

Preliminary report: The Hate & Bias Working Group, Office of Student Affairs

September 4, 2020

On Monday, June 1st, Vice Provost/President Mary Pat McMahon and Vice Provost Gary Bennett commissioned a new Hate & Bias Working Group to “*review and revise the undergraduate student harassment policy outlined in the Duke Community Standard: A Guide for Undergraduates to include more concrete response protocols that address incidents of Hate & Bias.*”

Clay Adams, Associate Dean of Students and Director of Parent and Family Programs, and Jeanna McCullers, Senior Associate Dean of Students and Director, Office of Student Conduct, co-facilitated this Working Group, which includes faculty, staff, and student representatives. The Hate & Bias Working Group was charged with reviewing the current Bias Response Protocol related to matters of Hate & Bias among undergraduate students and assisting with the recommendation and creation of student-focused educational and developmental resolution protocols.

The Hate & Bias Working Group consisted of three subcommittees: The Response subcommittee, the Diversity, Support and Outreach subcommittee, and the Communications subcommittee.

Charge of the Response subcommittee: Review the university's current Bias Response Protocol, charge of the Bias Response Advisory Committee, alternative resolution, and make recommendations accordingly. Additionally, outline and develop year-long recommendations for the purpose and status of this Working Group moving forward.

Membership:

- Dr. Ziola Airall, *Associate Vice President, Student Affairs*
- Dr. Matthew Becker, *Professor of Chemistry*
- Dr. Sarah Gaither, *Assistant Professor of Psychology and Neuroscience*
- Ada Gregory, *Associate Director, Kenan Institute of Ethics*
- Joyce Gordon, *Director, Jewish Life*
- Hildana Haileyesus, *Admissions Officer, Undergraduate Admissions*
- Ling Jin, *Student Development Coordinator, IHouse*
- Quinton Smith, *Assistant Director, Mary Lou Williams Center for Black Culture*
- Christina Wang, *Undergraduate Student, Trinity, Class of '22*

Charge of the Diversity, Support and Outreach subcommittee: Assist with the identification and compilation of current campus resources (i.e., departments, committees, organizations, etc.) explicitly addressing the issues of bias and hate on campus. Additionally, assist with identification and compilation of support resources at the university to assist and address incidents of bias and hate.

Membership:

- Dr. Milton Blackmon, *Academic Dean, Trinity College*
- Linda Capers, *Director, Center for Multicultural Affairs*

- Benjamin Cooke, *Assistant Dean, Pratt*
- Alan Kendrick, *Assistant Dean, Graduate Student Development*
- Stephanie Robertson, *Director, Community Engagement & Advancement, Fuqua*
- Cartier Robinson, *Undergraduate Student, Trinity, Class of '21*
- Dr. Gabriel Rosenberg, *Associate Professor of Gender, Sexuality, and Feminist Studies*
- Tiarra Wade, *Assistant Dean of Students, DukeReach*

Charge of the Communications subcommittee: Determine how best to communicate the work of each of the subcommittees, the working group, and assist with the development of communication mechanisms for policies and processes related to bias and hate.

Membership:

- Alyssa Florwick, *Doctoral Candidate, School of Medicine*
- Ramya Ginjupalli, *Undergraduate Student, Trinity, Class of '22*
- Dr. Michael Gustafson, *Associate Professor of the Practice of Electrical and Computer Engineering*
- Annie Kao, *Assistant Vice Provost for Undergraduate Finance and Administration*
- Jay Pearson, *Assistant Professor, Sanford School of Public Policy*
- David Sakyi, *Admissions Officer, Undergraduate Admissions*

This document serves as the first deliverable of this group to be disseminated by the beginning of the fall semester of 2020. Included in this document is:

SECTION 1: an introduction to Hate & Bias incident definition and problem scope.

SECTION 2: a proposal for the revised Hate & Bias Response Protocol for Duke undergraduate students.

SECTION 3: defined initial steps for creating a campus culture against Hate & Bias.

SECTION 4: immediate actions recommended to amplify among undergraduate students the Hate & Bias Response Policy revisions.

SECTION 5: a discussion and list of recommendations to compile and historically account for diversity, equity and inclusion policy work previously completed at Duke.

