

FREQUENTLY ASKED QUESTIONS

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A bias-related act is conduct that injures, harms, harasses or adversely and unfairly targets an individual or group based on the social identity categories of national origin, ethnicity, race, age, religion, gender, gender identity and expression, sexual orientation, disability, veteran status, color, creed, pregnancy, family/marital status, any combination of these characteristics or any other group protected by law.

The perpetrators may be known or unknown. Bias-related acts include acts or attempts that may pose physical or psychological harm or threat to individuals, groups, the University or the community. Activities protected by the First Amendment will not constitute bias-related acts.

Bias FAQs

Click the [+] to learn more.

What is a hate/bias incident? -

A **hate/bias incident** is any physically or verbally harmful act that is motivated by or appears to be motivated by, in whole or in part, any of the following factors: race/ethnicity, religion, national origin/immigration/citizenship status, sex, sexual orientation, gender identity or expression, economic status, language, age, pregnancy or family/marital status, disability, veteran or military status, size, or any other identity status protected by University policy.

What is a hate crime? -

According to New York State Penal Law § 485.05, a **hate crime** occurs when a person commits a specific criminal offense and either intentionally carries out the act or specifically selects the victim because of their race, color, national origin, ancestry, gender, religion, religious practices,

age, disability, or sexual orientation, regardless of whether their belief or perception is accurate. [Learn more about New York State-designated hate crimes](#).

Bias Reporting Terminology

- **Unfounded** - generally means that a reported incident has been investigated and determined to be false, not true, or not substantiated.
- **Founded** - the information gathered during the investigation has revealed a preponderance of evidence to support that hate/bias occurred.
- **Undetermined** - the information available was not sufficient enough to investigate or make a determination.
- **Pending** - the investigation is still in process and has not yet been finalized or submitted.

How is a hate/bias incident different from a hate crime?

A **hate crime** is a criminal act or attempted criminal act motivated, in whole or in part, by the victim's actual or perceived race, religion, ethnic background, sexual orientation, gender identity or expression, disability, or nationality.

For an act to qualify as a hate crime, two variables must be present: 1) A crime must take place; 2) That crime must be motivated by bias against characteristics included in federal, state and/or local statutes.

If you believe you have been the target or witness of a hate crime, call 911 immediately or contact our campus police at [607-777-2222](tel:607-777-2222).

What happens after I report an incident?

Individuals will receive an email confirmation within two business days of receipt of the incident form, provided they have included their contact information. The Affirmative Action Officer/Title VI Coordinator (AAO) promptly reviews all reports. Depending on the severity of the incident, the reports may involve consultation with the University Police, Student Conduct, and other relevant parties to determine if there has been a potential violation of the [Code of Student Conduct \(/student-conduct/process/\)](#) or other campus policies.

If the individual who filed the report has identified themselves and indicated they are willing to be contacted, the AAO will reach out to offer support and gather additional information. If the report mentions other people, such as witnesses or the accused, they may be contacted during the information-gathering process. The AAO may also consult with the [Bias Incident Response Team \(/offices/oea/bias-reporting/birt.html\)](/offices/oea/bias-reporting/birt.html) for review and decision-making on the report. The person who submitted the report will be notified by email or mail.

Why does Binghamton University monitor hate/bias incidents?

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Binghamton University considers hate/bias incidents and all forms of prejudice or intolerance to be contrary to our mission as a university and a community and as a threat to everyone's right to a safe learning and working environment. Therefore, all such incidents must be appropriately addressed based on the nature of the incident, the individuals involved and the location of the incident. By submitting a bias incident report, you will help us better understand our campus climate and contribute to creating an environment where everyone feels welcome.

Please [submit a bias incident report](#) if you have experienced, witnessed, or learned about a potential hate or bias incident. You are free to fill in as much or as little information as you would like, but including your name would allow us to contact you if necessary. Please note that the team's response is determined by the information provided. If you are under 18 and wish to avoid making an official record, please do not include your name on the form. For crimes committed on campus, please call the Binghamton University Police Department ([607-777-2222](tel:607-777-2222) for emergencies; [607-777-2393](tel:607-777-2393) for non-emergencies). For offenses committed off-campus, please call 911.

