

2025

Anti-Discrimination and Discriminatory Harassment Policy & Procedures for Students

Office of Institutional Equity



Anti-Discrimination and Discriminatory Harassment Policy and Procedures for Students

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I. INTRODUCTION

Columbia University (“The University”) is committed to fostering a learning, living, and working environment free from Discrimination and Discriminatory Harassment¹ on the basis of an individual’s actual or perceived membership in, or association with, a Protected Class, and taking appropriate action to address such Prohibited Conduct. These commitments extend to all the University’s programs and activities, including all academic, extracurricular, and University-sponsored activities. This Policy is designed to provide a safe and non-discriminatory educational environment and to ensure compliance with applicable federal, state, and local law.²

A. Fundamental Principles

Discrimination and Discriminatory Harassment are antithetical to Columbia’s mission and values. The University does not tolerate this Prohibited Conduct and all such conduct, as defined in this Policy, is forbidden. The Office of Institutional Equity (“OIE” or the “Office”) will take tailored and appropriate measures to address all forms of Discrimination and Discriminatory Harassment that fall within the scope of this Policy.³ The Office strongly encourages those who have experienced, witnessed, or become aware of Prohibited Conduct to make a report promptly so that OIE can take appropriate steps.

B. Overview of Contents

The “Policy” portion of this document defines the scope of the Policy and describes each form of Prohibited Conduct.⁴

The “Procedures” that follow discuss the rights and responsibilities of Parties and others involved in the process, reporting options and obligations, the initial steps the Office may take upon receiving a Report of alleged Prohibited Conduct, the available processes for responding to Reports, the range of available Sanctions, and the procedure for appealing a determination of

¹ Capitalized terms throughout this document have the meaning provided in the Glossary in Appendix C.

² This Policy works in tandem with the University’s Title IX and Related Misconduct Policy & Procedures for Students and the University’s Anti-Discrimination and Discriminatory Harassment Policies & Procedures for Faculty & Staff, or any successive Policy that comes into existence, in fulfilling the University’s commitment to providing a safe and non-discriminatory educational environment and to meeting relevant legal requirements.

³ References to “Policy” throughout this document encompass this Policy and the procedures associated with the Policy.

⁴ This Policy will be in effect September 30, 2025 and will not apply retroactively. For Reports submitted before September 30, 2025, the Office will apply the policies and procedures in place when the Incident Report was submitted. For Reports submitted on or after September 30, 2025, the Office will generally apply the definition of acts of Prohibited Conduct in place at the time the conduct is alleged to have occurred but will generally apply the procedures in place at the time a Report is made. The Office may exercise its discretion to make appropriate adjustments to the Policy and procedures.

responsibility or Sanction. Remaining sections of the Procedures address University recordkeeping and reporting procedures and other matters.

The appendices include a comprehensive list of resources available to individuals affected by violations of the Policy, details about Confidential Resources and reporting obligations on campus, a glossary of terms and concepts, and illustrative scenarios.

II. SCOPE OF THIS POLICY

In this Policy, the following terms apply:

- A Complainant refers to the person (or persons) who is alleged to have been subjected to prohibited conduct under this Policy;
- A Respondent refers to a Student Respondent or Recognized Student Group alleged to have engaged in Prohibited Conduct;
- The Complainant(s) and Respondent(s) in any proceeding are referred to as the Parties; and
- A Reporter refers to a person who makes a Report of alleged conduct pursuant to this Policy. The Reporter need not be either the Complainant or a University affiliate. In cases where the Reporter is someone other than the Complainant, this Policy will apply to the extent applicable in the same manner as if the Complainant had made the initial Report.

This Policy governs alleged Prohibited Conduct, including Discrimination and Discriminatory Harassment, where the Respondent is a current University Student, including Students on a leave of absence, and regardless of a Student's current registration status.^{5, 6}

This Policy also governs the conduct of Recognized Student Groups and their members and affiliates. Where a Report is made regarding a Recognized Student Group, the individuals who

⁵ For the purposes of this Policy, the term "University" includes Columbia University only. It does not include Barnard College or Teachers College. If the Respondent is a Barnard College student, employee, or otherwise affiliated with Barnard College, please see Barnard College's [Office of Non-Discrimination and Title IX website](#). If the Respondent is a Teachers College student, employee, or otherwise affiliated with Teachers College, please see the [Teachers College Policy and Procedures on Discrimination and Harassment](#). If the Respondent is a University Student, but the Complainant is a Barnard College affiliate or Teachers College affiliate, this Policy applies. For information about policies applicable to elementary and secondary school students enrolled in University programs, and other information regarding minors on Columbia's campus, please visit [Protection and Treatment of Minors at Columbia University](#).

⁶ Reports concerning allegations of Discrimination, Discriminatory Harassment, or other Prohibited Conduct where the Respondent is an Employee, Contractor, or Active Alum will be addressed under the University's [Anti-Discrimination and Discriminatory Harassment Policies & Procedures for Faculty & Staff](#).

represent themselves as the leaders of the Group to the University will generally serve as the Group Representatives for purposes of any interactions with OIE, subject to the Office's discretion to determine whether those individuals are the appropriate representatives. Communications from the Office will be sent to the Recognized Student Group's email address and to the email addresses of its Group Representatives.⁷ A Recognized Student Group that has been suspended by the University will continue to qualify as a Respondent under this Policy for a period of two (2) years following the date of suspension.

This Policy applies when the alleged conduct occurs:

1. On Columbia property, including Columbia servers, e-mail or computer systems; or
2. Off Columbia property, including conduct using social media, other non-Columbia online platforms, and/or other media related outlets if:
 - a. The conduct directly involves a University program, a University-recognized program or activity, or another University-related activity such as attending a conference, a study abroad program, or conducting research in the field; and
 - b. The conduct may have the effect of creating or contributing to a hostile or abusive work or learning environment for a member of the University community.

If alleged Prohibited Conduct arises out of the same facts or circumstances as alleged conduct that is prohibited under any other applicable University policy or policies, the Office may coordinate its proceedings with any other University office or entity responsible for enforcing the other applicable policies, or may, in agreement with another University office or entity, consolidate some or all of the allegations into a single proceeding to be administered by the Office, except for allegations concerning conduct that is prohibited under the Rules of University Conduct. Respondents who are alleged to have engaged in conduct that implicates both this Policy and any other University policy, including the Rules of University Conduct, may be subject to contemporaneous disciplinary action under both policies.

⁷ An Unrecognized Student Group is any Student group that has never been recognized by the University. It is synonymous with an "unrecognized Student Organization," as that term was used in the August 4, 2025 version of this Policy. A De-recognized Student Group is a Student Group that has lost University recognition, including as a result of violations of the Student Group Accountability Review Board Policy and/or this Policy. A De-recognized Student Group has the same status as an Unrecognized Student Group for purposes of this Policy and may not qualify as a Respondent. Active and/or involved membership by a Student in an Unrecognized Student Group or De-recognized Student Group that is alleged to have engaged in Prohibited Conduct does not generally form a sufficient basis for OIE to initiate a formal investigation and make a determination as to the Student. OIE typically requires additional facts and circumstances, such as, but not limited to, a nexus between the Student and the Prohibited Conduct alleged to have occurred. Although an Unrecognized Student Group or De-recognized Student Group may not be Respondents under this Policy, OIE may, in its discretion, issue letters, request meetings, and otherwise investigate the reported alleged conduct of an Unrecognized Student Group or De-Recognized Student Group and issue public statements or other communications addressing the alleged Prohibited Conduct. OIE may, in its discretion, investigate a Recognized Student Group that does not, or refuses to, disavow or disaffiliate from an Unrecognized Student Group that engages in misconduct under this Policy. See [Frequently Asked Questions](#).

While this Policy may identify the University office or Employee who will typically perform certain roles or duties, the Office may exercise its discretion to designate other University offices or Employees to perform any roles or duties described in this Policy. The Office may also exercise its discretion to assign appropriate non-Employees to perform roles or duties described in this Policy.

Nothing in this Policy prevents a Complainant from seeking the assistance of relevant law enforcement authorities in addition to or instead of any University process. Nothing in this Policy may be construed to abridge academic freedom, principles of free speech, or the University's educational mission.⁸

III. POLICY AGAINST DISCRIMINATION AND DISCRIMINATORY HARASSMENT

This section sets out definitions of Discrimination, Discriminatory Harassment, and other forms of Prohibited Conduct under this Policy.

A. Prohibited Conduct

It is a violation of this Policy for a Student or Recognized Student Group to commit the following acts:

Discrimination

Discrimination is defined as treating individuals less favorably because of their actual or perceived membership in, or association with, a Protected Class, or having a neutral policy or practice that has a disproportionate and unjustified adverse impact on actual or perceived members or associates of one Protected Class more than others. Discrimination includes treating an individual differently on the basis of their actual or perceived membership in, or association with, a Protected Class in the context of an educational program or activity without a legitimate, nondiscriminatory reason so as to deny or limit the ability of the individual to participate in or benefit from Columbia's services, activities, or privileges.

Each of the following characteristics constitutes a "Protected Class" for purposes of this Policy: age; alienage or citizenship status; arrest or conviction record; caregiver status; caste; color; credit history; creed; disability; familial status; genetic predisposition or carrier status; gender; gender expression; gender identity; lactation accommodation; marital status; national origin (including shared ancestry, ethnic characteristics, or citizenship or residency in a country with a dominant religion or distinct religious identity); pregnancy; race; religion; salary history; sex; sexual

⁸ The fact that Prohibited Conduct includes speech in a public setting or speech that is also motivated by political or religious beliefs does not relieve the University of its obligations to respond if the Prohibited Conduct otherwise involves allegations of Discrimination or Discriminatory Harassment.

orientation; sexual or reproductive health decisions; status as a victim of domestic violence, stalking, or sex offenses; unemployment status; veteran or active military status; or any other protected characteristic as established by law.^{9,10}

Discriminatory Harassment

Discriminatory Harassment is defined as subjecting an individual to unwelcome conduct, whether verbal or physical, that creates or contributes to a hostile working, learning, or campus living environment; that alters the conditions of employment or education; or that unreasonably interferes with an individual's work, academic performance, or ability to participate in or benefit from some aspect of the University's educational programs or activities on the basis of the individual's actual or perceived membership in, or association with, a Protected Class.

Examples of Discriminatory Harassment include, but are not limited to, the following acts that denigrate or show hostility or aversion toward one or more actual or perceived members or associates of a Protected Class: verbal abuse; epithets or slurs; negative stereotyping (including, but not limited to, stereotypes about how an individual looks, including skin color, physical features, or style of dress that reflects ethnic traditions; a foreign accent; a foreign name, including names commonly associated with a particular shared ancestry or ethnic characteristics; or speaking a foreign language); threatening, intimidating, or hostile acts; denigrating jokes; insulting or obscene comments or gestures; calls for genocide and/or violence; and the display or circulation of offensive written or graphic material in any form.

Speech or conduct expressing views regarding a particular country's policies or practices generally does not constitute Discriminatory Harassment based on national origin. However, if harassing speech or conduct that otherwise appears to be based on views about a country's policies or practices is directed at or infused with discriminatory comments about persons from, or associated with, that country or another country, then it may constitute Discriminatory Harassment. The use of code words may implicate the Policy. In responding to Reports concerning speech or conduct regarding a country's policies or practices, the Office will consider whether such speech or conduct is an exercise of academic freedom and inquiry.

⁹ As part of a totality of the circumstances analysis for national origin, shared ancestry, and ethnicity claims of antisemitism, OIE considers the International Holocaust Remembrance Alliance ("IHRA") definition of antisemitism, among other resources, including the framework provided for by Columbia University's Task Force on Antisemitism.

Columbia University's Task Force on Antisemitism explains, "antisemitism can manifest in a range of ways, including as ethnic slurs, epithets, and caricatures; stereotypes; antisemitic tropes and symbols; Holocaust denial; targeting Jews or Israelis for violence or celebrating violence against them; exclusion or Discrimination based on Jewish identity or ancestry or real or perceived ties to Israel; and certain double standards applied to Israel."

