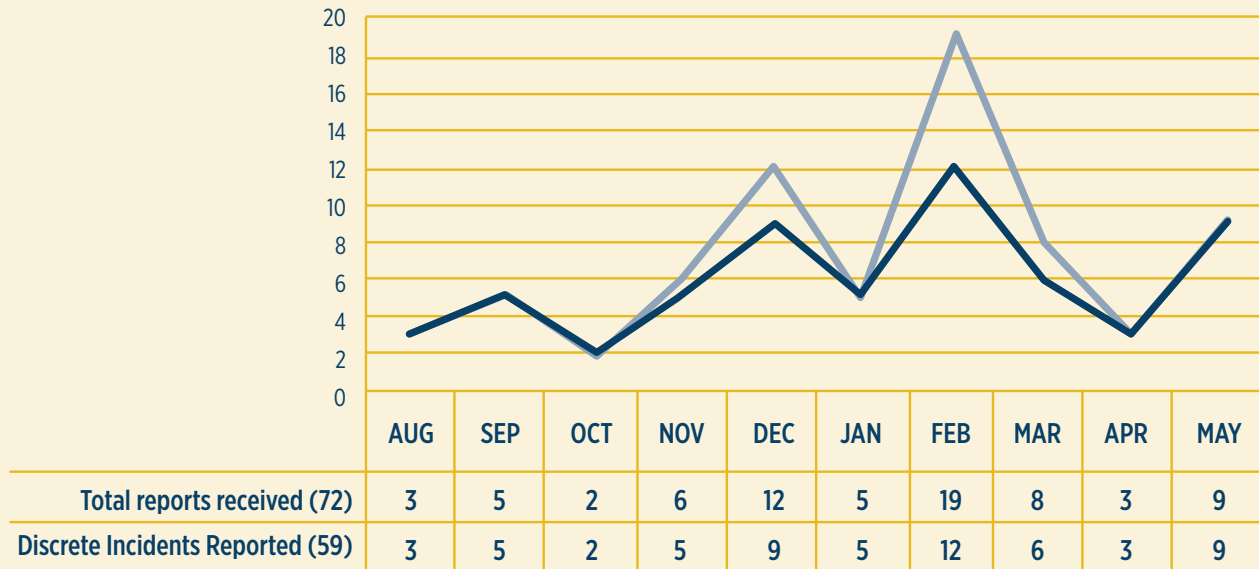


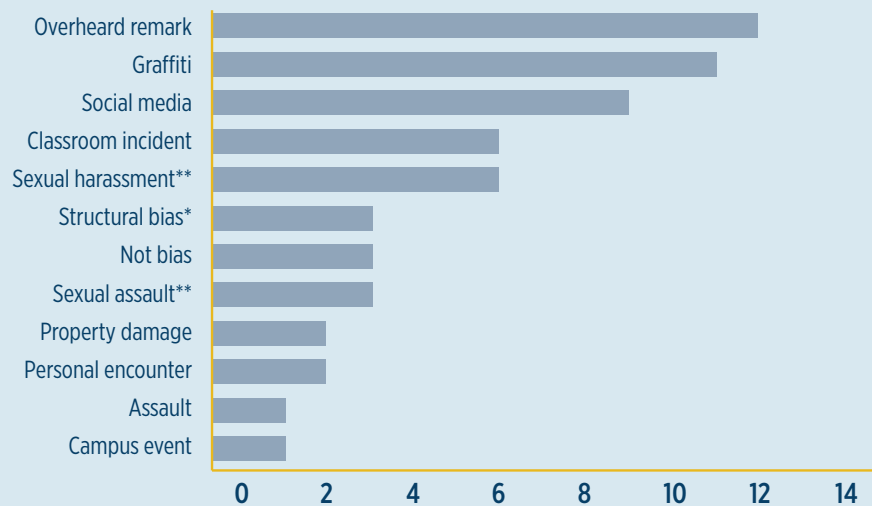
Fig. 3 demonstrates the difference between actual reported incidents and the number of generated reports. The increases observed in Figure 3 can be linked to specific incidents. There was an increase of actual incidents of all kinds reported — along with several incidents reported two or more times — in December. In February, Black History Month events were apparently a catalyst for a number of reports alleging racial bias, including one incident of vandalism that generated 10 separate reports. The increase of reported incidents in May is largely because of a series of similar anonymous reports with unconfirmed validity.

