Teachers College Policy and Procedures on the Protection from Discrimination and Harassment

Teachers College ("TC" or the "College") is committed to providing a working, learning and living environment free from discrimination and harassment\(^1\) and to fostering a vibrant, nurturing community founded upon the fundamental dignity and worth of all of its members.

The College prohibits discrimination and harassment on the basis of race, color, religion, creed, sex, sexual orientation, national origin, ancestry, age, marital status, citizenship status, veteran status, disability, pregnancy, gender expression, or any other criterion specified by federal, state and local laws, [https://www.tc.columbia.edu/policylibrary/diversity-and-community-affairs/non-discrimination/](https://www.tc.columbia.edu/policylibrary/diversity-and-community-affairs/non-discrimination/). The College complies with Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Violence Against Women Act, the New York State Human Rights Law, New York Education Law, the New York City Human Rights Law and other federal, state and local laws prohibiting discrimination and harassment against protected classes in College employment and educational programs and activities.

Consistent with this commitment and with applicable federal, state and local laws, it is the policy of the College to not tolerate discrimination or harassment in any form; to actively foster prevention of discrimination and harassment in the TC community; and to provide faculty, staff, students, visitors and those doing business with the College with mechanisms for seeking informal and formal resolution of concerns. TC encourages those who have experienced, witnessed or become aware of conduct that violates this Policy to come forward so that the College can take appropriate steps to prevent such conduct from occurring in the future and to ameliorate its effects.

Scope of Policy and Procedures

This Policy governs the conduct of College employees and third parties\(^2\) that: (1) occurs on any College campus or in connection with College-sponsored programs or activities; or (2) creates, contributes to, or continues a hostile work, educational or living environment for College employees, students, or third parties.

The Procedures set forth describe the general response, resolution and disciplinary process that applies when a person accused of prohibited conduct (referred to as the "Respondent") is a current College employee or a third party. Instances of gender-based misconduct where the Respondent is a student are covered by the [Gender-Based Misconduct Policy and Procedures for Students](https://www.tc.columbia.edu/policylibrary/diversity-and-community-affairs/non-discrimination/).

\(^1\) For purposes of this Policy, the term “discrimination and harassment” refers to discrimination, harassment and gender-based misconduct.

\(^2\) For purposes of this Policy, “third parties” includes non-employees who are (or are employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. Non-employees include persons commonly referred to as independent contractors, “gig” workers and temporary workers. Also included are persons providing equipment repair, cleaning services or any other services provided pursuant to a contract with the employer.
Federal, state and local law set forth specific requirements for addressing allegations of sexual harassment, sexual assault, domestic violence, dating violence and stalking, as well as other types of gender-based misconduct (including gender-based harassment, and sexual exploitation). The Gender Based Misconduct Procedures augment the Protection from Discrimination and Harassment Policy with respect to those claims.

**Policy**

All members of the College community are expected to adhere to this Policy and to cooperate with the Procedures it describes.

This Policy includes the following guidance:
- Principles and definitions concerning discrimination, harassment, gender-based misconduct and related matters
- Reporting obligations and options
- Informal and formal procedures
- Resources
- Legal Protections and External Remedies

**Definitions of Prohibited Conduct**

**Discrimination**

Discrimination is defined as treating members of a protected class less favorably because of their membership in that class or as having a policy or practice that adversely impacts the members of one protected class more than others.

**Discriminatory Harassment**

Discriminatory harassment is defined as subjecting an individual to unwelcome conduct, whether verbal, physical or visual that creates an intimidating, hostile or abusive working, learning or campus living environment: that alters the conditions of employment or education; or unreasonably interferes with an individual’s work or academic performance on the basis of the individual’s membership in a protected class.

Discriminatory harassment may include, but is not limited to: verbal abuse; epithets or slurs; negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; insulting or obscene comments or gestures; and display or circulation (including in hard copy, by email or text, or through social media) in the working, learning or living environment of written or graphic material that denigrates or shows hostility or aversion toward an individual or group. Sexual harassment and gender-based harassment which are described below, are forms of discriminatory harassment.

