

Student Bias and Discrimination Guidelines

Updated Spring 2024

Clarification:

The Franklin & Marshall Student Bias and Discrimination Guidelines are not a college-sponsored policy, nor are they connected to the F&M Student Code of Conduct. These guidelines shall serve as a toolkit for students, faculty, and staff who are looking for further clarification on terms and expectations of students when it comes to biases. This document may be used as a reference tool for all speech on campus. For speech and posting specific to the F&M Protest Tree, please refer to the F&M Protest Tree Guidelines. This is peer-to-peer advice for students to hold one another accountable for their speech. Students are highly encouraged to report such harmful encounters to the [Bias Reporting Tool](#) (BIRT) and make use of the resources designed to hold accountable matters that rise to the level of a bias incident.

Statement of Philosophy

As per Franklin & Marshall College's [Mission Statement](#), the College's aims are "to inspire in young people of high promise and diverse backgrounds a genuine and enduring love for learning, to teach them to read, write, and think critically, to instill in them the capacity for both independent and collaborative action, and to educate them to explore and understand the natural, social and cultural worlds in which they live."

In order to actualize this mission of empowering students of diverse backgrounds, there must exist a climate that seeks to challenge acts of hate, discrimination, and harassment, if and when they arise. The College aspires to provide equal opportunity to all programs and offerings for all students.

The College also values freedom of expression and views freedom of expression as an essential component of the learning process. As per the [F&M Statement on Freedom of Expression](#), the College encourages expression of multiple views, even if these views are seen as offensive, disagreeable or insensitive. As such, speech that demeans, harasses, or limits the sense of security and belonging for any member of the College community must be challenged. Students are highly encouraged to report biased encounters to the Bias Reporting Tool and make use of the resources designed to hold accountable matters that rise to the level of a bias incident.

Bias-Related Behavior and Speech

Bias-Related Behavior: Bias-related behavior broadly encompasses actions that may involve the use of images, language or behaviors that directly or indirectly demonstrate hostility or contempt toward a person or group on the basis of actual or perceived identity.

Bias-related behaviors can involve speech or actions that unreasonably or substantially interfere with an individual's safety, security, or educational opportunities by creating an intimidating or hostile educational or working environment. Even if biases are positive, they can still result in unfair advantages or perpetuate stereotypes, thereby contributing to inequality and discrimination. Similarly, benign biases may not be intentionally harmful or malicious but may still impact educational and professional opportunities.

Behaviors that are discrimination or harassment are defined below. These definitions are from the F&M student code of conduct and acts that qualify as them could be considered conduct violations.

Discrimination: Any behavior that has the purpose or effect of preventing another person from fully participating in the programs or opportunities of the College, because of any characteristic protected by the College's non-discrimination statement.

Harassment: Abuse, threats, intimidation, assault, coercion and/or conduct, by physical, verbal, signed, written, photographic or electronic means, which unreasonably interferes with, threatens, or endangers any person.

Some forms of speech that convey reasoned opinion, principled conviction, political satire, or speculation could – but does not necessarily – constitute bias-related behavior, even though it may challenge people’s perspectives or comfort.

While it can be difficult to balance the free expression of ideas and the pillars of a healthy dialogue in educational settings, prioritizing speech that promotes ideas in a respectful and bias-free manner helps to cultivate a healthy learning environment for everyone. In turn, the onus is on students to hold each other accountable for speech that they disagree with.

In cases where speech contributes to a hostile or discriminatory environment, students may report such speech to the Bias Incident Report Form and other appropriate offices. Merely labeling such speech as an opinion or expression of ideas may not shield individuals or institutions from accountability if the speech contributes to a discriminatory environment.

Bias-related behaviors as defined above should be challenged on the Franklin & Marshall College campus and may be addressed through an educational conduct process that could result in disciplinary outcomes.