¹⁰ Reports that meet the definition of Prohibited Conduct under the [Title IX and Related Misconduct Policy and Procedures for Students](#) will be addressed under that Policy and Procedures.

Each reported incident of alleged speech or conduct will be assessed on a case-by-case basis. The Office will determine whether alleged speech or conduct constitutes Discrimination or Discriminatory Harassment, including by creating or contributing to a Hostile Environment, by considering the totality of the circumstances surrounding an alleged incident or course of conduct. The Office will consider all relevant objective and subjective factors in making its determination. The presence or absence of no single factor will be dispositive in the Office's determination. Objective factors are those that indicate whether a reasonable person would find the alleged speech or conduct to meet the definition of Discrimination or Discriminatory Harassment. Subjective factors relate to how the Complainant actually perceived the alleged speech or conduct and whether the Complainant perceived the alleged speech or conduct to be discriminatory or harassing. The offensiveness of a particular expression as perceived by a Complainant, standing alone, is not a sufficient basis to create a Hostile Environment.

The factors the Office will consider when assessing whether speech or conduct constitutes Discrimination or Discriminatory Harassment may include, but are not limited to, the following:

- The nature and severity of the alleged speech or conduct. The Office will be more likely to find that alleged speech or conduct constitutes Discrimination or Discriminatory Harassment if it involves words or symbols that are generally understood to express hatred of, or calls for violence against, one or more Protected Classes (*e.g.*, racially charged epithets, language suggesting that Protected Class members or associates should be harmed or killed, etc.)
- Whether the alleged speech or conduct was intended and/or likely to incite violence, Discrimination, or Discriminatory Harassment, or to create or contribute to a Hostile Environment.
- The frequency, duration, and location of the alleged speech or conduct, and the identity, number, and relationships of the persons involved. For instance, words that might not constitute Discriminatory Harassment if used by a Student as part of a classroom discussion could constitute Discriminatory Harassment if shouted repeatedly by a Student or group of Students at one of their peers.
- Whether the alleged speech or conduct was directed at an identifiable individual or group of individuals. In the case of allegations of discriminatory and/or harassing speech or conduct on social media, the Office will consider whether alleged speech or conduct is directed at one or more University Affiliates.
- Whether the Complainant had any alternative to being subjected to the alleged speech or conduct. For instance, the Office will consider whether the alleged speech or conduct took place in a location the Complainant had to enter or pass by in order to access any of the University's programs and activities and whether the Complainant could have chosen to avoid the alleged speech or conduct without detriment to the Complainant's ability to access any University programs or activities.

- Whether there is any difference in status/authority between the Respondent and the Complainant.
- Whether the alleged speech or conduct otherwise impeded or limited the Complainant's participation in or ability to benefit from any University program or activity.
- Whether the alleged speech or conduct, even if offensive, constitutes an expression of opinion on political, social, or similar topics. The Office will not determine that alleged speech or conduct constitutes Discrimination or Discriminatory Harassment solely because it may be considered offensive.
- Whether the alleged speech or conduct, even if offensive, constitutes an exercise of academic freedom on the part of a Respondent.

Retaliation

Retaliation is any adverse action or threatened action, taken or made, personally or through a third party, against a Complainant, a Respondent, or any other individual (such as a Witness, Reporter, or Advisor) because the individual has engaged with the Office and/or the Resolution process. All individuals, not just a Respondent or Complainant, are prohibited from engaging in Retaliation.

Retaliation can refer to actions or threatened actions by any individual. Retaliation includes threatening, intimidating, coercing, discriminatory, harassing, or any other conduct that would discourage a reasonable person from seeking services; receiving Supportive Measures; reporting Discrimination, Discriminatory Harassment, and other Prohibited Conduct; or participating in the resolution process as a Complainant, Respondent, Witness, Reporter, or Advisor. It also includes maliciously or purposefully interfering with, threatening, or damaging the academic or professional career of another individual because the individual has engaged with the Office and/or the resolution process pursuant to this Policy. Reports that are intentionally false or found to have been made in bad faith may also constitute Retaliation. For example, Retaliation could include falsely reporting, or a threat of falsely reporting, a Complainant or Witness in order to deter them from participating in an imminent or pending resolution process.¹¹ Retaliation may also include violations of a no-contact directive and/or other Supportive Measures and/or Interim Measures during the course of a proceeding pursuant to this Policy.

If the alleged Retaliation occurs between a Complainant, a Respondent, or a Non-Party, such as a Witness, while a matter is pending pursuant to this Policy, the alleged Retaliation may be addressed separately and/or, in the discretion of the Office, folded into the pending proceeding, based on the circumstances.

¹¹ Reports of Discrimination and Discriminatory Harassment made in good faith, even if the Respondent is ultimately determined not to be responsible for engaging in any Prohibited Conduct, are not considered Retaliation.

Intentional Interference¹²

Intentionally taking action to impede the Office's conduct pursuant to this Policy is prohibited. Intentional Interference may include, but is not limited to, the following:

- Any attempt to alter, prevent, or interfere with a Party's or Witness's participation in any proceeding under this Policy;
- Obstruction of any investigative interview, including Witness tampering which attempts to alter, prevent, or interfere with a Witness's statement or testimony as part of any proceeding pursuant to this Policy;
- Intentionally disclosing any information, documents, or materials protected by this Policy's provisions concerning the privacy of the Parties and/or the process (see Section IV.A);
- Intentionally withholding relevant information (other than privileged materials) for purposes of obstructing, interfering, or delaying any proceeding pursuant to this Policy;
- Knowingly making false statements or knowingly submitting false information during any proceedings pursuant to this Policy; and
- Intentionally failing to comply in any way with this Policy.

If a Party is determined to have engaged in Intentional Interference, that determination may result in disciplinary action, the drawing of an adverse inference (e.g., an inference that communications intentionally deleted by a Party contained material adverse to that Party), and/or Sanctions, as appropriate.

IV. RIGHTS AND RESPONSIBILITIES DURING THE PROCESS

The Office's resolution process provides accessible, prompt and fair methods of addressing reports of Prohibited Conduct under the Policy to all Parties. Parties have the following rights and responsibilities during the resolution process.

¹² Alleged Intentional Interference that occurs in connection with a pending matter, or between a Party and another individual, may be handled as part of a pending investigation under this Policy or be investigated separately through the Center for Student Success and Intervention's [Standards and Discipline Policy](#). The determination of whether alleged Retaliation will be handled under this or any other University policy is within the discretion of the Office in conjunction with the appropriate partner office(s).

A. Privacy

The Office will take reasonable measures to protect the privacy of proceedings and records; however, the Office cannot and does not guarantee that privacy will be maintained. Privacy does not mean that the Office is constrained from sharing facts of proceedings in appropriate circumstances. The Office will inform all University Affiliates, including Students and Employees, who participate in a resolution process that they are expected to maintain the privacy of the process.

Parties may seek the assistance of family members, friends, counselors, therapists, clergy, doctors, attorneys, or similar resources. Parties are not prevented from discussing, from their perspective, the incident(s) that are the subject of the resolution process.

A Reporter or Complainant may request that the Office not disclose their identity to anyone else, including a Respondent or potential Respondent. However, the Office cannot guarantee that a Reporter's or Complainant's identity will not be disclosed. The Office will consider requests to proceed without being identified and honor them when appropriate. A Complainant whose request to proceed without being identified has been granted will have the same rights under the Policy.

B. Advisors

The Parties may be accompanied to any meeting or interview by a single Advisor of their choice, who may, but need not be, an Attorney. Witnesses and others involved in the resolution process are not permitted to bring another person to any meeting or interview, absent an approved disability accommodation.¹³

The Advisor may not have a conflicting role within the resolution process. Such conflicting roles may include, but are not limited to, Witnesses; Advisors for another Student or Recognized Student Group in the same or a related investigation; administrators who would make decisions on any potential Sanctions or Appeal; and staff who may provide information or be consulted during the process.

An Advisor may support the Party during the resolution process and advise the Party privately. An Advisor may not speak during meetings or interviews and may not speak, write, or otherwise communicate directly with the Office on behalf of any Party. The Office and University administrators will communicate directly with the Party. It is the Party's responsibility to

¹³ Parties are expected to maintain the same and single Advisor throughout the process but are not required to bring their Advisor to all meetings. Retaining a single, consistent Advisor enables the process to move forward in an efficient manner. If a Party requests to change their Advisor, they must provide written notice to the Office.

communicate with their Advisor, including, but not limited to, information related to process updates.¹⁴

C. Participation

A Complainant or Witness may generally decline to participate in any resolution process, including an Investigation and Determination (see Section VII.B below), and any subsequent Appeal (see Section IX), subject to exceptions described below. A Party's recurring refusal or failure to respond to outreach by the Office within the time frames required under this Policy may be interpreted by the Office as the Party declining to participate in the process and may preclude or limit that Party's participation in later stages of the process.

If a Complainant declines to participate, it may limit the information that can be reviewed and considered and/or render it impossible for the Office to proceed with an Investigation or other resolution process. However, the Complainant may always submit an impact statement, if applicable, without regard to earlier participation in the process.

A Student Respondent may be required to participate in either an initial meeting and/or investigative interview with the Office. The resolution process may also proceed without the Student Respondent's participation. However, the Respondent may always submit an impact statement, if applicable, without regard to earlier participation in the process.

A Recognized Student Group Respondent is required to participate in any disciplinary process. A Recognized Student Group Respondent who declines to participate in any resolution process under this Policy may be subject to disciplinary action up to and including group de-recognition.

The Office always retains the right to proceed regardless of a Party's participation.

D. Permanent Withdrawal While Matters Are Pending

If a Student Respondent permanently withdraws from the University with unresolved allegations pending under this Policy, the University will consider whether and how to proceed with any resolution process. A Student Respondent who permanently withdraws from or otherwise permanently leaves the University while the process is pending may not return to the University without first resolving any pending matters, and the records retained by the Office will reflect that status. Such exclusion applies to all University campuses and programs.

¹⁴ While efforts will be made to accommodate the schedules of Parties and Advisors, the process will not be unduly delayed due to an Advisor's unavailability.

E. Time Frames and Communication with Parties

The Office will make every reasonable effort to ensure that Reports are resolved as expediently and efficiently as possible. Many Reports may require extensive review, and time frames will vary depending on the complexity of the resolution process and the severity and extent of the alleged Prohibited Conduct.

Reasons for extended periods of time to reach a resolution may also include, but are not limited to: compliance with a request by law enforcement;¹⁵ a limited accommodation of the availability of a Party, Advisor, or Witness; Students on leave, exam periods, school breaks or vacations; and accounting for the complexities of a specific Investigation, including the number of Witnesses and volume of other evidence, whether there is a Cross-Complaint or allegations of Retaliation, and the severity and extent of the alleged Prohibited Conduct.

All communications with Parties and Witnesses will be sent to their official University-issued email addresses. A Party or Witness is deemed to be on notice of the communication on the date the communication was sent. Failure to acknowledge or respond to any communication will not necessarily delay the processes described in this Policy.

To enable prompt and efficient resolution of Reports, the Office requires any individual or group involved in the resolution process to respond to any outreach from the Office within two (2) business days. Individuals or groups are required to schedule any mandatory meetings with the Office within five (5) business days of a request by the Office to meet. Reasonable efforts will be made to schedule meetings at the Parties' and/or Witnesses' convenience, but such accommodations may not be available if they unduly delay the process, as determined by the Office's discretion. The Office expects its deadlines to be honored absent extraordinary circumstances. Requests for deadline extensions will be considered by the Office on a case-by-case basis.

The Office may give periodic status updates to the Parties, including in writing

F. Conflicts of Interest or Bias

The University requires any participant in any resolution process, including a Complainant, Respondent, Witness, Investigator, Sanctioning Officer, or Appellate Panelist, to disclose to the

¹⁵ Any resolution process will ordinarily continue during any law enforcement investigation or proceeding. The Office may, however, need to temporarily delay a resolution process while law enforcement is gathering evidence. In such instances, the Office will resume the resolution process after learning that law enforcement no longer requires a delay or has completed the evidence-gathering stage of its investigation; the Office need not wait for the conclusion of any related criminal proceedings. It should be noted that the standards of criminal law are different than those employed by the Office. While information collected by law enforcement may be included in a resolution process under this Policy, determinations in criminal investigations and proceedings may not be considered by the Office.

