Summary Report on the Bias Response Line

April 2023
In the Bias Response Line’s (BRL) seventh year, the BRL recognizes the need for evolving strategies to achieve the BRL’s purpose of addressing concerns of bias, discrimination, or harassing behavior (including hate crimes) that may occur within our communities. NYU’s strong commitment to ensuring a safe and welcoming environment is evidenced by the growth of the BRL since its inception.

There have been a number of University-wide initiatives that have assisted BRL administrators in identifying opportunities for institutional progress since the inception of the BRL in 2016. For example, the Being@NYU assessment of Climate for Learning, Living and Working released in October 2018 provided an in depth analysis of NYU’s programs and highlighted opportunities for growth. The findings reaffirmed the need for the University to provide a central office for NYU community members to raise issues of climate and to proactively reinforce an equitable campus environment.

While the BRL provides the NYU community with a central resource for addressing incidents of bias that include improved access to NYU’s robust policies and procedures, the BRL also has engaged in expanding its reach and collaboration with other University stakeholders including the Center for Multicultural Education and Programs, the Office of the Senior Vice President for Global Inclusion, Diversity, and Strategic Innovation (OGI), and academic departments that have led efforts to address emerging challenges locally.

In the last few years, OGI, in partnership with deans and senior leadership across the University, has appointed Global Inclusion Officers (GIOs) at the local level of schools and units to coordinate a comprehensive and strategic approach to Inclusion, Global Diversity, Belonging, Equity and Accessibility (GIDBEA). The BRL has partnered with the GIOs in addressing BRL reports and this partnership has been instrumental in resolving many concerns raised by University community members.

Through its University-wide partnerships, BRL administrators have participated in a range of committees and collaborated with a variety of University working groups to share BRL trend data and other key information regarding BRL practices. This has contributed significantly to the implementation of changes in University systems and practices informed by BRL feedback.

1 Those policies include the University’s Non-Discrimination and Anti-Harassment Policy and Complaint Procedures for Employees, Non-Discrimination and Anti-Harassment Policy and Complaint Procedures for Students, Policy on Consensual Intimate Relationships, and the Sexual Misconduct, Relationship Violence and Stalking Policy (collectively “Non-discrimination policies”).
When someone contacts the BRL to report an incident ("Reporter"), the BRL staff makes an initial assessment regarding whether the report is within the purview of the Office of Equal Opportunity (OEO), the Office of Student Conduct and Community Standards, or whether the responsibility to address the report lies elsewhere (e.g., a school dean, or an administrative unit leader). A BRL staff member may follow up with the Reporter in person, by video conference, or on the telephone if necessary to gather enough information to determine the appropriate BRL partner to address the report.

Reports to the BRL fall into three general categories:

• **Category 1:** Concerns that fall within the scope of the University’s Non-Discrimination and Anti-Harassment Policy and Complaint Procedures for Employees, Non-Discrimination and Anti-Harassment Policy and Complaint Procedures for Students, Policy on Consensual Intimate Relationships, and/or Sexual Misconduct, Relationship Violence, and Stalking Policy. For example, if a Reporter makes allegations of sexual harassment, then the BRL will refer the case to the University’s Title IX Coordinator.

• **Category 2:** Concerns that relate to being a member of a protected class but that do not necessarily warrant a formal investigation. For example, if a Reporter raises concerns about a culturally-insensitive comment and the remarks do not rise to the level of a policy violation, the BRL will refer the case to the appropriate BRL partner (e.g., appropriate dean, human resources officer, or other administrative unit manager) and may advise on next steps.

• **Category 3:** Reports outside of the purview of the BRL because they do not implicate bias. For example, if a Reporter believes that they are being generally treated unfairly, the BRL will refer the case to the school or business unit, or the Office of Student Conduct.
Category 1
The BRL staff brings matters that potentially violate Non-discrimination Policies to the attention of the appropriate staff member immediately for assessment, follow-up, and investigation (if necessary). The BRL staff notifies the Reporter of such action.

The OEO assess allegations involving employees or third parties related to the Non-Discrimination and Anti-Harassment Policy and Complaint Procedures for Employees or the Non-Discrimination and Anti-Harassment Policy and Complaint Procedures for Students. If there is a violation, the matter is referred to the Dean or appropriate administrative unit supervisor for follow-up. In accordance with existing University policies and practices relating to the privacy of employee files, the Reporter is not notified of any subsequent sanctions or personnel actions that may be implemented.