TYPES OF INCIDENTS REPORTED

Though there are many kinds of incidents that appear in bias reports, the most common incidents reported through this particular system by far are graffiti and vandalism and overheard remarks (Fig. 4). Occasionally, a report is filed that is categorized as “not bias” in the system. This category typically represents one of two kinds of reports:

- 1) a complaint that is clearly not bias as defined by the system, or
- 2) reports filed as pranks (see Section 4 for more on abuse of the system).

FIGURE 4 **TYPE OF INCIDENT REPORTED**
(DISCRETE INCIDENTS 2014-2015)



* “Structural bias” is defined here as being some institutional system, policy or procedure that is, by its design, biased against a particular group.

** The sexual harassment and sexual assault allegations in this chart were all submitted as anonymous or apparently pseudonymous reports and are unverified. John Carroll University publishes a report annually of all crimes reported on campus, including reports of sexual assault. This crime report should be consulted for the most accurate information available. It can be found here: sites.jcu.edu/css/pages/annual-crime-statistics.

Disposition and resolution of reports

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While many bias reports are filed as “report only – no action required,” some reports require a more concerted response. In these cases, the following procedure is observed:

1. When a report is filed, it is sent automatically by the system to the President, the Vice President for Student Affairs, the University Title IX Coordinator, and the Office for Institutional Diversity & Inclusion.

2. If the reporter includes contact information for himself or herself, the Assistant Provost for Diversity and Inclusion responds within 24 hours, acknowledging the report and requesting any follow-up information necessary.

3. The Assistant Provost for Diversity and Inclusion refers the report to other appropriate parties for follow-up. For example, these might fall into any of the following categories:

- Reports alleging illegal or criminal behavior are referred to the JCU Police Department;
- Reports alleging gender discrimination, sexual assault/harassment, or any other violations of Title IX, are referred to the university Title IX coordinator;
- Reports involving faculty or classroom incidents are referred to the Provost and the appropriate Dean;
- Reports involving staff are referred to Human Resources;

• Reports involving contractors are referred to the division to whom they report;

• Reports involving students or student groups may be referred to various areas within the Student Affairs department (these might include: the Center for Student Diversity & Inclusion, the Care Team, Student Engagement, Residence Life, Athletics, Greek Life, International Student Services, or others as needed); and

• Reports of offensive graffiti are referred to the maintenance department for immediate removal. A record of the graffiti is kept in the system for tracking purposes. If a pattern of graffiti is observed in a particular location, JCUPD is asked to increase monitoring that location.

4. The offices receiving the referral respond to the report and communicate their actions to the OIDI to be recorded in the bias reporting system.

5. If any participants in the resolution are unsatisfied, they are invited to meet with the Assistant Provost for Diversity and Inclusion to request additional follow-up. Steps 3 and 4 are repeated until the issue can be considered satisfactorily resolved.

FIGURE 5 INSTITUTIONAL RESPONSE TO BIAS REPORTS 2014–2015



When a report is filed, it is sent automatically by the system to the President, the Vice President for Student Affairs, the University Title IX Coordinator, and the Office for Institutional Diversity & Inclusion.

More than 25 percent of this year's bias reports received no direct resolution. There are many reasons for this:

- The report might be filed simply for the sake of putting an incident on record and require no response;
- The report might not contain enough information for follow-up;
- The reporter might decide to withdraw from participation in the resolution;
- The report might be filed anonymously and, therefore, unverifiable, which limits our ability to follow up.

In some cases (about 10 percent this year), the decision is made not to respond, typically because the report does not represent actual bias, as defined by the bias reporting website.

About 5 percent of this year's reports resulted in some disciplinary action, which is reserved for egregious offenses, such as assault or property damage, and referred to the JCUPD or other appropriate offices for follow-up. Use of biased language is subject to an educational conversation, but not discipline. (For more discussion about penalties for "speech code" infractions, see section 5, Jesuit Mission and Identity.)

The most common resolution of reports (27 percent this year) is an "educational conversation." This generally means that the report has been referred for a discussion between a staff member, the offender, and the reporter (if appropriate) about the incident that prompted the report. These conversations, conducted in the spirit of *cura personalis* for all parties involved, should (and usually do) focus on the restoration of relationship and community dialogue. There is room for improvement in the way that these conversations are handled (see below).

In some cases, a bias report emerges from a situation of interpersonal or group conflict. In these cases, the bias report generates a mediation of the conflict by an appropriate staff member. Only two bias reports (3 percent) required mediation this year.