The College will determine whether the conduct was humiliating, abusive or threatening based on both subjective and objective factors, based on the totality of the circumstances surrounding an alleged incident or course of conduct, including without limitation, the frequency, nature and severity of the conduct. The College will determine whether that conduct created a hostile
environment by examining whether a reasonable person would find the environment hostile or abusive (as well as whether the Complainant viewed it as such).

**Sexual Harassment**

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, gender identity and the status of being transgender. Sexual harassment is considered a form of employee misconduct and sanctions will be enforced against individuals engaging in sexual harassment and against managers and supervisors who knowingly allow such behavior to continue.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual’s sex when:

- Such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, academic, co-curricular or student life activities; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual’s employment, academic evaluation, grades, advancement or student life decisions affecting that individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance, education or participation in educational programs or activities or creating an intimidating, hostile or offensive employment, academic, or campus living environment, even if the complaining individual is not the intended target of the sexual harassment.

A sexually harassing hostile work environment consists of words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual’s sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient’s academic or job performance.

**Examples of Sexual Harassment:**

- Physical assaults of a sexual nature, such as:
  - Touching, pinching, patting, grabbing, brushing against another person’s body or poking another person’s body.
- Unwanted sexual advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the victim’s job performance evaluation, a promotion or other job benefits or detriments;
  - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks, jokes, or comments about a person’s sexuality or sexual experience, which create a hostile work or learning environment.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic.
This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.

- Hostile actions taken against an individual because of that individual’s sex, sexual orientation, gender identity and the status of being transgender, such as:
  - Interfering with, destroying or damaging a person’s workstation, tools or equipment, or otherwise interfering with the individual’s ability to perform the job;
  - Sabotaging an individual’s work;
  - Bullying, yelling, name-calling.

Sexual harassment can occur between individuals, regardless of their sex or gender. Sexual harassment can occur on or off campus, including while traveling for business or at TC-sponsored events or parties. Calls, text messages and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises or not during work hours.

**Gender-Based Harassment**
Acts of aggression, intimidation, stalking, or hostility based on gender or gender-stereotyping constitute gender-based harassment. Gender-based harassment can occur if individuals are harassed either for exhibiting what is perceived as a stereotypical characteristic of their gender, or for failing to conform to stereotypical notions of masculinity or femininity. To constitute harassment, the conduct must unreasonably interfere with another person’s education or participation in educational programs or activities or work, or create an intimidating, hostile, demeaning or offensive working, learning or living environment.

**Gender-Based Misconduct**
Gender-based misconduct includes a broad range of behaviors focused on sex and/or gender that may or may not be sexual in nature. Gender-based misconduct encompasses gender-based harassment, sexual harassment, sexual assault, sexual exploitation, stalking, dating violence and domestic violence.

**Sexual Assault: Penetration**
Any form of vaginal, anal, or oral penetration, however slight, by a penis, tongue, finger, or object, without a person’s affirmative consent.

**Sexual Assault: Contact**
Any sexual contact, including sexual touching for the purpose of sexual gratification of either party, without a person’s affirmative consent. Sexual touching includes contact under or over clothing with the breasts, buttocks, genitals, groin or inner thigh, or touching another with any of these body parts; making another person touch any of these body parts under or over clothing; or the emission of ejaculate on the clothing or body of another person without that person’s consent.

**Domestic Violence**
The use or threat of physical violence or sexual assault that is directed toward (1) a current or former spouse or intimate partner; (2) a person with whom one shares a child; or (3) anyone who is protected from the Respondent’s acts under the domestic or family violence laws of New York. This violation includes behavior that seeks to establish power and control over another person by
causing fear of physical or sexual violence. Domestic violence can be a single act or a pattern of behavior, depending on the frequency, nature, and severity of the conduct. Domestic violence may include: coercion, threats, intimidation, isolation, stalking, or other forms of emotional, psychological, sexual, technological, or economic abuse.

**Dating Violence**
The use or threat of physical violence or sexual assault that is directed toward a person who is or has been in a social relationship of a romantic or sexually intimate nature with the Respondent. This violation includes behavior that seeks to establish power and control over another person by causing fear of physical violence or sexual assault. Dating violence can be a single act or a pattern of behavior, depending on the frequency, nature, and severity of the conduct.

