HARASSMENT, DISCRIMINATION, AND BIAS REPORTING SYSTEM

Purpose, Scope, and Outcomes

Purpose:

Institutions of higher learning are grounded in the belief that growth and development occur when a confluence of diverse ideas can exist and be discussed openly in an academic setting. This space allows for debate, contemplation, and even missteps, where our worldviews are confronted with differing opinions and new evidence.

Historically, like many other institutions, Cal Lutheran has operated under widespread biases that are often unseen but have a negative impact on our community. Acknowledging this allows for reflection, and for measures to be taken to reduce discriminatory ideas and practices that disrupt our community’s ability to flourish. Part of our commitment to foster a more inclusive environment is to create a mechanism for recognizing harassment, discrimination, and bias, both systemic and individualistic, and offering resolutions.

The Harassment, Discrimination, and Bias Reporting System is designed to promote an inclusive community at Cal Lutheran by providing a central, streamlined approach for reporting incidents of harassment, discrimination and/or bias involving students, faculty, and staff. Harassment, discrimination, and bias are defined in Cal Lutheran’s policy #HR-006 (link to policy) on Harassment, Discrimination, Biased Conduct and Retaliation Prohibition.

The goals of the reporting system are to capture incidents on or off-campus, address them in a timely fashion, respond to concerns about campus climate, and work to diminish systemic factors that contribute to bias on campus.

The purpose of the Reporting System is to:

1. Review and document incoming bias reports;
2. Support students, faculty or staff who have witnessed or been the target of incidents;
3. Route and follow-up on reports to the correct office where investigation, education and/or reprimand can occur if deemed appropriate;
4. Gather data and inform the Cal Lutheran community about the frequency and nature of incidents that are reported and their outcomes; and
5. Repair and disrupt systemic factors identified as contributing to the problem through procedure and policy recommendations and follow-up.

Scope:

The Incident Response Team will review concerns regarding harassment, discrimination, and bias brought to their attention. Students, staff, faculty, campus visitors, contractors working with Cal Lutheran and/or family members and University guests are expected to follow university policies and procedures while on campus properties or University-sponsored events. Any of these groups can utilize this system to report incidents that occur on campus or during campus-related events/activities.

The team is guided by the Harassment, Discrimination, Biased Conduct and Retaliation Prohibition Policy #HR-006. In particular, the Incident Response Team will review issues that may involve or be heightened by structural inequalities or marginalized identities.

Outcomes:

1. **Centralize Documentation:** If a report is determined to be a harassment, discrimination, or bias related incident, it is entered into the Advocate system.

2. **Provide Resources and Support:** Information will be provided to the reporting party and the respondent about available support through referral to Counseling and Psychological Services (CAPS), Human Resources, Campus Safety, Title IX Office, Campus Ministry, Health Services, Dean of Students, off-campus resources, or another relevant group.

3. **Refer Reports for Investigation and Action:** Referrals are made for investigation into the allegations. Student and/or employee conduct processes may be invoked by the area referred to and may lead to disciplinary action. Possible referrals include:
   a. Title IX Coordinator
   b. Student Conduct
   c. Human Resources
   d. Campus Safety
   e. Legal Counsel

4. **Provide Regular Campus Updates:** Summaries of incident reports will be shared, and archived with Cabinet semesterly. Aggregated data (without identifying information) will be disseminated to the campus community in an annual report.
5. **Make Changes at a Systemic Level**: The Incident Response Team makes recommendations to the Cabinet regarding how to dismantle and readjust systemic factors that foster harassment, discrimination, and bias. These recommendations may include changes to university policies or procedures. The Team tracks the outcomes of their recommendations.

**Incident Reporting Procedure / Flowchart**

1. **Timeline begins**: Incident Reporting Form is submitted by an individual directly impacted, an individual witnessing an incident, or a manager or supervisor who witnesses or hears about an incident impacting a supervisee.

2. **Within 24 hours of the submission of the report**: Incident Response Team Leader receives the incident report, enters it into the Advocate system, and determines whether immediate assistance/support is required.
   - If Yes: Incident Response Team Leader (or designee from the Incident Response Team) immediately contacts the reporting party, consults with the team if necessary, refers to internal or external agencies. All Title IX and student conduct incidents fall into this category.
   - If No: The timeline below is followed.

3. **Within 3 working days of the submission of the report**: The reporting party and the respondent are contacted by one of the team members to explain the process, and provide support and resources.

4. **Within 5 working days of the submission of the report**: A member of the Incident Response Team contacts those mentioned in the Incident Report to gather more information about the incident as needed to determine where the report will be referred to for an investigation. The reporting party is asked about their desired outcome.

5. **Within 10 working days of the submission of the report**: The Incident Response Team routes the incident report to the correct office or individual who will handle the investigation.

