

BIAS PREVENTION EDUCATION

A Handbook for Student Affairs Professionals

At

Rutgers University, New Brunswick Campus

A component of the Multicultural Awareness Project

Rev. April, 2005

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Introduction

Why Bias Prevention?

By Cheryl Clarke, Chairperson, Rutgers Bias Prevention Committee

Since 1992, the Rutgers Bias Prevention Committee has monitored bias incidents on the New Brunswick campus and has provided bias prevention education to staff, students, and faculty. *Bias Prevention and Multicultural Awareness: A Handbook for Student Affairs and Professionals at Rutgers University, New Brunswick Campus* is in its third edition as a guidebook for staff whose primary responsibility is the provision of programs and services to students. The Committee embraces its unique responsibility and opportunity to educate students, staff, and faculty about the challenges of enjoying a culturally, politically, and socially diverse campus.

This Handbook attempts to present concrete and implementable procedures and strategies for institutionalizing bias prevention and intervention practices in your college, school, or student affairs unit. We hope that you will use it to guide your *prevention, intervention, and restoration* strategies as you work with students, staff, and faculty to create bias-free environments on campus.

Definition of Bias

The University defines *bias* as any act –verbal, written or physical—that maligns, threatens, or harms a person or group on the basis of race, religion, color, sex, age, sexual orientation, national origin, ancestry, disability, marital status, or veteran status. Acts may not always be in violation of civil, criminal, or university codes, but may warrant intervention if they cause students to lose confidence in their ability to participate in the educational mission of the University.” (Rutgers University Counsel, 1998)

Section I: Intervening in Student-to-Student Bias Incidents

Who Intervenes?

As a student affairs professional and member of the Bias Prevention Committee, you are in a unique position to engage in *anticipation, prevention, intervention, and restoration* strategies (see "Glossary") to reduce bias incidents in the campus environment. Students may experience bias incidents in any of the following ways:

- Someone who is victimized
- Someone who witnesses such an act
- Someone who commits such an act
- Someone who assists another in reporting such an act

Whether you assist a student who is a victim or a witness in reporting a bias incident; or whether you are in communication with a student who has committed a bias incident, the incident's severity will govern the actions you take.

If you are in a student life position, you can promote anti-bias messages through:

- Student leaders
- Campus governing councils
- Residence hall staff, student-staff, programs, and activities
- Campus center staff and program boards
- Student-staff and student leadership training programs
- New Student Orientation programs
- The three cultural centers
- Membership on the Bias Prevention Committee

Why Intervene?

Bias acts pollute environments. Often one bias act can affect parts of a community beyond the intended victim(s); it can cause distress among others and lead to more bias incidents.

How to Intervene

While you, as a professional, are in a position of authority to affect bias behavior and attitudes, promote anti-discriminatory practices and policies, and mediate intercultural conflicts, you may not always be in a position to *interrupt* an act. Your role may be enacted in the aftermath of a bias incident; or at any point along the following continuum:

1. The incident is reported to you as a member of the Bias Prevention Committee (BPC).
2. You and/or other appropriate professional staff member should counsel the student who has been victimized as soon as possible, recording details on appropriate forms in the "Bias Prevention Packet" (see "Bias Incident Report Form," "Victim Assessment Form," and "Inter-Intra-Cultural Mediation Form.")
3. You should complete a written draft of the incident; provide appropriate counseling and/or referral, and present options to the student. (If you are someone other than a BPC member, please contact the BPC representative in your college or administrative unit to report the incident, and provide written documentation and relevant materials to that person.)
4. BPC member and/or staff member interacts with other persons, if appropriate, by:
 - a. Initiating contact with any group(s) affected by the bias act (e.g., a residence hall, a student organization, recreation center, class, etc.)
 - b. Removing any offending material, such as graffiti or defaced posters **only after** police have been contacted and have come to the scene to take a report.
 - c. Making contact with persons identified or persons suspected of committing bias acts.

5. Implement “restoration” strategies after information is gathered in a timely fashion and recorded on either the web-based Bias Incident Report Form (also see "Bias Prevention Packet") or other standard or generic incident report forms used in student life settings. The BPC member will report the incident at the next monthly BPC meeting and discuss response and restoration activities. The Chairperson of the BPC will produce semesterly and annual reports on trends, effective *anticipation, prevention, intervention, and restoration* strategies. Make follow-up contacts, if necessary and desired, with primary and/or secondary victims of the incident.