The Office of Student Conduct and Community Standards assesses allegations made against students related to the Non-Discrimination and Anti-Harassment Policy and Complaint Procedures for Students. If disciplinary action is appropriate, the matter is handled in accordance with the Student Conduct Procedures.

Category 2
• For matters that relate to being a member of a protected class but where the conduct would not warrant a formal investigation (for example, in cases where if the allegations, even if taken as true, would not constitute a policy violation) or where the reporter does not want to pursue an investigation, the BRL staff gathers detailed information about the concerns.

• If the Reporter wishes to take further action, the BRL staff may refer the matter to the appropriate BRL partner or Global Inclusion Officer. If the Reporter wants to log the concern for informational purposes only, then the BRL staff will do so and take no further action at that time.

• When the BRL refers reports to an appropriate BRL partner, BRL staff follows up to learn how the matter was resolved, to track resolutions in the BRL database, and to analyze trends. These matters often end up being resolved informally and with a common sense approach through discussions between the parties or through discussions facilitated by a dean or unit head. Furthermore, the University is committed to the use of Restorative Practices when appropriate as a viable mechanism for resolving matters that may be reported via the BRL.

Category 3
BRL staff refers all matters that do not fall within the purview of the BRL and/or the OEO directly to the appropriate BRL partner. If, for example, a student has concerns about treatment unrelated to a protected characteristic, BRL staff refers the student to the appropriate administrator for the school or administrative unit where the incident occurred.
BRL USAGE
The chart below summarizes the number of reports for each academic year. These figures represent reports to the BRL, and do not reflect reports that the community may make directly to offices that administer the Non-discrimination Policies – for example, reports directly to the Office of Student Conduct or reports directly to the Title IX Coordinator or to EO investigators.

<table>
<thead>
<tr>
<th>Academic Year</th>
<th>Number of Reports</th>
<th>% Increase or decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>9/1/2018 – 8/31/2019</td>
<td>169</td>
<td></td>
</tr>
<tr>
<td>9/1/2019 – 8/31/2020</td>
<td>198</td>
<td>17% Increase</td>
</tr>
<tr>
<td>9/1/2020– 8/31/2021</td>
<td>166</td>
<td>16% Decrease</td>
</tr>
<tr>
<td>9/1/2021 – 8/31/2022</td>
<td>225</td>
<td>36% Increase</td>
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</tbody>
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The BRL received 758 unique reports from September 1, 2018 through August 31, 2022.
The chart below summarizes the number of reports to the BRL from September 1, 2018 through August 31, 2022 that were based on a protected class, the number of reports referred to OEO administrators for additional review under University policy, and the number of reports referred to the Office of Student Conduct.²

<table>
<thead>
<tr>
<th>Related to a Protected Class</th>
<th>Not Related to a Protected Class</th>
<th>Referred to Title IX</th>
<th>Referred to EO</th>
<th>Referred to Student Conduct</th>
<th>Total Reports</th>
</tr>
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<tbody>
<tr>
<td>628 (82%)</td>
<td>130 (17%)</td>
<td>28 (4%)</td>
<td>61 (8%)</td>
<td>72 (9%)</td>
<td>758</td>
</tr>
</tbody>
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The chart to the right summarizes the number of protected class based issues reported to the BRL from September 1, 2018 through August 31, 2022.

² Includes reports based on multiple protected classes.
LEARNINGS AND NEXT STEPS

The BRL has experienced significant growth in reporting since its inception as awareness in the NYU community of the BRL as a resource has increased. Throughout this period of development, the BRL has committed to sharing information regarding BRL practices and trends in support of campus initiatives that enhance University systems and foster inclusive practices.

The BRL’s efforts aim to continue improving the University’s response to reports that raise both discrete and systemic concerns while raising awareness of the OEO’s training programs. Accordingly, the BRL renews its commitment to new and existing partnerships, including increasing partnership with NYU’s GIOs to assist the University in assessing campus climate and addressing issues of IDBEA that are brought to the attention of the University through BRL reporting.

The BRL’s engagement in examining university systems has included an inward examination of the BRL’s processes. As such, the OEO has also updated the Bias Response Line Form in response to feedback from the NYU community and takes a proactive approach to addressing concerns of community members that may not fall within the scope of current practices. Staff managing BRL reports continue to expand their knowledge to effectively respond to reports by participating in a variety of training offered on campus and beyond. The OEO also continues to provide training to the University community through its education and awareness workshops that include topics of: preventing discrimination and harassment on campus; employment affirmative action policies, procedures, and programs; providing reasonable workplace accommodations for employees with disabilities; responding to sexual misconduct and complying with Title IX; and understanding affirmative consent.