
Bias Incidents, Hate Crimes, and Free Speech
Carleton College is committed to the principle of free expression and the exploration of ideas in an atmosphere of mutual respect. While at times open discourse can seem to be at odds with a safe and inclusive community, these values must be carefully balanced to provide the best environment for learning at a residential liberal arts college. As noted in the Community Policies and Standards in the Carleton Student Handbook, the College recognizes that academic freedom necessitates open discourse, education is not always comfortable, each member of this community has the responsibility to treat others with respect, and freedom from discrimination is a necessity for real learning to take place.

Expression of controversial ideas and differing views is a vital part of campus discourse. The articulation of an idea or point of view that some may find offensive or challenging is not necessarily a bias incident. While this value of openness protects controversial ideas, it does not protect expressions of bias, bigotry, or hate aimed at individuals or groups. Such expressions dehumanize people, erode individual rights, debilitate morale, and interfere with the effectiveness of learning environments.

Issues related to diversity and inclusion are multidimensional and complex. The Carleton community should expect that the definitions and process below will continue to evolve. The College encourages active engagement by all community members in the ongoing conversations and efforts in order to cultivate a diverse and inclusive learning environment. Shared responsibility for creating and maintaining that environment is at the core of this goal.

Definition of Bias Incidents
A bias incident is defined as a behavior or act that harms, or carries the potential to harm, an individual or group, based on perceived or actual characteristics of identity. Such characteristics might include, but are not limited to: race, color, religion, sex, linguistic background, socioeconomic status, national or ethnic origin, disability, citizenship, age, sexual orientation, gender identity or expression, or marital or veteran status.

A bias incident, as defined in the previous paragraph, is a particularly pernicious harm, not just to the student, but to the College itself and its sense of community. By its nature, the act denies or diminishes the right of members of our community to belong because of who they are. Intent to harm is not required for an act to be deemed a bias incident. The harm or potential harm may be to an individual, a group, or the college community. The types of behavior that may constitute a bias incident include but are not limited to: disparaging or threatening speech, phone calls, mail, posts on social media, or electronic messages; graffiti; vandalism; stalking; or inappropriate public displays of bias.

Definition of Hate Crimes
Hate crimes are legally definable crimes that are intentionally motivated by bias. A hate crime might, for example, involve violence, threats of violence, sexual violence, personal injury or property damage. A hate crime is an infraction of the law and will be addressed accordingly.

Reporting and Processes
Carleton strongly encourages the reporting of all bias incidents and hate crimes that occur on campus or at college-sponsored events and activities occurring off campus.
Any individual member of the Carleton College community should report the incident through the Community Concern Form. If immediate attention (for reasons of safety, preserving evidence, damage, etc.) is needed, please contact Campus Security (x4444) as soon as possible. The following offices may also be helpful resources for consultation and support in filing the form and other processes that may follow: Residential Life, Student Health and Counseling, Office of Intercultural & International Life, TRIO/Student Support Services, Chaplain’s Office, or the Dean of Students Office.

Once a Community Concern Form is submitted involving a hate crime or incident of bias, it is automatically forwarded to the Bias Incident Response Team Coordinator for follow-up. If the incident involves sexual misconduct, the BIRT coordinator and the Title IX coordinator will consult. In most instances, the coordinator will reach out to the reporter of the incident within 48 hours, though depending on the nature of the incident, follow-up may be immediate. The coordinator will talk with the reporter for a better understanding of what has been reported and will make the reporter aware of other potentially helpful campus resources. After a preliminary inquiry of the incident by the coordinator, the Bias Incident Response Team (BIRT) may convene for consultation to determine harm assessment and next steps for action, while continuing to consider the needs and wishes of the harmed party or parties and the safety of the Carleton community. The BIRT will consider the following responses to the incident:

- determine whether a communication be sent to the impacted community (residential community, student group, full campus community, etc.);
- offer educational sessions and/or community forum(s);
- make a referral for Restorative Justice
- make a referral for adjudication

In all instances where a bias incident has been reported, it will be documented in a database and later reported, without identifying information, in the BIRT end-of-year report.