5. Initiate judicial involvement in the event student codes of conduct have been violated.

Section II: Intervening in Other Bias Incidents

A. Intervening in **Faculty-to-Student** Bias Incidents

1. The incident is reported to a member of the Bias Prevention Committee (BPC).
2. The BPC member assists the student in drafting an account of the incident.
3. The student should be given the option of making a police report.
4. The BPC member obtains permission from the student to speak to faculty person's department chair. The student may or may not want to maintain confidentiality until the end of the semester. (The student should be given this option.) The department chair will be responsible for notifying the faculty person of the complaint and will be the contact person for the BPC member.
5. The BPC member remains an advocate and liaison for the student and continues to follow up on the complaint until the department chair communicates the outcome.
6. If possible or appropriate, the BPC member encourages the department chair to consider a faculty development workshop in bias prevention skills.
7. Information is recorded on the web-based "Bias Incident Report Form" (also see "Bias Prevention Packet") and any other relevant forms.

B. Intervening in **Student-to-Faculty** Bias Incidents

1. The faculty person is referred to or reports the incident directly to a BPC member.
2. The BPC member assists the faculty person in drafting an account of the incident/s and, depending upon the severity of the incident, suggests courses of action which may include the following:
 - Encouraging direct communication with the student
 - Reporting the incident to the judicial affairs officer within the student's college, school, or unit, the Office of University Judicial Affairs, the Office of University Compliance, or University Police
3. The BPC member should strongly encourage the faculty person's contact with an official within the student's college, school, or unit in order to facilitate an outcome.
4. Information is recorded on the web-based "Bias Incident Report Form" (see "Bias Prevention Packet")
5. Follow-up is ongoing until the case is resolved.

C. Intervening in **Staff-to-Student** Bias Incidents

1. The incident is reported to a member of the BPC.
2. The BPC member assists the student in drafting an account of the incident.
3. The student should be given the option of making a police report.
4. The BPC member obtains permission from the student to speak to the staff person's supervisor. The student may or may not want to maintain confidentiality, and should be given the option. The supervisor will be responsible for informing the staff person of the student's complaint and will be the BPC contact person regarding the case.
5. The BPC member continues to remain an advocate and liaison for the student and follows up on the case until informed of the outcome, restitution, or redress.
6. The BPC member should encourage an assessment of the impact of the act in both the student and staff environments and take appropriate restorative action.
7. Information is recorded on the web-based "Bias Incident Report Form" (see "Bias Prevention Packet")

D. Intervening in **Student-to-Staff** Bias Incidents

1. The staff person is referred to or reports incident directly to a BPC member.
2. The BPC member assists the staff person in drafting an account of the incident and, depending upon its severity, suggests courses of action which may include the following:
 - Encouraging direct communication with the student
 - Reporting incident to the judicial affairs officer within the student's college, school, or unit, the Office of University Judicial Affairs, the Office of University Compliance, or University Police.
3. The BPC member should strongly encourage contact with an official within the student's college, school, or unit in order to facilitate an outcome, restitution, redress.
4. Information is recorded on the web-based "Bias Incident Report Form" (see "Bias Prevention Packet")
5. Follow-up is ongoing until the case is resolved.

Section III: Bias Prevention Strategies

Students, especially Student Leaders, are expected to:

- Demonstrate open-mindedness, understanding, and sensitivity to fellow students with regard to their race, religion, culture, color, politics, ethnicity, language, gender, disability, sexual orientation, and economic status.
- Encourage residence hall staff to present multicultural programs.
- Attend on-campus multicultural programs.
- Foster, sponsor, present programs that critique stereotypes and assumptions of individuals and groups on the basis of race, religion, culture, color, politics, ethnicity, gender, disability, and sexual orientation.
- Learn the history of how groups worldwide have been disenfranchised on the basis of race, class, gender, sexuality, etc.
- Foster positive intercultural relations as well as ethnic; cultural, political and social group affiliations.
- Demand that fellow students avoid the use of racist, sexist, homophobic, anti-Semitic, and ethnocentric epithets.
- Embrace difference.

Faculty and Staff are expected to

- Demonstrate open-mindedness, understanding, and sensitivity to students and other faculty and staff with regard to race, religion, culture, color, politics, ethnicity, language, gender, disability, sexual orientation, and economic status.
- Address bias conflicts openly and fairly within student life, student affairs, and classroom settings.
- Seek advice and guidance from Bias Prevention Committee members and other professionals involved in anti-bias work on campus.
- Contact Bias Prevention Committee members immediately to report bias incidents.
- Foster positive intercultural relations as well as ethnic, cultural, political, and social group affiliations among students.