6. **Within 20 working days of the submission of the report**: The Incident Response Team Leader contacts the investigator to ensure the investigation is in progress, and informs the reporting party that the investigation is underway.

7. **At 6-months after the submission of the report or at the time of completion of the investigation (whichever comes first)**: The investigator contacts the Incident Response
Team Leader who documents when the investigation and actions are complete. The Incident Response Team contacts the reporting party to provide an update or to inform that the investigation is complete.

Reports are reviewed by the members of the Incident Response Team at regularly scheduled meetings.

**Role of the Incident Response Team and Team Membership**

**Responsibilities of the Incident Response Team Leader**
- Receive and document reports in Advocate
- Determine if immediate response (within 24 hours) is needed
- Assign a team member to contact the reporting party and respondent to explain the process
- Ensure that reports are referred for investigation
- Follow-up with the investigator as a standard check-in to monitor progress
- Call regular meetings of the Incident Response Team

**Responsibilities of the Incident Response Team Members**
- Contact the reporting party and respondent to explain the process
- Provide support and resources to the reporting party and the respondent
- Decide the appropriate office or individual to handle the investigation and refer the report
- Meet regularly to review reports
- Produce an annual document to be published for the campus community with information on numbers and types of complaints
- Provide recommendations for systemic changes to the Cabinet based on trends in reports

**Responsibilities of the Investigator**
- Interview the reporting party, the respondent, and relevant witnesses
- Provide a report to the appropriate individual or office (e.g., student conduct, the employee’s supervisor, HR) who will determine outcomes (e.g., education, disciplinary action)

**Incident Response Team Members**

Proposed:

Miriam Barillas
Michael Elgarico
Nicole Gonzales
Salma Loo
Faculty Member

Membership is for two years and can be renewed. Members are appointed and renewed by the Cabinet.
Appendix A: Incident Reporting Form

Information Provided with the Form on the Incident Reporting System Website:

California Lutheran University is committed to fostering a welcoming and safe environment for all members of the university community and encourages all members of the university community who have witnessed or experienced harassment, discrimination, and/or bias to report it.

This reporting system is for all Cal Lutheran faculty, staff, students, volunteers, guests, and vendors who are all responsible for their actions and reporting incidents. Cal Lutheran takes all reports submitted through this system seriously. Please make your report as accurate and truthful as possible. Remember that all information provided within the report may become part of Cal Lutheran’s administrative record-keeping and may be available to the students to which it pertains under the Family Educational Rights and Privacy Act (FERPA), which is a federal law that protects the privacy of student education records. Be professional, accurate, and factual. Recitations of observations and facts are more useful than characterizations or labels.

The university is committed to evaluating your report thoroughly, fairly, and promptly. Below are the prescribed steps that will be applied to process your report:

**Step 1:** Once submitted your report will be electronically routed to the Incident Response Team for initial review and processing.

**Step 2:** You will be contacted, if elected on the report, within three (3) business days to explain the process, gather additional information if necessary, and to provide resources and support. You may be contacted later for additional information.

**Step 3:** If the report constitutes harassment, discrimination, and/or bias, the Incident Response Team will forward the report to an investigator.

**Step 4:** You will be contacted within 20 working days and at 6-months after submitting the report to provide an update regarding when the investigation and actions are complete.

Note: If the Incident Report reveals alleged violations of other Cal Lutheran policies, the report may be referred for investigation under those policies. FERPA requirements and other privacy laws may limit the amount of information we can share with you.

**Preservation of Evidence**
It is important to preserve evidence related to the reported concern. If you experience or witness an incident of harassment, discrimination, or bias, document it the best you can:

- If you experience a written slur or discover graffiti, do not erase it. Also, photograph any physical evidence such as bodily injury, damaged property, or a license plate.
- If the incident is verbal, write down what was said, and get the contact information of any witnesses.
- Act immediately to preserve evidence, as speed and accuracy of response are critical.

When completing an incident report you will be given the opportunity to upload pictures or documents of evidence.

[PDF version of the form to be provided for persons not employed or not a student with California Lutheran University]

If this is an emergency, please call 911 or Campus Safety at (805) 493-3911

[Some text about the form and note that it can be submitted anonymously. Special note must be made that although this form is behind the MyCLU login screen, no personal information is recorded on this form without explicit consent.]

If you have any questions regarding submitting an incident report, please contact [name/number of responsible individuals].

Useful resources for other types of reporting: (Question: Will we have these other ways of reporting if we want all reports to be centralized?)

