

**OFFICE OF CIVIL RIGHTS &  
INVESTIGATIONS**

**Dear Vandals Letter**

# Racial Slurs

**September 16, 2024**

Dear Vandals,

As the use of the “n-word” continues to make news on college campuses, I write on behalf of the University’s Office of Civil Rights and Investigations (OCRI) to remind you of the University of Idaho’s commitment to nondiscrimination. That commitment includes prohibitions on discrimination and harassment based on race and color, which can include the use of the n-word and other racial slurs in a manner that impacts the University’s programs and activities.

Campuses across the country have struggled recently with the use of the n-word in their environments. Examples include:

- A University of Kentucky student recently pled guilty to assault, facing up to a year in jail and 100 hours of community service for repeatedly using the racial slur toward a Black student at a campus residence hall in 2022. The student was previously banned from the University’s campus and deemed ineligible to reenroll as a student. [“College student who used the n-word 200 times in drunken attack on Black classmate faces jail after pleading guilty,”](#) The Independent (Aug. 13, 2024).
- Students and staff at Central Michigan University held an anti-racism protest after a student was captured using the racial slur on a video and a faculty member at an event addressing the video also used the racial slur. The student was suspended, and the faculty member was put on leave before eventually parting ways with the University. [“Students, staff hold anti-racism protest at CMU,”](#) WNEM (Apr. 17, 2024).
- Law enforcement officials investigated a potential hate crime charge, and university officials threatened expulsion for graffiti found on Central Community State University’s campus that included swastikas and the n-word. [“Hate crime investigation launched after swastika and N-word graffiti found on CCSU campus,”](#) FOX61 (Nov. 15, 2023).

The following questions and answers aim to assist Vandals in understanding the potential impacts and consequences of using the n-word within our campus community. For more information, please contact OCRI at [ocri@uidaho.edu](mailto:ocri@uidaho.edu) or use other contact information for OCRI available [on our website](#).

It is U of I policy to prohibit and eliminate discrimination on the basis of race, color, national origin, religion, sex, sexual orientation and gender identity/expression, age, disability or military/veteran status. This policy applies to all programs, services, and facilities, and includes, but is not limited to, applications, admissions, access to programs and services, and employment.

## Questions & Answers

### 1. Is it really a big deal if I use the n-word, especially if I don’t mean any harm?

Yes, it is a big deal. Using the n-word, even once, can have serious consequences. The word carries a deeply offensive history and is considered a racial slur that can cause significant harm to others in our community. Our policies and procedures prohibit discriminatory or harassing language, which can occur when racial slurs like the n-word are directed at a member of or are persistently used or widespread in our community.

Persistent use of the word can be harassment in other contexts, as well, even where the word is not directed at a particular individual or used with the intent to harass. Even individuals who are not members of the racial, ancestral, or ethnic group toward which a racial slur is focused can suffer from a hostile environment based on race or color when the n-word and other racial slurs are pervasive within our community.

### 2. Why is the n-word considered so offensive compared to other slang or derogatory terms?

The n-word is considered particularly offensive because of its historical use as a tool of oppression and dehumanization against Black people. It has been used to reinforce racism, slavery, and segregation in the United States. Even in casual use, the word carries this painful history and can deeply hurt those who hear it.

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## For More Information:

**Office of Civil Rights & Investigations**  
<https://www.uidaho.edu/ocri>





*If any person who is a part of or wants to be a part of our community is subjected to the term, does not solicit or invite it, and finds it objectionable or offensive, they could make a complaint that the use of the word has created a hostile environment based on race.*



**3. I hear the n-word used in music or by members of the Black community. Sometimes, the word comes up in classroom discussions or online, and no one does anything about it then. Why is it not okay for me to use the word if it's okay in those contexts?**

Context matters. When used by Black artists or individuals, the word can have different connotations. Similarly, a scholar citing the word as it appears in a historical document, novel, film, or song for the purpose of study may be within the realm of academic freedom. Students or faculty members using the word in the context of an academic discussion, such as a debate on the history of racial slurs, their impact, or the exploration of literature that includes offensive language, might be protected as part of the academic freedom and free speech principles that allow for the exploration of controversial ideas within our campus community. The use of the n-word as part of an individual's personal expression on social media or in a private conversation that does not involve direct harassment or threats may also be protected under the First Amendment.

Notably, however, even in those contexts, the use of the n-word could cross over into prohibited harassment under our policies. This includes its presence in music, casual conversation, the academic environment, off-campus and online—even when exchanged between individuals who may consider it a term of endearment or familiarity. If any person—who is a part of or wants to be a part of our community is subjected to the term, does not solicit or invite it, and finds it objectionable or offensive, they could make a complaint that the use of the word has created a hostile environment based on race. Depending on the context, the use of the term could be sufficiently severe or pervasive to constitute a violation of University policy and fall outside the protection of the First Amendment or academic freedom.