SECTION 6: longer-term recommendations to create a robustly effective Hate & Bias Prevention and Response plan on Duke campus.

APPENDIX A: Official Ombuds Office Proposal

APPENDIX B: Undergraduate Bias Response Advisory Committee Proposal

SECTION 1: an introduction to Hate & Bias incident definition and problem scope.

A Hate or Bias incident is any act by an individual or group that is motivated by the actual or perceived protected identity – race, color, national origin, sex (including pregnancy), gender, gender identity, gender expression, sexual orientation, religion, genetic information, age, disability, or veteran status – of a person or group. Bias may impact learning environments, social situations, and working units across campus; this impact may create significant barriers to opportunities and contribute to a hostile campus climate. Sometimes a bias incident violates campus conduct policies, but this is not always the case.

How should the University ¹respond to Hate & Bias?

Hate & Bias incidents stem from unchecked and false narratives about the protected identities of others, such as stereotypes. When these incidents escalate to the level of harassment and/or discrimination, or they are coupled with other violations of the campus conduct policy, responsible parties should be held accountable pursuant to the relevant policies. In these cases, the University must be prepared with clear protocols that delineate reporting, investigation, and resolution procedures for hate or bias incidents. Regardless of the investigative outcome, the University should employ transparent strategies that minimize harm and promote an equitable campus climate.

Not all actions that constitute a hate and/or bias incident will necessitate formal discipline. Some offensive language or imagery will constitute an act of protected free speech. Though constitutionally protected, emotionally harmful words and visual representations arguably contribute to greater types of harm within our community. Consider the Pyramid of Hate infographic created by the Anti-Defamation League: <https://www.adl.org/sites/default/files/documents/pyramid-of-hate.pdf>. In this graphic, the acceptance of hateful or biased language is described as the least severe form of hate, yet it is the necessary base upon which all over forms of hate rest.

The nature of these competing ideas necessitates a two-pronged approach to creating a campus environment that actively works against Hate & Bias in our student community. A Hate & Bias Incident Response must include both **a) a clear reporting, investigative, support and disciplinary response process** and **b) a network of preventative practices** aimed to increase diversity, equity, and inclusion competency and create an accountability culture of anti-bias among students, staff, and faculty. Additionally, Hate & Bias is often perpetuated by systemically ingrained practices which are difficult to recognize within the context of the greater University structures. For this reason, the University must also create **a transparent system to regularly summarize incident reporting themes** (see APPENDIX B).

¹ The charge of the working group and this report focuses on Student Affairs' response to hate and bias incidents, not the global university response.

Scope of the Hate & Bias Working Group

The charge of this Working Group is to specifically **address the Hate & Bias response protocols for Duke undergraduate students**, with the additional potential for long-term consideration of policies related to Duke graduate and professional students.

The timeline for this Working Group falls along a short-term and a long-term scale. Short-term expectations, completed by Fall 2020, are to outline an explicit protocol for Hate & Bias incidents involving undergraduate students and to provide recommendations for holistically addressing the issue of Hate & Bias within Duke student spaces. Long-term expectations, completed over the next 6-12 months, will be to address the recommendations provided within this document (see SECTION 6).

SECTION 2: a proposal for the revised Hate & Bias Response Protocol for Duke undergraduate students.

Undergraduate Bias Response Proposal

This proposal seeks to outline the process for responding to a bias incident reported by or affecting an undergraduate student / the undergraduate student community. This process does not address bias incidents in which the individual accused of committing the conduct is a university faculty, staff, or graduate or professional students. The proposal outlines specific response protocols for when the actor of a bias or hate incident is unknown (“Unknown Pathway”) and when the actor is known (“Known Pathway”).

Unknown Pathway

TRIGGER: A bias incident occurs (e.g., vandalism, flyers, destruction of property, social media post) where the person/s who committed the act and created the harm is unknown.