Office any potential or actual Conflict of Interest. A Conflict of Interest would include, for example, situations where an individual is a Party's family member, close friend, current or former faculty member, or academic advisor, or where an individual has any other similar relationships. Where a Recognized Student Group is a Party, there may be a Conflict of Interest if a participant in the resolution process is a member of or associated with the Recognized Student Group itself or with any of its members. Additionally, no person in an investigative or decision-making position in the process may have a Conflict of Interest or bias for or against Complainants or Respondents generally or any individual Complainant or Respondent.

A Complainant or Respondent who believes that an Investigator, Sanctioning Officer, or Appellate Panelist has a Conflict of Interest or bias for or against Complainants or Respondents generally or any individual Complainant or Respondent must submit a written request to the Office that the individual not participate in the process. This request must be made within two (2) business days after the Office provides notice of the name of the individual involved in the process who is believed to have a Conflict of Interest or bias. Any request should include a description of the alleged conflict.

The fact that an individual is of the same or different Protected Class as a Party or other participant in the process is not a Conflict of Interest, and allegations of a Conflict of Interest or requests for changes in staffing on this basis will not be considered. Similarly, the fact that a Respondent is a member of a Protected Class is not evidence of bias by the Investigative Team absent additional evidence.

The following also do not constitute Conflicts of Interest or bias under this Policy:

- Submission of a Report in any other proceeding involving Discrimination, Discriminatory Harassment, or other Prohibited Conduct;
- Engagement in or facilitation of an Investigation or Sanctioning determination in any other proceeding involving Discrimination, Discriminatory Harassment, or other Prohibited Conduct;
- Employment status, title, or previous employment; or
- Participation in or facilitation of any Discrimination or Discriminatory Harassment trainings, including trainings concerning Title VI and related laws.

If the Office determines that an actual or potential Conflict of Interest or bias exists, the Office will take steps to address the Conflict of Interest or bias in order to ensure an impartial process.

G. Disability and Reasonable Accommodations

The University adheres to the requirements of the Americans with Disabilities Act of 1990, as amended; Sections 504 and 508 of the Rehabilitation Act of 1973, as amended; and all other federal

and state laws and regulations prohibiting Discrimination on the basis of disability. The University is committed to providing individuals with disabilities equal access and opportunity and strives in its policies and practices to ensure the full participation of individuals with disabilities in all aspects of University life.

Any participant in a resolution under this Policy may request reasonable accommodations for disclosed disabilities from the Office of Disability Services. A Student must inform the Office within two (2) business days of submitting a request to Disability Services that a request has been made. The Office encourages Students to make any such requests as early as possible to avoid unnecessary delay. Accommodations will be granted if they are appropriate and do not fundamentally alter the process. The Office will not provide disability accommodations that have not been specifically requested through Disability Services, even where that Party may be receiving accommodations in other University programs and activities. With the consent of the Party, the Office will work collaboratively with Disability Services and/or Leave Management to ensure that approved disability-related reasonable accommodations are honored, as applicable, throughout any process under this Policy.

V. MAKING A REPORT / DUTY TO REPORT

This section describes how to report an incident of Discrimination, Discriminatory Harassment, or other Prohibited Conduct. It also lays out Employees' obligations for making such Reports.

A. Reporting Prohibited Conduct

Who Can Report Prohibited Conduct?

Any individual, whether a University Affiliate or not, may report alleged violations of this Policy. The Reporter may be the person who experienced the alleged Prohibited Conduct, someone who was a Witness to or otherwise learned of the alleged Prohibited Conduct, and/or a mandatory Reporter (see Section V.B).

How to Report Prohibited Conduct

If you believe you have been subjected to, witnessed, or have otherwise learned of Prohibited Conduct covered by this Policy, you can notify the Office in any of the following ways:

- By submitting an online form at https://cm.maxient.com/reportingform.php?ColumbiaUniv&layout_id=39;
- By e-mail at institutionalequity@columbia.edu;
- By phone at (212) 854-5511;

- By mail at 80 Claremont Avenue, 4th Floor, MC 9620, New York, NY 10027; or
- By hand delivery to 80 Claremont Avenue.

The Office recognizes that Students may be most comfortable disclosing alleged misconduct to a University Employee whom they know well, such as a faculty member, a coach, or a Student engaged in an official capacity, such as a resident advisor. As described in Section B below, these individuals and other University Employees are required to report allegations of Prohibited Conduct to the Office. Before a Student reveals information about an alleged incident, Employees will try to ensure that the Student understands their reporting obligations. If a Student wants to maintain confidentiality and has not disclosed information about an alleged incident, these Employees should seek to direct the Student to the University's Confidential Resources.

The University supports events, forums, and advocacy meetings that raise public awareness of Discrimination and Discriminatory Harassment, and that inform and are a part of the University's campus-wide education and prevention efforts. The disclosure of incidents of Prohibited Conduct at such events, forums, and meetings is not considered a Report to the University or the Office for the purposes of prompting a process under this or any other policy with respect to a particular incident.

What You Should Include in a Report of Prohibited Conduct

Reports should include all the information that the Reporter knows about an incident or issue that is being reported. Such information may include, but is not limited to, the following:

- The names and roles (*e.g.*, Student, Recognized Student Group, Employee, third party) of the Complainant and the Respondent and their e-mail address(es), telephone number(s), and street address(es), if known;
- Details about the incident(s) or conduct that may have violated this Policy;
- Date(s) and location(s) of the incident(s);
- The name(s) and role(s) of any Witness(es) to the incident(s) and their e-mail address(es), telephone number(s), and street address(es), if known; and
- The Reporter's name, e-mail address, telephone number, and street address.

While a Report may be submitted anonymously, anonymous Reports may limit the Office's ability to respond and investigate. Due to the nature of anonymous Reports, action by the Office in response to an anonymous Report may be more difficult and, at times, impossible. Mandatory Reporters may not submit a Report anonymously.

Time for Reporting

There is no time limit for submitting a Report. However, the Office's ability to effectively respond and investigate diminishes with the passage of time. Additionally, the timing of a Report may affect the Office's ability to impose Sanctions. For example, if a Respondent is no longer a Student at the time the Report is first made, the University is limited in the actions it can take. Accordingly, although there is no time limit for submitting a Report, the Office encourages individuals to report Prohibited Conduct as soon as possible to maximize the Office's ability to respond promptly and effectively. Individuals may meet with Office staff to learn more about the process before making a Report or before providing additional information about a previously filed Report.

B. Duty to Report

The University requires all Columbia Employees, except Confidential Resources (discussed further below and in Appendix B), to report to the Office any instance or allegation of Discrimination, Discriminatory Harassment, or other Prohibited Conduct involving any Student or Recognized Student Group that is disclosed to, observed by, or otherwise known to that Employee, whether or not the Student or Recognized Student Group is a potential Complainant or Respondent and whether or not the Student or Recognized Student Group has any formal connection to the Employee who is subject to this duty. This duty applies to all Employees, including faculty, officers of administration, research officers, officers of the libraries, coaching staff, and other staff who work directly with Students (*e.g.*, teaching assistants, advising staff, and residential program staff). Employees are required to report all information known to and/or learned by them regarding the alleged Prohibited Conduct, including, but not limited to:

- Names of all individuals involved, which includes the potential Complainant(s), Respondent(s), and anyone else who may possess information relevant to the alleged Prohibited Conduct.
- The nature of and circumstances surrounding the alleged Prohibited Conduct;
- When and where the alleged Prohibited Conduct occurred; and
- Any other information related to the alleged Prohibited Conduct.

If an instance or allegation of Prohibited Conduct involves an immediate safety concern, the Employee must report the alleged Prohibited Conduct to the Office and to Columbia Public Safety.

If any other University office learns of instances or allegations of Prohibited Conduct during the course of addressing a matter within its jurisdiction or learns of an allegation or Report of Prohibited Conduct that has not been made to the Office, such information must be forwarded to the Office. The Duty to Report is in place to ensure that Students and Recognized Student

Groups are provided appropriate resources, to allow the University to mitigate harm to our community, and to help comply with the University's legal obligations.

The one exception to the Duty to Report is University Employees working in a confidential capacity, including those working in Sexual Violence Response; Clergy; Counseling and Psychological Services (Morningside); Mental Health Services (CUIMC); Disability Services; the Ombuds Office; and Healthcare Providers. University Employees working in a confidential capacity will not report information shared with them, unless requested to do so by the Reporter. See Appendix B below for information about Confidential Resources at the University.

VI. ONCE A REPORT IS MADE – INITIAL STEPS

Upon receiving a Report of alleged Prohibited Conduct, the Office will promptly review the Report and gather any additional information necessary in order to determine next steps. This initial process may include meetings with the Parties which for Respondent(s) could be mandatory at the discretion of OIE. OIE may also provide supportive measures and other accommodations to the Parties at its discretion. See [Frequently Asked Questions](#).

A. Interim Measures

At any time after receiving a Report, the Office may impose Interim Measures, based on the totality of the circumstances known at the time, to protect the safety of all Parties involved, to prevent the escalation of conflict, to mitigate any risk of further immediate harm, or to protect the integrity of the resolution process while the process remains ongoing. Interim Measures may include, but are not limited to:

- Temporary suspension of a Student Respondent from enrollment with the University;
- No-contact directives;
- Restricting a Party's access to campus buildings and/or University property;
- Moving a Student's residence;
- Temporary suspension from specified activities and/or positions of leadership;
- Indicating on a Student's official transcript that a disciplinary process is pending; and/or
- Withholding a Student's transcript, diploma, and/or degree, as indicated by an administrative hold.

Where a Party is a Recognized Student Group, additional Interim Measures may include, but are not limited to:

- Temporary suspension of the recognition of a Student Group Respondent;
- Freezing of financial accounts associated with the group;
- Loss of the group's ability to reserve space;
- Temporary restriction of certain individuals from leadership positions in the group; or
- Group probation.

Interim measures will be reasonable and tailored. When an interim measure is imposed, the Office will provide the Respondent with Notice and an opportunity to appeal the decision immediately following the suspension, as discussed further below (See Section IX). The imposition of any Interim Measure does not indicate that the Office has made a final decision about any Report of Prohibited Conduct.

Any Interim Measure(s) implemented will be periodically reviewed and may be revised as appropriate. Failure to comply with Interim Measures or other directives is a violation of University policy and may lead to disciplinary action and/or Sanctions, as appropriate.

Parties may request review of the need for, and the terms of, any Interim Measure (or lack thereof) that directly affects them. Requests for review of an Interim Measure must be submitted in writing to the Vice Provost of the Office or their designee, and a review will be conducted within a reasonable period upon receipt. Parties may submit relevant evidence in support of their request for review. The Vice Provost of the Office or their designee will provide any Party that requests a review of an Interim Measure written determination of the outcome of the review.

VII. RESOLUTION PROCESSES FOR RESPONDING TO REPORTS OF PROHIBITED CONDUCT

Under this Policy, there are several possible processes available for resolving a Report of Prohibited Conduct. The Office will determine the appropriate process to be followed in each case, based on the totality of the circumstances related to a Report. The Office retains discretion to determine the appropriate process.¹⁶

A. Informal Resolution Processes

Within its discretion, the Office may resolve a Report through one of the informal resolution processes described below. Informal resolutions do not result in disciplinary sanctions. A Party or Advisor may also be asked to sign a privacy agreement before participating in an informal

¹⁶ Where a resolution process other than Investigation and Determination is commenced, no person responsible for administering that process (including, but not limited to, a facilitator of a Restorative Justice process or a Mediator) may subsequently serve as an Investigator or decision-maker in an Investigation and Determination regarding the same alleged Prohibited Conduct.

resolution process, to the extent necessary and appropriate in the Office's discretion. Any Party who engages in the unauthorized disclosure of information or evidence obtained solely as a result of participation in an Informal Resolution process under this Policy.