It is ultimately the responsibility of the person using the word to make sure they are doing so in a manner that does not violate University policy. OCRI is happy to answer questions about what uses may cross the line. Ultimately, if a complaint is made, the decision about whether harassment has occurred will be made on a case-by-case basis, considering the totality of the circumstances, through an OCRI investigation.

**4. What if someone says the word one time? Or writes it somewhere one time? That isn't a problem, right?**

It can be. Courts with jurisdiction over the University have agreed with other federal courts in recognizing that the n-word is so inherently degrading and offensive that its use, even in isolation, can meet the legal threshold for harassment and create a hostile environment. This reflects the broader legal consensus that the severity of certain racial slurs, like the n-word, the F-word (used to describe someone who is gay), and the r-word (used to describe someone who has a disability) may not require repeated use to constitute actionable harassment.

**5. What if the word is used off campus, on someone's own time, and on their own electronic device and internet or cellular network? Can the University address that?**

In some cases, yes. The U.S. Supreme Court recently recognized that several factors make off-campus speech different from on-campus speech, including the fact that schools typically do not have the same responsibility for students when they are off-campus and that the First Amendment might protect such speech. However, the Court also recognized that schools may have an interest in regulating off-campus speech in certain situations, such as when it involves severe bullying, threats, or harassment directed at an individual that could disrupt the school environment.

**6. What if it's unclear who said or wrote the language or if the First Amendment or academic freedom protects the speech? Does that mean the University can't do anything in response?**

Not at all. Even if the University cannot identify the perpetrator or free speech or academic freedom protections limit discipline, the university can still take steps like offering support and resources to affected students, implementing educational initiatives focused on the impact of racial slurs and respectful communication, facilitating campus-wide dialogues to promote understanding, reviewing and strengthening campus resources on harassment and discrimination, collaborating with student organizations to develop inclusive initiatives, using visible campus messaging to reinforce community values, and provide training for faculty and staff on how to respond to such incidents effectively.



## 7. What should I do if I notice the n-word or other slurs being used around campus?

Report the conduct to OCRI using the following contact information

### OCRI – Office of Civil Rights & Investigations

530 S Asbury Street, Suite 5

Moscow, ID 83843

Phone: 208-885-4285

Email: [ocri@uidaho.edu](mailto:ocri@uidaho.edu)

Website: <https://www.uidaho.edu/ocri>

Online Report: <https://www.uidaho.edu/ocri/report-discrimination>

The following external agencies may also be able to provide you with information or receive complaints, depending on the nature of an alleged violation:

### U.S. Department of Education Office of Civil Rights

Seattle Office

Phone: 206-607-1600

Email: [OCR.Seattle@ed.gov](mailto:OCR.Seattle@ed.gov)

Website: <http://www.ed.gov/ocr>

### Equal Employment Opportunity Commission

Seattle Field Office

Phone: 800-669-4000

TTY: 800-669-6820

ASL Video Phone: 844-234-5122

Website: <https://www.eeoc.gov/field-office/seattle/charge>

### Idaho Human Rights Commission

Phone: 208-334-287

Toll Free: 888-249-7025

Email: [inquiry@ihrc.idaho.gov](mailto:inquiry@ihrc.idaho.gov)

Website: <https://humanrights.idaho.gov/>

## 8. What does OCRI do when it receives a report?

In most cases, reporting conduct does not automatically mean OCRI will address the behavior through its formal or informal complaint processes. Except in limited circumstances where there is a sufficient risk to the larger campus community based on the nature of the reported conduct, the person alleging they were subjected to discrimination or harassment controls whether OCRI initiates its formal or informal complaint processes.

If the formal complaint process is initiated, OCRI will investigate the complaint if the conduct alleged, if substantiated, would violate a policy that OCRI enforces. Investigations are initiated based on allegations, not evidence, and the opening of an allegation does not mean that OCRI has made any determination of wrongdoing. OCRI also offers an informal resolution process that allows parties to a complaint to negotiate a resolution between themselves, with approval by the university, without having to go through the investigation and adjudication process.

## 6. What can members of the University community do to help avoid inadvertent use of slurs like the n-word that might hurt others?

To avoid using offensive language, you can take several proactive steps:

Educate yourself about the history and impact of words like the n-word.

Request a workshop for your group or team through OCRI's email address at [OCRI@uidaho.edu](mailto:OCRI@uidaho.edu) or on OCRI's website.

Listen to and learn from the experiences of others, especially those from marginalized communities.

Reflect on your language choices and the potential impact they may have on others.

Seek guidance from campus resources, including OCRI, if you're unsure about appropriate language.

We at OCRI hope that you will contact us if we may be of any assistance in understanding the information in this letter. Please do not hesitate to contact us or file a complaint with our office if conduct or speech based on a protected status is impacting your ability to access the University's benefits or services.

Sincerely,

Jackie Gharapour Wernz  
Acting Director  
Office of Civil Rights and Investigations  
Email: [jwernz@uidaho.edu](mailto:jwernz@uidaho.edu)

 **University of Idaho**  
Office of Civil Rights  
and Investigations