INTAKE: In this model, when an undergraduate student makes a report of the incident through any of the below offices:

- Duke University Police Department (DUPD)
- Their Residential Coordinator / Residential Advisor or Housing and Residence Life staff
- The Office of Student Conduct (OSC) or Dean of Students Office
- An identity or cultural center
 - Center for Sexual and Gender Studies
 - Center for Multicultural Affairs
 - International House
 - Jewish Life at Duke
 - Mary Lou Williams Center for Black Culture

- Women's Center
- Duke LIFE Office
- Office of Undergraduate Education
- Faculty, advisors, academic deans, other staff

The party receiving the report will further report it to OSC.

NOTIFICATION: The OSC will continue to communicate the incident to the current parties that already receive notification, including:

- The student/s who reported the incident, to acknowledge receipt of the incident report, and offering supportive resources (see SECTION 6), within 24 hours;
- Any undergraduate student/s who are named victims, to offer supportive resources, within 24 hours (see SECTION 6);
- VP/VP for Student Affairs or designee;
- DUPD (if not already involved), who may involve Facilities & Engineering to repair any damage or vandalism;
- Dean on Call (if after hours);
- Associate Dean of Students, Title IX Outreach & Response (during business hours);
- Bias Response Advisory Committee Co-Chairs, to inform their work in monitoring the campus climate;
- Identity and Cultural Center Directors, as notification, so that a relevant center might reach out to support an affected student;
- The Office of the Ombuds (see APPENDIX A), as notification, in case an affected student reaches out for services;
- Counseling & Psychological Services (CAPS), as notification, in case an affected student reaches out for services;
- Religious Life (case-by-case basis), in case an affected student reaches out for services; and
- DukeReach (case-by-case basis), in case an affected student reaches out for services.

Communication is not complete once this initial notification is sent. Communication will continue throughout the process. Important secondary communications include:

- At the discretion of university leadership, in consultation with the VP/VP for Student Affairs, VP for Undergraduate Education, and OIE, an all undergraduate, all student, or campus-wide message;
- Coordinated outreach by the Identity and Cultural Center Directors to their constituent student communities, and/or to the reporting student(s), depending on the situation, in order to offer resources and support;
- Inclusion of the incident in a regular campus climate report produced and shared by the Bias Response Advisory Committee. (see APPENDIX B).
- Final communication with the reporting student/s and/or affected student/s by OSC in order to share the report resolution, if it can be shared. Not every situation will result in a "resolution," but a final communication should be sent to the student to

acknowledge the end of any investigation or action, and any follow-up activity and/or educational outcome, if it can be shared pursuant to federal regulations.

REPORTING: Reporting on incidents is an important way to assess and to communicate the overall campus climate to the student, faculty, and staff community. This is an important charge of the Bias Response Advisory Committee – to not only note each incident, but to produce an annual campus climate report to shed light on the issues happening within the Duke community. This transparency, we believe, will create a culture of accountability while also motivating students to report bias if they have available data showing they are not alone on campus. It also will serve as a benchmark from which Duke can strive for change.

Known Pathway

TRIGGER: A bias incident occurs (e.g., vandalism, flyers, destruction of property, social media post, personal interaction) where the person/s who committed the act and created the harm is known, and is an undergraduate student. Bias incidents committed by graduate/professional students, faculty, staff, or community members are outside the scope of this process.

INTAKE, COMMUNICATION, REPORTING: All steps for when the person who committed the act is unknown are followed here. Additional steps are as follows:

- The individual/s alleged to have committed the act, and the reporting student/s are contacted by OSC/OIE for questioning, to determine if a violation(s) of Duke’s policies² has occurred.
- The existing accelerator clause will apply to any policy violation:
 - *Should OSC determine at any point during the investigation or adjudication of a violation that a violation was motivated in part or whole by race, color, religion, national origin, disability, veteran status, sexual orientation, gender identity, gender expression, sex, genetic information, or age, OSC may consider this information an aggravating factor that increases the stringency of the sanction(s).*
- In addition to offering the harmed student/s support (as detailed above, in the *Unknown Pathway*), OSC will also offer the student/s accused of committing the act resources for support as they navigate the investigation process. This may entail coordination with other campus partners (e.g., Dean of Students, CAPS, Academic dean, Student Disability Access Office, Cultural and Identity Centers, etc.) as appropriate. Student privacy will be preserved. Of course, a student may decline offers of support if they so choose.
- If OSC determines that a policy violation has not occurred, OSC will inform the reporting/affected student/s that the incident is closed.
- OSC will provide aggregated information about report resolution to the Bias Response Advisory Committee to assist the committee in its work of monitoring the campus climate. This information will be anonymized and aggregated to protect student privacy, such as:

² The Policy on Prohibited Discrimination, Harassment, and Related Misconduct and/or the Duke Community Standard.