Administrative/Educational Resolution

An Administrative Resolution can include no-contact directives, implementation of safety measures, referrals to counseling, facilitated conversations, a meeting and/or letter that includes a policy reminder, targeted education, mandatory educational resolution, and/or training, which may in OIE's discretion be mandatory.

Restorative Justice

Restorative Justice ("RJ") is an approach to wrongdoing and interpersonal conflict that emphasizes the impact of challenging behaviors on individuals and communities. Instead of focusing on the appropriate consequence for violating a rule, RJ focuses on how the actions in question affected others and what can be done to make things right moving forward.

Mediation

The purpose of a Mediation is for the Parties to identify the implications of a Respondent's alleged Prohibited Conduct and, with the assistance of a trained facilitator (the "Mediator"), to identify points of agreement and appropriate remedies. Mediation will be used only if each of the Parties consents to engage in Mediation.

B. Formal Resolution Process

In cases where the other resolution processes discussed above are unavailable, have been unsuccessful, or are deemed inappropriate or insufficient by the Office, the Office may conduct an Investigation and Determination.

Investigation and Determination

The Office will designate an Investigative Team to investigate whether a violation of the Policy occurred. The Office may, in its discretion, assign non-Office personnel to investigate a matter. The Investigative Team may be comprised of a single Investigator or multiple Investigators. All Investigators will have training in investigating and evaluating Prohibited Conduct. The Investigative Team will be impartial and unbiased

Investigative Procedures

Notice

Once the Office determines that the case will proceed as an Investigation, the Investigative Team will send the Parties written Notice. The written Notice may include:

- A description of the alleged Prohibited Conduct, including the provisions of this Policy that may have been violated; and
- The date(s) and location(s) of the alleged incident(s).

The Notice may also include:

- A written explanation of the Party's rights and available resources;
- A statement identifying the definitions of acts of Prohibited Conduct set forth in the Notice and procedures that will be applied during the resolution process;
- A statement that Respondents are presumed not responsible for alleged Prohibited Conduct and that any determination regarding a violation of this Policy is made at the conclusion of an Investigation;
- A reminder that the Office prohibits knowingly making false statements or knowingly submitting false information during any resolution process;
- A direction to preserve any relevant evidence in the Party's possession, including emails, texts, social media posts, or other electronic communications or records;
- A statement that this Policy will not be construed to abridge academic freedom, the principles of free speech, or the University's educational mission; and
- A reminder that Retaliation against a Complainant, a Respondent, or any other individual because that individual has engaged with the Office and/or the resolution process is a violation of the Policy.

The Office may update the written Notice to the Parties if the Office learns of additional relevant information during the pendency of the Investigation. Whenever allegations are added or modified during the Investigation, the Office will provide an updated Notice to the Parties.

The Office may, in its discretion, schedule non-investigative meetings with the Parties to discuss the nature of the allegation(s), the rights and responsibilities of each Party, the prohibition against Retaliation, and the process to be followed.

Privacy Agreements

The Parties and any Advisors will be asked to sign a privacy agreement at the start of an Investigation and Determination. A Party, Advisor, or Witness may also be asked to sign a privacy agreement before participating in a meeting or interview, to the extent necessary and appropriate in the Office's discretion. The purpose of such an agreement is to protect the privacy of Parties and Witnesses and the integrity of the Investigation. The Investigative Team will not share certain materials with any Party, Advisor, or Witness who fails to sign a privacy agreement. Any Party or Witness who engages in the unauthorized disclosure of information or evidence obtained solely as a result of participation in the Investigation and Determination process under this Policy and/or violates the privacy agreement may be subject to discipline.

Investigation

Interviews

The Investigative Team may conduct separate interviews with Parties and Witnesses. Parties' Advisors may be present for such interviews. During these interviews, the Investigative Team will speak to each Party or Witness in detail about the allegation(s) and will ask each Party to provide, generally, within five (5) business days after the interview, a list of potential Witnesses and/or copies of any relevant documents or evidence to be considered.

The Investigation may include, but is not limited to, a mandatory interview with the Respondent(s), at the discretion of OIE. When a Respondent is a Recognized Student Group, the Investigative Team may require an interview with the Group's Representative(s). The Representative of the Group is expected to have knowledge of the allegations against the Group, and authority to speak on the Group's behalf. If the Group Representative(s) does not know the requested information, the expectation is that the Group Representative(s) will ascertain that information from the appropriate member(s) of the Group who have that information and provide such information to the Investigative Team within five (5) business days of the Investigative Team's request for such information.¹⁷

All Parties and Witnesses are required to be honest and act in good faith. Any Party or Witness who knowingly makes a false statement in connection with an Investigation may be subject to separate disciplinary action. Interviews conducted as part of the Investigation may be recorded by the Investigative Team. No Party may record any meeting or interview conducted as part of the investigative process.

¹⁷ Under the Policy, Recognized Student Groups are required to participate in any disciplinary process.

Evidence

The Investigative Team will direct the Parties, Witnesses, and other interested individuals to preserve any relevant evidence. Examples of relevant evidence include, but are not limited to, electronic messages (*e.g.*, emails, text messages, social media and digital app messages) and other relevant writings, photographs, and recordings. Any evidence submitted to the Investigative Team for consideration may become part of the Investigative Report in redacted form and may, as discussed below, be shared with the opposing Party and their Advisor, if applicable. The Office may impose restrictions or require a privacy agreement to prevent the dissemination of any evidence.

Relevance

Throughout the Investigation, the Investigative Team may exercise the discretion to determine the relevance of any Witness testimony and/or evidence and to determine that certain Witnesses and/or evidence should be included in or excluded from the investigative process based on their relevance. Witnesses and information are relevant to an Investigation if they help to show that an allegation is more or less likely to be true.

Documentary and Other Evidence:

To streamline the investigative process and ensure a fair review of the evidence, Parties and Witnesses are expected to submit evidence to the Investigative Team in an electronic format, and in accordance with any additional instructions provided by the Investigative Team. However, the Investigative Team will work with Parties and Witnesses to receive evidence in another manner when electronic submission is not possible.¹⁸

Intentional manipulation, editing, or other forms of fabricating evidence may result in disciplinary action or the drawing of an adverse inference against a Party found responsible for such fabrication (*e.g.*, an inference that the evidence in its original form was prejudicial to the Party that engaged in fabrication).

No Party, Advisor, or Witness may copy or photograph any documents or other evidence to which they are afforded access as part of the investigative process.

¹⁸ If any evidence is gathered during an Investigation that is not in English, the Office will obtain an official translation via University resources. Where the Office obtains a translation through University resources, or an outside company or agency, the translation received will be the official translation for the Investigative Team to consider; however, the Parties may offer their own clarifications, if relevant. The Investigative Team may ask the providing Party for a translation into English, at its discretion and in limited circumstances, such as when the text to be translated is not substantively related to the Investigation but will assist the Investigative Team in better understanding the material. Any translator may be asked to sign a non-disclosure agreement.

Limitations on Evidence

Any information protected by a legally recognized privilege (*e.g.*, attorney-client, doctor-patient) will not be considered at any point during an Investigation, unless the privilege is properly waived by the Party who holds the privilege.

Questions

Throughout the Investigation, any Party may propose to the Investigative Team questions to be asked of any other Party or of any Witness involved in the Investigation. Questions will be reviewed by the Investigative Team for their appropriateness, relevance, and permissibility pursuant to this Policy. If any questions proposed by a Party are outside the scope of this Policy or are irrelevant to the case, such questions will not be asked. The Investigative Team may, in its discretion, modify any proposed question for appropriateness, relevance, or clarity. The Investigative Team may, in its discretion, pose or decline to pose any proposed questions.

Weight and Credibility Assessments

The Investigative Team will consider the weight and credibility of any evidence. The weight to be given to any evidence is based on the believability or persuasiveness of such evidence. Different evidence holds different weight in inducing belief with respect to the facts and circumstances to be proved. Evidence that is indirect, vague, or improbable will be given less weight than evidence that is direct and unrefuted. Evidence given by a Witness who participates credibly from personal observation is of greater weight than evidence offered by a Witness who shares information from general knowledge alone. The Investigative Team will afford the greatest weight to credible statements concerning firsthand knowledge by Witnesses and Parties regarding their own memory of specific facts or incidents that occurred.

Credibility refers to whether evidence is worthy of belief. The Investigative Team will consider the following factors when assessing the credibility of Parties and Witnesses: consistency or inconsistency of accounts of events over time; potential for bias in favor of a specific Party or outcome; any corroborating evidence; and reasonable and logical statements, including statements about details associated with the allegations.

Witnesses

Each Party has the right to identify any individuals who may be Witnesses to or otherwise have relevant information concerning the alleged Prohibited Conduct. The Investigative Team may attempt to contact and interview any Witnesses it deems to have relevant information, including but not limited to those identified by the Parties. All Witnesses are obligated to be honest and act in good faith. Any Witness who knowingly makes a false statement in connection with an Investigation may be subject to separate disciplinary action.

Standard and Burden of Proof

The Investigative Team will apply “preponderance of the evidence” as the standard of proof in reaching its determinations as to whether a violation of this Policy has occurred. Preponderance of the evidence means that the Investigative Team must determine, based on the evidence presented, whether a Respondent was more likely than not to have engaged in the alleged Prohibited Conduct. During the Investigation and Determination process, Respondents are presumed not responsible. The Investigative Team bears the burden of supporting its determination of responsibility.

Investigative Report and Determination Letter

Following the Investigative Team’s collection of evidence, the Investigative Team will prepare an Investigative Report. In accordance with FERPA, the Investigative Team will redact Students’ names and other identifying information from the Investigative Report and related materials. The Investigative Team retains discretion over redactions, consistent with this Policy, the University’s FERPA policy, and other applicable laws and regulations.

Each Party will receive a written Determination Letter, stating the Investigative Team’s determination(s) of responsibility. The Determination Letter will briefly summarize the alleged Prohibited Conduct that was the subject of the Investigation and Determination, identify the provisions of this Policy at issue, and indicate the Office’s determination(s) as to whether the conduct violated the Policy. The Determination Letter will also describe the applicable timeline for an appeal. Only the Respondent has a right to appeal. Each Party may also provide a written impact statement discussing how the alleged Prohibited Conduct has impacted them. The impact statement must be prepared by the Party and be no more than five single-spaced typed pages, using size 12-point Times New Roman font and one-inch margins. The impact statement must be submitted within three (3) business days of the Determination Letter.

Any Party may, upon request to the Office, arrange to review a copy of the Investigative Report that has been redacted in compliance with FERPA and other applicable laws and policies. A Party may be accompanied by an Advisor while reviewing the Investigative Report and may take notes of the Investigative Report, but may not take photos, screenshots, or copy the Investigative Report in whole or in part.

C. Education and Training

At any point during or after the resolution process, including in cases where a Report is closed or a Respondent is found not responsible for an alleged violation of this Policy, the Dean of Students or equivalent administrator at the Respondent’s school may require that any Respondent, and/or any member or affiliate of a Respondent that is a Recognized Student Group, receive appropriate education and/or training related to any alleged Prohibited Conduct. Such education and/or training will not call for abridging the Respondent’s academic freedom. The Dean of Students or equivalent administrator may also recommend other support services.

VIII. SANCTIONS AND OTHER REMEDIES¹⁹

If a Respondent is found responsible for a violation of this Policy, Sanctions will be imposed. This section describes how Sanctions are determined, provides a non-exhaustive list of possible Sanctions, and explains other steps the Office may take after a determination of responsibility has been made.

A. How Sanctions Are Determined

Any Sanction imposed will be:

- Fair and appropriate, given the facts of the particular case;
- Adequate to promote the ability of all members of the University community to access the University's activities and programs free from Discrimination or Discriminatory Harassment;
- Designed to address any Hostile Environment to which the Prohibited Conduct contributed in any of the University's programs or activities or at the University as a whole;
- Reflective of the seriousness of the Prohibited Conduct that was found to have occurred; and
- Generally consistent with Sanctions imposed in similar cases under similar circumstances.

