FY20 REPORTING BIAS SYSTEM ANNUAL REPORT

Summary of Activity July 1, 2019 – June 30, 2020

Executive Summary

Commitment to Inclusion

A diverse community includes everyone and is the foundation for the meaningful exploration and exchange of ideas. Since its founding, Cornell University has encouraged a culture that provides for the full participation of all members of our campus community—this keeps us at the leading edge in education and in our fields and practices. Cornell University is a place where intercultural skills are developed and enacted among diverse campus constituencies, with community partners, and within the classroom and workplace.

The University remains committed to implementing strategies and systems to appropriately address bias on campus. Throughout the fiscal year, the Department of Inclusion and Workforce Diversity engages those involved in the bias reporting process—including the Bias Assessment and Review Team (BART) members and the constituent assemblies—to gather feedback, to propose structural and procedural changes to the Reporting Bias System, and to make recommendations on programs, policies, and ongoing educational interventions.

Under Cornell's specific definition, a bias incident is action taken that one could reasonably and prudently conclude is motivated, in whole or in part, by the alleged offender's bias against an actual or perceived aspect of diversity, including, but not limited to age, ancestry or ethnicity, color, creed, disability, gender, gender identity or expression, height, immigration or citizenship status, marital status, race, religion, religious practice, sexual orientation, socioeconomic status, or weight. Bias activity within the purview of this system does not constitute discrimination or harassment as those terms are defined in Policy 6.4. Cornell utilizes its Reporting Bias System to track and address – on a case by case basis depending on the unique information provided by a reporter – bias incidents in which the persons are known, unknown, or may not be readily identifiable.

FY20 Snapshot

FY20 refers to the period of time from July 1, 2019 through June 30, 2020. During FY20, we fully implemented procedures developed during a thorough review of the processes, definitions, terminology, and categorizations used in our approach to handling bias incident reports initiated in FY18 in response to the recommendations of the Presidential Task Force on Campus Climate. Data captured both in FY19 and FY20 is more detailed, specific, and uniformly categorized than in prior years. Although this recategorization limits the ways in which we can compare data collected in FY19 and FY20 to that of years past, moving forward we have instituted a more precise means of tracking trends in bias reporting over time.

Beginning in FY19, all bias reports were first classified into the primary categories of bias motivated speech, bias motivated expression, and bias motivated conduct[1]. A fourth category, non-bias incidents, refers to reports of inappropriate speech, expression, and/or conduct which were not based upon an identity or personal characteristic included in the definition of bias activity. Reports of alleged violations of Policy 6.4 (Prohibited Bias, Discrimination, Harassment, and Sexual Related Misconduct) were forwarded to the appropriate office for intake, assessment, and investigation as warranted. These incidents are not included in this report.

- **Bias Motivated Speech** is defined as verbal/orally communicated ideas that can be reasonably understood as biased (words said in person, in conversation, in digital form, printed). This includes, but is not limited to: verbal attacks; language or speech that perpetuates a stereotype; or use of a slur/epithet.

- **Bias Motivated Expression** is defined as the use of signs, symbols or artifacts that communicate bias. This may include, but is not limited to, drawings, graffiti, words written in permanent or temporary form, use of costumes, cultural or ethnic based visual expressions. Bias motivated expression incudes, but is not limited to: use of a slur/epithet (in one of the above forms); expression that perpetuates a stereotype; vandalism; destruction of property; or graffiti.

- **Bias Motivated Conduct** is defined as physical acts or behaviors with components of bias speech or expression (violent behavior, aggressive or persistent interactions). This includes, but is not limited to: intimidation; verbal attack; physical assault; physical attack; or retaliation.

For the first eight and a half months of FY20, students, faculty, and staff studied, conducted research and/or worked on our campuses (and in satellite locations around the world) as has historically been the case. In mid-March 2020, the COVID-19 pandemic abruptly forced the majority of students and all members of the workforce not deemed "essential employees" by the state of New York to transition from in person instruction and work to almost fully remote/online learning and work. Although some university functions operated on campus, some labs remained open throughout the shutdown, and others slowly reopened beginning mid-May, the majority of the Cornell community remained distant from our campuses for the remainder of the fiscal year.

