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## What Is Bias

The University has adopted the following definition of "bias complaint":

*"A bias complaint is a report of a threat or act of bigotry, harassment or intimidation - verbal, written or physical - which is personally directed against or targets a University of Virginia student because of that student's race, age, color, disability, national or ethnic origin, political affiliation, religion, sex (including pregnancy), sexual orientation, or veteran status."*

This definition is used for reporting and statistical purposes only. It carries no independent sanctioning weight or authority.

The University encourages prompt reporting of bias complaints so that it can investigate the alleged facts for possible violation(s) of University policy, including the Standards of Conduct, and refer such complaints to law enforcement to determine whether an independent investigation for violation(s) of criminal law is warranted.

Although the expression of an idea or point of view may be offensive or inflammatory to some, it is not necessarily a violation of law or University policy. The University values and embraces the ideals of freedom of inquiry, freedom of thought, and freedom of expression, all of which must be vitally sustained in a community of scholars. While these freedoms protect controversial ideas and differing views, and sometimes even offensive and hurtful words, they do not protect personal threats or acts of misconduct which violate criminal law or University policy.

### **What is the difference between the University's "bias complaint" definition and the University's discriminatory harassment policy?**

The Office of Equal Opportunity Programs administers the University's discriminatory harassment policy which prohibits: "Conduct of any type (oral, written, graphic or physical) directed against a person because of his or her age, color, disability, gender (whether or not the conduct is sexual in nature), national or ethnic origin, political affiliation, race, religion, sexual orientation, veteran status, or participation in a University, state, or federal discrimination investigation AND which also unreasonably interferes with the person's work or academic performance or participation in University activities, or creates a working or learning environment that a reasonable person would find threatening or intimidating." It conducts its own investigation in determining whether an alleged act constitutes a violation of policy. For more information on the Office of Equal Opportunity Programs and its complaint process, see their [website](#).

### **What is the difference between the University's "bias complaint" definition and the University's Standards of Conduct?**

The Board of Visitors adopts the University's Standards of Conduct, which describe behavior generally prohibited by enrolled students. The University Judiciary Committee is authorized by the Board of Visitors to investigate and adjudicate alleged violations of the Standards of Conduct. There are currently twelve Standards of Conduct, many of which, depending on the facts, may apply to incidents of bias. For more information on the Judiciary Committee and its procedures, see their [website](#).

### **What is the difference between a bias complaint and a hate crime?**

Hate crimes are specifically defined in various federal and state statutes. These statutes vary in terms of the acts and categories of bias that are covered. The FBI investigates acts that fall within federal hate crime legislation, while state and local law enforcement authorities investigate violations of Virginia law. The University's definition of "bias complaint" is broader than the state and federal laws governing hate crimes.

For information on federal hate crime legislation and the FBI's enforcement of it, see the FBI's [website](#).

### **There are three Virginia statutes that specifically address hate crimes:**

One enhances the criminal penalties for acts of assault and battery when such acts were based upon a person's race, religious conviction, color or national origin: [Statute on Assault and Battery](#)

The other requires state, county and municipal law-enforcement agencies to report to the Department of State Police all hate crimes occurring in their jurisdictions: [Statute on Hate Crimes Reporting Act](#)

A third Virginia statute permits any victim of an act of intimidation, harassment, violence or vandalism motivated by racial, religious or ethnic animosity to sue for civil damages in Virginia state court: [Statute on Civil action for Racial, Religious, or Ethnic Harassment, Violence or Vandalism](#)

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