In determining the Sanction, relevant factors that may be considered include, but are not be limited to:

- The specific Prohibited Conduct at issue;
- The totality of the information available about the circumstances surrounding the Prohibited Conduct;
- The Respondent's state of mind, or the state of mind of the Respondent's members or affiliates if the Respondent is a Recognized Student Group;
- The Respondent's prior disciplinary history in proceedings under the Policy or any other University policy;

¹⁹ Where applicable, the Office will adhere to the common protocols set forth in Columbia University's Standards and Discipline Policy and the Student Governing and Review Board Policy in determining the timing for the implementation of sanctions imposed on a Student Respondent and/or a Recognized Student Group.

- Sanctions imposed on the Respondent in other matters involving similar Prohibited Conduct;
- Sanctions imposed on any other Respondents in the same matter;
- The impact of the Prohibited Conduct on the Complainant and on the University community more generally;
- The existence of a Hostile Environment in any of the University's programs or activities or at the University as a whole, and the extent to which the Respondent's Prohibited Conduct created or contributed to any such Hostile Environment; and
- Any extenuating, aggravating, or other information deemed relevant.

When a Respondent is found responsible for a violation of this Policy following an Investigation and Determination, a Sanction will be determined by a majority vote of a Sanctioning Panel, in consultation with the Investigative Team and the Office. The Sanctioning Panel will consist of three Deans: The Dean of Student Affairs of the Respondent's school and two other Deans of Student Affairs, or equivalent positions within another University school. The Sanction will be communicated to the Respondent by letter within ten (10) business days of the date of the Determination Letter. The time frame for Sanctioning decisions may be adjusted, however, based on the availability of the individuals responsible for making the Sanctioning decisions.

In those cases that go through the Investigation and Determination process, there will be no Sanction without a determination of responsibility.

B. Possible Sanctions

The University may, consistent with applicable law and Columbia's policies, impose one or more of the following Sanctions²⁰ on a Student determined to have violated this Policy:

- Reprimand/disciplinary warning;
- Conditional disciplinary probation;
- Disciplinary probation;
- Revocation of honors and/or awards;
- Restriction of access to University facilities or activities, up to and including a total ban from access to all University-owned buildings or property (*i.e., persona non grata* status);

²⁰ The definitions of the sanctions, where applicable, are consistent with those defined in Columbia University's [Standards and Discipline Policy](#).

- Removal from and/or restricted participation in academic or extracurricular activities and/or University organizations (including Recognized Student Groups), or restriction from receiving University services;
- Removal from Student housing;
- Admission revocation;
- Disciplinary suspension (suspension for a fixed period of time or indefinite suspension, with the opportunity to petition for re-admission);
- Expulsion;
- Withholding or deferral of issuance of degree; and/or
- Degree Revocation.

The University may impose one or more of the following Sanctions on a Recognized Student Group determined to have violated this Policy:

- Reprimand/disciplinary warning;
- Education and training;
- Travel restrictions;
- Deduction of funds from the Recognized Student Group's budgetary allocation;
- Freezing of the Recognized Student Group's ability to access its budgetary allocation or to reserve space;
- Temporary or permanent prohibition of certain individuals from serving in leadership positions in the Recognized Student Group;
- Disciplinary probation of the Recognized Student Group;
- Disciplinary suspension of the Recognized Student Group;
- De-recognition of the Recognized Student Group; and
- Recommendation for Charter Revocation.

These lists are not exhaustive, and the Office may fashion other Sanctions appropriate to the circumstances of any particular case.²¹

If a Sanction of disciplinary probation, disciplinary suspension, expulsion, withholding of degree, or revocation of degree is issued to a Student Respondent, the Student will not be considered in good disciplinary standing. In addition, if a Student Respondent receives a Sanction of expulsion, the Student will be permanently separated from the University and will not be permitted to return at any time.

Where a Student Respondent is found responsible and the Sanction includes disciplinary suspension or expulsion, the Student may be removed from a campus residence and either severely restricted in their movements on campus or barred completely from campus during the entirety of the Appeal-filing period and appellate process.

Where a Student Respondent is found responsible and the Sanction includes an indefinite suspension, while on such an indefinite suspension, the Student may not obtain academic credit elsewhere that may be applied toward the completion of a Columbia degree.

C. Readmission

A Student who has been suspended must apply for readmission and readmission is not guaranteed. Any written petition for readmission must be prepared by the Student. The petition for readmission should be submitted to the Office, for consideration by the Office, in consultation with appropriate University partners including program and school leadership, no later than April 1 if the petition is for re-admission for the fall semester and no later than November 1 if the petition is for re-admission for the spring semester. A request for re-admission must include a personal statement of no more than ten (10) single-spaced typed pages, using 12-point Times New Roman font and one-inch margins, and must demonstrate the following topics:

- Acquired an understanding of the reasons for any previous difficulties, particularly those related to the suspension, including what you learned about yourself personally and/or academically by going through the disciplinary process.
- Developed a commitment to ensuring that difficulties similar to those related to the suspension do not recur.
- Satisfactory motivation for returning to the University community generally and the Student's academic program in particular.

The submission may include, but is not limited to, the following additional supporting materials:

²¹ The definitions of the sanctions, where applicable, are consistent with those defined in Columbia University's [Student Group Accountability Review Board Policy](#).

- Letters of support;
- Proof of community involvement;
- Certified completion of related individual or group counseling, training, or education; and
- Any other indicators of changes in life circumstances or personal growth.

In addition to any other Sanction (except where the Sanction is, for a Student Respondent, the withholding of a degree, expulsion, or revocation of degree), the Office may require any Respondent, or any member or affiliate of a Recognized Student Group Respondent, found responsible for a violation of this Policy to receive appropriate education and/or training related to the Prohibited Conduct at issue. The Office will conduct the appropriate education and/or training. The Office may also recommend other support services to the Respondent or Respondent member or affiliate.

D. Transcript Notations

Upon conclusion of the appellate process, a transcript notation will be placed on a Student Respondent's record for cases resulting in disciplinary suspension or expulsion and for cases where the Respondent withdrew from the University during the pendency of any resolution process. Notations on transcripts will be made in compliance with applicable federal and state law and will appear as follows: disciplinary suspension; disciplinary expulsion; withdrawn with disciplinary action pending. Further information on transcript notations is available in the policy on Standard Transcript Notations contained in the [University Regulations](#).

E. Ongoing or Additional Supportive Measures

Whatever the outcome of any resolution process or Appeal under this Policy, the Parties may request ongoing or additional Supportive Measures, and the Office, in consultation with the designated administrator of a Student or Recognized Student Group Party's school, will determine whether such Supportive Measures are appropriate. The Office may determine that additional measures are appropriate to respond to the effects of an incident on the University community. Additional responses for the benefit of the University community may include, but are not limited to, increased monitoring, supervision, or security at locations or activities where the misconduct occurred; additional training and educational materials for Students and Recognized Student Groups; or revision of this Policy or related University policies.

IX. APPEALS

All Respondents may appeal a determination of responsibility and/or Sanction within ten (10) business days after the Respondent receives a Sanctioning Letter by filing an Appeal in writing to the Office. Failure to meet the deadline for an Appeal will result in waiver of the right to appeal.

Any Sanction imposed prior to the filing of an Appeal will remain in place during the pendency of the Appeal. The pendency of an Appeal does not stay the imposition of a Sanction.

A. Grounds for Appeal

Disagreement with a determination of responsibility or with a Sanction is not, by itself, grounds for appeal. The four grounds for appeal include:

Procedural Irregularity

An Appeal based on procedural irregularity must identify with specificity each alleged procedural irregularity within the resolution process and the ways in which the specified procedural irregularity or irregularities substantially affected the decision of the Investigative Team or Sanctioning officer to the detriment of the appealing Party. Disagreement with the determination is not, by itself, a ground for appeal.

New Information

An Appeal based on new information must explain why the information was not available or not provided to the Investigative Team in a timely manner and how this information would have substantially altered the decision by the Investigative Team or Sanctioning officer. If a Party declined to participate or withdrew from the process, the Appellate Officer or Panel will not consider information that the Party could have provided if they had fully participated in the process. This includes situations where a Party declines to participate on the advice of their Advisor or due to a concurrent criminal investigation.

Conflict of Interest/Bias

An Appeal based on Conflict of Interest or bias must explain how the Office, the Investigative Team, or the Sanctioning Officer had a Conflict of Interest or bias for or against Complainant(s) or Respondent(s) generally, that affected the outcome of the matter. Complainants and Respondents are afforded the opportunity throughout the process to raise a potential Conflict of Interest or alleged bias. Parties must exercise this opportunity to raise a potential Conflict of Interest or alleged bias (*e.g.*, to identify situations where a participant in the process is a Party's family member, close friend, current or former faculty member, or academic advisor) so that any Conflicts of Interest or biases are immediately addressed before the process moves forward. Accordingly, only newly known or newly apparent Conflicts of Interest or bias will be considered on appeal.

Sanction is Too Severe

An appeal based on the imposed sanction being too severe must explain why a sanction is disproportionate to the severity of the violation, including based on the weight of the information provided during the investigation and/or sanction phases of the process.

B. Appellate Procedures

Appeals involving Student Respondents are decided by the majority vote of an Appellate Panel. The Appellate Panel will consist of three Deans: the Dean of the Respondent's school and Deans from two other schools. Should a Dean from any Party's school have a Conflict of Interest, Deans from other schools will be added to the Appellate Panel so that it consists of three Panelists.

Appeals involving Recognized Student Group Respondents are also decided by the majority vote of an Appellate Panel. The Appellate Panel will consist of three Appellate Officers to be designated by the Office, who will be senior officers of the University.

Attached to their Appeal, the appealing Party may provide a written submission for the Appellate Panel to review. The written statement must be prepared by the Party and be no longer than five (5) single-spaced typed pages, using 12-point Times New Roman font and one-inch margins. No attachments or exhibits will be accepted; references to evidence should be made to cited portions of the Determination Letter or Sanctioning Letter, the Investigative Report, or materials included with the Investigative Report.

The purpose of an Appeal is not to initiate a review of substantive issues of fact or to make a new determination of whether a violation of this Policy has occurred. The Appellate Panel is strictly limited to determining if an Appeal should be granted based on the above grounds for appeal. In making a determination, the Appellate Panel will have access to and the ability to review all applicable documents, including the Appeal, and the complete Investigative Report and all exhibits. The Appellate Panel may also request additional information from the Investigative Team and/or the Sanctioning Officer. If a Party submits an Appeal containing inaccurate facts or information outside the scope of this Policy, those portions of the information may be redacted and/or the Office may provide a curative instruction to the Appellate Panel.

The Appellate Panel may take the following actions:

- Affirm the determination and/or Sanction;
- Revise the Sanction; or
- Reverse the determination and send the matter back to the Investigative Team or a different Investigative Team for further consideration.

If the matter is returned to an Investigative Team, the Appellate Panel will provide instructions regarding the nature and extent of the reconsideration. Following reconsideration by the Investigative Team, further proceedings will be conducted as appropriate.

Decisions regarding Appeals will generally be rendered within twenty (20) business days after the receipt of the last written submission by either of the Parties, depending on the availability of the Appellate Panel at the time of the Appeal. The Office will notify the Parties if there is a delay.

There is no further recourse beyond the decision of the Appellate Panel. The Appellate Panel will notify the Respondent(s) of its decision in writing. The Complainant(s) will receive notice that the resolution process has been completed but, due to restrictions imposed by FERPA and consistent with the University's FERPA policy, the Complainant will not be notified of the fact that the Respondent appealed nor of the outcome of the appellate process.

X. UNIVERSITY RECORDS AND REPORTING

A. Records Retention and Disclosure

The Office must retain documentation generated during the course of its assessment of and response to Reports of Discrimination, Discriminatory Harassment, and other Prohibited Conduct for seven (7) years. This includes, as applicable, Reports, documentation of attempts to determine the identity(ies) of Parties involved in reported incidents if not known to the Reporter, Notices, interview notes and recordings, documentary evidence collected, documentation concerning Supportive Measures and Interim Measures, Investigative Reports, Determination Letters, Sanction Letters, documentation pertaining to Appeals, and any other relevant documents or correspondence. Relevant portions of this documentation may become part of a Student Respondent's educational record or the University's files concerning a Recognized Student Group Respondent.

