

# BIAS ACTIVITY RESPONSE PROTOCOL



MERCYHURST  
UNIVERSITY

# Mercyhurst University Diversity, Equity, Inclusion, and Justice (DEIJ) Statement

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Grounded in our core values and the Mercy tradition, Mercyhurst University fosters a welcoming environment and seeks the courage, creativity, and compassion needed for the work of inclusion. We believe that our community's intellectual and social growth depends on each person's freedom to be their authentic self, and we actively celebrate the experiences and perspectives of our diverse community members. We commit to an increasingly equitable campus where students and employees form lifelong commitments to service and justice in a multicultural world.

Visit the [\*Mercyhurst University Nondiscrimination Policy\*](#).

## Key Terms

- **Bias Activity** is an umbrella term used to describe conduct or behavior (verbal, nonverbal, or written) that is characterized by some expression of negative bias against a group or individual and is based on that group's or individual's actual or perceived Protected Class status.
- **Discrimination** is treating a person or a group of people less favorably based on legally protected aspects defined in the university's Nondiscrimination Policy.
- **Harassment** refers to behavior that is not welcome, that is personally offensive, and that fails to treat others with dignity and respect. Sometimes this unwelcome conduct is so frequent or severe that it objectively creates a hostile learning, living, or work environment; for example, assault, threats, insults, or offensive graffiti.
- **Protected Class** status includes race, color, religion, creed, sex, citizenship status, ancestry, national or ethnic origin, age, familial status, sexual orientation, gender identity or expression, physical or mental disability, military or veteran status, or any other legally protected characteristic.
- A **Complainant** is an individual or individuals who may have experienced bias activity.
- A **Respondent** is an individual or individuals who are alleged to have committed an act of bias.
- **Retaliation** is taking adverse action against an individual for reporting an incident of bias activity or participating in an investigation of bias activity.

## Why are we instituting a bias activity reporting process at Mercyhurst University?

Students and employees, including but not limited to BIPOC, international, and LGBTQ+ persons, report that they are:

- (1) unsure where and how to report instances of bias activity on campus.
- (2) unsure if their complaint will generate a proactive response.
- (3) unsure if they will experience negative repercussions because of their report.

The goal of the Bias Activity Response Protocol is to create a clearer mechanism for capturing incidents of bias activity on campus and address and respond to student and employee concerns about bias through a clear, sensitive process. The process will assist individual and campus-wide efforts for education, dialogue, and relationship-building.

Filing a report of bias activity, discrimination, and/or harassment helps Mercyhurst create a safe and welcoming campus climate that better supports everyone's ability to learn and/or work. It is the responsibility of all community members to report harmful behavior.

The university not only seeks to address harmful conduct through applicable policies and processes, but also to provide support and assistance to those who may have been harmed, and identify educational and other programming for the community to prevent further harm from occurring.

Cases involving discrimination and/or harassment are potentially disciplinary cases and might warrant an investigation in light of the university's [\*Student Code of Conduct\*](#) (pages 76-87) or the [\*Employee Code of Conduct\*](#) (pages 10-11). Although not all incidents of bias activity may warrant disciplinary responses, the university has created a Bias Activity Response Team to respond to all reports of bias activity to promote a safe and respectful campus environment for all community members.

Every effort will be made to evaluate reports promptly. However, the timing and manner in which Mercyhurst addresses reports of bias activity will depend upon the information provided and whether the complainant chooses to remain anonymous.

## How do I initiate a report of bias activity?

*In case of an immediate threat or emergency, call Police & Safety at 814-824-3911, or dial 911 for local law enforcement.*

**Option 1:** Contact Dr. Greg Baker, vice president for Mission, who will assist you in pursuing the best options for you to bring forth your complaint. This is the recommended option that will give you and the university the best opportunities for productively handling your report.

Greg Baker, D.Min.

Vice President for Mission

**814-824-2301, [gbaker@mercyhurst.edu](mailto:gbaker@mercyhurst.edu)**

**Option 2:** Fill out this ***Bias Activity Reporting Form*** (with an option for anonymity). Please know that the university's options for potential investigation, follow-up, or support will be significantly limited if you choose the anonymous option on this form.

Privacy will be respected throughout the process regardless of which option is chosen.

## Who sees and reviews this initial report?

The Initial Assessment Team will review and assess the best initial response and follow-up for reports of bias activity.

Members include:

- Vice President for Mission Greg Baker (**814-824-2301, [gbaker@mercyhurst.edu](mailto:gbaker@mercyhurst.edu)**).
- Assistant Vice President of Human Resources & Legal Affairs Corry Miller (**814-824-3365, [cmiller234@mercyhurst.edu](mailto:cmiller234@mercyhurst.edu)**).
- Director of Residence Life and Student Conduct Sidney Rice (**814-824-3378, [srice@mercyhurst.edu](mailto:srice@mercyhurst.edu)**).
- When applicable, an appropriate area supervisor, dean, or department chair.