With some bias incidents, a larger group response is warranted. These group responses are indicated in Fig. 5 in the categories of "consciousness-raising" or "programming." Programming might take the form of a special floor meeting called by an RA to discuss a bias incident, for example, or a group workshop to raise awareness of the ways that language can be hurtful to others. Consciousness-raising, on the other hand, is primarily one-way communication about an issue,

such as a poster campaign or an email blast to a targeted group discussing a particular bias incident. Twelve percent of resolutions fell into these categories this year.

Nearly all reports are referred to other offices for follow-up actions. The coding of resolutions documented in Fig. 5 is entered after those offices respond to the OIDI with reports about the actions that were taken. The educational conversation resolution is most often the follow-up action that occurs in a referral, e.g., a report naming a student-athlete as an offender might be referred to the student's coach, who would serve as the staff member in the educational conversation.

Because these referrals might be widely dispersed to staff members with varying degrees of competency in handling them, we hope to oversee the development of additional training materials and resources to support those staff members who receive bias report referrals. This task has been referred to the university Diversity, Equity and Inclusion Committee for additional development.



The referrals process can be burdensome and time consuming. As a result, the issue is often resolved without the OIDI receiving a final report-back from the office that received the referral. In that case, the resolution on the chart simply reads "referred for other actions." The reporting on this end could be improved with the use of more sophisticated technology for the reporting system. A more efficient system for bias reporting might allow responders to be assigned access to an individual report at the time of referral so that responses and resolutions can be added directly into the system by those handling the report. This would ensure that resolutions do not slip through the cracks in the record.

FIGURE 6 PEOPLE FILING BIAS REPORTS 2014-2015 (SELF-REPORTED)

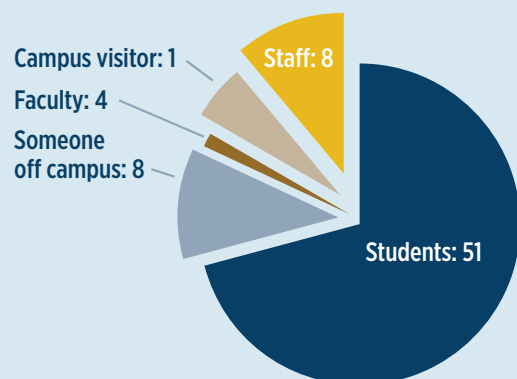
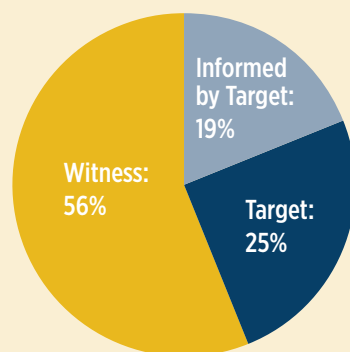


FIGURE 7 FILER'S ROLE IN INCIDENT (SELF-REPORTED - PERCENT OF ALL REPORTS RECEIVED)



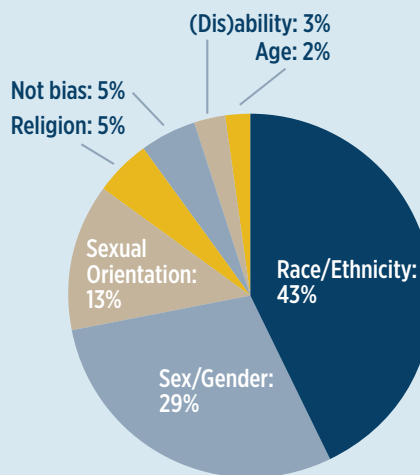
Any discussion about the statistics generated by the bias reporting system must be presented with the caveat that the sample size is far too small to draw any solid conclusions about the frequency of bias incidents on the JCU campus. The presence of multiple reporting structures also complicates data collection for the campus as a whole.

The charts in Fig. 6-8 provide some indication about the kinds of reports filed, who is filing them, and what the reports say. However, it is important to note that almost half of all bias reports received this year were filed anonymously (see Section 4 for more discussion of anonymous reports).

The data in the following charts is recorded as it was entered in the reports, but because it is self-reported and unverified, it should be treated with caution.

It should be emphasized that the bias reporting system is limited in its scope. Anecdotal evidence from the campus community makes it clear that bias incidents are far more frequent than the number of reports received by the system. While the system provides a way to log and respond to these, it would be irresponsible to produce the bias report results and suggest that these paint a holistic picture of life at John Carroll University.