Records of disciplinary proceedings involving Students are subject to FERPA, a federal law governing the confidentiality of Student information. FERPA generally limits disclosure of Student information outside the University without the Student's consent, but it does provide for release of Student disciplinary information without a Student's consent in certain circumstances. For example, it is important to note that the release of Student disciplinary records is permitted, without prior consent, to University officials with a legitimate educational interest, such as a Student's academic advisor and staff of Columbia Athletics if the Student is an athlete. The University will also release information when a Student gives written permission for information to be shared.²²

²² Additional information about FERPA is contained in Columbia University's [Policy on Access to Student Records under the Federal Family Educational Rights and Privacy Act \(FERPA\) of 1974, as Amended](#).

Any information gathered by the Office may be subpoenaed by law enforcement authorities as part of a parallel or subsequent investigation into the same conduct or required to be produced through other legal processes.

Unless otherwise specified by a Student Respondent, the University will respond to third-party requests for a Student's disciplinary records (*e.g.*, requests by graduate schools or employers) by disclosing only records of disciplinary matters that result in the change of a Student's good disciplinary standing at the University, and only with the Student's prior written permission. Matters that resulted in disciplinary probation are reported for seven (7) years from the date that the Student was found responsible for a violation of University policy. Matters that result in a disciplinary suspension or in expulsion from the University are reported as a part of the Student's permanent education record. Matters where Students maintained good disciplinary standing are not reported unless otherwise specified by the Student. Any such disclosure includes the Student's violation(s), the corresponding Sanction(s), and the date of determination.

Students and alumni may inquire about their disciplinary record [here](#).

B. Annual Assessments and Reports

A federal law called the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act") requires the University to record and report certain information about campus safety, including the number of incidents of certain crimes on or near campus. As described in the chart in Appendix B, many Employees who receive Reports of Prohibited Conduct are required by the Clery Act to notify Columbia Public Safety about such incidents for statistical reporting purposes only; these notifications may include the classification and location of the reported crime, but do not identify the individuals involved.

Additionally, as a matter of policy unrelated to the Clery Act, the University will report aggregate information to the University community concerning reported incidents of Discrimination or Discriminatory Harassment and the results of related disciplinary proceedings. Such reports will not contain information identifying individual participants.

At least annually (and possibly more frequently, as circumstances dictate), the Office will (i) search University websites and publications to ensure that information regarding policies and procedures concerning Discrimination or Discriminatory Harassment, and the links to such policies, procedures, and reporting forms are up to date; and (ii) review all Reports received, regardless of their disposition, to determine if any patterns, recidivism, or collective incidents exist that may have created or contributed to the existence of a Hostile Environment for members of any Protected Class in any University program or activity or at the University as a whole.

XI. OTHER REPRESENTATIONS

A. University Authority / Amendment

The University may amend this Policy periodically, including in response to new or amended laws or regulations. Nothing in this Policy affects the inherent authority of the University to take such actions or alter, change, or modify this Policy as it deems appropriate to further the educational mission or to protect the ability of all members of the University community to access the University's activities and programs free from Discrimination, Discriminatory Harassment, and other Prohibited Conduct. The information in this Policy is intended to be explanatory and not contractual in nature.

XII. APPENDICES

Appendix A: Campus & Community Resources

Office of Institutional Equity RESOURCES FOR STUDENTS

ON-CAMPUS RESOURCES

The University Health Services Student Fee covers the on-campus resources that are available to students enrolled in their school's health service program. Services are available during normal business hours, 9:00 a.m.-5:00 p.m., unless otherwise noted.

CONFIDENTIAL

Sexual Violence Response & Rape Crisis/ Anti-Violence Support Center*

- ☒ **Morningside:** Alfred Lerner Hall, Suite 700
- **CUIMC:** 60 Haven Ave, Bard Hall, Suite 206
- **Barnard:** 105 Hewitt Hall, 1st Floor
- ☒ **Helpline:** 212-854-HELP (4357) (*Available 24 hours a day year-round*)

Ombuds Office

- **Morningside:** 660 Schermerhorn Ext. | 212-854-1234
- **CUIMC:** 154 Haven Ave, Room 412 | 212-304-7026

Medical Services

- ☒ **Morningside:** John Jay, 4th Floor | 212-854-7426 | Mon–Thur 9am-4:30pm | Fri 8am – 3:30pm
- **CUIMC:** 100 Haven Ave, Tower 2, 2nd Floor | 212-305-3400
- **Barnard:** Lower Level Brooks Hall | 212-854-2091

University Counseling and Psychological Services

- ☒ **Morningside:** Alfred Lerner Hall, 5th and 8th Floors | 212-854-2878
- **CUIMC:** 100 Haven Ave, Tower 2, 3rd Floor | 212-305-3400
- **Barnard:** 100 Hewitt Hall, 1st Floor | 212-854-2092
After hours 855-622-1903

University Pastoral Counseling

- **Office of the University Chaplain:** (*Ordained Clergy*)
W710 Lerner Hall | 212-854-1493
- **Columbia Religious Life:** (*Ordained Clergy*) 303
Earl Hall | 212-854-2184

Columbia Office of Disability Services

(*Confidential Resource for Columbia Only*)

- **Morningside:** Wien Hall, Suite 108A | 212-854-2388
- **CUIMC:** 105 Bard Hall | 212-304-7029
<http://www.health.columbia.edu/disability-services>

☒ Indicates that facility supports Teachers College.

The medical treatment resources listed above can provide treatment for injuries and for potential exposure to sexually transmitted diseases. They also provide emergency contraception and other health services. They can assist in preserving evidence or documenting any injuries, including by helping find a Sexual Assault Nurse Examiner, who is specially trained to collect evidence. Taking these steps promptly after an incident can be very helpful in later criminal proceedings and/or in seeking a protective order.

ADDITIONAL RESOURCES (NON-CONFIDENTIAL)

Center for Student Success and Intervention (“CSSI”)

- Case Management and Community Engagement CSSI@columbia.edu | 212-854-1717

Office of Institutional Equity (“OIE”)

- institutionalequity@columbia.edu | 212-854-5511

University Title IX

- Columbia University: Marjory Fisher, Associate Vice President | mdf2166@columbia.edu | 212-853-1276
- Barnard: Joanne Delgadillo, Director of Nondiscrimination and Title IX | Elliott Hall, 1st Floor | jdelgadi@barnard.edu | 212-854-0037
- Teachers College: Allison Nicole Antwi, Assistant Vice President for Equity and Compliance | Zankel 128 | ana2172@tc.columbia.edu | 212-678-7508

University Public Safety

- Morningside: 212-854-2797
- Manhattanville: 212-853-3301
- CUIMC: 212-305-8100
- Barnard: 212-854-3362
- Teachers College: 212-678-3333

International Students and Scholars Office (“ISSO”)

- 524 Riverside Drive, 1st Floor
<https://isso.columbia.edu/> | 212-854-3587

Requesting Accommodations for a Disability at Barnard and Teacher’s College

- Teachers College Office of Access and Services for Individuals with Disabilities: Zankel 301
<http://www.tc.columbia.edu/oasid> | 212-678-3689
- Barnard Office of Disability Services: 101 Altschul Hall <http://www.barnard.edu/disabilityservices> | 212-854-4634

OFF-CAMPUS RESOURCES**

Unless otherwise noted, all facilities listed below are available 24 hours a day.

☾ Crescent moon - indicates facilities that are not available 24 hours a day. **Fees may apply.

Off-Campus Advocacy, Counseling and Health Services

- **Safe Horizon**
Sexual Assault Hotline: 212-227-3000
Domestic Violence Hotline: 800-621-HOPE (4673)
- ☾ **Mt. Sinai St. Luke's Hospital Crime Victims Treatment Center** 1-212-523-4728 *by appointment only* (sexual assault advocates available 24 hours a day).
- **New York-Presbyterian/CUIMC Emergency Room**
1-212-305-6204
- **New York City Anti-Violence Project**
1-212-714-1184
- **New York State Office of Victim Services** 1-800-247-8035
- **New York State Office of Campus Safety** 1-518-474-6460
- **New York State Office for the Prevention of Domestic Violence** 1-800-942-6906
- **It's On Us** 1-202-908-5226 www.itsonus.org

Neighboring Hospitals with SAFE Centers:

- **Mt. Sinai St. Luke's Hospital** (CHP Group)
1111 Amsterdam Avenue at West 113th Street
- **Mt. Sinai West Hospital** (CHP Group)
1000 10th Avenue at West 58th Street
- **Bellevue Hospital** (HHC Group)
462 First Avenue at East 27th Street
- **Harlem Hospital** (HHC Group),
506 Malcolm X Boulevard at West 135th Street
- **Metropolitan Hospital Center** (HHC Group)
1901 First Avenue at 96th Street
- **Mount Sinai Medical Center** (Mount Sinai), 1 Gustave L Levy Place (Fifth Avenue) at East 98th Street
- **New York-Presbyterian - Columbia** (NYP)
622 West 168th Street
- **New York-Presbyterian - The Allen Pavilion** (NYP),
5141 Broadway at West 221st Street
- **New York-Presbyterian - Weill Cornell** (NYP), 525 East 68th Street at York Avenue

Mt. Sinai St. Luke's Hospital's Emergency Room at 1111 Amsterdam Avenue (West 113th Street between Amsterdam and Morningside Avenues) and New York-Presbyterian Hospital/CUIMC Emergency Room at 630 West 168th Street (at Broadway) can provide treatment for injuries and for potential exposure to sexually transmitted infections, emergency contraception, and other health services. They can assist in preserving evidence or documenting any injuries and have personnel who are specially trained to collect evidence.

Off-Campus Law Enforcement

- **New York City Police Department (NYPD)**
Emergency: 911
26th Precinct: 212-678-1311
- **New York County District Attorney's Office**
Child Abuse and Family Violence: 212-335-4308
Intimate Partner and Sexual Violence: 212-335-9373
- **New York Campus Sexual Assault Victims Unit**
Hotline 1-844-845-7269
- **Sex Crimes Report Hotline** 212-267-7273

Additional Government Resources

The government resources listed here may provide additional assistance for students wishing to file an external complaint of misconduct or students with inquiries regarding the application of Title IX and its implementing regulations:

- ☾ **NYC Family Justice Center – Manhattan**
• <https://www.nyc.gov/site/ocdv/programs/family-justice-centers.page>
212-602-2800 | 80 Centre St New York, NY 10013
- ☾ **New York State Office of Victims Services**
<https://ovs.ny.gov/> | 1-800-247-8035
- ☾ **U.S. Department of Education, Office for Civil Rights** | <http://www.ed.gov/ocr>
646-428-3800 | New York – Region II, 32 Old Slip, 26th Floor | OCR.NewYork@ed.gov
- ☾ **U.S. Department of Justice, Office on Violence Against Women** | <https://www.justice.gov/ovw>
202-307-6026 | 145 N St, NE, Suite 10W.121
Washington, D.C. 20530
- **National Domestic Violence Hotline**
1-800-799-SAFE
- ☾ **National Crime Victim Center**
<http://www.ncvc.org> | 855-484-2846 (8:30 am – 7:30 pm)

Overseas Services

In an emergency, contact the nearest U.S. Embassy or Consulate, or call these numbers:

- From Canada: 1-888-407-4747
- From Overseas: +1-202-501-4444-4747

See the chart on the following page for an explanation of these resources' reporting obligations. Up-to-date contact information can be found on the University's *Sexual Respect* website at <http://sexualrespect.columbia.edu>.

Appendix B: Confidentiality Protections & Reporting Obligations

CONFIDENTIALITY PROTECTIONS & REPORTING OBLIGATIONS

Confidential resources will not share information with some exceptions. Exceptions to confidentiality are listed below.

