

SUNY POLYTECHNIC INSTITUTE

BIAS INCIDENT REPORTING POLICY

It is the responsibility of every student, staff, and faculty within SUNY Polytechnic Institute to help create an environment in which every one of us can thrive without fear of bias. The Bias Incident Response Team (BIRT) responds to reports of bias incidents, creates opportunities for campus wide education to cultivate equity and inclusion, and provides referrals and resources to those affected by bias incidents.

What is a bias-related incident?

A bias incident is an action, behavior or communication, or related series of actions, behaviors or communications, that negatively and unfairly targets an individual or group based on social or personal identities such as, but not limited to, race, color, national origin, ancestry, ethnic characteristics, religion, citizenship, age, sexual orientation, disability, pregnancy, gender identity, genetic characteristics, military status class or any combination.

What are some examples of a bias act?

Bias incidents can include, but are not limited to, verbal communications (such as slurs, insults, offensive/degrading language, speech featuring use of offensive stereotypes), written or symbolic expression (such as email, social media postings, graffiti, , chalked sidewalk messages, or displays of symbols) , and behaviors or actions (such as exclusion or shunning), violent acts (such as assault or battery, bodily or facial gestures or movements intended to mock or degrade another person) which feature, or are intended to express, bias toward an individual or group based on their actual or perceived identity or membership in a group associated with their race, color, national origin, religion, ancestry, ethnic characteristics, citizenship, age, sexual orientation, disability, pregnancy, gender identity, genetic characteristics, military status class or any combination (i.e. a “protected category”).

What bias incidents are covered by this policy?

Bias incidents covered by this policy are those involving the actual or perceived expression or enactment of bias by a SUNY Poly employee or student that negatively affects or could negatively affect another employee or student in the context of their employment, educational, extracurricular residential, or social lives at the college or otherwise negatively affect their ability to participate in any college related program or activity free from the effects of bias.

What is a “hate crime” and is it different from a “bias incident”?

Hate crimes, also called bias crimes or bias-related crimes, are criminal activity motivated by the perpetrator’s bias against an individual victim or group based on perceived or actual personal characteristics, such as their race, religion, ethnicity, gender, sexual orientation, or disability. Hate/bias crimes are addressed by the passage of the federal Hate/Bias Crime Reporting Act of 1990 and the New York State Hate Crimes Act of 2000 (Penal Law 485.05). All hate crimes are included in the definition of bias incident, but not all bias incidents are hate crimes. For a bias incident to constitute a hate crime, it must include (among other things) the commission of an actual underlying crime by the perpetrator (e.g. a criminal assault). A hate crime will also involve law enforcement and criminal prosecution (although it could also form the basis of a student conduct charge by the Institute’s Office of Community Standards).

How do you report a Bias Incident?

If you feel you are the target of or have witnessed a bias incident against another person, there are several ways to report the incident. You can file a complaint anonymously or you can provide your name, the more information provided to the BIRT team the better equipped the team will be to address the report.

1. Call 911 or University Police
2. Complete an online reporting form at [SUNY Poly Bias Report Form \(maxient.com\)](https://maxient.com)
3. Reach out to a member of the Bias Incident Response Team.
 - Dr. Mark Montgomery – montgom@sunypoly.edu
 - Michele Kilburn – kilburm@sunypoly.edu
 - Kathie Artigiani – artigik@sunypoly.edu
 - Jennifer Adams – adamsj4@sunypoly.edu

What happens after I file a report?

All reports will be carefully reviewed by the SUNY Poly BIRT, and the response will vary based on the incident, the individual(s) involved, and the amount of initial information provided in the report. Discretion and privacy are prioritized, however, members of the BIRT may consult other staff members if those staff members have expertise or experience that is relevant to resolving the report submitted. Incidents that may require consideration and/or investigation for violations of the student code of conduct may be referred to Community Standards. Incidents that concern the behavior of a faculty or staff member may be referred to Human Resources. Incidents within which a crime may have been committed will be referred to University Police or local law enforcement. In appropriate cases, a reporting individual or an affected individual will be informed about their ability to file an internal complaint of discrimination with the Office of the Director of Affirmative Action and Equal Opportunity.

Some incidents may be addressed initially through meetings or discussions with the person(s) alleged to be responsible for the incident. In all such cases, an effort will be made to alert the responsible individual to their behaviors (which may in some cases have been inadvertent or unintentional, or simply lacking in sensitivity or awareness) and their effects upon others, to raise their consciousness and prevent (or make far less likely) repeated or similar incidents in the future. In some appropriate cases, a simple acknowledgement of the offensive behavior by the responsible party, and the issuance of an apology to the affected person(s), may result, and bring the matter to closure. Incidents may also be addressed through campus wide education, staff/faculty training, or prevention programs. If a report is filed anonymously and there is not enough information provided to address the incident effectively or appropriately, the incident will be fully assessed but may result in limited action. If the reporting individual requests that an incident not be addressed, the request will be considered but the nature of the report may require Community Standards, Human Resources or University Police to act or begin an investigation. When the reporting individual chooses to identify themselves and provides contact information, the BIRT will attempt to include them in possible resolution processes when it is reasonable and allowable to do so.

Identified individuals who have been impacted or witnessed to a bias incident will always be offered supportive measures such as a referral to counseling, University Police escorts, or support from the Care Team.

What are some things you can do if you are the victim of or witness to a bias incident?

Graffiti – Do not erase it or clean it, call University Police immediately so an officer can document the image, collect any evidence and contact campus facilities to remove the image. Do not wait for University Police to arrive if you feel uncomfortable or unsafe remaining in the area.

Other Property Damage – Do not try to fix or cover up any damage, contact University Police or the On Call Residence Director immediately. If you feel unsafe leave the situation and call University Police when you are somewhere safe.

Harassment and/or Threats – If you feel you are in immediate danger, contact University Police right away and provide them with as much detailed information as possible such as location, date, time, specific words used and names of the perpetrator or witnesses (if known). If you do not feel it is an emergency and/or do not want to contact University Police you can file a Bias Report that will be reviewed by the SUNY Poly BIRT Team.

Physical Attack – Call 911 or University Police immediately.

Bias Incident Logs

Statistics of bias incidents/hate crimes are recorded by University Police and posted publicly on an annual bases. These statistics can be found at <https://biasreportingstats.com>

Reporting of Urgent Concerns

If you are the victim of or witness to a bias incident or hate crime and need immediate assistance, call University Police at 315-792-2111 or 911

Discrimination Complaints

Individuals who wish to file an external complaint about the institution's policy or process may contact the U.S. Department of Education's Office for Civil Rights using contact information available at <https://ocrcas.ed.gov/contact-ocr>. Individuals may also file complaints with the New York State Division of Human Rights (DHR), using contact information available at <https://dhr.ny.gov/complaint>.