



# **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 conventional laws but are intended to be addressed by our ACPA policies. 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, lead, teach, 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). 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. 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 microaggressions, 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).

- Good intentions cannot overshadow negative impact; intention and impact must both be acknowledged 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

This section lays out the types of biases that may occur and the ways those biases may manifest during an ACPA event. As mentioned previously, bias may be unintentional yet still cause harm, and may or may not be a legal act under conventional law. Additionally, and importantly, bias targets a marginalized identity whether real or perceived to be a part of a recognizable group or affiliation. Legally protected identities include race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibilities, political affiliation, and/or disability ([Office of Human Rights, 2021](#)). ACPA also recognizes that bias may occur because of one's actual or perceived gender expression, citizenship or immigration status, marital status, socio-economic class, or religious practice. The second list of identities are not always legally protected identities in the United States but are affirmed through ACPA's Core Values of diversity, multicultural competence, and human dignity. Our bias response protocol is a basis for addressing a wide breadth of bias that may occur.

### A. 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 identity.

### B. Harassment

Unwelcome conduct based upon individuals' or groups' actual or perceived identity 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.

ACPA defines two types of bias incidents. They are described as:

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

### 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 Mid-Year or between Convention meetings/convenings, webcast, online course or module, etc.). This training will be administered by the Director of Equity & Inclusion and any accompanying Governing Board members as requested.
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 on equity, diversity, and inclusion at least once annually during the June/July Leadership Meeting.

- i. Entity group chairpersons and State, Regional, and International Chapter Presidents shall be responsible for assuring that their directorate body members participate in leadership development activities focused on 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 institutes<sup>1</sup>.
2. Training may be delivered in a range of modalities (in-person workshop, webcast, online course, or module, etc.). The Convention Chair and the Convention Equity and Inclusion Chair are jointly responsible for ensuring this training occurs. For ACPA Institutes, the Deputy Executive Director is responsible for training faculty and presenters.

#### D. Communications and publications

1. Communications from ACPA are reviewed by two people – the Executive Director and Deputy Executive Director. If either person wants broader consultation, they will confer with the Presidents, Director of Equity & Inclusion, or the Director of External Relations.
2. The Director of Research & Scholarship and the Deputy Executive Director will work with the individual publication editors to set and monitor expectations for all ACPA publications (e.g., About Campus, Journal of College Student Development, Developments, Internal Publications, etc.).

### IV. Protocol

#### A. Coordination

The initial oversight for bias incident response is led by the Director of Equity and Inclusion. 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, and overseeing the appropriate follow-up and tracking of incidents. If the Director of E&I must be recused from the process, the Executive Director, President, Vice President, or Past President will assume responsibility of coordinating the response.

#### 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 provide guidance on how the person can fill out the online notification form and 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 - Any current member of ACPA or registered attendee of an ACPA event may complete the online notification form. The form is sent initially to the Director of Equity and Inclusion and the Executive Director or a designee in the International Office.
3. Director of Equity and Inclusion - The Director of Equity and Inclusion may 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, Commission for Social Justice Education
- Chair, Commission for Global Dimensions of Student Development
- Chair, Commission on Spirituality, Faith, Religion and Meaning
- Chair, Coalition for Multicultural Affairs
- Chair, Coalition for Sexuality & Gender Identities
- Chair, Coalition for Women's Identities
- Chair, Coalition for (Dis)ability
- Chair, Coalition for Men and Masculinities
- Director, Professional Development, International Office
- Any ACPA Governing Board Member

### C. Review

Following a notification of bias, the event coordinator or advocate should report the incident in writing via the Bias Incident Report Form to the Director of Equity and Inclusion, and no later than 24 hours after reporting the incident. The Director of E&I will consult with one member of the Equity and Inclusion Committee and one ex-officio member 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.

Ex-officio Review Team Members include:

- ACPA President, Governing Board
- Executive Director, International Office
- Deputy Executive Director, International Office
- Director of Marketing & Communications, International Office
- Chair, Ethics Committee (when active/functioning)
- Director of Membership Development, Governing Board
- Director of External Relations, Governing Board
- Appointed Member of the Equity and Inclusion Advisory Board
- Past Chair of one of the Coalitions
- 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 response 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.

If a member chooses to remain anonymous, there will be no follow-up with that member as their information is not collected.

Additionally, any member reporting a bias may opt out of any coordinated response between the accused and reporting party in order to maintain confidentiality (see below, e.g., facilitated conversation, restorative circle). If two parties submit bias incident forms against each other, and one remains anonymous but is named by the other party, that person may be contacted for coordinating a further response. If that person wishes to remain anonymous, they will not have the opportunity to participate in the continued response process.

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 the following groups concerning any recommendations or changes:

- a) Policy change conversations: The ACPA Governing Board
- b) Practice or education change conversation: ACPA Leadership which can be any member with a title or role depending on the situation.

### V. 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.

#### **Dates approved by Governing Board:**

*First approved on February 14, 2014*

*Updated on January 14, 2022*

## References

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