- Demand that colleagues avoid the use of racist, sexist, homophobic, anti-Semitic, and ethnocentric epithets.
- Develop and encourage an understanding of the history of how groups worldwide have been disenfranchised on the basis of race, class, gender, sexuality, etc.
- Question the absence of diversity and work to correct it, wherever it occurs: e.g., in hiring new faculty and staff, in the election/selection of student leaders, in the development of policies.

Section IV: Local Team Support

Developing *team* support in your college or student affairs unit to respond to bias incidents recognizes the importance of approaching bias as a *community* problem—a *community* problem which often requires a community involvement. *Authorized* collective action enriches the strategizing and the problem solving and mediates resistance to intervention. *Teams* are constituted primarily by administrative staffs, and may include students, student-staff, faculty, public safety or human resources personnel, or others whose work is germane to the effort of bias prevention. The *point person* for the local team is the designated member who represents the college or student affairs unit on the Bias Prevention Committee.

Team Objectives

Team objectives may vary for each college or unit but the following basic aims should be standard:

- Promote bias prevention and multicultural awareness education within your college or unit through its various programs and activities (e.g., new student orientation, campus center programs, residence hall programs, student-staff training, etc.).
- Make sure that the student victimized is counseled and assisted as soon as possible by an appropriate staff member (see page 20).
- Work with your Bias Prevention Committee “Point Person” to establish effective communication/protocols (see page 5) to foster a unified system, within your college or unit, of responding to bias incidents.
- Assist others in intervening in bias incidents and situations of cross-cultural conflict (see page 19).
- Assist in the training of staff and student-staff regarding protocols for responding to bias incidents.
- Assist the Campus-wide Bias Prevention Committee in compiling statistics of incidents in order to develop ongoing prevention strategies.

The above is not an exhaustive, but rather a basic list of team objectives. The important task is to create bias prevention and intervention awareness within your college or unit as part of our responsibility in a diverse institution such as Rutgers University.

Section V: Mission and Role of the Bias Prevention Committee

Mission Statement

The Bias Prevention Committee on the Rutgers University-New Brunswick campus encourages and supports students who take responsibility for achieving bias-free environments through collaborative peer relations, on-going discussions and dialogues, creative study, research, and action. As a committee of designated student life/student affairs staff, we work with students and all members of the campus and University community to respond to, anticipate, and prevent acts of bias, and cross-cultural conflict wherever they might occur in a University context and involving University members. As educators, we are committed to enriching students' co-curricular experiences and leadership activities. We believe that multicultural awareness and taking an anti-bias stance are crucial to student development and leadership.

We know that bias is all-pervasive. We also know that no one is bias-free and believe that becoming bias-free is a life-long process, requiring vigilance. We are committed to teaching students about issues of difference and diversity. Race, culture, gender, sexual orientation, religion, class, physical ability and their complex interaction are integral to our concepts of multiculturalism. As student life professionals, we believe that bias is a community issue and, as such, the community needs to be involved in its intervention, prevention, and resolution.

The Role of the Bias Prevention Committee, New Brunswick

The Bias Prevention Committee was established in 1992 to:

1. Coordinate campus-wide bias prevention efforts.
2. Hold monthly meetings to discuss and devise *anticipation, prevention, intervention, and restoration* strategies, provide a forum for students staff, and faculty for the exchange on issues of difference and diversity, solve bias-related problems, and offer a learning opportunity for all involved or interested in bias prevention education.
3. Present staff and faculty development programs on pertinent issues in the field.
4. Assume a leadership role in implementing *anticipation, prevention, intervention, and restoration* strategies campus-wide.
5. Study local and national trends in bias to strengthen bias prevention efforts on campus.
6. Present public programs and activities, as needed, to restore the environment.
7. Collaborate with other groups, especially students, in the University.

Section VI: Glossary

Anticipation

This is the first principle in the Bias Prevention System. Early identification of the issues and indicators that may give rise to bias actions is critical to bias prevention efforts. Strategies must be developed to prevent bias actions from occurring or to mitigate the level of conflict. Increasing public awareness, mediation, conflict management, and direct intervention might be implemented among other anticipation strategies.

Bias

(See page 3 for definition.)

Examples:

- An anti-Semitic message left on a resident's door
- Verbal harassment of an individual on the basis of sexual orientation
- Sexist messages left on an answering machine of a woman student
- Epithets directed at a specific person or a group on the basis of race
- Assumption that an individual should not be included in college activities because of physical disability
- Defacement of posters promoting particular religious holidays

Bias Acts:

Cross-Cultural Conflicts

These are disagreements, arguments, or controversies that develop due to the cultural differences, backgrounds, and life choices of the persons in the conflict. Incidents usually occur when there is a perception on the part of the individuals that the conflict is due in part or entirely to any of the above identified categories.