- Number of reported bias incidents in an academic year that did not rise to a policy violation;
- Number of reported bias incidents closed in an academic year without disciplinary action;
- Number of reported bias incidents resolved through informal or progressive disciplinary measures and monitoring including warnings and probationary status, but not permanent disciplinary action, and,
- Number of reported bias incidents resolved through a status sanction, such as suspension or expulsion.
- The Bias Response Advisory Committee will collect aggregate information from OSC and include this information in its annual report.
- When OSC resolves the incident, the reporting student/s will be notified to indicate that the report has been closed.

SECTION 3: defined initial steps for creating a campus culture against Hate & Bias.

Although the University's Response, both internally and externally, to incidents of Hate & Bias within the undergraduate community is crucial to creating a campus climate in which Bias incidents are not tolerated, it does not address the Hate & Bias that those arriving on campus bring with them nor does it address the likely negative effects experienced by students, staff and faculty through existing institutional and structural racism/bias at Duke.

The Diversity, Support, and Outreach subcommittee was tasked with determining the most effective and efficient ways of gathering and centralizing Hate & Bias resources such as curricula, anti-bias trainings, diversity, equity and inclusion education efforts, etc. We learned about resources and began to gather informational outreach and support by answering the following questions:

- Has Duke, as a whole university, mapped current diversity, equity, and inclusion efforts, programs, events, initiatives and courses and is this information readily available to the public? If not, has any department (e.g., OIE, Student Affairs, etc.) already collected resources relevant to combatting Hate & Bias?
- After gathering and centralizing resources, how can we promote this database of resources in a way that all schools, institutes, centers, department, etc. know of its existence and treat it as the provider of up-to-date resources?
- How are these initiatives funded and prioritized by the university?

- How do we best promote intra- and inter-collaboration across Duke University schools and institutes, both in this initial discovery process and after?

By addressing these questions, we think all faculty, staff, and students should:

1. build an understanding of the history of Hate & Bias.
2. participate and sustain learning opportunities regarding Hate & Bias.
3. learn to recognize, question, and combat systemic, institutional, and structural Hate & Bias internal and external to Duke.
4. understand the protocol to report instances of Hate & Bias.

The Working Group, specifically the Diversity, Support and Outreach subcommittee, has begun the initial gathering of information on available diversity, equity and inclusion trainings on campus, has started identifying Duke affiliated individuals and groups working within the diversity, equity, and inclusion space, and has considered the best ways to organize and advertise Hate & Bias education opportunities to undergraduate, graduate and professional students, faculty, and staff. The committee tasked with the long-term review of this report and its recommendations will continue to do the following:

Task 1: Initiate the identification of curricular, co-curricular, and extracurricular resources developed by faculty and staff regarding Hate & Bias.

Task 2: Initiate the identification and compilation of campus support resources to assist with addressing incidents of Hate & Bias.

Task 3: Initiate the identification of faculty and staff working on diversity, equity, and inclusion Initiatives on campus.

Task 4: Initiate the identification of resources for faculty and staff regarding Hate & Bias.

SECTION 4: immediate actions recommended to amplify among undergraduate students the Hate & Bias Response Policy revisions.

The Communications subcommittee was tasked with outlining the actions taken and recommendations presented by each of the subcommittees within the Working Group. This document serves as the complete and formal reporting for progress during the short-term Summer 2020 working session. To compliment and amplify the messaging created within this document, the Communications subcommittee recommends a suite of communications efforts to be carried out concurrently or shortly after the release of this initial long-form report. These advertising efforts should include:

- Updating all relevant web-based content on the Student Affairs website to reflect the newly instated Hate & Bias policies and recommendations of this Working Group. The short-term recommendation will include revision of outdated or incomplete content. See SECTION 6 for long-term recommendations.
- Creating graphic advertising materials, such as infographics or pamphlets, to detail the main premises of the outlined policy on Hate & Bias incidents and the long-term recommendations of this Working Group moving forward.
- Co-chairs Jeanna McCullers and Clay Adams should provide an interview-based summary of the Working Group activities and recommendations to university-approved media outlet such as Duke Today.