Please be aware that according to the [New York State Public Records law](#), bias reports may be disclosed upon request. While student names are kept confidential, employee names and other information may be made public. If you have any concerns or questions or do not want to create a record that may be subject to disclosure, please feel free to contact us by phone at [607-777-4775](tel:607-777-4775) or visit us in person at the Division of Diversity, Equity and Inclusion, Library South Ground 548 (LS-G548) before submitting a report.

What is the purpose of the Binghamton University Bias Incident Response Team?

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Every college or university campus is vulnerable to hate or bias incidents. Therefore, it is essential to have a process in place that allows members of the campus community to report such incidents and feel supported. To raise awareness and prevent bias incidents, many colleges and universities are forming Bias Incident Response Teams. The University is dedicated

to encouraging the campus community to stand against hate and bias, and the [Bias Incident Response Team \(/offices/oea/bias-reporting/birt.html\)](/offices/oea/bias-reporting/birt.html) is consistently working to find solutions that will contribute to building a more inclusive campus environment.

What if I'm not sure if this is a hate/bias incident?

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We urge everyone in the campus community to [report any suspected instances of hate or bias](#), even if you are unsure whether a hate crime or bias incident has occurred. The Affirmative Action Officer will conduct a thorough investigation to determine if it is a case of hate or bias and will guide all parties involved.

What other resources are available?

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The campus offers a variety of resources to the community:

- For emergencies or concerns with hate/bias-related crimes (including if someone's physical safety is at risk), contact [University Police \(/police/contact.html\)](/police/contact.html) immediately at [607-777-2222](tel:607-777-2222).
- The [University Counseling Center \(/counseling/\)](/counseling/) offers counseling and other emotional well-being services to students and can be reached at [607-777-2772](tel:607-777-2772).
- Faculty and staff may contact the [Employee Assistance Program \(/programs/employee-assistance/\)](/programs/employee-assistance/) for support services and referrals at [607-777-6655](tel:607-777-6655).

What is harassment on the basis of protected characteristic(s) other than sex/gender?

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Harassment can involve protected characteristics, including race, color, age, religion, national origin, disability, and sexual orientation. It encompasses oral, written, graphic, or physical conduct related to an individual's protected characteristics. This conduct must be severe, serious, pervasive, or persistent enough to interfere with or limit an individual's ability to participate in or benefit from the educational institution's programs or activities.

What is sex discrimination?

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Sex discrimination encompasses behaviors and actions that restrict a person's ability to fully participate in educational programs, activities, or employment opportunities due to their sex. This includes, but is not limited to, instances of sexual harassment, sexual assault, and sexual violence involving employees, students, or third parties. Employees should report any observed or known instances of sex discrimination, including sexual harassment and assault, to the Title IX Coordinator ([link](#)) or Affirmative Action Officer.

Office of Equity and Access (</offices/oea>)

[About \(/offices/oea/about/\)](/offices/oea/about/)

[Reporting Bias](#) 

[Bias Incident Response Team \(/offices/oea/bias-reporting/birt.html\)](/offices/oea/bias-reporting/birt.html)

[Frequently Asked Questions](#)

[Helpful Campus Resources \(/offices/oea/bias-reporting/campus-resources.html\)](/offices/oea/bias-reporting/campus-resources.html)

[Policies and Procedures \(/offices/oea/policies-and-procedures/\)](/offices/oea/policies-and-procedures/)

[Accommodations and Accessibility Services \(/offices/oea/accommodations/\)](/offices/oea/accommodations/)

[Workshops and Resources \(/offices/oea/workshops/\)](/offices/oea/workshops/)

[Employee Support \(/offices/oea/employee-support/\)](/offices/oea/employee-support/)

[Division of Diversity, Equity and Inclusion \(/diversity-equity-inclusion/\)](/diversity-equity-inclusion/)