Examples:

- Ongoing arguments between roommates of different ethnicities, races, nationalities
- Disagreement between floor members over "political" material posted on room doors
- Disagreement between organization members over the presentation of programs on gay and lesbian issues.

Environmental Acts

Environmental acts include written messages placed in common areas, which target whole groups of people based on any of the above categories. This behavior is typically committed by an unknown person against an "imagined" segment of the community and constitutes more than the simple use of inappropriate language.

Examples:

- Graffiti in elevators, stairwells, hallways, bulletin boards, laundry room doors, exterior facades, bathrooms, courtyards, etc.

- Posting of printed or written materials in any of the above common areas
- E-mail messages
- Defacing pre-existing materials in common areas
- Yelling epithets out of building windows or doors

Inappropriate Language

These acts include insensitive written or oral expression by an individual that may express a particular bias on the basis of any of the above categories. Many times the individual is new to the environment and has no specific intent to harm or malign any person or group in uttering such expressions and needs to be acclimated to the anti-bias culture of the institution.

Examples:

- Racial or ethnic jokes made publicly or in large groups
- The use of terms like "nigger," "bitch," "faggot" in meetings or classes

Bias Prevention Committee (BPC)

This group, comprised of New Brunswick-wide administrators, meets monthly to gather information and assess the campus climate. It also provides bias prevention training sessions. Established in 1992. See page 11.

Bias Prevention System

The Bias Prevention System at Rutgers University consists of four key principles: ***Prevention, Anticipation, Response*** and ***Restoration***. Refer to each of these items in this Glossary. This system was adapted from *Developing an Institutional Approach to Intolerance*, Pennsylvania State University, 1992. These principles are cyclical as well as sequential.

Bias Prevention Team

The group within each college or administrative unit that monitors its environment for bias, develops bias prevention strategies, and provides bias prevention education.

Complaint

A complaint is a formal action taken by victims, witnesses, staff, or faculty against suspected or known perpetrators of bias incidents.

Inter and Intra-cultural Conflict Mediation

A process designed to settle disputes that arise among students because of different cultures, religions, political affiliations, sexual orientations, ethnicities, or genders (“inter”); and disputes among students of the same culture over their differing opinions (“intra”).

Intervention

An action or series of actions taken by students or staff or faculty to impede, interrupt, obstruct, or diminish a bias incident and its effects on the environment. When victims, witnesses, and perpetrators are interviewed in the immediate aftermath of a bias incident, causal factors are identified and provide direction for the management of the situation. Through a timely and thorough investigation (as soon as possible after the incident becomes known), the information available to a team is greatly increased and can be used effectively to counter rumors with

accurate information. Intervention is essential to restoration as well as prevention and anticipation strategies.

Multicultural Awareness

Multicultural awareness is the practice of understanding races, genders, sexual identities, cultures, ethnicities, religions, abilities, political views, and economic classes different than one's own.

Prevention

This is the main principle in the Bias Prevention System. The campus system must undertake activities that support positive social climates that are inhospitable to prejudice, hatred, bigotry, and discrimination. There must be broad community consensus that actions motivated by racism, sexism, heterosexism, religious intolerance, ostracism of persons with disability, political intolerance, etc. will be countered and condemned. Furthermore, students must know that they will be held responsible when their actions violate the institutional rules, practices, and regulations as well as student codes of conduct regarding bias. Educational interventions should begin early and should create and support a diverse and equitable collegiate community climate.

Reporting

The act of relating the facts of a bias incident to the appropriate authorities: a supervisor, Rutgers Police, a Bias Prevention Committee representative, or other student life staff person.

Restoration

This is the last step in the Bias Prevention System. After an incident, appropriate staff members must take steps to restore to normalcy the environment in which the incident occurred. Restoration may last a day, a week, a month, or a semester. Depending upon the severity of the incident, restoration involves longer-range management, assessment, strategizing, and utilization of other departments to assist in the healing process. As campus and community resources are identified, new bias prevention strategies are already in process.

Section VII: Bias Prevention Packet

Intervening in a Bias Incident: Basic Steps

1. **Top Priority:** Make sure that the student, staff, or faculty person/s victimized is counseled and assisted as soon as possible by an appropriate staff member.
2. Contact the appropriate Rutgers staff members (assistant deans, residence life staff, etc.) to inform them of the incident and seek their input and assistance.
3. Contact the Rutgers University Police, if the person victimized so wishes.
4. Initiate contact with any groups affected by the bias act.
5. Remove the offending material, such as graffiti, **only after** police have been contacted and come to the scene.
6. Contact the person(s) identified or suspected of committing the bias act(s)—if known or suspected.
7. Report the incident to a member of the Bias Prevention Committee (BPC), utilizing the attached or web-based form.
8. Follow up with the victim, as appropriate.

