



Bias Crime Prevention

Policy SS006

Volume: 13, Safety and Security

Responsible Administrator: Deputy to the President, Office of the President

Responsible Office: Affirmative Action/Title IX Coordinator

Last Updated: June 2018

Policy Statement

The Fashion Institute of Technology (“FIT” or the “college”) is committed to ensuring respect for the members of its diverse community. The college has therefore established practices to protect all members of the FIT community from hate crimes that occur within the campus’s jurisdiction. Hate crimes, also called “bias crimes or bias-related crimes,” are criminal activities motivated by the perpetrator’s bias or attitude against an individual victim or group based on perceived or actual personal characteristics, such as race, religion, ethnicity, gender, sexual orientation, or disability. To help ensure an environment free of such hateful acts, the college has enacted policies and procedures to inform incoming students how these hate crimes can be prevented on campus. Accordingly, FIT will provide information to incoming students regarding bias-related crime and its prevention.

Reason for the Policy

To combat bias-related crimes and to prevent future occurrences of such crimes, the college is in compliance with a number of laws that have been passed to prevent hate crimes. These laws include the following: (i) the federal Hate/Bias Crime Reporting Act of 1990; (ii) New York State Education Law, Section 6436 of Article 129-A; and (iii) the New York State Hate Crimes Act of 2000 (Article 485 of the New York State Penal Law).

Who is Responsible for this Policy

- Assistant Vice President for Student Success and Dean of Students
- Affirmative Action Officer/Title IX Coordinator
- Department of Public Safety

Who is Affected by this Policy

- All members of the FIT community

Definitions

- **Hate or Bias-related Crime:** Under the New York State Hate Crimes Act of 2000, a person commits a hate crime when he or she commits an offense that is specified in the Act and either:
 - Intentionally selects the person against whom the offense is committed or intended to be committed in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age,

disability, or sexual orientation of a person, regardless of whether the belief or perception is correct; or

- Intentionally commits the act or acts constituting the offense in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability, or sexual orientation of a person, regardless of whether the belief or perception is correct

Principles

- **Education and Information**

Students are informed about hate/bias-related crime prevention measures during the college's student orientation sponsored by the Office of Enrollment Management and Student Success. Specifically, this education and information program includes, but is not limited to, the following subjects:

- The applicable laws, ordinances, and regulations on bias-related crime, including the provisions and coverage of the New York State Hate Crimes Act of 2000 (Penal Law Article 485);
- The penalties for commission of hate/bias-related crimes;
- The procedures in effect at the college for dealing with hate/bias-related crime;
- The availability of counseling and other support services for the victims of hate/bias-related crime;
- The nature of and common circumstances relating to hate/bias-related crime on college campuses; and
- The methods the college employs to advise and update students on security procedures.

Additionally, Enrollment Management and Student Success at FIT also coordinates training on preventing and addressing hate/bias-related incidents that do not rise to the level of a crime under the New York State Hate Crimes Act of 2000. Such incidents may be prohibited by FIT's Nondiscrimination and Anti-Harassment policy, which prohibits discrimination and discriminatory harassment based on age, caregiver status, citizenship status (except as required to comply with law), color, creed, disability, ethnic background, familial status, gender, gender identity, genetic information, marital status, military service or veteran status, national origin, pregnancy (including childbirth and breastfeeding), race, sex, sexual orientation, unemployment status, an individual's relationship or association with a member of a protected category, or any other criterion prohibited by applicable federal, state, or local laws. Hate/bias-related incidents, whether crimes or not, may additionally implicate conduct prohibited by FIT's Code of Student Conduct and FIT's Sexual Misconduct Response policy. FIT will make the determination as to which policy is most appropriate.

- **Penalties for Hate/Bias-Related Crime**

Penalties for bias crimes are very serious and can range from fines to extended prison sentences, depending on the nature of the underlying criminal offense, the use of violence, or previous convictions of the offender. In addition to criminal penalties, students found responsible for committing a hate/bias-related crime or incident may be subject to sanctions, including suspension and expulsion from the college, as set forth in the relevant FIT policies governing conduct.

- **Availability of Counseling and Other Support Services**

Victims of bias crime or bias incidents can avail themselves of counseling and support services from the Counseling Center, A212B, 212 217.4260.

Responsibilities

N/A

Procedures

- **Reporting a Hate/Bias-Related Crime Incident**

If you are a victim of, or a witness to, a hate/bias-related crime on campus, report it to Public Safety at (212)217-7777. Public Safety will conduct an initial investigation and make appropriate referrals to the Assistant Vice President for Student Success and Dean of Students, with a notification to the Affirmative Action Officer/Title IX Coordinator. Although FIT encourages crimes to be reported to Public Safety, crimes may also be reported to the Dean of Students, Business and Liberal Arts Center, Room B221, (212) 217-3800, to the Affirmative Action Officer/Title IX Coordinator (212) 217-3360, or to any senior administrator of the college or to any other administrator identified as an option for reporting in FIT's Campus Safety and Security policy. FIT also encourages prompt reporting of all crimes to local law enforcement when the victim elects to make such a report (or is unable to do so).

Violations

N/A

Related Policies

- [Campus Safety and Security](#)
- [Code of Student Conduct](#)
- [Nondiscrimination and Anti-Harassment](#)
- [Sexual Misconduct Response](#)

Related Documents

- [Hate/Bias Crime Statistics Act of 1990](#)
- [New York State Hate Crimes Act of 2000 \(Penal Law Article 485\)](#)
- [New York State Education Law, Article 129-A, Section 6436 \(Regulation by Colleges of conduct on Campuses and Other College Property for Educational Purposes\)](#)
- [SUNY Policy Document No. 3850 Bias-Related Crime](#)

Contacts

- **Department of Public Safety**
236 West 27th Street
(212) 217-7777

- **Dean of Students**
Business and Liberal Arts Center, Room B221
(212) 217-3800
- **Affirmative Action Officer/Title IX Coordinator**
Office of the President
(212) 217-3365
titleix@fitnyc.edu