**Stalking**
A course of unwanted attention that is repeated or obsessive, directed toward an individual or a group that is reasonably likely to cause alarm, fear or substantial emotional distress. Stalking may take many forms, including but not limited to: lying in wait for, monitoring or pursuing contact. Stalking may occur in person or through telephone calls, text messages, unwanted gifts, letters, emails, surveillance, or other types of observation and communication.

**Sexual Exploitation**
Non-consensual abuse or exploitation of another person’s sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, or any other illicit purpose. Acts of sexual exploitation include, but are not limited to: (1) non-consensual streaming, sharing or distribution of images, photography, video, or audio recording of sexual conduct, nudity or state of undress when and where there is a reasonable expectation of privacy, without the knowledge and affirmative consent of all participants; (2) observing, photographing, videotaping or making any other visual or audio recording of sexual conduct or nudity or state of undress when and where there is a reasonable expectation of privacy, without the knowledge and affirmative consent of all participants; (3) exposing one’s genitals in non-consensual circumstances; (4) inducing incapacitation for the purpose of making another person vulnerable to gender-based misconduct.

**Retaliation**
Retaliation is unlawful under federal, state and local law. Retaliation is any adverse action or threatened action, taken or made, personally or through a third party, against an individual (or group of individuals) because of that individual’s participation in any manner in an investigation or proceeding under this Policy, including individuals who file a third-person report and those who are interviewed or otherwise provide evidence in an investigation (witnesses). Retaliation is conduct that would discourage a reasonable person from reporting misconduct, participating in an investigation or taking other actions protected by this Policy. The adverse action need not be academic or job-related or occur in the classroom or workplace to constitute retaliation.

- Any individual or group of individuals, not just the Respondent or Complainant can be found to have engaged in retaliation.
- Retaliation includes threatening, intimidating, harassing or any other conduct that would discourage a reasonable person from engaging in activity protected under this Policy. Protected activity includes: reporting misconduct (either internally or with any anti-
discrimination agency); participating in an investigation or adjudication; seeking services; receiving protective measures and accommodations.

- Retaliation includes maliciously and purposefully interfering with, threatening, or damaging the academic or professional career of another individual, before, during or after the investigation and resolution of a report of misconduct under this Policy.
- This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are determined not to be accurate.
- Retaliation may be found even when the underlying charge does not constitute discrimination, harassment or gender-based misconduct in violation of College policies.
- Any person found to have retaliated against another will be subject to disciplinary action even if the alleged discrimination, harassment or gender-based misconduct is found not to have violated this Policy.

CONSENSUAL ROMANTIC AND SEXUAL RELATIONSHIPS
Consensual romantic or sexual relationships between faculty (and other instructional staff) and students are not a violation of this Policy; however, such relationships are prohibited in certain circumstances. A complete explanation of the rules governing such relationships may be found in the Romantic or Sexual Relationships between Faculty (and other instructional staff) and Students Policy.

DISABILITY ACCOMMODATIONS AND ACCESS
The College is committed to complying with all applicable provisions of the Americans with Disabilities Act (“ADA”) as well as with other relevant federal, state and local disability laws. It is the College’s policy not to discriminate against any qualified employee, student or applicant with regard to any terms or conditions of employment or education based on that individual’s disability or perceived disability. Consistent with this policy of nondiscrimination, the College will provide reasonable accommodations to a qualified individual with a disability who has made the College aware of their disability and has engaged in an interactive process with the College to determine appropriate and reasonable accommodations (unless doing so places an undue hardship on the College or represents a fundamental alteration of the job, program or course).

Individuals with disabilities who believe they need reasonable accommodations to perform the essential functions of their job or to participate fully and equally in their education should contact the Office of Access and Services for Individuals with Disabilities (OASID) at: www.tc.columbia.edu/oasid, (212) 678-3689, (646) 755-3144 video phone, or via email at oasid@tc.columbia.edu to discuss those concerns with OASID staff.

In addition, the College is committed to fostering a campus that is equally accessible to people with disabilities. It conducts an on-going program to remove barriers, and each year it makes significant accessibility improvements. For questions or concerns regarding access, please send an email to oasid@tc.columbia.edu.
REASONABLE ACCOMMODATION OF PREGNANCY
In accordance with federal, state and local law, the College will provide reasonable accommodations to employees based on the needs of pregnancy, child birth or related medical conditions, unless doing so places an undue hardship on the College. Employees needing an accommodation based on pregnancy, child birth or related medical condition should contact Human Resources at https://www.tc.columbia.edu/human-resources/.

