



Bias Incidents Prevention and Response Policy and Protocol

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I. Context and Guiding Principles

ACPA is an organization that holds diversity, multicultural competence, and human dignity among its core values (ACPA, 2013). The association aspires to consistently apply these values in its work to promote scholarly inquiry into issues of equity, diversity, and access in higher education. Moreover, the association translates this research and scholarship into clearly articulated professional competencies to assist practitioners in developing as critically conscious educators for diversity and inclusion. This competency area is “designed to create an institutional ethos that accepts and celebrates differences among people, helping to free them of any misconceptions or prejudices” (Bresciani et al., 2010, p. 9).

When bias incidents occur they often fall outside the boundary of policies and laws. For example, it is possible that some speech that is experienced as biased or hate is protected by the First Amendment, yet still yields tremendous negative impact on individuals and communities. When acts of bias or intolerance occur within our association we are called as a collective and as individual members to uphold our shared values and principles to denounce and learn from these events. As stated in ACPA’s *Statement of Ethical Principles and Standards* (2013) members are called on to “Abstain from all forms of harassment, including but not limited to verbal and written communication, physical actions and electronic transmissions” (2.3, p. 3) and we must “develop multicultural knowledge, skills, competence, and use appropriate elements of these capacities in their work...” (2.12, p. 3). In delineating our responsibility to society, professionals should “...act as advocates for social justice for members of communities...” to which they live and work, recognizing that they are enhanced by the cultural diversity of its members. We must “work to protect human rights and promote respect for human diversity in higher education” (ACPA, 2013, p. 6). In so doing, we aim not to silence any viewpoint or punish those who may have unintentionally harmed others. Rather, we seek to promote an organizational culture in which all the diverse voices of our members have equitable opportunities to be heard and valued, and we learn from one another.

In our history as an association we have experienced the complications and long term negative consequences of an ad hoc or perceived lack of response to incidents of bias that adversely affected members of our community. In order for members to fully enjoy and experience the association’s value for social justice, ACPA seeks to cultivate an environment in which acts of identity-based bias are identified and addressed in an intentional, coordinated, and transparent manner, with opportunities for full participation of all impacted constituents.

This protocol is intended to address incidents that happen within the association on a larger, more public scale as well as those that could occur among a few people. Creating opportunities and protocol for all levels of bias to be addressed can help reduce the impact of micro-aggressions, those seemingly smaller acts of bias, that accumulate over time and can create a chilling or hostile effect for members (Sue et

al., 2007) [see “Recommendations on Equity and Inclusion in Professional Development and Scholarship Activities” document]. Addressing these issues at these smaller levels can also assist in preventing larger incidents from occurring.

This *Bias Incidents Prevention and Response Policy and Protocol* is grounded in the following beliefs:

- Systems of oppression are pervasive. Even those of us who are committed to social justice education are impacted by and implicated within these systems, and may therefore engage in behavior that could have an unintended, negative impact on others. The existence of oppressive systems is not our fault, but it is our responsibility to dismantle them (Washington, 2007).
- Each and every act of bias occurring within the association must be publicly addressed in order to create a positive climate for diversity (Love, 2010).
- Good intentions cannot overshadow negative impact; intention and impact must both be acknowledged in order for the association to grow stronger in its commitment to social justice and respond meaningfully to harm done.
- Each response to a bias-related incident should be crafted collaboratively based upon the specific details of the incident in question (Washington, 2007).
- Responses should not be limited to addressing immediate impact, but should also promote reflection upon the root causes of the incident; adjustment of association policies and practices to avoid recurrence; and education for the full membership regarding the association’s response.

II. Definitions

In 2012 an ACPA workgroup drafted “Recommendations on Equity and Inclusion in Professional Development and Scholarship Activities” that included definitions of the terms *equity*, *inclusion*, *social justice*, *pluralism*, *gender neutral language*, *universal instructional design*, and *microaggressions*. We acknowledge that these definitions represent the foundational values of the association and offer the following definitions for actions that conflict with these values.

A. Bias incidents

Any activity that intimidates, demeans, mocks, degrades, marginalizes, or threatens individuals or groups based on that individual’s or group’s actual or perceived age, ancestry, ethnicity, national origin, ability (physical, psychological, cognitive), sex, gender identity or expression, citizenship or immigration status, marital status, socio-economic class, race, religion, religious practice, sexual identity or veteran status. A bias incident can occur whether the act is intentional or unintentional, and may or may not be a legal act. In identifying a bias incident, the focus is on the impact on an individual or group, not the intention or motivation of the actor. Adapted from Virginia Tech, we have categorized two types of bias incidents:

1. Contained Bias Incident - a comment, activity, or event that is seen or heard by a few people (e.g., in a small meeting, 1-1), is not a violation of a policy or law, or has no interest from media or larger investigative bodies
2. Community Bias Incident - a comment, activity, or event that is seen or heard by many, violates policies or laws, or has interest from the media or larger investigative bodies

B. Discrimination

Conduct that denies any individual or group equal privileges or access to a particular activity or opportunity because of the individual's or group's actual or perceived age, ancestry, ethnicity, national origin, ability (physical, psychological, cognitive), sex, gender identity or expression, citizenship or immigration status, marital status, socio-economic class, race, religion, religious practice, sexual identity or veteran status.