## What does the Bias Response Team do?

When deemed appropriate, bias reports will be passed along to the Bias Activity Response Team, led by the Multicultural and Inclusion Coordinator, which is made up of people in addition to the Initial Assessment Team. This team is comprised of members from various student support offices, and is charged with reviewing all reports of bias activity to:

- Determine whether any immediate steps need to be taken to ensure campus safety and/or reduce the potential for further conflict.
- Assess the need for a community notification about an incident or pattern of incidents.
- Recommend university-wide responses to university leadership for cases that are deemed to be very public or widespread in nature.
- Connect individuals with support services on and off campus, including but not limited to the Counseling Center, university health services, and Campus Ministry.
- Refer reports for appropriate resolution processes as necessary.
- Offer educational and other informal, non-punitive resolution for individuals and communities to address harm.
- Provide information to individuals who may have been harmed about outcomes, as appropriate.
- Gather data regarding bias activity, harassment, and discrimination reports received to make data-driven policy recommendations and provide periodic reports to university leadership.

The Bias Response Team may play some tangential role in disciplinary process in that it refers to the appropriate procedures and may screen some reports to determine whether it might raise a policy violation concern.

## What is the follow-up to a Bias Activity Report?

- If the report was made anonymously using the online form:
  - The Initial Assessment Team will make determinations if responses from the Bias Response Team are possible or appropriate. In some cases, the respondent will be notified and will have follow-up conversations with a member(s) of the Bias Response Team.
- If a report was initiated confidentially (not anonymously) through the vice president for mission, the following process will occur.



- A confirmation will be sent stating that the report has been received.
- An intake interview will take place to review what has been submitted (if applicable) and/or gather as much initial information as possible. Immediate adjustments to student or employee situations will be considered.
- The Initial Assessment Team will make an assessment regarding whether more information is needed or if investigations may be warranted. The team may involve appropriate offices and investigatory bodies on campus. If warranted, individuals involved in investigations or dialogue will be asked to sign a non-retaliation clause.
- The Bias Response Team will meet to determine appropriate response(s) or supports with individuals connected to the report.
- The Bias Response Team will review the responses to the incident and determine if additional supports or resolutions are needed.

## What are possible outcomes of a Bias Activity Report?

- If a case involves potential criminal behavior, Police and Safety will conduct an assessment and respond appropriately.
- If a case involves a violation of the student or employee codes of conduct, the appropriate offices will investigate and determine resolutions.
- If a case is not determined to be a possible policy violation, the Bias Activity Response Team will work with complainants, respondents, and witnesses to facilitate dialogue, education, and other appropriate resolutions.
- At least once a year, the Bias Response Team will review data collected to inform ongoing programming and educational initiatives on campus. Data will not reveal names, but will point to themes, topics, and groups of community members to whom more education and/or support should be provided.

## Are files kept for Bias Activity Reports?

- Permanent files of all Bias Activity Reports are kept by the Vice President for Mission
- For cases that involve investigations of university policy, reports are also kept on file in appropriate offices, including Human Resources, Student Conduct, and direct supervisors of employees.

## GUIDING PRINCIPLES FOR THE BIAS RESPONSE TEAM

**Assumption of Goodwill:** the work of this response team builds on the powerful legacy of the Sisters of Mercy, who have endured profound racial, religious, and gender-based tension and discrimination. Our mission teaches us to treat others through a lens of compassion and Mercy. All individuals involved with a resolution are asked to extend Mercy and attempt to assume goodwill and good intentions from other people.

**Social Mercifulness:** the efforts of the Bias Response Team will seek to embody this Mercyhurst core value, therefore our priority is, and always will be, the protection of those who experience bias, as well as protect the anonymity of victims who do not wish to have their identities and/or experiences exposed to public scrutiny or retaliation.

**Anonymity and Privacy:** while anonymous reports limit the possible interventions and actions that the university can take to foster dialogue and education, students and employees can always choose to make reports anonymously. The Bias Response Team and the few employees who need to be involved will treat reports with great sensitivity, respect for privacy, and discretion.

**Subsidiarity:** this principle states that conflicts and decisions should be settled at the lowest level possible. A bias-based reporting system is not designed to replace individual responsibility to address conflicts honestly and charitably with roommates, teammates, coworkers, etc. The university recognizes that some instances of bias involve power differentials or other circumstances which cause those who experience harm to feel unsafe or unsure how to respond.

**Reflective Awareness:** the Bias Response Team's efforts will work to foster in employees and students generous and open intellectual habits, so as to continually learn better ways of behaving and interacting with the rich diversities of our campus. All of us have room to grow in understanding, sensitivity, and empathy.

**Restorative Justice:** all efforts will be made to transform incidents of bias into opportunities for growth and healing through reconciliation, education, and dialogue. Within this model, we recognize that discomfort can and should not always be avoided, and that sometimes discomfort can lead to growth.

**Courage:** this reporting process is designed to make it easier to work through inevitable moments of tension and misunderstanding that arise in any community. A detrimental unintended consequence of this process could be that students, faculty or staff avoid issues and topics that could become contentious due to fear of being reported. That would be antithetical to what it means to be a Catholic liberal arts university. It is our responsibility to courageously address the critical topics of our contemporary society. This reporting process is not designed as a mechanism to punish or "cancel" every person who says or does something that offends another person. This bias reporting process is designed to foster learning and growth. We must address and productively confront the fact that individuals in our community experience themselves as marginalized in ways that do not live up to Mercyhurst's DEIJ commitments.