Bias Incident Report Form
Bias Prevention Committee
Rutgers University, New Brunswick

Please enter information below to report the bias incident to the Bias Prevention Committee.

I. Incident date, time and location

Date incident occurred: _____ Time incident occurred: _____

College: _____ Unit: _____

Office: _____ Campus: _____

Location of incident: _____

II. When and how the incident was reported:

Date incident was reported: _____ How incident was reported: _____

Were police contacted? Yes No (check if yes)

Was a police report filed? Yes No Not yet

Date of police report if filed: _____

III. Who reported the incident:

Status of complainant: _____ If "Other" describe:

Complainant resides: _____ Is complainant the victim: (check if yes)

Complete the following section if person filing the report is NOT the victim.

Status of victim: _____ If "Other" describe:

Victim resides: _____

IV. Type, category and source of incident:

Type of incident: _____ If "Other" describe:

Category of bias: _____ Specific source of bias:

V. Detailed description of incident: provide the WHO, WHAT, WHERE, WHEN, WHY AND HOW

Intervention, prevention, and restoration strategies undertaken:

Committee member filing report: _____ Date: _____

VICTIM ASSESSMENT INTERVIEW FORM

(This form is to be used and completed by staff interviewing students who have been victimized by acts of bias.)

Name (only if student agrees): _____

Address: _____ Tele. #: _____

Type of Bias: o Specific o Environmental o Language

Date/s incident/s occurred: _____

Ask the student the following questions:

1) Briefly recount the incident to the best of your knowledge:

2) How has this incident affected you personally, academically, emotionally (e.g. study, work, student life, leisure hours, leadership role)?

3) Do you feel threatened? If so, is there any way that I, or other people at Rutgers, can help to make you feel safer?

4) Have you spoken to anyone else about the incident/s (e.g. friends, family, teachers, neighbors, floor mate, other counselors, etc.)? If so, how have they responded? Were their responses helpful? If so, how so?

5) How do you feel about the responses you received from this office? Could we have done more, responded sooner? Was our response out of proportion to the severity of the event?

6) Is there anything more you would like for this office to do? Is there anything else I can do for you at this time?

Name of person completing form: _____

Date interview conducted: _____

Date of next interview: _____

Date of final interview: _____

This form and its contents are confidential

FACILITATING THE CROSS-CULTURAL CONFLICT MEDIATION PROCESS

A "Cross-Cultural Conflict" is defined as a disagreement, an argument, a controversy that has developed due to the cultural differences of the disputing students (e.g., sexual orientation differences, religious differences, racial differences, gender differences, etc.) in the conflict. The anti-bias staff person in must anticipate these conflicts in most situations where there are cultural differences. To *anticipate* is to *prevent* an actual bias incident, perhaps. They may occur when a member of a particular racial/cultural group is the "only one" on his floor. Cultural conflicts involve lack of experience with members of a different culture, etc., lack of understanding, misunderstanding, stereotypic notions and perceptions, and assumptions.

The following procedures have been developed from conflict mediation models to aid in resolving conflicts of a cultural nature.

A. ROLE OF THE MEDIATORS: Optimally, two persons should be involved in a mediation.

1. FACT FINDING:

The mediators investigate issues at play in conflict with the assistance of Staff and Students.

2. ESTABLISH GOALS:

The mediators establish goals prior to entering the conflict mediation meeting, which means that they have gathered sufficient information prior to the meeting to enable them to consider the range of concerns that disputing students may bring to the meeting. The mediators should speak with their supervisor to gain perspective on the facts gathered. They should decide between themselves how they will each help the process, e.g. who will ask which questions, who will observe and listen, when, how, etc.

3. FACILITATE PROCESS:

The mediators are present to facilitate a process of resolving the conflict for all parties involved (including the floor/hall community). Thus, the mediators have no other vested interest other than that previously stated.

The mediators must proceed in an unbiased manner no matter how controversial the issue has become nor how right one party may seem as opposed to the others involved.

4. CLARIFY/DEFINE PROBLEM:

Based on the information previously gathered and studied and additional information that may be brought to bear in the meeting with conflict disputants, the mediators' role is to continually clarify and define the problem/s. Also the mediators reflect the problem/issue back to disputants, in a question format, in order to arrive at disputant's agreement with mediators' perception of specific behaviors that have been problematic. Also ask participants how they believe their conflict has affected other individuals as well as the floor/hall community. This last question is critical, if we are to be about the work of community development.