FIGURE 8 TYPES OF BIAS REPORTED 2014-2015 AY (AS PERCENT OF ALL DISCRETE INCIDENTS REPORTED)





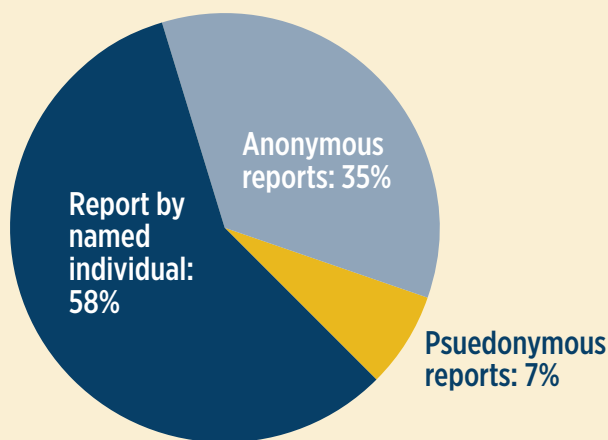
The bias system, despite its limitations, continues to provide a valuable service to the campus.

- It helps empower students to speak up for themselves in situations where they experience bias by giving them a concrete action that they can perform
- It helps empower bystanders to take some action to stand up for others (notice that 56 percent of reports this year were filed by witnesses, rather than targets)
- It is one way to bring troublesome situations to the immediate attention of those who can intervene
- It provides a way for the community to point out institutional bias in a way that reaches the ears of those in a position to make institutional change
- It provides a way for our community members who are not university employees, such as food service and housekeeping staff, to report discrimination and bias to those who can intervene on their behalf
- It provides one avenue of appeal for those who experience discrimination from a supervisor, instructor or other person in authority
- It provides senior administrators with direct information about the experiences of students and others with whom they have little contact
- It communicates to prospective students that the campus takes bias and discrimination seriously
- It is one of many tools we can use to identify patterns of behavior on campus so we can develop targeted campus programming
- It is one of many tools we can use to identify areas where resources should be directed to building a stronger, more inclusive community

The trouble with ascertaining the validity of anonymous reports is an ongoing problem with the bias reporting system because the information in anonymous reports is self-reported and cannot be confirmed. As Figure 9 demonstrates, anonymous reports represented 35 percent of all reports received this year, while an additional 7 percent of reports were submitted with no contact information and containing names unknown to the campus community (categorized in Fig. 9 as “pseudonymous reports”).

Anonymous reporters must check a disclaimer on the submission form that states, “By submitting an anonymous report, I understand that it may limit the university’s ability to investigate this report.” Anonymous reports are of limited effectiveness in investigating allegations of bias. Therefore, of the 72 reports received this year, only 42, or about 58 percent, could be investigated properly.

FIGURE 9
ANONYMOUS REPORTS 2014–2015



Anonymous reporting does provide a certain valuable service, as mentioned previously. However, it also provides an unfortunate platform for those with malicious intent. It can often be difficult to ascertain whether an anonymous report is simply “anonymous” or is, in fact, “malicious-anonymous,” and these reports sometimes consume significant time and resources when attempting to answer this question. Because there is no way to track the provenance of an anonymous report, it is also impossible to hold malicious reporters accountable for abuse of the system.

Among all of the anonymous and pseudonymous reports received this academic year, half appeared to target a single student. These reports either explicitly named or indirectly identified the same student as an offender. Because of their

similarity, tone, content and nature, the validity of these reports is highly doubtful. The process of investigating and attempting to respond to these particular reports occupied a great deal of time and attention for multiple staff members and senior level administrators this year. The charts in Figures 6-8 must be read with the understanding that at least 20 percent of these numbers represent these particular reports.

A second concern with anonymous reporting is the frequency of cases in which bias reports are filed by those who misidentify bias. In these cases, it is the reporter who would benefit from an educational conversation, as much as, if not more than, the person being reported as an offender. However, an anonymous report makes it impossible to follow up with the reporter. The lack of feedback received on the original report could mean, in these circumstances,

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that the act of filing the bias report reinforces the mistaken idea that the reported offense is in fact bias. If the purpose of the bias reporting system is to transform and educate the community (as discussed below), then anonymity can, in these circumstances, inhibit that purpose.