This shift from in person to virtual scholarship and work resulted in a shift in bias reporting, with the vast majority of reports received between mid-March and the end of June focused on expressions of bias in social media or via platforms (such as Zoom and Skype) used for classrooms, meetings, and events. Because our reporting system was not designed to examine each of these platforms individually (e.g. Zoom for classroom separate from Zoom for meetings, etc.) we were not able to categorize these reports with the level of specificity that would have

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[1] Some reports were classified as two or more types of bias, e.g. Bias Motivated Speech and Bias Motivated Conduct.

been ideal given the vastly expanded use of electronic communication during the final quarter of the fiscal year. We plan to review this to determine how to develop specific subcategories of electronic communication "locations" that will enable us to better track where and how online bias incidents occur in FY21.

During the fourth quarter of FY20 our nation experienced an increase in overt anti-Asian rhetoric, hate crimes, and acts of violence as some political leaders and pundits mounted a disinformation campaign branding COVID-19 as an Asian virus. Later in the spring and summer, a series of events, including police killings of innocent Black Americans, touched off a wave of protests, which were then miscast as "culture wars" by some political leaders and pundits. As these things played out nationwide, the issues also emerged in bias reported within the Cornell community.

During FY20, 168 bias cases were received. Of these, 10 referenced bias incidents that occurred outside of FY20, but were not reported until FY20. One incident took place in FY11; three took place in FY18; and the remaining 6 took place in FY19. While all of these reports were addressed by the appropriate review team in FY20, they have been excluded from the primary *numerical* analysis, and are detailed separately in an appendix to this report. One bias incident which occurred at the end of FY20 was reported at the beginning of FY21. Since the incident occurred in FY20, that incident is included in this report.

The 158 reports of incidents occurring in FY20 referenced 131 unique incidents.[2] This number is only slightly higher than the 123 unique incidents reported in FY19, and lower than the 178 incidents reported in FY18.[3]

106 of the 131 incidents (81%) occurred prior to the closing of most of the campus due to the COVID-19 pandemic in late March 2020. Twenty of the 25 incidents (80%) reported after the campus closure occurred online, via social media, via email, or – in one instance – in a phone call.

Seventy incidents were recorded as bias motivated speech. Thirty-one of these were classified as perpetuating a stereotype; and 27 involved the use of a slur/epithet.[4] Thirty-three incidents

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[2] Two separate reports were made about one incident involving a specific student (referencing the same residence and room number, time, and date); seven separate reports were made concerning bias within one specific test; two separate reports were made about a student incident in a classroom (referencing the same classroom, date and time); two separate reports were made regarding identical anonymous faxes received on the same date; two separate reports were made regarding a faculty comment (referencing the same classroom, date and time); sixteen separate reports were made about one specific tweet (referencing the identical tweet, date, and time); and three separate reports were made about one specific Snapchat video and comment.

[3] Because of the revised categorization and definitions referenced earlier in this report, it is not possible to make comparisons with figures from years prior to FY19 with complete accuracy.

[4]Each incident may include one or more types of bias motivated speech, conduct, and/or expression – for example, one unique incident could include both use of a slur and the perpetuation of a stereotype (two types of bias motivated speech) as well as verbal attack (bias motivated conduct).

were recorded as bias motivated conduct, of which 8 were recorded as unfair treatment and 6 were recorded as perpetuating a stereotype. Seventeen incidents were recorded as bias motivated expression, of which 7 involved graffiti; and 22 were categorized as non-bias incidents. **Table 1** provides a breakdown of FY20 reports by type of bias, and **Table 2** provides a comparison with FY19.