TYPE	PERSONNEL	REPORTING OBLIGATIONS
CONFIDENTIAL	University Chaplains <i>(Ordained Clergy)</i>	<ul style="list-style-type: none"> • None, unless acting in a role described below.
	Counseling and Psychological Services	<ul style="list-style-type: none"> • If a patient’s clinical state poses a substantial risk of harm to the patient or others, as manifested by conduct, this resource must report to County Mental Health officials. (NY Mental Hygiene Law) • If there is reasonable cause to suspect that a minor has been sexually abused, this resource will report to the requisite state officials. (NY Social Services Law)
	Physicians and Other Health Professionals	<ul style="list-style-type: none"> • This resource will report incidents on an aggregate periodic basis without any identifying information to the Office to enable the University to understand the existence and extent of the problem. (Title IX) • If a patient’s clinical state poses a substantial risk of harm to the patient or others, as manifested by conduct, these resources will report to New York County Mental Health officials. (NY Mental Hygiene Law) • If there is reasonable cause to suspect that a minor has been sexually abused, this resource will notify the requisite state officials. (NY Social Services Law)
	Sexual Violence Response & Rape Crisis/Anti-Violence Support Center	<ul style="list-style-type: none"> • This resource will report incidents on an aggregate periodic basis without any identifying information to the Office to enable the University to understand the existence and extent of the problem. (Title IX) • If there is reasonable cause to suspect that a minor has been sexually abused, this resource will notify University leadership. (NY Social Services Law) • When disclosure may prevent harm to self or others where the danger is imminent (i.e. suicide or homicide) N.Y. [Mental Hygiene] Law • If there is reasonable cause to suspect abuse or neglect of an Incompetent or Physically Disabled Person (defined as persons who are unable to care for themselves because of physical disability, mental disease or defect). (Article 260, NYS Penal Law & Soc. Services)
	Disability Services <i>(for Columbia only)</i>	<ul style="list-style-type: none"> • This resource will report incidents on an aggregate periodic basis without any identifying information to the Office to enable the University to understand the existence and extent of the problem. (Title IX)
	University Ombuds Offices	<ul style="list-style-type: none"> • If a patient’s clinical state poses a substantial risk of harm to the patient or others, as manifested by conduct, these resources will report to New York County Mental Health officials. (NY Mental Hygiene Law) • If there is reasonable cause to suspect that a minor has been sexually abused, this resource will notify University leadership. (NY Social Services Law)

CONFIDENTIALITY PROTECTIONS & REPORTING OBLIGATIONS

Non-confidential resources are required to protect students' privacy to the greatest extent possible and will only disclose identifying information on a need-to-know basis.

TYPE	PERSONNEL	REPORTING OBLIGATIONS
ADDITIONAL RESOURCES (NON-CONFIDENTIAL)	Center for Student Success and Intervention	<ul style="list-style-type: none"> • Unless a complainant requests otherwise and the request is granted, this resource will investigate and respond to reported misconduct incidents (Title IX) • If the incident may be a crime, this resource will report it without any identifying information to Campus Public Safety for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning. (Clery Act) • This resource will share information with University personnel who need to know it in order to carry out University policies and procedures
	Title IX Coordinators	
	Office of Institutional Equity	
	Public Safety Personnel	<ul style="list-style-type: none"> • Public Safety will report to the Office all information received about misconduct incidents so the University can investigate and respond. (Title IX) • If the incident may be a crime, Public Safety will include it in a crime log and annual crime statistics without identifying the alleged victim. (Clery Act) • If the incident may be a crime and poses a serious or continuing threat, Public Safety will issue an emergency notification or timely warning. (Clery Act) • If there is reasonable cause to suspect that a minor has been sexually abused, Public Safety will notify University leadership. (NY Social Services Law) • Public Safety will share information with University personnel who need to know it in order to carry out University policies and procedures
	Other University Personnel	<ul style="list-style-type: none"> • Will report to the Office all information received about misconduct incidents so the University can investigate and respond. (Title IX) • If the incident may be a crime, a “campus security authority” will report it without any identifying information to Campus Public Safety for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning. (Clery Act) • If there is reasonable cause to suspect that a minor has been sexually abused, other University personnel will notify University leadership. (NY Social Services Law) • Other University personnel will share information with University personnel who need to know it in order to carry out University policies and procedures.
Disability Services <i>Barnard and Teacher’s College</i>		

Appendix C: Glossary of Certain Terms and Policy-Related Concepts

The following terms and concepts apply to the interpretation and application of this Policy. Only these definitions may be used in proceedings under this Policy, including as further described later in this document.

Administrative Resolution: An Administrative Resolution process that may be available when a Complainant does not wish to engage in other resolution processes and/or the Office, in its discretion and based on the available information, determines that an Administrative Resolution is necessary and/or sufficient to ensure the ability of all members of the University community to access the University's activities and programs free from Discrimination and Discriminatory Harassment.

Advisor: An individual chosen by a Party who may be, but need not be, an attorney and who may accompany that Party to any meeting or interview.

Appeal: A request that a determination of responsibility or a Sanction be reviewed.

Appellate Panel: A group of University Deans who decide an Appeal.

Case Manager: Personnel within the Office who support Complainants and Respondents.

Complainant: is the person (or persons) who is alleged to have been subjected to prohibited conduct under this Policy.

Confidential Resource: Employees of the University who are not obligated to report disclosures of instances or allegations of Prohibited Conduct with some exceptions. *See* Appendix B.

Conflict of Interest: A reason why the impartiality of any Complainant, Respondent, Witness, Investigator, Sanctioning Officer, or Appellate Panelist, or any other participant in any resolution process might reasonably be questioned.

Contractor: An individual who, while not an Employee, is directly or indirectly retained by the University to provide goods or services.

Cross-Complaint: A case in which a Complainant and a Respondent each makes allegations of Prohibited Conduct by the other presents a Cross-Complaint. In such cases, the Parties will be referred to as "Party A" and "Party B" instead of as Complainant and Respondent. Each Party will have all the same rights and be subject to the same procedures that apply to Complainants and Respondents. Allegations in Cross-Complaints will be resolved simultaneously, other than in exceptional circumstances or at the discretion of the Investigative Team when that approach will create an undue delay. Cross-complaints involving a Columbia University Student and a Barnard Student may be investigated pursuant to a joint investigation, in the discretion of the OIE Vice

Provost and the Barnard Non-Discrimination Office, during which information may be shared between the Office and Barnard's Office of Non-Discrimination and Title IX as necessary.

Determination Letter: A letter sent by the Office to inform the Respondent of the Investigative Team's determination(s) of responsibility following an Investigation and Determination.

Discrimination: Treating individuals less favorably because of their actual or perceived membership in, or association with, a Protected Class, or having a neutral policy or practice that has a disproportionate and unjustified adverse impact on actual and perceived members or associates of one Protected Class more than others. *See* Section III.A.1 for further details.

Discriminatory Harassment: Subjecting an individual to unwelcome conduct, whether verbal or physical, that creates or contributes to a hostile working, learning, or campus living environment; that alters the conditions of employment or education; or that unreasonably interferes with an individual's work, academic performance, or ability to participate in or benefit from some aspect of the University's educational programs or activities on the basis of the individual's actual or perceived membership in, or association with a Protected Class. *See* Section III.A.2 for further details.

Duty to Report: All Employees, except Confidential Resources, are required to report to the Office any instance or allegation of Prohibited Conduct involving *any Student or Recognized Student Group* that is disclosed to, observed by, or otherwise known to that Employee, whether or not the Student or Recognized Student Group is a potential Complainant or Respondent and whether or not the Student or Recognized Student Group has any formal connection to the Employee who is subject to this duty.

Educational Resolution: A mandatory resolution process that may be available in cases involving a Report of alleged Prohibited Conduct when the Office, in its discretion, deems appropriate based on the totality of circumstances.

Employee: Any individual employed by the University, whether full-time or part-time and in any capacity.

Hostile Environment: A learning, working, or living environment created by unwelcome conduct that, considering the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from any of the University's educational programs or activities.

Intentional Interference: Intentionally taking action to impede any process of the Office conducted pursuant to this Policy.

Interim Measure: Any action the Office may take or cause to be taken, based on the totality of the circumstances known at the time, to protect the safety of all Parties involved, to prevent the

escalation of conflict, to mitigate any risk of further immediate harm in light of the severity of conduct, and to protect the integrity of the resolution process while the process remains ongoing.

Investigation: The portion of the Investigation and Determination resolution process during which the Investigative Team may interview Parties and Witnesses, gather other evidence, and prepare an Investigative Report.

Investigation and Determination: A resolution process involving an Investigation followed by a determination of responsibility.

Investigative Report: A document prepared as part of the Investigation and Determination resolution process.

Investigator or Investigative Team: One or more personnel of the Office assigned to a matter upon the Office's receipt of a Report of alleged Prohibited Conduct. In the Office's discretion, the Office may assign appropriate non-Office personnel as an Investigator or Investigative Team.

Mediation: A resolution process in which the Parties identify the implications of a Respondent's alleged Prohibited Conduct and, with the assistance of a Mediator, identify points of agreement and appropriate remedies.

Mediator: A trained facilitator who guides the discussion between the Parties in a Mediation and assists the Parties to identify points of agreement and appropriate remedies.

Notice: A written communication between the Office and one or more Parties that is sent pursuant to an Investigation.

Office: Columbia University's Office of Institutional Equity.

Party: A Complainant or Respondent. The Complainant(s) and Respondent(s) are referred to collectively as the "Parties."

Policy: This Policy and the procedures associated with it.

Prohibited Conduct: Conduct that violates this Policy, including, but not limited to, Discrimination and Discriminatory Harassment.

Protected Class: A group of people with a common characteristic who are protected from Discrimination and Discriminatory Harassment on the basis of that characteristic. This Policy addresses Reports of Discrimination or Discriminatory Harassment on the basis of any of the following characteristics: age; alienage or citizenship status; arrest or conviction record; caregiver status; caste; color; credit history; creed; disability; familial status; genetic predisposition or carrier status; gender; gender expression; gender identity; lactation accommodation; marital status; national origin (including shared ancestry, ethnic characteristics, or citizenship or residency in a

country with a dominant religion or distinct religious identity); pregnancy; race; religion; salary history; sex; sexual orientation; sexual or reproductive health decisions; status as a victim of domestic violence, stalking, or sex offenses; unemployment status; veteran or active military status; or any other protected characteristic as established by law.²³

Recognized Student Group: A group, composed mainly of, and directed by, students which has filed all required registration forms with and completed all requirements outlined by the appropriate University recognition body within the school(s) or University Senate and has been confirmed by that body as meeting all eligibility criteria for recognition. A Recognized Student Group also includes recognized student councils, boards, or equivalent.

Recognized Student Group Representative: One or more students registered at Columbia or Columbia-affiliated institutions who are selected by the recognized student group as their primary leader/contact through the recognition and/or election process. Additionally, the Student or Student(s) designated from a Recognized Student Group to interact with the Office when a complaint is made involving the Recognized Student Group.

Relevant: Helping to show that an allegation of Prohibited Conduct is more or less likely to be true.

Report: An allegation of Prohibited Conduct received by the University.

Reporter: A person who makes a Report of alleged Prohibited Conduct pursuant to this Policy.

Respondent: A Student or Recognized Student Group alleged to have engaged in Prohibited Conduct.

Restorative Justice (“RJ”): An approach to wrongdoing and interpersonal conflict that emphasizes the impact of challenging behaviors on individuals and communities.

Retaliation: Any adverse action or threatened action, taken or made, personally or through a third party, against a Complainant, a Respondent, or any other individual (such as a Witness, Reporter, or Advisor) because the individual has made a Report pursuant to this Policy, engaged with the Office, and/or participated in a resolution process pursuant to this Policy.

²³ As part of a totality of the circumstances analysis for national origin, shared ancestry, and ethnicity claims of antisemitism, OIE considers the International Holocaust Remembrance Alliance (“IHRA”) definition of antisemitism, *see* [Frequently Asked Questions](#), among other resources, including the framework provided for by Columbia University’s Task Force on Antisemitism which explains, “antisemitism can manifest in a range of ways, including as ethnic slurs, epithets, and caricatures; stereotypes; antisemitic tropes and symbols; Holocaust denial; targeting Jews or Israelis for violence or celebrating violence against them; exclusion or Discrimination based on Jewish identity or ancestry or real or perceived ties to Israel; and certain double standards applied to Israel.”