Examples of Bias-Related Behaviors

Here are some examples of bias-related behaviors that hinder a climate of inclusion:

- Deliberate and/or repeated humiliation and degradation;
- Directly commenting discriminatory ideas and beliefs on someone’s social media;
- Deliberate interference with the life or work of an individual with a disability;
- Imitating a disabled individual;
- Desecration of religious articles or places;
- Repeated, unwanted proselytizing;

- Repeated interference with the reasonable pursuit or practice of religion;
- Repeated insults about loss of personal and professional competence addressed to an older person;
- Outing someone as a member of the LGBTQ+ community;
- Use of a racial, ethnic, or other slur directly to target or identify someone;
- Telling racist or sexist jokes related to another's real or perceived identity such that they create a hostile or demeaning environment;
- Exploitative, hostile, or derogatory cultural appropriation;
- Drawing or creating pictures that imitate, stereotype, or belittle/ridicule someone based on another's identity (real or perceived) in a manner inconsistent with [F&M's Statement on Free Expression](#);
- Racist or derogatory graffiti or images/drawings;
- Vandalizing personal property.

Bias-Related conduct may occur through:

- Direct oral expression and/or physical gestures or actions;
- Notes, letters, and other forms of written communication distributed via campus or general mail, or otherwise made visible to the public;
- Phone calls, voicemails, text messages, email, social media or other means of electronic communication.

Reporting Process

For an incident that requires immediate attention, please contact the Department of Public Safety at 717-358-3939 right away.

Please report* any bias-related behaviors through the DEI office's [Bias Reporting Form](#) (BIRT).

*BIRT, Title IX, and public safety may not be confidential resources. Only reports made using the online form and information disclosed to the YWCA Campus Advocate are confidential.

If you become the victim or target of a bias incident or witness any bias-related behaviors, please do the following to document the incident the best you can:

- If the incident was verbal, be sure to immediately document what was said, where it was said and when it was said, and if known, the name of the individual(s) responsible and any witnesses.
 - You may also report issues involving sexual harassment to the Title IX office using the online reporting form or contacting the Director of Title IX and ADA Compliance.
- If you see a written slur or discover graffiti, do not erase the words or images. The Department of Public Safety will need to see it in order to document and photograph. Preserve all records and evidence related to the bias incident.

Franklin & Marshall College encourages prompt reporting of bias-related incidents so an investigation of the alleged facts can be conducted to determine if College policy has been violated, including violations of the [Student Code of Conduct](#).

Process for Investigating Reports of Bias-Related Behaviors

If you believe that you have been the target of bias-related behaviors or have witnessed bias-related behaviors, you may report the incident [online](#), or contact Public Safety or one of the offices based on the procedures listed below. Students can report other students, faculty, staff, and administrators.

The Bias Incident Reporting Team (BIRT) members thoroughly review each report and may reach out to both affected person(s) and alleged offenders. When a report is believed to reflect bias-related behavior, BIRT takes steps to respond, refers the report to the Student Code of Conduct process as needed, directs affected parties to campus resources, and records the incident and, when warranted, communicates to the campus. For more information on the BIRT process, please refer to the [Bias Incident Reporting Page](#).

Outcomes and Conduct Process

Reports of bias-related behaviors that are deemed to be possible violations of discriminatory conduct will be resolved through a Student Conduct Process. The conduct process is based on the assumption that disciplinary procedures, when

required, should be a means to both uphold institutional expectations and also be an educational and restorative process. The standard of proof for findings of responsibility is that the preponderance of evidence (“more likely than not”) indicates responsibility for violation of College policy.

If a policy violation is found: any educational processes and/or outcomes issued will be based on the nature of the incident. Prior conduct violations, similar case outcomes, and other relevant facts may be taken into consideration.

Possible outcomes could include: a change in disciplinary status (Warning, Reprimand, Probation, Suspension, Expulsion), educational opportunities, mentoring/personal coaching, No Contact Orders, and/or any other outcome set forth in the [Code of Conduct](#).

