

Helpful Hints About Bias

- A. A key to maintaining impartiality throughout the Title IX formal grievance process is to avoid bias.
- B. A "bias" is a tendency, inclination or prejudice toward or against someone. Biases are often based on stereotypes, and can result in prejudgments and discriminatory practices.
 - 1. *Example:* When talking with female Title IX complainants, the Title IX Coordinator begins each initial meeting by asking “are you sure that this was non-consensual?” (assuming that the complainants simply regret their sexual experiences and are lying about sexual harassment).
- C. What is difficult about biases is that we may or may not be aware of them. In other words, biases can be explicit or implicit:
 - 1. Explicit biases: Attitudes and stereotypes that affect understanding, actions and decisions in a conscious manner, which can be identified through reflection.
 - 2. Implicit biases: Attitudes and stereotypes that affect understanding, actions and decisions in an unconscious manner, which cannot be identified through reflection.

Potential for Bias in the Title IX Context: Biases are often based on stereotypes related to a person’s gender, sexual orientation, race, economic status/social standing. In the context of the Title IX formal grievance process it is easy for biases to emerge.

- A. Biases related to gender - *Example:* The Title IX Coordinator initially refers to all respondents as “he” without knowing any additional facts, assuming that sexual harassment is always perpetrated by a male against a female.
- B. Biases related to sexual orientation - *Example:* The investigator assumes that a female complainant’s claims that her female professor sexually assaulted her were likely not credible, because women are rarely sexually aggressive against other women.
- C. Biases related to race - *Example:* The mediator finds the respondent more credible than the complainant because the mediator and respondent are the same race.
- D. Biases related to economic status/social standing - *Example:* The decision-maker assumes that a respondent student previously found guilty of academic misconduct likely did engage in sexual harassment because the student does not respect school rules.

How to Avoid Bias: You can combat bias using the following practices:

- A. Monitor your language by being mindful of what you say and how you say it;
- B. Avoid using generalizations (*e.g.*, referring to all complainants as victims);
- C. Question your thinking and challenge your assumptions by considering whether you would draw the same conclusions if the scenario involved other people (of a different sex, race, socio-economic status, etc.); and,
- D. Listen to the entire story and gather all relevant facts before making any conclusions.