Sanction: A consequence imposed upon a Respondent who has been determined to be responsible for Prohibited Conduct.

Student: A person who has gained admission to the University, including a person who is not officially enrolled for a particular semester. Students include, but are not limited to, persons registered in any program or division of the University, whether for courses or research, and regardless of whether they are candidates for a degree or certificate. They also include persons who are on leave or suspended or continuing matriculants for any degree or certificate, as well as persons registered during any preceding terms and who have not since that time earned the degree or certificate or withdrawn from the University.

Supportive Measure: An accommodation the University may provide to any Party during or following the resolution process.

University: Columbia University only, not including Barnard College or Teachers College.

University Affiliate: A current University Student, Employee, Contractor, or Recognized Student Group, including Students and Employees on a leave of absence, and regardless of a Student's current registration status.

Witness: An individual who may have observed or otherwise have relevant information concerning alleged Prohibited Conduct.

Appendix D: Scenarios

The following scenarios are meant to help illustrate some applications of this Policy:

An undergraduate Student files a Report with the Office alleging that she was subjected to a Hostile Environment because she is Jewish. In support of her Report, she alleges that the dry-erase board on her dorm room door was defaced with swastikas. Additionally, she alleges that epithets referencing poor hygiene and racial impurity of Jewish people and white supremacist slogans stating conspiracy theories about Jewish people were scrawled on the door and posted by fellow Students as comments to her social media feed. The Student informs her academic advisor of these incidents and tells her advisor she no longer feels comfortable going to her dorm. The advisor has a meeting with the Student to discuss her concerns but fails to take any further action.²⁴

Students who engaged in the alleged harassing actions violated the Policy. The alleged harassment appears to be based on the Student's membership in one or more Protected Classes (e.g., her Jewish religion, as well as the shared ancestry and actual or perceived shared ethnic characteristics of Jewish people). The use of swastikas and the graffiti/taunts related to hygiene, impurity, and racial hierarchy suggest that the alleged harassing conduct depicts Jewish people as a separate, and inferior, race who share certain characteristics. If the Office's investigation confirms these allegations, the Office could find that those who participated in these harassing actions engaged in Discriminatory Harassment. The alleged conduct unreasonably interfered with the Student's ability to participate in or benefit from the services, activities, or opportunities offered by the University, including access to her dorm, i.e., created a Hostile Environment. In addition, the Office could find that the academic advisor failed to fulfill her Duty to Report the conduct that the Student brought to her attention.

Student A is a Sikh Student who wears a turban. One day, as he was crossing campus to get to class, another Student ran up behind him, grabbed his turban off his head, whispered an anti-Sikh slur in Student A's ear, and ran away. Student A reported the incident to Columbia Public Safety, which was able to identify the Student who took the turban off Student A's head as Student B. Student B is also Sikh. Student A had never met Student B.

Student B violated the Policy. He subjected Student A to unwelcome verbal and physical conduct based on Student A's membership in a Protected Class, thereby engaging in Discriminatory Harassment. The fact that Students A and B are members of the same Protected Class does not negate that Student B's conduct violated the Policy.

²⁴ This scenario is adapted from a portion of the May 7, 2024 Dear Colleague Letter issued by the Office for Civil Rights ("OCR"), U.S. Department of Education.

See <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-202405-shared-ancestry.pdf> at 6–7.

Student H has a visible disability. Some of Student H’s classmates asked him about what it was like to live with his disability. Student H told his classmates that he was at Columbia to learn and was not comfortable answering their questions. A few of Student H’s classmates—Students I, J, and K—refused to let the subject go. They kept coming up to Student H before and after class with questions about whether he could succeed at school and whether his disability resulted from something wrong his parents had done. Student H kept explaining that he was not interested in talking about the subject. After a few weeks went by and his classmates did not change their behavior, Student H asked to switch to another section of the same course.

Students I, J, and K likely violated the Policy when they refused to stop asking Student H questions about his family and when they employed the stereotypes that persons with disabilities cannot succeed and that the parents of people with disabilities are to blame for their disabilities. Student H made it clear that their conduct was unwelcome. The conduct of Students I, J, and K was based on Student H’s membership in a Protected Class (i.e., disability), and their refusal to respect Student H’s wishes may have created or contributed to a Hostile Environment for Student H, as evidenced by his request to change course sections.

A group of Arab Students receives University approval to form a new Recognized Student Group to empower and support Arab Students. The Recognized Student Group hosts monthly meetings in an outdoor space and is open to all Students.

As Recognized Student Group members begin gathering for one of the meetings, dozens of other Students surround the Recognized Student Group members and refer to them as “terrorists” and “jihad supporters.” The Students participating in the meeting become fearful when they realize that they are unable to leave because their fellow Students encircle and shove them. Some Arab Students who are members of the Recognized Student Group recognize their classmates in the crowd of harassers and skip class the next day because they fear encountering the harassing Students in class. The Arab Students file a Report with the Office.

Members of the Recognized Student Group complain to University administrators about the harassing conduct they experience during their meeting. The administrators express sympathy and note that “college is difficult, and things are tense.” The administrators take no further actions. The Recognized Student Group members cancel all future meetings because they do not believe that they can safely hold them on campus.²⁵

The Students who surrounded the Recognized Student Group members violated the Policy. The alleged harassment—calling the Students who attended the meeting terrorists, blocking their ability to leave the area, and shoving them—appear to be based on Protected Classes (i.e., the Students’ actual or perceived race, color, or national

²⁵ This scenario is adapted from a portion of OCR’s May 7, 2024 Dear Colleague Letter. See <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-202405-shared-ancestry.pdf> at 13–14.

origin, including their Arab shared ancestry or ethnic characteristics). If confirmed by the Office's investigation, the Office could find that calling the Students terrorists and supporters of jihad constituted Discriminatory Harassment in violation of the Policy because the conduct created or contributed to a Hostile Environment based on the Recognized Student Group members' shared ancestry or ethnic characteristics. The alleged threatening behavior of the harassers, including shoving some Students and physically restricting Students from leaving the event, caused the Students to fear for their safety and limited or denied some members of the Recognized Student Group the ability to participate in or benefit from the University's educational activities because some Recognized Student Group members did not attend class the next day due to fear of encountering fellow Students who had harassed them, and the Recognized Student Group cancelled all its future meetings. In addition, the Office could find that the University administrators failed to fulfill their Duty to Report the conduct that was brought to their attention.

A Jewish Student wearing a kippah is walking to class. At the door of the classroom, he encounters a group of Students who, immediately upon seeing him, surround him at close quarters and state: "No Zionists are welcome here. You support genocide." The group refuses to move, and the Student is prevented from attending class. The same thing happens the next time the Student tries to attend class; this time, the other Students say: "Colonizers aren't welcome here," and "go back to Europe." After these incidents continue to repeat, the Student meets with his Dean of Students to express that these incidents of harassment made him feel unsafe, unwelcome, and concerned about continuing his education at the University. No action is taken by the Dean, and the harassing conduct continues. The Student subsequently makes a Report to the Office.²⁶

The Students who harassed the Jewish Student violated the Policy. Even though the Students used the word "Zionists" and other phrases, the alleged incidents of harassing conduct appear to be based on the Jewish Student's perceived membership in one or more Protected Classes (e.g., religion and national origin, including shared ancestry or ethnic characteristics). The other Students' alleged conduct repeatedly prevented the Jewish Student from attending class, which limited his ability to participate in or benefit from an element of the University's educational program. Blocking Students from attending class and accusing them of supporting genocide solely on the basis that the Students are perceived to be Jewish are discriminatory actions grounded in the perceived religion, national origin, and shared ancestry of these Students. Therefore, the Office could find that the other Students engaged in Discriminatory Harassment. In addition, the Office could find that the Dean of Students failed to fulfill his Duty to Report the conduct that the Student brought to his attention.

Student O, a Latino male, and Student P, a White male, were enrolled in the same sociology class. Student P often didn't do the assigned readings and kept asking Student O to send him his notes. One day, Student O told Student M that he wouldn't provide Student P with any more of

²⁶ This scenario is adapted from a portion of OCR's May 7, 2024 Dear Colleague Letter. See <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-202405-shared-ancestry.pdf> at 9–10.

his notes, explaining that Student P needed to do his own work. Student P responded by texting Student O the phrase “goody two-shoes” every half-hour for two days straight. Student O never responded. Then, starting on the third day, Student P started texting Student O an anti-Latino slur every half-hour. Student O still didn’t respond and blocked Student P’s number.

Student P violated the Policy. Text messages, phone calls, emails, and other forms of electronic communication fall within the scope of the Policy. Repeatedly texting Student O the phrase “goody two-shoes” does not constitute Discriminatory Harassment (because the phrase is not related to Student O’s actual or perceived membership in or association with a Protected Class), although texting Student O repeatedly over the course of two days could violate other University policies. However, when Student P began repeatedly texting the racial slur, he engaged in Discriminatory Harassment and may have contributed to a Hostile Environment for Student O because verbal abuse and using epithets or slurs are forms of harassment, Student P’s conduct was frequent and occurred over a long period of time, and the particular slur that Student P used was based on Student O’s membership in a Protected Class.

An undergraduate Student files a Report with the Office alleging that he was subjected to a Hostile Environment because he is Chinese. The Student alleged that a professor stated during office hours that “Chinese people don’t deserve to be in this country.” The professor and other Students make similar comments in subsequent classes. The Student’s Report stated that several Chinese Students in the professor’s class, including the Complainant, reported the professor’s and classmates’ comments to administrators and noted that they felt threatened. The Student alleged that the administrators declined to speak to any Students who indicated they felt threatened by their professor’s or classmates’ conduct. Chinese Students in the class stopped attending.²⁷

The professor and the other Students who made comments about Chinese Students violated the Policy. The alleged harassment appears to be based on the Complainant’s Chinese national origin. If the Office confirms that the alleged harassing conduct occurred, then the Office could find that the professor and the other Students engaged in Discriminatory Harassment because they subjected the Complainant and other Chinese Students to unwelcome conduct that created a Hostile Environment and limited the Chinese Students’ ability to participate in class. In addition, the Office could find that the administrators failed to fulfill their Duty to Report the conduct that was brought to their attention.

Students L, T and N, all members of the same Recognized Student Group, were asked to collaborate on a group project. Student L is Black; Students T and N are White. When the three Students met to work on the project, every time Student L made a statement that Student T

²⁷ This scenario is adapted from a portion of OCR’s May 7, 2024 Dear Colleague Letter. See <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-202405-shared-ancestry.pdf> at 12–13.

disagreed with, Student T made the “OK” hand gesture that is associated with white supremacist movements. Student N sat silently the whole time. Student L refused to continue working with Students T and N and complained about Student T’s behavior to the Office. When Student T was notified of Student L’s Report, she asked Student N to tell Student L that unless he dropped his Report, Student T would not support Student L’s candidacy to be president of the Recognized Student Group. Student N relayed Student T’s message to Student L and told Student L to let the matter go.

Student T violated the Policy by engaging in Discriminatory Harassment, and, in addition, Students T and N both violated the Policy by engaging in Retaliation. First, Student T’s use of a hand movement associated with white supremacist movements constituted a threatening, intimidating, or hostile act and an insulting or obscene gesture, both of which are forms of Discriminatory Harassment based on Student L’s race that could create a Hostile Environment.

Second, Student T threatened to take adverse action against Student L because he complained about Student T’s conduct. By relaying Student T’s message and telling Student L that he should give in to Student T’s threat, Student N also took adverse action against Student L. Threatening Student L in this manner is conduct that would discourage a reasonable person from participating in the disciplinary process as a Complainant and therefore constitutes Retaliation. The Policy prohibits Student N from engaging in Retaliation even though she was not a Respondent in Student L’s original Report.

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