SECTION 5: a discussion and list of recommendations to compile and historically account for diversity, equity and inclusion policy work previously completed at Duke.

Content formatted and adapted from the recommendations of Dr. Jay Pearson, Communications subcommittee, July 2020.

A Central Focus of this committee involves systematic historical review and documentation of prior diversity, equity and inclusion work at Duke to 1) acknowledge and honor those contributions and 2) understand and avoid replication of previous important but ultimately non-productive efforts.

There are five major components that should be considered when reviewing previous efforts to address campus systems and provide recommendations on increasing diversity, equity and inclusion within Duke University spaces. The first three directly involve engaging and completing the historical review while the final two involve addressing what we learn from it.

Historical Review

1. The Working Group should create a prioritized list of which prior efforts from which selected campus groups should be examined.

2. The Working Group must gain access to the relevant documents from each prioritized effort.
3. The Working Group should then investigate, list and assess major suggestions and identify which items: a) resulted in inaction, b) resulted in action with specific formal Policy, and c) resulted in action with Non-policy programs.

Subsequent planned actions from the review

4. To provide context for the action/inaction summary in item 3, Working Group members should establish and negotiate communication channels with identified offices and individuals, if they remain at Duke, who played a key role in the implementation or non-implementation of recommendations. Communication with these players will then include:
 - a. Dialogue to understand why suggestions did not manifest as action.
 - b. Dialogue to develop collaborative effective strategies for policy supported action.
5. Finally, to encourage cooperative and informed efforts moving forward, the Working Group should establish effective communication across the multiple entities on campus committed to work on issues of diversity, equity, inclusion and anti-bias.

The Working Group aspires to revisit and build upon the excellent work completed by our peers, harnessing momentum from the current social movement to recognize and meaningfully address racial injustice and bias at large through formal policy changes that address these long-standing institutional and structural biases. While recognizing that this is likely to be challenging work fraught with justified emotional reactions and responses, we should always aspire to bring to bear respectful dialogue and diplomacy.

SECTION 6: longer-term recommendations to create a robustly effective Hate & Bias Prevention and Response plan on Duke campus.

The Hate & Bias Working Group acknowledges that there is far more work to be done than the initial revision of the undergraduate Hate & Bias Response Policy. The initiatives outlined in this document provides a meaningful start, but a longer duration of work is necessary to comprehensively address policy and resource-based solutions when engaging Hate & Bias in our campus community. For this reason, the Working Group has provided a list of recommendations that we believe, if accomplished over the next year, will foster a necessarily holistic response to Hate & Bias, addressing both the transparency and accountability of incident response and the coordination of resources for improving campus climate.

The longer-term activities should elaborate on the proposed Hate & Bias Response Policies by:

- reviewing OIE’s new policy on harassment, which was made available 8/14/2020 (Fall, 2020). The newly revised policies and the Hate & Bias response process outline by this Working Group, implemented by the Office of Student Conduct, should complement and not conflict with the policies of OIE.
- gathering feedback on this proposal from the VP/VP for Student Affairs and the Vice Provost for Undergraduate Education, as well as OSC, OIE, and the Identity and Cultural Centers, to incorporate into this proposal (Fall, 2020).
- reviewing OSC’s and OIE’s templates for the initial reporting platforms and subsequent notification emails that are sent to reporting students, and assist with any necessary edits. Prioritize the creation of a centralized reporting form that can be embedded on multiple platforms (Fall, 2020).
- working with OSC and Identity and Cultural Centers to create guidelines for their response/outreach to students, the better to cultivate shared best practices in centers’ response and communication (Spring, 2021).
- working with the Graduate and Professional Student Council (GPSC) to determine a path forward for improving bias response for Graduate and Professional students (Fall and Spring, 2021).