Lastly, with anonymous reporting the reporter loses the opportunity to stay informed. A reporter who files an anonymous report never has the benefit of learning how the concern has been addressed, and could believe that nothing has been done in response. As a result, resolutions to anonymous reports have a more limited impact on the campus climate than they could if the reporter were included in a feedback loop about institutional responses.

One ongoing concern with any bias reporting system is the potential for it to be used to reinforce a politically correct “speech code” on campus. Bias reporting systems on many university campuses have come under fire recently from free-speech advocates, who argue that these reporting tools create “a chilling of ordinary personal interaction that stifles intellectual debate, creates a war on candor, and leaves students and faculty talking on metaphorical eggshells.”⁴



This critique of bias reporting must be taken seriously. If a person is able to report a peer, professor, supervisor, or other community member for “speech code violations,” and particularly if those reports result in punitive action toward the offender, the system could shut down, rather than open up, critically important dialogue. On a university campus with an implicit commitment to the free exchange of ideas, such a result must be considered unacceptable.

Continued vigilance is necessary to ensure that we can correct language and behavior that is harmful to our community while also refraining from exacting punitive consequences for saying the wrong thing. Our Jesuit mission and identity is instructive in explaining how we strike this balance.

The issue at stake here is the troublesome gap between freedom of expression and speech that is acceptable to our community values. As a mission-driven institution, we have the responsibility to assert a set of community standards consistent with our stated values. Our Community Standards, drawn from Catholic Social Teaching and informed by Jesuit

educational tradition, insist on such values as “respect for self, respect for others, respect for property, respect for authority, and honesty.” It also insists on solidarity within the community. “Our community holds high expectations of how we live and interact with each other, as we are all interconnected,” states the Community Standards policy, “and thus the actions of one of us has an effect on us collectively.”⁵ On the other hand, it is a deeply held value

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in Jesuit educational tradition to allow for the free exchange and open examination of all ideas. How can an institution express a commitment to the free exchange of ideas if some of those ideas offend its commitment to respect and solidarity?

We must continue to address this quandary by engaging the Jesuit educational tradition of *cura personalis*, “care for the whole person.” We can do this by committing to educational conversations with those who offend and hurt, and, if possible, inviting them into dialogue with those whom they have harmed. *Cura personalis* demands that harm within the community be handled in ways that lead to the restoration of relationship. The bias reporting system serves, therefore, as the first restorative step toward building greater mutual trust in our community.

To build mutual trust also requires that the university community be honest about where it still falls short of its commitment to *cura personalis*, the free exercise of ideas, diversity and inclusion, and the deepening of relationship. The bias reports require us to be honest about who we are and what happens in our community. In order to transform, we must first see ourselves clearly.

⁴ Greg Lukianoff, “Talking on Eggshells in College,” *The Huffington Post*, March 27, 2015.

⁵ John Carroll University, *Community Standards Manual*, Office of the Dean of Students, August 25, 2015, page 1.

The Way Forward

1 Given the problems with anonymity discussed in Section 4, the Diversity, Equity and Inclusion Committee recommends that the Bias Reporting system form be altered to allow reports to be filed as “private” in addition to the current labels “identified” or “anonymous,” to encourage more reporters to identify themselves, while still retaining some elements of the privacy granted by anonymous reports. This change was adopted in November 2015.

2 To improve resolutions, the Diversity, Equity and Inclusion Committee has recommended that the report form be altered to incorporate an area for the reporter to indicate more explicitly what sort of action would resolve the situation to her/his satisfaction. While we may or may not be able to accommodate the reporter’s desires, such a request could help us gauge the appropriateness of potential resolutions. This change was adopted in November 2015.

3 The failure to close the loop on some resolutions should be examined with an eye toward improving the process of reporting and referrals. Efficient tracking of referrals might require a more sophisticated technology for the bias reporting system.

4 After three years of experience with the system, enough people have used it that we could begin to gather information about their opinions of it. At this juncture, it might be helpful to sponsor focus groups of students, faculty, and staff to receive feedback about the perceived effectiveness of the bias reporting system in order to improve it.

The primary role of the bias reporting system on our campus is to help all of us transform ourselves into the community we aspire to be. Therefore, the Office for Institutional Diversity and Inclusion and the Diversity, Equity and Inclusion Committee are committed to continuing to work with the bias reporting system in a way that is mission driven, inclusive, and transparent, and to sharing the findings of that system with the entire community so that we can continue to engage in the ongoing work of transformation together.