- Campus Conduct Hotline: https://www.callutheran.edu/offices/human-resources/resources/conduct-hotline.html
- Title IX reporting: https://www.callutheran.edu/title-ix/reporting-options.html
- Student Conduct: https://www.callutheran.edu/students/student-conduct/
- Wellness or behavioral concern: https://www.callutheran.edu/care/ (Allows Anonymity)

Full name [ ]
Role/Position [ ]
Phone Number [ ]
Email Address [ ]

(Required)
Exact or Approximate Date of the incident [ ]
Exact or Approximate Time of the incident [ ]
Exact or Approximate Location of the incident [ ]

List of individuals involved (excluding self)
- Name or Organization [ ]
- Role in incident [ ]
- Phone number (if known) [ ]
- Email address (if known) [ ]
[button] Add another individual

Description/Narrative
Description of the Incident. If known, please include victim and perpetrator/alleged perpetrator characteristics such as, but not limited to, race, ethnicity, age, gender, ability, etc.
(Large text box, required) [ ]

Type of Incident
- Single ☐
- Ongoing ☐

If ongoing, when was it first noticed? (calendar selection) [ ]

Were any of the following contacted?
- Campus Safety ☐
- Human Resources ☐
- Incident Response Team ☐
- Residence Life & Student Conduct ☐
- Police Department/Law Enforcement ☐
- Paramedics ☐
- Fire Department ☐

If any of the above responded to the incident, please provide the name of the Officer/Respondent and case number (if applicable) (large text box) [ ]

Would you like a response or follow up on your report? (checkbox yes or no, required) (We are unable to respond or follow up on an anonymous report)
- Yes ☐
- No ☐

Supporting documentation: Photos, videos, email, and other supporting documents may be attached below. 1GB maximum total size.
Attachments require time to upload, please keep this page active until you receive confirmation it has been submitted.

[placeholder for file selection widget/Choose button]
Appendix B: Other Information to Include on the Website

Policies:
- Cal Lutheran’s policy #HR-006 on Harassment, Discrimination, Biased Conduct and Retaliation Prohibition
- Additional policies can be found __________
- Student Conduct’s Harassment, Discrimination, and Equal Opportunity policies
  - Additional policies can be found in the Student Handbook
- Academic Affairs’ Undergraduate & Graduate Academic Catalogs

How to Report:
1. The first step will be a link that will say something like “Report an Incident”
2. The next page will identify how to complete the bias report. It should also include either questions or a drop-down menu with other violations or incidents that should be reported in other places. These should also clearly direct people with one click or a phone number to report them. These will include:
   - If the incident involves a hate crime, please contact Campus Safety and Thousand Oaks Police Department at 911 (emergency) or (805) 494-8200 (non-emergency).
   - To report a Harassment, Discrimination, and/or Bias Incident, please contact the Incident Response Team at ________.
   - If the incident involves a possible violation of the University’s Sexual Misconduct Policy, you may report the incident directly to the University’s Title IX Coordinator.

Summaries of Past Reporting:
Annual reports including anonymized information regarding:
- A funnel type summary of cases reported, investigated, and general results
- Protected group categories: race, religion, gender, sexuality, national origin and status, disability, other
- Intake categories: Graffiti and Vandalism, Classroom interactions, In-person/interpersonal interactions, Online communication, Poster/flyer, Campus events (off or on-campus), Workplace
- Summary of what actions the university has taken to address trends and systemic/foundational causes under these trends

Campus & Local Resources:
- Thousand Oaks Police Department: 911 (emergency), (805) 494-8200 (non-emergency)
- Campus Safety: (805) 493-3911
- Health Services: (805) 493-3225
• Counseling and Psychological Services: (805) 493-3727
  https://www.callutheran.edu/students/counseling/
• Off-Campus Counseling Services: https://www.callutheran.edu/emergency/support/
  ○ The Trevor Project: https://www.thetrevorproject.org/
• CARE Team: https://www.callutheran.edu/care/
• Sexual Misconduct & Title IX: https://www.callutheran.edu/title-ix/
• Human Resources: https://www.callutheran.edu/offices/human-resources/

Additional resources for addressing campus climate issues and support are available from the
  Campus Ministry
  Center for Cultural Engagement and Inclusion
  Center for Equity and Justice
  Center for Global Engagement
  Community Service Center
  Office of Student Life
  Residence Life & Student Conduct
  Undocumented Student Resources
  Veteran Resources

Identify members of the Incident Response Team

Flow Chart showing what steps are taken when a report is submitted (who does it go to, who reviews, etc.)

What if I’m not sure if the conduct is a harassment, discrimination or bias incident?
If you feel like you or someone else has been adversely affected by an incident, make a report. Don’t worry if you are not sure whether it meets a definition. Cal Lutheran will consider whether the factors and circumstances meet the definition and can offer support resources regardless of whether it is classified as a harassment, discrimination, or bias incident.

EDI Initiatives:
• Anti-Racism at Cal Lutheran
• Hispanic Serving Institution Initiatives
• Campus Diversity Initiative
• President’s Diversity Council