The longer-term activities should more fully address the charge of the Diversity, Support and Outreach subcommittee by:

Task 1: Identifying and hiring an equity consultant,

Task 2: Developing a diversity map*,

Task 3: Finalizing the flow of students, faculty, and staff through Hate & Bias education,

Task 4: Identifying the gaps in resources regarding Hate & Bias, and

Task 5: Determining who will continue the work of collecting and updating information after this subcommittee is disbanded (e.g., select a permanent subcommittee, OIE, etc.).

While the Diversity, Support and Outreach subcommittee is committed to beginning the important work of researching and compiling resources across campus, an Equity Consultant should be brought in as an expert to complete the gathering of information, to develop a Duke University diversity map, and to finalize the flow of undergraduate, graduate, and professional students, faculty, and staff through Hate & Bias education.

***Define Diversity Mapping:**

“This process involves taking stock of current diversity efforts and then analyzing such mappings to identify the current status of inclusive excellence at a given institution. We refer to this process of inquiry as “mapping diversity efforts” and highlight its valuable utility for locating a higher education institution's actual (and not projected) engagement with and implementation of diversity efforts.

This process is more than just a listing or diagrammatic exercise. It is a meaningful practice of inquiry through which singular information pieces about diversity, which typically exist in isolation and in campus silos, are placed into a larger, holistic portrait that organizes and frames the information in relation to one another, thereby providing a comprehensive view of diversity from a structural and thematic level.”

* <https://www.csusm.edu/equity/strategicplan/diversitymapping/index.html>

To extend the charge of the Hate & Bias Working Group Communications subcommittee, we recommend the following longer-term objectives:

- Create and deploy a robust communications plan for formally communicating the new Hate & Bias processes to necessary stakeholders. This plan must identify all pertinent stakeholders (i.e. people/units who must be notified, as well as people/units who must help communicate these processes), delineation of the timeline for communication throughout the academic year, and determination of the appropriate methods of communication. (Fall, 2020)
- Complete the recommended analysis of previous diversity, equity and inclusion work performed at Duke (see SECTION 5) and coordinate with entities across campus to maintain an up-to-date and public record of this work to inform institutional efforts. (Fall 2020, Spring 2021)
- Perform an in-depth revision of web-based information on the Student Affairs, OIE, OUE, Trinity, Pratt, Sanford, and Nicholas School websites related to Hate & Bias Response Policy, including updating of web page search terms to increase content discoverability, ensuring consistency in messaging between Student Affairs/OSC policies and procedures and those of OIE, revising and expanding the list of supportive student resources, and creating student-centered informational materials that encourage dialogue and are primed for pedagogy. (Fall 2020)
- Revise the *Duke Community Standard: A Guide for Undergraduates* to include a section on Hate & Bias behaviors (Fall 2021).

- Maintain continual updates on the long-term progress of the committee that continues the work of this working group.

Recommendations for the expansion of institutional accountability structures:

Official Ombuds Office Proposal (APPENDIX A); Undergraduate Bias Response Advisory Committee Proposal (APPENDIX B)

Appendix A: Official Ombuds Office Proposal

Introduced by: Hate & Bias Working Group Response Subcommittee August 2020

Proposal:

In accordance with the charge of the Hate & Bias Working Group to review and revise the undergraduate student harassment policy to include more concrete response protocols that address incidents of Hate & Bias, the Response Subcommittee proposes that Duke University institute an official Office of the Ombuds. This office will serve as a neutral, impartial, and confidential resource for students to discover support and information about the most optimal university resources to address their needs.

We recommend that an official Office of the Ombuds includes two full-time Ombudspople and 1-2 staff specialists for operations that would service all undergraduate and graduate students, staff, and faculty of the University. History and context of the Ombudsperson's role as it currently stands at Duke, justification for expansion, and further recommendations are outlined below.

History & Context of the Ombudsperson:

According to the International Ombudsman Association, "the primary duties of an organizational ombudsman are (1) to work with individuals and groups in an organization to explore and assist them in determining options to help resolve conflicts, problematic issues or concerns, and (2) to bring systemic concerns to the attention of the organization for resolution.

An organizational ombudsman operates in a manner to preserve the confidentiality of those seeking services, maintains a neutral/impartial position with respect to the concerns raised, works at an informal level of the organizational system, and is independent of formal organizational

structures. Successfully fulfilling that primary function in a manner consistent with the IOA Standards of Practice requires a number of activities on the part of the ombudsman while precluding others.”