Students seeking a reasonable accommodation based on the needs of pregnancy, child birth or related medical conditions may seek assistance through their faculty and/or department. Students unable to acquire assistance through their faculty and/or department may contact the TC Title IX Coordinator, Janice Robinson at jrobinson@tc.columbia.edu, or via telephone at (212) 678-3391 for assistance.

REASONABLE ACCOMMODATION OF RELIGION
In accordance with federal, state and local law, the College will provide reasonable accommodations of religious practices and beliefs, unless doing so places an undue hardship on the College. Employees needing a religious accommodation should contact their supervisor or Human Resources at https://www.tc.columbia.edu/human-resources/. Students needing a religious accommodation should initially work with their course instructor. If they cannot reach a suitable arrangement, students should consult with the appropriate program director or department chair. Students also may take the matter to the Office of the Provost for additional appeal.

Faculty, staff and students will not be penalized or retaliated against for requesting any type of accommodation.

DUTY TO ACT
Management and supervisory personnel are expected to take reasonable and necessary action to prevent discrimination and harassment, to take appropriate action when they learn directly or indirectly of conduct that may violate College policies, and to respond promptly and thoroughly to any such claims.

A manager or supervisor who fails to take appropriate action may be found to have violated the College’s policies even in situations where the underlying event does not constitute discrimination or harassment.

For purposes of this Policy, management and supervisory personnel include:
- Any employee having formal supervisory responsibility over employees;
- Faculty in such roles as department chair, program director, institute director, center director, dean or similar position supervising other faculty and/or staff; and
- Principal Investigators on a grant or contract act in a supervisory capacity over the individuals in the lab or research they lead.

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3 For example, faculty and other instructional staff may supervise teaching assistants, course assistants, research assistants, department secretaries and other staff members.
DUTY TO REPORT

Abuse of Minors
If a child is in immediate danger, all employees are directed to call the police (911) immediately. The employee should then call Michael Feierman, TC General Counsel at x3438, Janice Robinson, Vice President for Diversity and Community Affairs and TC Title IX Coordinator at x3391, or Public Safety at x3333.

In New York, “mandated reporters” have an obligation to report abuse or mistreatment of minors, including in cases of sexual assault. Even if you are not a mandated reporter, you can help protect children by following the same procedures.

When employees learn of the abuse of minors, employees are directed to call the Child Abuse Hotline: (800) 635-1522 (mandated reporters) or 800-342-3720 (others). If an employee makes a report to the Child Abuse Hotline, the employee must also immediately alert the College by contacting Michael Feierman x3438, Janice Robinson x3391, or Public Safety x3333. The College needs to know about possible abuse to protect children and the TC community.

For additional information, please review the College’s Guidance for Teachers College Faculty and Staff on Reporting Obligations.

Prohibited Gender-Based Misconduct
All employees have a duty to report any instance or allegation of prohibited gender-based misconduct, including: sexual harassment, sexual assault penetration, sexual assault contact, domestic violence, dating violence, stalking, gender-based harassment and sexual exploitation, that is disclosed to, observed, or otherwise known by that employee.

Prohibited conduct should be reported immediately to the TC Title IX Coordinator:

- By phone at (212) 678-3391
- By email at jrobinson@tc.columbia.edu
- Via report form
- By mail at 128 Zankel Hall
- By hand delivery to 128 Zankel Hall

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4 If you are not sure whether you are a mandated reporter, assume that you are. In New York, mandated reporters include psychologists, social workers, therapists, mental health professionals, substance abuse and alcoholism counselors, EMTs, certain hospital personnel, registered nurses and physician assistants, school officials (including teachers, guidance counselors, psychologists, social workers, nurses, administrators and others required to hold teaching or administrative licenses or certificates), child care, foster care, residential care, day care center and social service workers, and children camps directors. A full list is at www.ocfs.state.ny.us/main/publications/Pub1159.pdf. Mandated reporters must report-- or cause to be reported -- suspected abuse or maltreatment when they have reasonable cause to suspect that a child encountered in their professional capacity is abused or maltreated or when they have reasonable cause to suspect that a child is abused or maltreated because a parent, guardian, or other legally responsible person encountered in their professional capacity states from personal knowledge facts, conditions or circumstances which, if correct, would mean that the child is abused or maltreated.