C. Harassment

Unwelcome conduct based upon individuals' or groups' actual or perceived age, ancestry, ethnicity, national origin, ability (physical, psychological, cognitive), sex, gender identity or expression, citizenship or immigration status, marital status, socio-economic class, race, religion, religious practice, sexual identity or veteran status that unreasonably interferes with the person's work or educational performance or creates an intimidating or hostile work or educational environment. Examples may include, but are not limited to, epithets, images, slurs, jokes, electronic communication or other verbal, graphic or physical conduct.

III. Prevention Efforts

A. Leader Training

1. Governing Board members, Assembly leadership, entity group chairpersons, foundation leadership, editors, chair of the Ethics Committee, chair of the Sustainability Committee, directorate body members, convention planning teams, and International Office staff members will participate in training on the association's *Bias Incidents Prevention and Response Policy and Protocol* at the start of their terms, and at least biannually thereafter, where applicable. Training may be delivered in a range of modalities (in-person workshop, session at June Leadership Meeting or Convention, webcast, online course or module, etc.).
2. As practitioners develop and deepen the competencies articulated in the

equity, diversity, and inclusion (ED& I) area, they will be better leaders for social justice. Investing in ongoing education for association leadership in this competency area will help to assure the lowest possible occurrence of bias related incidents. Moreover, ACPA leaders should aspire to develop competencies at the advanced level, which include demonstrating effectiveness in responding to bias-related acts and ensuring that individuals throughout their institutions are treated with respect and fairness (Bresciani et al., 2010).

a. Governing Board members, Assembly leadership, entity group chairpersons, State and International division presidents, Convention Planning Teams, and International Office staff members will participate in leadership development activities focused around equity, diversity, and inclusion at least once annually during the June/July Leadership Meeting.

i. Entity group chairpersons and State and International division presidents shall be responsible for assuring that their directorate body members participate in leadership development activities focused around equity, diversity, and inclusion at least once annually.

B. Professional Development Opportunities

1. All ACPA members will receive information on the association's *Bias Incidents Prevention and Response Policy and Protocol* when initiating or renewing their membership.

2. As practitioners develop and deepen the competencies articulated in the equity, diversity, and inclusion (ED&I) area, they will be better leaders for social justice. ACPA will continue its strong tradition of investment in ongoing professional development activities for its membership in this competency area, which will help to assure the lowest possible occurrence of bias related incidents.

C. Convention Programs, Institutes, and Virtual Educational Sessions

1. Training on how to create an inclusive, equitable convention or program and the association's *Bias Incidents Prevention and Response Policy and Protocol* will be included among the preparatory efforts for all presenters for ACPA conventions and institutes¹. Training may be delivered in a range of modalities (in-person workshop, webcast, online course or module, etc.).

¹ Please see "Advancing Equity and Inclusion in ACPA: Recommendations for Professional Development and Scholarship Activities" for more information about such preparatory efforts.

2. An educational session on the *Bias Incidents Prevention and Response Policy and Protocol* will be offered at the convention following its adoption.

D. Communications and publications

1. Communications from ACPA that are intended for a wide audience will be reviewed for potential bias-related content by at least two members of ACPA leadership or International Office staff who have been trained in recognizing unintended bias. This includes surveys, e-mails, announcements, websites, etc.

2. ACPA will continue its strong practice of building review for bias into its editorial process for all publications (e.g., About Campus, Journal of College Student Development, Developments, Internal Publications, etc.)

IV. Protocol

A. Coordination

The oversight for bias incident response is led by the Director of Equity and Inclusion. This is an elected, Governing Board position filled by an individual who has been entrusted by association members with the expertise and experience to guide a socially just response to bias-related incidents. The Director of E & I will take first responsibility for responding to incidents of bias, communicating with the ACPA President and Executive Director, organizing an initial review team from the members of the Equity and Inclusion Committee, and overseeing the appropriate follow-up and tracking of incidents.

B. Notification

Individuals who experience bias via publications, online media, or while participating in an ACPA sponsored activity can notify ACPA of the concern in a number of ways:

1. Event Coordinators - Members who have experienced a bias-related incident during an ACPA coordinated or sponsored event are encouraged to bring the matter to the attention of the event leader or coordinator immediately so that the issue could be addressed as quickly and directly as possible. The event coordinator should inform the Director of E & I of what occurred as soon as possible and no later than 24 hours of the reporting of the incident.

2. Online Notification Form - An electronic notification form should be created to capture specific concerns related to equity and inclusion

or specific bias. The form would be sent initially to the Director of Equity and Inclusion and the Executive Director or a designee in the International Office and could be directed to an appropriate review team or person for resolution.

3. Director of Equity and Inclusion - The Director of Equity and Inclusion could be contacted directly by any member of the association to discuss overall concerns or specific incidents as they relate to bias, equity and inclusion related to the association's activities, policies, practices, or members.