In 2007, Dr. John Blackshear, clinical director of the Academic Resource Center was appointed the first student ombudsperson at Duke University. Dr. Benjamin Reese, vice president of the Office of Institutional Equity (OIE) selected John because of his ability to talk with students about a variety of personal and academic issues. John is a licensed psychologist and was known as someone who could work closely with student who had learning disabilities.

The idea originally was raised in during the Campus Culture Initiative discussions and then continued to gain momentum in discussions with President’s Council on Black Affairs, the Graduate and Professional Student Association and Duke Student Government. Dr. Reese appointed John to the position as the first student ombudsperson to serve as a confidential resource for students. John was quoted in the September 10, 2007 issue of the Duke Chronicle as explaining his role in the following way: *Probably the most important role I’ll play is the empathetic ear,*” said Blackshear, a clinical psychologist and former therapist at Duke’s Counseling and Psychological Services (CAPS) who has been at Duke for six years. *“We may discuss ways a student might resolve or respond to any issue, whether it is harassment, or a minor or major conflict with other students, faculty or staff.”*

Ada Gregory, associate director of the Kenan Institute of Ethics has served as the student ombudsperson since November of 2015. Both John and Ada have served admirably while holding down a full-time leadership position as an administrator. Ada reports that she has seen hundreds of students, sometimes as many as 8 or 10 in a week. We believe that the student ombudsperson should be a full-time position with an assistant ombudsperson and an office coordinator to effectively work with students, provide reports on trends of bias and harassment occurring on Duke’s campus, and market the services of the office.

We want to highlight that peer institutions—including [Harvard](#), [University of Pennsylvania](#), [Princeton](#), [Stanford](#), [Brown](#), [Columbia](#), [Cornell](#), [MIT](#), [Georgetown](#), [University of Chicago](#), and [Northwestern](#), to name a few—have official Ombuds offices, many of which cover the needs of all members of the university community. Duke University has a unique opportunity to reform and improve upon the ways it supports students and their growing needs and it is more crucial now than ever to make necessary changes.

Justification:

Incidents of Hate & Bias have been pervasive in the history and founding of Duke University and continue to be a prevalent aspect of life at Duke. Reckonings for racial and social justice taking place across the nation and movements towards racial justice on campus have significant repercussions for our community at Duke and in Durham. These changes result in a great need for bolstered student support, particularly in the realm of Hate & Bias.

The Response Subcommittee has identified three key issues with the role of the Ombudsperson at Duke as it currently stands including: (1) the lack of adequate support and capacity to fulfill student needs in the current collateral role filled by Ada Gregory, (2) the widespread lack of awareness regarding the existence of the ombudsperson as a confidential resource for students, and (3) the lack of sufficient promotion of the ombudsperson as a resource as a result of limited operational capacity.

Furthermore, specific areas within the role beyond immediate response require more attention, including training, promotion, evaluation, proactive follow-up, and institutional advocacy. Expansion of these areas will only be possible with full-time ombudspersons and additional staff who can support them administratively. This is a full-time job and thus should not be considered an add-on to an existing employee's responsibilities.

In addition to the need for support regarding instances of Hate & Bias, the new Title IX regulations being implemented on August 14, as well as the COVID-19 pandemic and its repercussions result in additional stressors for all members of the Duke community, justify the need for an official office.

Recommendations:

Following other suggestions put forth by the Hate & Bias Task Force, we also propose:

- These new full-time ombudspersons will report all incidents to the Provost, VP/VP Student Affairs, VP Office for Undergraduate Education, and VP for Institutional Equity and Chief Diversity Officer so that these incidents can be included in the new proposed annual climate report. This way the university can also have better records of how many bias incidents are reported through this channel compared to other channels. If possible, this report will include a breakdown by Duke identity (e.g., undergraduate, graduate, staff, faculty, etc.).
- Since a common occurrence for the current ombudsperson to have discussions with reporting individuals about how they can address the bias they have experienced themselves without university involvement, this new office will also provide trainings to faculty, staff, and student groups on how to have more effective conversations to resolve

conflicts and to mediate bias experiences. Video recorded sessions of these trainings would make it widely accessible.