5. DIAGNOSE PROBLEM:

Mediators begin to ask disputants whether/why/how they feel cultural differences are at play in this conflict. Then mediators ask disputants to look at the behaviors in terms of attitudes, values, assumptions based on cultural differences at play. Mediators may then ask what are the origins of these behaviors, values, and assumptions. Mediators make some summary statement about what they have heard based upon the answers presented.

6. REACH SETTLEMENT:

Mediators ask disputants what changes they will make in their behaviors to avert conflict in like or similar situations in the future. Mediators will ask what each plans to do **IN A POSITIVE MANNER** to change their behavior. Mediators write changes down and read back to disputants to gain an agreement to the resolution to change. Mediator then asks disputants to reflect on how their changed behavior will affect floor/hall community. Mediator then sets a time for a meeting two weeks hence to monitor the resolution.

B. Initial Steps for Mediators:

1. **JOINING:** The mediators begin with a brief, neutral statement of the events that have brought them together and how they (mediators) became involved in mediating the conflict. This establishes your authority in the situation and helps them to understand why you are all there. It also allows for a mutual joining of all parties in the efforts to reach agreement. Also agree upon a time limit for this negotiation. An hour is suggested. If you begin to run over the hour, ask if they want to negotiate on more time or if they wish to reconvene at another time.

2. **REGULATING:** After the above, mediators proceed to outline "negotiation Ground rules" to disputants in conflict:

- a) Please talk.
- b) Refrain from personal attacks.
- c) Interrupt others only for clarification.
- d) Avoid judgmental comments on the basis of assumptions about individuals involved.

- e) Try not to speak for others. Speak from the “I” position.
- f) Avoid blaming others.
- g) Help the mediation process.

ASK THEM IF THEY HAVE ANY QUESTIONS ABOUT THE GROUNDRULES. ASK THEM IF THERE ARE OTHERS THEY WISH TO ADD. AND GET THEM TO AGREE TO GROUNDRULES OUT LOUD. *

*Setting groundrules is crucial for it enables the process to move forward, it makes participants accountable for their part in the process, and it also helps them to model a more desirable behavior regarding the settlement of conflicts. When the groundrules are broken, mediators must call disputants on this in an assertive manner, e.g. “I notice that you are interrupting ___ when she is speaking. It would help the process if you did not interrupt.” The mediators must also hold themselves to these groundrules and communicate to disputants that they may also make mediators aware of when they themselves break the groundrules. This reinforces the joining and can enable disputants to feel more secure and responsible and that they have some power in effecting a productive end.

3. **SETTING GOALS:** Mediators must communicate to disputants the goals of the mediation that they have set prior to the meeting. Then disputants can agree or disagree with these goals and add any goals as appropriate

4. **BEGINNING:** After all of the above are accomplished, begin the mediation by using the attached “Cultural Conflict Mediation Questionnaire”.

(Going through all of the above processes enables the mediators to “tune-in” to the situation, i.e. to assess how the disputants are reacting, to observe their responses to you and your questions, and to get some idea of how difficult or easy the mediation process will be.)

C. CROSS-CULTURAL CONFLICT MEDIATION QUESTIONS

Directions: This tool may be used during the cross-cultural conflict mediation process. One mediator asks the questions and carefully observes the interaction and body language; the other writes the answers, listening carefully to the disputant’s responses and asking for clarification when necessary. Who will do which must be decided upon before the meeting. Prior to entering the mediation process, complete Part I of the “Conflict Mediation” form.

ASK THE FOLLOWING QUESTIONS IN A CLEAR, AUDIBLE MANNER, ALWAYS ASKING WHETHER OR NOT THE DISPUTANTS UNDERSTAND WHAT IS BEING ASKED OR STATED. *

If at any point you feel that disputing students are being disruptive, continually refusing to abide by the groundrules, acting purposefully passive, i.e. refusing to speak or participate, stop the process completely and ask them for another time to meet.

“Clarification Stage”:

1. PLEASE, EACH OF YOU TELL ME WHAT HAPPENED?

(Allow each disputant to relate his/her perception of the events. Remind them of the groundrules, particularly “no personal attacks,” “no interrupting others,” and “speak for self.” Mediators should only interrupt to ask for clarification, not to interpret the events or to disagree with any disputants rendering his/her account of the events.)