5 “Minor” generally means under 18; some professions must also report abuse of other vulnerable individuals.
Other Prohibited Conduct by Employees, Students, or Third Parties
The College strongly encourages all employees to report to the College any other form of discrimination or harassment involving employees, students, or third parties.

Managers and Supervisors
Managers and supervisors must report all allegations of discrimination or harassment disclosed to, observed or otherwise known by them. Failure of a manager or supervisor to do so, or to fail to act which permits the behavior to continue, will constitute a violation of this Policy and may result in disciplinary action, even where the College determines the underlying conduct does not constitute a policy violation.

Employees Not Required to Report
College employees serving in a privileged professional capacity (e.g., counselors) are not obligated to report and, absent a request by the Complainant, should not report information disclosed to them in their capacity as a privileged professional, except as required by law. Similarly, persons serving as confidential Ombuds officers will not provide the College or the Title IX Coordinator with identifying information concerning individuals who report incidents of discrimination or harassment. Ombuds officers will provide the College with limited, non-identifiable information intended to permit the College to assess the incidence of such prohibited conduct and, where appropriate, include such incidents in the College’s Annual Security Report.

If an employee has any question about who is the appropriate College contact to whom that employee should report potential prohibited conduct, the employee should contact the College Ombuds at x4169 and/or the TC Title IX Coordinator at x3391 for guidance.

Privacy and Confidentiality
The College values the privacy of its students, employees and all community members. Community members should be able to seek the assistance they need without fear that the information they provide will be shared more broadly.

Some resources on campus are confidential and will not share any identifying information with others, except as required by law in emergency situations.

Other resources are not confidential, but will protect the privacy of a student or employee to the greatest extent possible and will share information with other staff on a need to know basis. Appendix B contains information regarding resources and whether campus resources are confidential.

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6 Individuals trained as psychologists, counselors and lawyers have a legal obligation of confidentiality to their patients and clients, but not to their students, colleagues or others. While faculty will protect student privacy to the extent possible, the law does not protect student or colleague confidences shared with administrators or faculty members. Psychologists hired as faculty/instructors/lecturers/adjuncts are not confidential.
EDUCATION AND TRAINING PROGRAMS
All College employees are expected to read, understand and adhere to this Policy. The College provides educational and training programs for faculty and staff concerning conduct that may constitute a violation of College policies and the procedures applicable to alleged violations. All College employees are required to participate in training programs offered to them and to be knowledgeable about the College’s policies and procedures.

Requests for training as well as any questions about the College’s policies and procedures should be addressed to the Office of the Vice President for Diversity and Community Affairs at odca@tc.columbia.edu.

ACADEMIC FREEDOM
Nothing in this Policy shall abridge academic freedom or the College’s educational mission. This Policy is not intended to inhibit or restrict academic freedom or genuine contributions to the marketplace of ideas. Prohibitions against discrimination and harassment do not extend to statements or written materials that are relevant and appropriately related to the subject matter of educational courses.

RESOURCES
The College provides a variety of resources for individuals who believe they have experienced prohibited conduct and all parties involved in the resolution and investigative process. Contact information for these resources and other community providers is provided at the end of the Procedures in Appendix B.
PROCEDURES

PROHIBITED CONDUCT NOT INVOLVING SEXUAL HARASSMENT, SEXUAL ASSAULT, DOMESTIC VIOLENCE, STALKING AND GENDER-BASED MISCONDUCT INVOLVING STUDENTS

- Those who have experienced Prohibited Conduct by a College employee or third party should notify TC as outlined below.

- Those who have experienced gender-based misconduct by a Teachers College, Columbia University or Barnard College student should notify the TC Title IX Coordinator or the Columbia University Gender Based Misconduct Office and follow procedures outlined in the Gender Based Misconduct Policy and Procedures for Students.

- Those who have experienced other Prohibited Conduct by a student should contact the Vice Provost for Student Affairs and follow procedures outlined in the TC Student Conduct Code https://www.tc.columbia.edu/policylibrary/student-conduct-code/.