4. Advocates/Support Responders - A team of association leaders will be trained to be the first point of contact and support to members who bring forth bias incidents. These members could be notified of complaints directly or could be called to serve as a support to the individuals who experienced bias as they move through whatever process following the incident.

These Advocates/responders for support and intake include:

- Director of Equity and Inclusion
- Chair of the Commission for Social Justice Educators
- Chair of the Commission for Global Dimensions of Student Development
- Chair of the Committee for Multicultural Affairs
- Chair of the Standing Committee for Lesbian, Gay, Bisexual and Transgender Awareness
- Chair of the Standing Committee for Women
- Chair of the Standing Committee for Disability
- Chair for the Commission on Spirituality, Faith, Religion and Meaning
- Chair of the Standing Committee for Men and Masculinities
- Tricia Fechter, Senior Director, Professional Development, Research & Scholarship, International Office
- ACPA Governing Board Member - Member at Large Faculty or other

C. Review

Following a notification of bias, the event coordinator or advocate should report the incident in writing to the Director of Equity and Inclusion as soon as possible, and no later than 24 hours after reporting the incident. The Director of E & I will consult with at least 2 members of the Equity and Inclusion Committee who will make up the Bias Incident Response Team for that incident. The 3-member review team will review the incident and

determine appropriate next steps. Additional members could be appointed to the review team--particularly if a member from the targeted or constituency group is not on the review team--as appropriate for the incident.

Additional Review Team Members could include:

- ACPA President, Governing Board
- Executive Director, International Office
- Associate Executive Director, International Office
- Senior Director for Professional Development, Research, & Scholarship, International Office
- Manager of Marketing & Communications
- Chair, Ethics Committee
- Director of Membership Development, Governing Board
- Director of External Relations, Governing Board
- Appointed Member of the Equity and Inclusion Committee
- Past Chair of one of the Standing Committees
- Past Chair of the Commission for Social Justice Educators
- Past Chair of the Commission for Global Dimensions of Student Development

D. Confidentiality

Any member reporting a bias incident can request confidentiality. In the event of such a request, reasonable steps to review the incident and respond consistent with this request will be made. Limits to the review or response based on this request should be discussed throughout the process with all individuals involved.

E. Response

Consistent with the values of our association, our response to bias related incidents will be an educational process focused on understanding what harms may have been done and why, who has been affected, and how the harm can be repaired. Where possible and with the agreement of all involved parties, restorative practices and restorative justice may be utilized as frameworks to empower those directly impacted to “collectively identify and address harms, needs, and obligations, in order to heal and put things as right as possible” (Zehr, 2002, p. 37).

Regardless of whether the incident violates policy or the intent of the actions, it is important to respond to people who have experienced bias in a timely, caring manner. All parties involved in a bias-related incident will be treated with respect and a willingness to hear their perspectives.

Every bias incident has a unique context that requires consideration before implementing any protocol. The nature of the incident, the impact and desires of those reporting the incident, the impact on other members and the larger association, are examples of factors that should be reviewed when considering a response. Whether it is a contained or a community bias incident, timely and transparent response to the immediate concerns and follow up will be implemented.

Examples of responses could include, but are not limited to:

- a facilitated conversation between involved parties
- conversations with ACPA leaders or members
- restorative circles and/or restorative conferences
- changes in policies or procedures
- statement to the larger association
- educational programs
- consultation with outside organizations

1. Contained Bias Incidents Response- between a small group or individuals, not widely seen or known

- Whenever possible, leaders/members most closely involved with the incident should be consulted and involved.
- The Director of Equity and Inclusion or a designee should serve as a resource to consult or assist in facilitating a response that best resonates with those impacted and the values of the association, and to determine if a review team is needed.
- The Director of Equity and Inclusion or a designee will follow-up with those involved following the resolution as appropriate.

2. Community Bias Incidents Response - Incidents that are widely known and have larger community impact

- The Director of Equity and Inclusion will convene an appropriate Bias Review Team to review the incident and determine appropriate next steps.
- Members from the advocate/support team or an association designee is assigned as a support person for the key individuals or entities involved. The support person's role is to listen, provide resources, and serve as a liaison in the process.
- The Director of Equity & Inclusion or a member of the Bias Review Team will coordinate a designated response in collaboration with the impacted parties, including how to best notify the larger association of the outcome in consultation with the ACPA President.

- The Director of Equity and Inclusion should ensure appropriate follow up and relationship building with members involved in the incident.

F. Incident and Process Review

The Director of Equity and Inclusion and designated members of the Bias Review Team should review the incident, the process, and follow-up to evaluate the response to the incident. A conversation should also be had with ACPA leadership concerning any recommendations for changes to policies, procedures, or training that may result.

VI. Tracking and Reporting

A. The Director for Equity and Inclusion will collect data regarding all reported bias-related incidents, and prepare, as part of their annual end-of-year report, a summary of these reports, redacting identifying information of those involved or impacted as needed. The Director's report will be made available to the ACPA membership via its web site.

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