

# **PROPOSAL TO CREATE AN INCIDENT ASSESSMENT/RESPONSE TEAM (IART)**

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*President Skorton, February 28, 2013*

## **I. Introduction**

Since receiving direction from the ECCCHS, a working group has met to draft a *“clear response protocol for bias incidents that affect the campus community.”* Additionally, upon the recommendation of Vice President Susan Murphy, the group has sought not only to focus on bias, but also on other incidents of violence (not bias related, such as a very public suicide).

The group has concluded its work and proposes to create an Incident Assessment/Response Team (IART) whose members will be vigilant for bias and other incidents that have the potential for significant disruption to the campus community.

As noted by President Skorton, the IART is intended to be part of a coordinated response protocol, where:

1. Crisis Managers promptly respond to individuals in need of support/assistance, and coordinate related activities.
2. The Community Support Group responds to the circle of individuals, beyond an individual, directly affected by an incident.
3. The proposed IART will assess and respond to incidents that have the potential to significantly affect the larger Cornell community, including those involving bias, harassment and discrimination.

## **II. Goals and Guiding Principles**

The overarching goals of the Incident Assessment/Response Team (IART) are to support the health, safety and wellbeing of all University students, faculty, and staff and to reaffirm the institution’s strong commitment to integrity, equity, civility, and respect for an inclusive community.

The purpose of the IART is to provide an organized, agile response to incidents, that have the potential for significant adverse impact on the Cornell community. This protocol is not intended to deny freedom of speech/expression. In fact, it is of utmost

importance to protect the freedom afforded to every community member to express their views --- in speech, writing, and through electronic communication. There is no intention to use this protocol as a disciplinary measure. Rather, the primary focus of this document is to outline a method of response, which will provide assistance and support for groups and community members who perceive that they are the victims of bias, violence, hazing or other incidents. This protocol is not intended to override the responsibility or authority of any University office designated to address complaints of alleged bias incidents.

### **III. The IART in Practice**

The IART Core Team membership is proposed to be as follows (or designees as appropriate):

1. The Dean of Students (Hubbell)
2. The Associate Dean of Students for Intercultural Diversity (Alexander)
3. The Associate Dean of Students for Residential Programs (Burke)
4. The Associate Dean of Students for Student/Community Support (Hall)
5. SAS Communications Director (Kubarek)
6. Cornell University Chief of Police (Zoner)
7. University Communications (Moss)
8. Graduate School Representative (Notaro)
9. Bias Incident Coordinator (Jackson)

Additional members may be added to IART as appropriate to the incident:

1. Gannett Health Services (Corson-Rikert)
2. HR/Title IX Representative (Mittman)
3. An individual with positional authority relevant to the incident.
4. An individual or individuals with subject matter expertise.
5. An individual or individuals with prior history and experience relevant to the reported incident or affected community/communities.

Any member of the IART may convene the core team when he/she becomes aware of a situation (bias or other incident) that may have the potential to be disruptive to the community. The IART will meet immediately to discuss the situation and, in the event that a University response is warranted, the IART will recommend a course of action (to VP/SAS, VP/HR?) in a timely manner, recognizing the need for an agile institutional response.

In its deliberations, IART team will consider the following:

1. Applicable legal standards with special regard to the First Amendment and academic freedom concerns, as well as Title IX and the VAWA.

2. The concerns and requests of the alleged victim, especially in regard to anonymity and desired outcome(s).
3. Whether the incident is a violation of any university policy, which would require following established University procedures.
4. How complicated and difficult some of these incidents can become as the institution attempts to respond to the range of emotions and concerns they can evoke.

In proposing a response, the following may be considered (representative list of possible actions, not exhaustive):

1. Provide for the safety and support of individuals and communities affected by the incident
2. Identify and contact appropriate departments and offices, which are necessary to implement an appropriate intervention and/or provide support.
3. Notify the university community of the bias incident via e-mail, appropriate website (e.g. SHARE, Caring Community, cornell.edu), posters and/or other means of communication.
4. Notice may be made immediately following a particular incident or at another appropriate time depending upon the nature of the incident and other factors.
5. Notification may be limited to a specific area (e.g. an academic building, residence hall, a specific part of campus) where the incident occurred or deemed to have the most impact.
6. Notification may be distributed to the Cornell community after effective action has been taken regarding the original incident.
7. If the reported act is determined to be a bias incident, appropriate educational and other measures to address the incident will be considered. Such measures, which must not interfere with any legal or JA proceedings that might be underway or contemplated, could include the following:
  - Community forums may be scheduled to support affected communities and individuals.
  - Engage the larger community in responding to incidents. For example, sexual violence or misconduct directed toward women should engage the entire community not just women.
  - A list of appropriate University support resources will be distributed.
  - Various offices/departments across campus may hold special “office hours” to support affected students.
  - Existing policies and procedures may be changed as a result of an examination of the incident.

In addition, the working group specifically recommends:

1. Implementation of the Reporting Bias “future” process. The Reporting Bias process has been reviewed and modified to include the IART team communication sub-process. Previously, the Bias Liaison Manager received an email, which he then had to review in Maxient. The suggested “future” process has the IART communication sub-process running concurrently with the Reporting Bias process and the summary email is sent to the IART team, which includes the Bias Liaison Manager.
2. Ensure that an email of the full incident summary is sent via Maxient to the IART and, if applicable, to the Bias Liaison Manager.
3. Exploration of options to create a more mobile friendly Reporting Bias webpage.
4. Exploration of options to ensure that bias incident reporting is more accessible on m.cornell.edu.