- The two full-time ombudspeople would also report to a quarterly meeting with other university administrators (e.g., OIE, OSC, Bias Response Advisory Committee, VP/VP Student Affairs, VP Office for Undergraduate Education, and VP for Institutional Equity and Chief Diversity Officer) to contribute additional insights for the annual report and to ensure that all offices are aware of any new developing climate issues.
- A physical location on campus (preferably on West campus since more students live on that campus) will be designated an official Ombuds office to establish it as an entity, increase awareness and use of the office, and to provide an actual location with specified office hours for individuals to stop by to report incidents.

Appendix B: Undergraduate Bias Response Advisory Committee Proposal

Introduced by: Hate & Bias Working Group Response Subcommittee August 2020

The Undergraduate Bias Response Advisory Committee plays a fundamental role in monitoring and assessing Duke's climate as a diverse, inclusive, and equitable environment for undergraduate students. This committee is empowered to make recommendations to improve the campus climate, and is responsible for producing an annual undergraduate campus climate report for the university community to review. By regularly shining a light on Duke's successes – and failures – in creating a truly diverse and equitable campus, this committee will have the opportunity to truly move Duke *forward* in these goals.

Committee Charge

- To monitor the campus climate on issues of bias, diversity, and inclusion, through collection of data from OIE, OSC, a campus climate survey, and other sources;
- To produce an annual report to be distributed to the entire campus community, which reflects on the campus climate, bias incidents, and which offers recommendations for actions to be taken in order to improve the campus climate and to reduce incidences of bias;
- To monitor whether recommendations were adopted, modified, or dismissed, rationale behind any changes, and to report on the impact of any adopted/modified recommendations.

Reports to:

The committee reports to the VP/VP for Student Affairs and the Vice Provost for Undergraduate Education.

Committee Makeup:

The committee shall be made up of twelve individuals, representing each of the following groups/departments:

- One undergraduate student, representing DSG;
- One graduate/professional student, representing GPSC;
- OIE
- OSC
- CAPS
- DUPD
- HRL
- One representative from theUCAE Office of Student Engagement
- One representative from the Cultural and Identity Centers
- One Academic Dean
- One faculty representative from Trinity
- One faculty representative from Pratt

The VP/VP for Student Affairs and the Vice Provost for Undergraduate Education will each appoint a co-chair to the committee from the above-named groups.

Committee Term:

The student representatives on the committee will serve for a one-year term. In order to create a term rotation so that the entire committee does not cycle off at the same time, the initial formation of the committee will be as follows:

- Three members appointed for a three-year term.
- Four members appointed for a two-year term.
- Three members appointed for a one-year term.

Following this start-up rotation, members will be appointed for a two-year term, renewable at the discretion of the VP/VP of Student Affairs and the Vice Provost for Undergraduate Education.

Responsibilities

Following a bias incident report, the committee co-chairs will be informed of the incident by OIE. The co-chairs will then share information with the wider committee. The committee will

meet at the co-chairs' discretion, taking into account the frequency of reports, and the particulars of any individual case.

It is expected that the members of this committee will learn about issues of bias, diversity, and inclusion not only at Duke, but at peer institutions. This may be accomplished by reading peer institutions' annual diversity reports, through reading articles in the *Chronicle of Higher Education* or EAB, through professional associations or groups, through webinars, classes, discussions, etc. This will help the committee create relevant recommendations based on trends, relevant research, and what is already working at peer institutions. This is an important part of the co-chairs' role: to foster a robust learning culture within this committee.

Next Steps

- It is recommended that a longer-term Hate & Bias Working Group seek to re-name this committee to set it apart from its previous incarnation, and to more accurately describe the nature of the committee (Fall, 2020).
- It is recommended that the VP/VP for Student Affairs and the Vice Provost for Undergraduate Education review this proposal and return feedback regarding the charge, makeup, term, and responsibilities of this committee to the longer-term Working Group, so that the Working Group may incorporate their feedback (Fall, 2020).
- It is recommended that the committee launch in Spring, 2021, in order to produce a 2020-2021 campus climate report.