Table 1: FY20 Breakdown of All Reports by Type of Bias

Type of Bias	Number of Incidents*
Bias Motivated Speech	
Perpetuates Stereotype	31
Use of Slur/Epithet	27
Unfair Treatment	2
Verbal Attack	1
Other Bias Motivated Speech	15
Bias Motivated Conduct	
Unfair Treatment	8
Perpetuates Stereotype	6
Verbal Attack	3
Graffiti	3
Use of Slur/Epithet	2
Damage or Destruction of Property	1
Use of Derogatory Symbol or Image	0
Other Bias Motivated Conduct	15
Bias Motivated Expression	
Graffiti	7
Damage/Destruction of Property	5
Use of Derogatory Symbol or Image	4
Use of Slur/Epithet	4
Perpetuates Stereotype	4
Other Bias Motivated Expression	1
Non-Bias Incident	22

*incidents are not mutually exclusive

Table 2: Breakdown of All Reports by Type of Bias FY19 and FY20

Type of Bias	FY19 Number of Incidents*	FY20 Number of Incidents*
Bias Motivated Speech		
Perpetuates Stereotype	40	31
Use of Slur/Epithet	44	27
Unfair Treatment	0	2
Verbal Attack	0	1
Other Bias Motivated Speech	11	15
Bias Motivated Conduct		
Unfair Treatment	28	8
Perpetuates Stereotype	17	6
Verbal Attack	13	3
Graffiti	3	3
Use of Slur/Epithet	0	2
Damage or Destruction of Property	4	1
Use of Derogatory Symbol or Image	4	0
Other Bias Motivated Conduct	24	15
Bias Motivated Expression		
Graffiti	8	7
Damage/Destruction of Property	0	5
Use of Derogatory Symbol or Image	14	4
Use of Slur/Epithet	6	4
Perpetuates Stereotype	4	4
Other Bias Motivated Expression	1	1
Non-Bias Incident	26	22

*incidents are not mutually exclusive

In FY20 the most frequently reported basis of bias was race/color, mentioned in 63 incidents.[5] The second most frequently reported basis of bias was ethnicity, mentioned in 54 incidents. Other frequently reported bases of bias included gender/gender identity/gender expression (mentioned in 16 incidents); religion (mentioned in 13 incidents); and sexual orientation (mentioned in 11 incidents). **Table 3** provides a breakdown of FY20 reports by basis of bias, and **Table 4** compares incidents with those from FY19.

Table 5 shows the detailed breakdown of FY20 reports by both type of bias and basis of bias.

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[5] Each unique incident may include one or more factors as the basis of bias.

Table 3: FY20 Breakdown of All Reports by Basis of Bias:

Basis of Bias	FY20 Number of Incidents*
Based on Race/Color	63
Based on Ethnicity	54
Based on Religion	13
Based on Gender	12
Based on Sexual Orientation	11
Based on National Origin	5
Based on Gender Identity or Expression	4
Based on Disability	4
Based on Socioeconomic Status	2
Based on Immigration or Citizenship Status	1
Based on Political Affiliation	1
Based on Other	1

*incidents are not mutually exclusive

Table 4: Breakdown of All Reports by Basis of Bias FY19 and FY20:

Basis of Bias	FY19 Number of Incidents*	FY20 Number of Incidents*
Based on Race/Color	60	63
Based on Ethnicity	86	54
Based on Religion	19	13
Based on Gender	29	12
Based on Sexual Orientation	11	11
Based on National Origin	18	5
Based on Gender Identity or Expression	3	4
Based on Disability	1	4
Based on Socioeconomic Status	0	2
Based on Immigration or Citizenship Status	0	1
Based on Political Affiliation	0	1
Based on Age	1	0
Based on Other	2	1

*incidents are not mutually exclusive

Table 5: FY20 Detail of Reports by Type of Bias and Basis of Bias:

	Based on Disability	Based on Ethnicity	Based on Gender	Based on Gender Identity or Expression	Based on Immig-ration or Citizenship Status	Based on National Origin	Based on Political Affiliation	Based on Race/Color	Based on Religion/Creed	Based on Sexual Harassment	Based on Sexual Orientation	Based on Socio-economic Status	Based on Other	Subtotal
Bias Motivated Speech														
Perpetuates Stereotype	1	18	8	0	0	0	0	19	4	0	4	0	0	54
Use of Slur/Epithet	0	11	0	2	0	1	0	18	4	0	7	0	0	43
Unfair Treatment	0	2	1	0	0	1	0	1	0	0	0	0	0	5
Verbal Attack	0	1	0	0	0	0	0	1	0	0	0	0	0	2
Other Bias Motivated Speech	1	6	0	2	0	0	1	8	0	1	1	1	0	21
Bias Motivated Conduct														
Damage or Destruction of Property	0	0	0	0	0	0	0	1	1	0	0	0	0	2
Graffiti	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Perpetuates Stereotype	0	1	2	0	0	2	0	1	0	0	0	0	0	6
Unfair Treatment	2	5	2	0	0	0	0	5	0	0	0	0	0	14
Use of Derogatory Symbol or Image	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Use of Slur/Epithet	0	0	0	0	0	0	0	1	0	0	1	0	0	2
Verbal Attack	0	2	0	0	0	0	0	2	0	0	1	1	0	6
Other Bias Motivated Conduct	0	5	2	2	1	1	0	6	3	0	0	0	0	20
Bias Motivated Expression														
Graffiti	0	4	0	0	0	0	0	3	1	0	0	0	0	8
Damage or Destruction of Property	0	3	0	0	0	0	0	2	2	0	0	0	0	7
Perpetuates Stereotype	0	3	0	0	0	1	0	3	1	0	0	0	0	8
Use of Derogatory Symbol or Image	0	1	0	0	0	0	0	0	2	0	0	0	0	3
Use of Slur/Epithet	0	2	0	0	0	0	0	3	0	0	0	0	0	5
Other Bias Motivated Expression	0	0	0	0	0	0	0	1	0	0	0	0	1	2

Subtotal	0	13	0	0	0	1	0	12	6	0	0	0	1	

In FY20, 43 unique incidents (33%) involved only students and 88 (67%) involved a combination of Cornell faculty, staff, and/or students[6]. The percentage of FY20 incidents involving the two constituent groups is measurably different than in FY19, when the percentage of incidents involving only students and the percentage involving faculty and/or staff were roughly equal. The shift may reflect a lower overall percentage of student/student cases due, in part, to the University's decision to transition to online instruction due to the COVID-19 pandemic, and the subsequent closure of campus and campus housing to all students other than those deemed unable to travel.

Fifty-nine percent of incidents (77 unique incidents) occurred on the Ithaca campus; 11% (14 incidents) took place off campus; and 23% (31 incidents) took place via phone call, text, email, or social media. The location of eight incidents is recorded as Other, meaning the incident was reported as having occurred in multiple locations or with a non-specific location such as "bus stop" or "sidewalk," etc. or Unknown. One incident was reported on the NYC campuses. **Table 6** provides a breakdown of FY20 reports by location; **Table 7** provides a breakdown of FY20 incidents which took place via electronic communication; and **Table 8** compares overall incident locations with those from FY19.

Table 6: FY20 Overview of Bias Incidents by Location

Location	Number of Incidents	Percentage of Incidents
Academic Building	50	38%
Electronic Communication	30	23%
Residence Hall	22	17%
Off Campus	14	11%
Campus – Outdoors/Other	5	4%
Phone	1	<1%
NYC Campuses	1	<1%
Other/Unknown/Multiple Locations	8	6%
TOTAL	**131**	**100%**

FY20 saw an uptick of reports of incidents which took place virtually via social media platforms, specifically images or comments posted as well as discussion threads following primary comments. Cornell will continue to evaluate the impact these incidents have on our community, and adjust our response accordingly.

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[6] Reports involving only students are forwarded to the Bias Assessment and Review Team (BART); all other reports are forwarded to the Department of Inclusion and Workforce Diversity (DIWD).

Table 7: FY20 Breakdown of Incidents Occurring via Electronic Communication

Type of Electronic Communication	Number of Incidents	Percentage of Incidents
Twitter	3	10%
Snapchat	1	3%
Instagram	1	3%
Email	7	24%
Facebook	3	10%
Text	3	10%
Unspecified Electronic Communications	12	40%
Total	**30**	**100%**

Table 8: Overview of Bias Incidents by Location FY19 and FY20 Comparison

Location	FY19 Percentage of Incidents	FY20 Percentage of Incidents
Academic Building	32%	38%
Residence Hall	20%	17%
Electronic Communication	13%	**23%**
Off Campus	11%	11%
Campus – Outdoor/Other	9%	4%
Phone	4%	<1%
NYC Campuses	0%	<1%
Other/Unknown	11%	6%
TOTAL	**100%**	**100%**

Reporting Bias, Discrimination & Harassment

What is Tracked and Why?