The working group has had the opportunity to “test” the IART protocol on the recent alleged rape incident, and found it to be useful and effective.

Respectfully submitted,

The Incident Response Working Group:

Kent L. Hubbell, Robert W. and Elizabeth C. Staley Dean of Students  
Kathy Zoner, Cornell Chief of Police  
Tanni Hall, Associate Dean of Students, Student and Community Support  
Renee Alexander, Associate Dean of Students, Intercultural Programs  
Diane Kubarek, Director SAS Communications  
Simeon Moss, University Communications  
Darren Jackson, Human Resources Bias Coordinator  
Joseph Burke, Associate Dean of Students, Director Residential Programs  
Sheri Notaro, Associate Dean, The Graduate School  
Christine Holmes, Graduate School Administration  
Jennifer Fonseca, Staff Development Specialist

**From:** David J. Skorton [<mailto:vpcommunications@cornell.edu>]

**Sent:** Thursday, February 28, 2013 1:47 PM

**To:** Matthew Carcella

**Subject:** Message from President Skorton Responding to Sexual Violence and Bias

Dear Members of the Cornell Community,

I am writing to update you about the work we have been doing on the Ithaca campus to better understand and address sexual misconduct, including violence and assault, and bias in the wake of the issues that arose last semester.

Overall, we have systems in place to respond to incidents, and we are working to make them more responsive and more robust. We now need to lower the likelihood of such incidents occurring by making a deliberate commitment in how we operate to prevent sexual misconduct and all forms of bias and by focusing on how we treat each other, how we think about ourselves, and what each of us—and all of us—can do to foster a respectful, safe, inclusive and engaged academic environment.

I thank our staff and students for their advocacy and for the work they put into the Incident Management Team (IMT) on sexual misconduct and bias last fall. I have carefully reviewed the [IMT 's report](#).

I concur with a major thrust of the report: “The extent to which a wide array of individuals, departments, and groups has felt and taken responsibility for these issues is impressive. The lack of coordination, clear communication, ongoing assessment of needs and strategies, and prioritizing of resources has obscured both current strengths and critical gaps in what is provided.”

The group’s recommendations – from enhanced services and enforcement to improved communications and educational outreach – are being evaluated and, as they are ready, implemented to strengthen the university’s existing programs for the prevention of both sexual misconduct and all forms of bias throughout our community.

In keeping with the group’s key recommendations to give these priorities the campus-wide visibility and focus they deserve, I will assign oversight, policy-setting and action to the highest levels of the university.

- The University Diversity Council (UDC), a policy-setting body that I chair, will incorporate into its work on composition, inclusion, engagement and achievement a focus on the prevention of bias and sexual misconduct. In addition, the UDC will coordinate campus climate assessment to guide ongoing efforts in these important areas. I am asking the UDC to support Provost Fuchs and me in working with each dean and vice president to enhance our collective efforts to prevent both bias and sexual misconduct.

- I have asked that a standing action-oriented group chaired by Vice President Susan Murphy, newly renamed the Executive Committee on Campus Climate, Health, and Safety

(ECCCHS), expand its scope to encompass campus climate in addition to health and safety. The ECCCHS will transform the diversity council's policy work into an effective campus-wide framework for the delivery of services, educational outreach and training to improve the campus climate and confront both sexual misconduct and all forms of bias at Cornell.

- Specifically, I have asked the ECCCHS to strengthen the enforcement of our community standards, conduct research and evaluation, and promote educational initiatives for faculty, staff and students. I have asked Vice President Murphy to include faculty, staff and student representatives in the working groups needed to carry out ECCCHS activities to prevent all forms of bias and sexual misconduct.

- As a first priority, I am asking the ECCCHS to promulgate clear response protocols for bias incidents that affect the campus community to complement the university's excellent crisis management protocols. These new protocols need to be in place as soon as possible, but no later than one month from the date of this statement.

As the IMT recommended, we are stepping up our communications efforts to give the community prompt access to the knowledge and resources needed for a better and safer community and to provide information about the university's progress in meeting its goals for community-wide inclusion and engagement.

The IMT's valuable work is already bearing fruit in some focused areas. At the start of the semester, for instance, we presented a successful pilot program on sexual violence, "Speak About It," during New Student Orientation for transfer students, and we will incorporate programming on sexual misconduct into New Student Orientation in August. We also launched a new website, [share.cornell.edu](http://share.cornell.edu) (Sexual Harassment and Assault Response and Education), an informational resource on sexual misconduct for all members of the Cornell community. We instituted additional Cornell Police patrols at the time of the assault incidents last fall and established a special police investigation task force. We have expanded our on-campus Blue Light Escort service hours, and are continuing Chief of Police Kathy Zoner's Blue Light weekly safety email to the campus community. We continue to explore additional ways to educate the campus community about the resources available and how to tap into them.

Despite this clear progress, persistent issues on campus and continuing feedback from our community have convinced me that we have far yet to go. I call on everyone in our community to engage in self-reflection, examine the issues, and join us in efforts to eliminate sexual misconduct and all forms of bias from our campus community. I am counting on your collective wisdom and action.

David J. Skorton