

Boston College Law School Diversity, Equity and Inclusion Concern Procedure

Boston College Law School is committed to fostering and maintaining a community of mutual respect. As part of that commitment the classroom climate should encourage open inquiry and free expression among community members while recognizing and respecting diversity of identities, backgrounds, values, and views. Equal membership in the law school community regardless of race, ethnicity, gender, gender identity or expression, sexual orientation, disability, socio-economic status, religion, and moral or political perspective is part of our core values. As a teaching institution, we recognize that these values and ideals are not always perfectly realized and that mistakes are made even among people of good will. The purpose of this Diversity, Equity and Inclusion (DEI) Concern Procedure is to provide Boston College law students an informal process to raise concerns about whether faculty are adhering to the commitments stated above.

1. Scope

This procedure may be used by students of Boston College Law School regarding actions by a Boston College Law School faculty member(s) in their capacity as a teacher whether those actions occurred in-class or out of class. "Faculty member" includes full or part time faculty, Visiting Professors, Lecturers and Adjuncts.

Students may file a concern about faculty conduct that is contrary to Boston College Law School's commitment to recognizing and respecting diversity of identities, backgrounds, values, and views and Boston College Law School's commitment to providing a productive learning environment for all members of our community regardless of race, ethnicity, gender, gender identity or expression, sexual orientation, disability, socio-economic status, religion, and moral or political perspective.

This procedure does not cover matters that are covered under the University Discriminatory Harassment and Discriminatory Grievance Procedures. Those procedures cover (a) conduct that is personally directed against or targets an individual or group based on perceived or actual characteristics such as race, color, religious belief, sex, marital status, sexual orientation, gender identity or expression, national or ethnic origin, disability, veteran status, or age; and (b) conduct that involves making abusive, mocking, or disparaging reference to an individual's race, color, religious belief, sex, marital status, sexual orientation, gender identity or expression, national or ethnic origin, disability, veteran status, or age thereby interfering with an individual's

performance by creating an intimidating, hostile, humiliating, or offensive environment.

Grievances that fall into the above categories should be directed to the University procedures found at

<https://www.bc.edu/content/dam/bc1/sites/policies/Discriminatory-Harassment-Policy.pdf>; and

<https://www.bc.edu/content/dam/bc1/sites/policies/Discrimination-Grievance-Policy.pdf>.

This procedure also does not cover sexual harassment grievances. Those grievances should be directed to Boston College's Title IX procedures. See <https://www.bc.edu/content/bc-web/offices/human-resources/sites/oid/Policies-and-Compliance/Title-IX-Boston-College.html>; <https://www.bc.edu/content/dam/bc1/sites/policies/Title-IX-Harassment-Policy.pdf>.

2. Filing of A Concern

Student(s) are strongly encouraged to first attempt to address their concerns directly with the relevant faculty member(s). If, however, the student(s) feels the matter has not been resolved satisfactorily or feels they cannot address the matter directly with the faculty member(s), the student(s) may file a concern under this procedure. A concern should be initiated by using this online form:

https://docs.google.com/forms/d/e/1FAIpQLSdVSvLehE_rpTAuaJcwJX7FBFAWkbLyi6xYdQtO16_eql2c7g/viewform.

Although the form allows the student(s) to keep the concern anonymous from the faculty member(s) named in the concern, students should be aware that submitting a concern anonymously will make it difficult to fully develop the facts and thwarts opportunity for the kind of dialogue and exchange that is beneficial. The concern once filed will be sent to the Law School Director of DEI ("DEI Director"). The DEI Director shall acknowledge to the student(s) receipt of the concern within five business days, and forward the concern to the Chair of the Faculty Working Group on Diversity, Equity and Inclusion ("DEI Chair").

3. Process

The DEI Director and DEI Chair shall discuss the concern with the relevant parties to decide whether further fact finding is necessary. This further fact finding may include reviewing relevant classroom materials, interviewing other students or faculty, and exploration of the context of the grievance. Panopto recordings can only be reviewed with the permission of the faculty member. If the concern is directed at the DEI Chair, that individual shall be recused and shall not have any decision-

making or consultative role in this process. If the DEI Chair is recused the most senior faculty member of the DEI Working Group shall substitute for the DEI Chair.

After a review of the concern and any further fact finding, DEI Director and DEI Chair shall jointly decide on next steps. These next steps may include:

1. Arranging a joint meeting between the student(s) and the faculty member(s) to address the student's concern and arrive at a mutually satisfactory resolution; or separate meetings with the student(s) and the faculty member(s) to address the student's concern and arrive at a mutually satisfactory resolution.
2. A determination that the matter is outside the scope of this procedure because it falls into one of the categories excluded in the Scope section above. If such a determination is made the student shall be informed about the University procedures that cover these matters.
3. A determination that no further action is warranted.

In determining the next steps, the DEI Director and DEI Chair shall apply the standards set forth in the Scope section above. In applying these standards nothing in this policy should be construed to infringe on the academic freedom of members of the Law School community and their right to discuss controversial subjects or to express ideas with which some or most members of the Law School community strongly disagree. A concern filed under this procedure shall be kept confidential and will not affect salary determinations or promotion and tenure decisions. It will generate no identifying records beyond the initial concern.

After determining the next steps, the DEI Director and DEI Chair shall explain the decision as to next steps to the student(s) and faculty member(s). If there is a need for further fact finding, the student(s) and faculty member(s) shall be given an estimated date for completion of the fact finding. The student(s) shall also be informed about other Boston College avenues for pursuing their concern about DEI matters.

4. Report to Faculty

At the end of the academic year the Law School Director of DEI shall prepare a report to the faculty describing the types of student DEI concerns that have been submitted during the academic year. This report shall preserve anonymity of both the student(s) and the faculty member(s). The purpose of this report is to determine whether there is a

need to change law school policies and to educate the faculty about DEI concerns.