Examples of Bias Incidents
The BIRT team recognizes that every incident is unique, and must be approached on a case-by-case basis. However, examples of bias incidents may include, but are not limited to:

- Telling jokes based on an oppressive or offensive stereotype
- Offensive graffiti using slurs or imagery targeting a certain identity
- Using a racial, ethnic, religious, sexual or other slurs
- Making derogatory comments about someone’s identity
- Parties themed on oppressive or offensive stereotypes
- Ridiculing a person's language or accent
- Language and imagery objectifying women

BIRT Coordinator and Composition of the Bias Incident Response Team
The BIRT Coordinator should be a staff member in the Dean of Students (DOS) Office who will receive Community Concern Forms and coordinate closely with the Title IX Coordinator and others as needed among the DOS staff. The BIRT Coordinator should also be a permanent member of the Community, Equity, Diversity Initiative (CEDI) in order to enhance collaboration between the responsive and proactive work being done on bias incidents and identity issues.
The BIRT team will be composed of five students, five faculty/staff, the BIRT Coordinator, and additional resource members. Since a core purpose of the BIRT is to support students of marginalized identities, students, faculty, and staff on the BIRT will represent these diverse identities. Members will be trained on an annual basis. Faculty will be appointed by the Faculty Affairs Committee. Staff will be appointed through SAC and Forum through the President’s office. Students will be appointed by the CSA Senate. All appointments will involve further consultation with the BIRT coordinator. Appointed faculty/staff members’ terms will be for three years. It is preferred that students serve for more than one year on the committee.

In order to quickly and efficiently address a given incident, the BIRT Coordinator will seek to convene from this group a quorum of one faculty, one staff, two students, and the BIRT Coordinator themselves, in addition to one or more non-voting relevant resource staff members. The BIRT coordinator will be responsible for minimizing conflicts of interest. Additional resource staff members, some of whom will have Restorative Justice training, will be drawn from the following list as necessary:

- GSC Staff
- OIIIL Staff
- TRiO/SSS Staff
- Chaplain’s Office Staff
- Residential Life Staff
- Campus Security
- Dean of Students Office

**Adjudication of Bias Incidents**
The BIRT is not an adjudicative body but makes referrals to existing hearing boards when needed. Bias incidents requiring adjudication will be referred to the Judicial Hearing Board. Incidents involving sexual misconduct will be referred to the Community Board on Sexual Misconduct and incidents involving academic concerns will be referred to the Academic Standing Committee. In the event that an incident may be applicable to multiple hearing boards, the BIRT Coordinator will collaborate with the appropriate hearing board coordinators to determine the best avenue for adjudication. The BIRT will determine the appropriate response if adjudication is not warranted.

**Evaluation and Refinement of BIRT**
The BIRT Coordinator will lead the annual review of BIRT processes, definitions, and outcomes. During its first years and on occasion in later years, feedback should be solicited from the wider campus. The responses from the BIRT and from campus feedback should be reported annually to the Dean of Students. Any changes in the structure or procedures will be included in BIRT’s annual report to the community.
Incident reported (Community Concern Form, Campus Security, Peer Leader, etc.).

Follow-up is made with the person who reported (immediately to within 48 hrs).

- Sexual Misconduct/Title IX - Student of concern: Title IX Coordinator
- General-Student of concern: Class Dean
- Bias Incident: BIRT Coordinator
- Incidents involving faculty, staff, visitors: Title IX Investigator, Dean of the College, Human Resources

BIRT team convenes for consultation, harm assessment, student support, action determination and possible referral.

- Restorative justice
- Community education and response
- Community Forum
- Referral for adjudication

Report recorded in database. Summary of BIRT activity issued to campus regularly.