“Definition” Stage:

2. WHAT DO YOU THINK WERE SOME OF THE ISSUES THAT LEAD UP TO THIS INCIDENT?

(This question allows disputants to think and reflect on how they each may have contributed to the problem. Also, it allows them to do some analysis. Remind them of groundrules here also, especially “no assumptions” and “no personal attacks” and “no blaming others” and “speak for self.” Responses to this question also allow you to begin to see the level of cultural conflict at play here. Disputants may at this point begin to talk about cultural differences, prejudiced attitudes, and feelings of entitlement or isolation due to cultural background.)

3. WHAT EFFECT DO YOU FEEL YOUR BEHAVIORS HAVE HAD ON OTHERS IN THE COMMUNITY?

(This is an important question for it allows disputants to understand that others are affected by conflict. The hope is that they will understand that they have a responsibility to maintain community standards.) Mediators may want to take a brief break here to allow people to reflect, leave the room, and get some coffee, et. al.

“Diagnosis Stage”:

4. DO YOU FEEL THAT CULTURAL DIFFERENCES ARE AT PLAY IN THIS CONFLICT? IF SO, HOW?

(This question begins to get to the perceived crux of the matter and allows disputants to speak to the issue. Groundrules become more important here. Each disputant must address this question as they have each addressed the previous questions. If they both/all say “no,” then mediators must give their perceptions of how they feel their conflict is cultural by providing them with concrete examples from the information collected and considered prior to the meeting.)

“Settlement” Stage:

5. HOW COULD THESE CONFLICTS HAVE BEEN DEALT WITH MORE PRODUCTIVELY?

(This question begins to reach for settlement or resolution of the conflict. This allows disputants to “brainstorm” alternative behaviors, to begin to understand how they might begin to change and control negative and counterproductive behaviors. Remind them of groundrules, especially “no blaming others.”)

6. WHAT IS EACH OF YOU WILLING TO GIVE UP/DO TO RESOLVE THIS CONFLICT?

(This is a critical phase of the “Settlement Stage” and enables disputants to join one another in developing a more productive way to relate socially and interpersonally. Remind them of groundrules, particularly “not blaming others” and “help the process.” Once they agree on what they will do, given it is productive, set a time in the future that you will meet with them to see how they are doing.)

7. HOW DO YOU FEEL ABOUT THE PROCESS IN WHICH WE HAVE PARTICIPATED?

(This is the final stage of the “Settlement Stage” and enable disputants to comment on, criticize, or praise the process. Mediators may speak on how they felt about it and their hopes for a more productive relationship in the future. Even here, groundrules apply.)

Upon completion of the actual mediation, please complete Part II of the attached “Conflict Mediation” form. Attach all notes taken during the meeting to the form and place in a file for future reference.

(This process was adapted from various materials, experiences, and Johnson and Johnson, Joining Together: Group Theory and Group Skills. Englewood Cliffs, NJ: Prentice-Hall, 1975.)

CROSS-CULTURAL CONFLICT MEDIATION FORM

Names of Mediators: _____ and

_____ Location _____

Number of parties involved in conflict: _____ Date of Mediation: _____

PART I: Pre-Mediation: Please complete Part I prior to mediation meeting.

1. Briefly explain the nature of the incident as reported to you.

2. What are the names of the parties in conflict?

3. What are your goals as mediators?

Part II: Post-Mediation: Complete this part after the completion of the Cultural Conflict Mediation meeting.

1. Were you able to complete the mediation? (If not, why not.)

2. How did parties involved respond to your mediation/intervention?

3. How did party's stories differ from the above description of incident?

4. What settlement did parties come to? If they were unable to reach a settlement, explain why and what will be done.

Section VII: Case Studies

The Case of Herbert Martineille

Herbert Martineille is a third year student. He lives off-campus. He came with his family from Haiti to the U.S. in 1981. One day he telephones his dean of students. Herbert tells the dean of almost daily experiences of harassment since his first year at the institution, the most recent of which is the experience of being "cat-called" by two male students who also called him "homo" one evening while walking on College Avenue. He reveals himself as a loner. However, he says that numerous times white students have ridiculed him behind his back as he stood in the dining hall line for meals. Sometimes, people have even thrown food at him. Other times, he has heard them use racial epithets in reference to him. He says that once, while speaking French with some of his peers at the language table in a dining hall on the Douglass campus, a student asked loud enough for him to hear, "How could they get into this place, they can't even speak English. That's Affirmative Action for you." He asks the dean what he (Herbert) could have done about those experiences of bias. How would you have helped Herbert?