The Department of Inclusion and Workforce Diversity is responsible for collecting and tracking all reported bias activity occurring at Cornell University that could potentially impact our commitment to diversity and inclusion – including all reports made by faculty, staff, students, and visitors to the Ithaca, Geneva, Weill Cornell Medicine, and Cornell Tech campuses – to the Department of Inclusion and Workforce Diversity (DIWD) and the Bias Assessment and Review Team (BART).

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) requires universities to annually disclose crime statistics, including bias-related hate crimes. This information can be found in the Annual Security Report: https://www.cupolice.cornell.edu/.

The Cornell Office of the Title IX Coordinator compiles data on reports of sexual misconduct, including sexual assault, sexual harassment, dating violence, domestic violence, and stalking. The Office publishes an annual statistical summary, which are anonymized consistent with applicable privacy provisions. This summary and other information is available at http://titleix.cornell.edu/statistics/ and is not included in this report.

Reporting an Incident

Reporting bias and the resulting efforts to understand and prevent bias activity are a matter of taking part in a caring community. Anyone who directly witnesses or experiences bias activity on the Cornell campus or in an area that impacts the Cornell community should intervene in the moment as appropriate (e.g., contact Cornell Police at 911, if a crime is in progress, or interrupt the behavior in as much as the observer feels skilled and safe), and be sure to also report the incident as soon as possible.

To report an incident, individuals can use one of the following methods:

- By submitting an incident report online at https://www.biasconcerns.cornell.edu/
- By contacting the Department of Inclusion & Workforce Diversity at (607) 255-3976
- By contacting the Cornell University Police Department (CUPD) at (607) 255-1111 or 911 for emergency assistance.

Please note that all activity reported may not rise to the level of a bias-related hate crime, a violation of Policy 6.4 or other actionable event. Reports are reviewed and referred to the most appropriate office for follow up. The University does, however, take appropriate steps that are available given the nature and content of the information provided to address reports received, including, when able and appropriate, anonymous reports.

Bias Assessment & Review Team (BART)

To facilitate the assessment of bias incidents, reported incidents involving only students are routed to the Bias Assessment & Review Team (BART) – the coordinating hub of a network of campus liaisons from across the university. The BART team may refer reports to the appropriate university unit – such as Cornell University Police Department, Title IX, the Judicial Administrator, or a campus partner who may be more appropriate to address the matter.

At times, cases that include components of bias but may also violate the Code of Conduct or are incidents of sexual misconduct are referred to the appropriate office for adjudication.

Appendix: Bias Incidents Reported in FY20 which Occurred Prior to FY20

Ten bias reports made in FY20 referenced bias incidents that occurred prior to FY20. One incident took place in FY11; three took place in FY18; and the remaining 6 took place in FY19. While all of these reports were addressed by the appropriate review team in FY20, they have been excluded from the primary *numerical* analysis in this report.

Four of the ten reports of incidents occurring prior to FY20 involved bias related speech; four involved bias related conduct; one involved both bias related speech and bias related conduct; and one was determined to be a non-bias incident.

Four of the ten reports of incidents occurring prior to FY20 were based on race/color; three were based on ethnicity; two were based on gender; one was based on religion/creed; one was based on disability status; one was based on pregnancy or family responsibilities; and one was classified as based on "other." Two of the ten cases had more than one basis for bias, but due to the small number of cases and the need to maintain anonymity, the specific combinations of the bases for bias reported in these two cases are not detailed here.

Two of the ten reports of incidents occurring prior to FY20 involved only students and eight involved Cornell faculty and/or staff.

<p style="color:red; text-align:center; font-size:large;">For questions or additional information, contact us:</p>

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https://www.diversity.cornell.edu

Division of Human Resources
https://www.hr.cornell.edu