Privacy

If the reporting individual desires, Franklin & Marshall College will make every effort to safeguard the identities of students and other College community members who seek help for and/or report instances of bias-related behaviors. While steps are taken to protect the privacy of all individuals involved, the College may need to investigate an incident and take action once an allegation is known, whether or not the complainant chooses to pursue a complaint. Files related to complaints of discriminatory or harassing conduct will be kept confidential to the extent possible, consistent with the need for a thorough investigation.

Group Infractions

When members of a student group, team or organization, or individuals representing a group or acting as a group, are involved in bias-related behaviors, they may be referred to the Student Conduct Process as a group. Outcomes would be individually determined based on each person’s involvement and level of responsibility for the incident, and may also be applied to the student group, team, or organization.

Retaliation

As per the [Student Code of Conduct](#), retaliation is “any adverse action intended to intimidate or punish another individual for or from reporting misconduct or participating in any College process or activity.”

Retaliation by any individual or agent of the College against a person who reports, is accused of, or participates in an investigation of bias-related behavior is prohibited and will not be tolerated. These actions are violations of College policy and will result in conduct charges and possible sanctions. Acts of retaliation may also violate state and federal laws. Acts of retaliation should be reported to the Dean of Students. Depending on the nature of the case, the Dean of Students may collaborate with the BIRT team and the Vice President for Diversity, Equity, and Inclusion.

Resources

[Bias Incident Report Team \(BIRT\) Reporting Form](#)

[Anti-racism Resources](#)

Administrative Resources

Vice President of Student Affairs

Andrew Stelljes

717-358-5816

astellje@fandm.edu

Vice President for Diversity, Equity & Inclusion

Dr. Gretchel Hathaway

717-358- 4209

gretchel.hathaway@fandm.edu

Dean of Students

Colette Shaw

717-358-5802

colette.shaw@fandm.edu

Associate Dean of Students

Douglas Adams

717-358-4575

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Associate Vice President for Human Resources & Chief Human Resources Officer

Latosha Dexter

717-358-4278

vdexter@fandm.edu

Director of Faculty Diversity Initiatives

Jorge Mena-Ali

717-358-4867

jorge.mena-ali@fandm.edu

Associate Vice President for Public Safety

Bill McHale

717-358-3939

william.mchale@fandm.edu

Director of Title IX and ADA Compliance

Kate Buchkoski

717-358-7178

kate.buchkoski@fandm.edu

Director of Care Coordination and Violence Prevention

Sam Thiry

717-358-4506

sthiry@fandm.edu

YWCA On-Campus Advocate

Theo Brown

717-392-7273

tbrown5@fandm.edu

Director of Faith & Meaning

Joe Pritchett

717-358-5814

joseph.pritchett@fandm.edu

Counseling Services*

Megan Howell-Brogan

717-544-9051

mhowellb@fandm.edu

Housing Director

LJ Morgan

717-358-4751

lmorgan@fandm.edu

Student Employment Manager

Keo Oura Kounlavong-Sabath

717-358-6045

kkounlav@fandm.edu

Office of Student Accessibility Services

Alison Hobbs; Lauren Weber

717-358-3989

sas@fandm.edu

Cultural Resources

Alice Drum Women's Center

Diosanny Rivera-Placido

717-358-3956

driverap@fandm.edu

Office of Faith and Meaning

Joseph Pritchett

717-358-5814

joseph.pritchett@fandm.edu

Joseph International Center

Jessica Haile;

Angelina Horst

717-358-7187

jhaile1@fandm.edu

ahorst1@fandm.edu

Office of Diversity, Equity, and Inclusion

Christian Perry

717-358-3971

christian.perry@fandm.edu

Klehr Center for Jewish Life

Rachel Singer

717-358-4390

rsinger@fandm.edu

Review of the Student Bias and Discrimination Guidelines and Community Report

This Student Bias and Discrimination Guidelines document shall be reviewed on an annual basis in consultation and collaboration with students, faculty, staff, and campus cultural organizations.

All reports of bias-related behaviors will be included in an annual report published by the Bias Incident Reporting Team. This report does not include names or specific information which could reveal the identity of complainants or respondents, and is intended as a reference for the community to track the number and types of incidents on campus.