- **Check out your feelings. Do you feel confident to address the problem?**
- **Must the problem be dealt with immediately or does it require more thought?**
- **Do you know where to go for assistance?**
- **What is your goal in addressing the problem?**
- **What are the issues involved?**
- **Will your strategy promote multicultural awareness?**

The Case of the 'Subversive' Prof

On CAC, a student approaches a faculty person, whose class he took during the previous semester, called "The Development of Western Empire." They begin to have an intense discussion in front of the student's frat house about the subject matter of the course and its over-emphasis on "minorities." The professor responds that the student should have come to him sooner, attended class more often, or gone to the undergraduate chair "if you had a problem with the way I was teaching the course." The student accuses the faculty member of being a "subversive." He then says that he is "sick of hearing about niggers in his classes." With that the students gathered on the porch begin laughing as they witness this encounter. The faculty person approaches you as a member of the Bias Prevention Team for assistance.

- Check out your feelings. Do you feel confident to address the problem?
- Must the problem be dealt with immediately or does it require more thought?
- Do you know where to go for assistance?
- What is your goal in addressing the problem?
- What are the issues involved?
- Will your strategy promote multicultural awareness?

The Case of "Free" Speech

For a week the sign, "Zionists Will Perish," has been displayed prominently in a residence hall window facing George Street. Residence Hall staff have tried unsuccessfully to have the resident remove the sign. Some have threatened discipline, others have tried to discuss the negative, hurtful effects such a message is having on the hall environment. Fellow residents have complained to staff about the message, stating that it does not reflect the sentiments of the members of the hall and that it is giving their hall a bad name. A story about the sign has appeared in the Targum. All throughout, the resident who is displaying the message has maintained that he has the right to express his moral and political views and he wants all Jews to know that they are not welcome in his room. The Bias Prevention Team is called upon to help with the situation.

- Check out your feelings. Do you feel confident to address the problem?
- Must the problem be dealt with immediately or does it require more thought?
- Do you know where to go for assistance?
- What is your goal in addressing the problem?
- What are the issues involved?
- Will your strategy promote multicultural awareness?

Case of the Disgruntled Student

Sameerah Hassan comes up to you after a hall meeting to complain about a comment she overheard someone make about the Muslim religion. She has recently converted to Islam and feels that she must educate people about the religion and the various cultures that adhere to it. How will you respond?

- **Check out your feelings. Do you feel confident to address the problem?**
- **Must the problem be dealt with immediately or does it require more thought?**
- **Do you know where to go for assistance?**
- **What is your goal in addressing the problem?**
- **What are the issues involved?**
- **Will your strategy promote multicultural awareness?**

The Case of the Unfortunate Fairness

Margaret Petrowski comes to you, as a member of the Bias Prevention Committee, to ask you how she should deal with someone in one of her classes who said: "All those poor people screaming about losing their welfare benefits should get work!" Margaret is very critical of the instructor's response to the comment, which was, "Let's be fair now." How do you help Margaret?

- **Check out your feelings. Do you feel confident to address the problem?**
- **Must the problem be dealt with immediately or does it require more thought?**
- **Do you know where to go for assistance?**
- **What is your goal in addressing the problem?**
- **What are the issues involved?**
- **Will your strategy promote multicultural awareness?**

The Case of the Persistent Resident

Your ResidentAssistant comes to you about Mark Speer, an older student in her hall, who has developed the habit of engaging her in conversation every evening during dinner. He walks her to her room and sometimes to her car. His constant attention is beginning to make her feel uncomfortable. When she speaks to him about this, asking him to stop, he seems amenable. However, he still continues to linger after meetings to talk to her, he has taken to calling her at home, and last night, he slipped a letter under her door professing his affection. What do you do?*

- **Check out your feelings. Do you feel confident to address the problem?**
- **Must the problem be dealt with immediately or does it require more thought?**
- **Do you know where to go for assistance?**
- **What is your goal in addressing the problem?**
- **What are the issues involved?**
- **Will your strategy promote multicultural awareness?**

*How would you handle this situation if you were a male or a female R.A.

The Case of the Reluctant Supervisor

You have just suggested that your programming committee consider presenting a play on the Matthew Shepard murder that is being produced on campus by the theatre club. The committee seems amenable. However, your supervisor comments that the only reason you are advising the committee to do the program is because you are gay and being politically correct. "Most people don't even remember who Matthew Shepard is. And you probably won't even get an audience?"

- **Check out your feelings. Do you feel confident to address the problem?**
- **Must the problem be dealt with immediately or does it require more thought?**
- **Do you know where to go for assistance?**
- **What is your goal in addressing the problem?**
- **What are the issues involved?**
- **Will your strategy promote multicultural awareness?**