COMPLAINTS OF PROHIBITED CONDUCT
Teachers College provides a range of options for those who believe they have experienced discrimination or harassment and individuals are encouraged to bring their concerns to the College’s attention immediately. The College takes allegations of prohibited conduct very seriously, and will actively respond to alleged discrimination and harassment, and will take remedial action, where appropriate.

- Individuals who believe they have experienced discrimination or harassment may initiate a report in accordance with the information below.
- Managers and supervisors must report all allegations of discrimination or harassment disclosed to, observed or otherwise known by them in accordance with the information below.

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<th>For Complaints against …</th>
<th>Complaints brought to…</th>
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<tr>
<td>TC Faculty</td>
<td>Immediate supervisor or Office of the Vice Provost or Office of Human Resources or</td>
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<td>Administrative and Professional Employees</td>
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<td>Unionized Employees</td>
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<td>Third Parties</td>
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The College does not limit the time for submitting a complaint of Prohibited Conduct, but strongly urges the immediate reporting of complaints or concerns. Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of discrimination and/or harassment. The College’s ability to investigate and respond effectively may be reduced with the passage of time.

The College will, as appropriate, investigate complaints against third parties or unknown individuals discriminating against or harassing College employees or students. The College will take appropriate steps to protect employees, students and the College community as a whole.

If an individual files a complaint with more than one College department or office regarding the same incident, the College will determine the appropriate department to conduct the investigation. Complaints shall not be investigated by more than one department or office simultaneously, nor will a department or office investigate a complaint after another department or office has completed an investigation into that claim.  

Accommodations & Interim Measures
Where appropriate, the College will work with individuals affected by the Prohibited Conduct to ensure their safety and promote their well-being. The goal of any such temporary action during a resolution process is to alleviate conflict pending a final resolution of the claims and all reasonable efforts will be made to create an environment where both parties can continue their work or education. The College will not consider any temporary action as evidence about the merits of the complaint.

Accommodations are designed to support or protect the individual in the immediate aftermath of an incident. Interim measures take place while a resolution process (including investigation and disciplinary action) is pending. Such measures may include, without limitation, reassigning or removing a Respondent from a Complainant’s workplace or supervision, or changing work schedules or transportation arrangements while a resolution is pending. The College will evaluate the need and appropriateness for accommodation and interim measures in light of the circumstances and information available at the time. Failure to comply with accommodations or interim measures is a violation of College policy and may lead to disciplinary action.

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7 “Grievances of academic appointees shall first be considered or given a hearing through regular administrative channels. If action taken is not satisfactory to the complainant, appeal may be taken to the Faculty Advisory Committee.” See Faculty Handbook Section 2.VI.B.13
Options for Informal Resolution

Personal Informal Resolution
A person who believes that they have experienced discrimination or harassment, based on their membership in a protected class may choose to work with the alleged offender directly through various approaches including:
- a face to face discussion,
- a personal telephone conversation,
- email correspondence, or
- other communication.

In some cases, this may effectively resolve the situation; in others, they may be ineffective or place the complaining individual in an uncomfortable, insecure or compromised position. Under no circumstances should an individual feel pressured to attempt informal resolution. If these measures prove unsuccessful, the individual may choose to pursue other methods of resolution.

Individuals who have experienced sexual harassment, sexual assault, domestic violence, dating violence and/or stalking are advised not to attempt to resolve the matter on their own.

College-Assisted Informal Resolution
If both parties consent and sexual harassment or sexual assault is not involved, the College may offer to facilitate informal procedures involving both parties. Such approaches will be pursued only with the consent of both parties, and either party has the right to terminate the process and begin the formal process at any time. If any of these approaches result in a resolution, any formal procedures will be concluded and the matter closed. If the parties are unable to reach a resolution, a Complainant may choose to proceed with a formal resolution.

Facilitated Conversation
TC encourages a facilitated conversation whenever practical and appropriate. A facilitated conversation may take place only if the Complainant and Respondent both agree to participate. A matter is resolved through a facilitated conversation only if all parties agree on the resolution.

Students may seek out their faculty member or instructor, program director or department chair for assistance in requesting a facilitated conversation to discuss the allegations and a possible resolution of the matter. Employees may seek assistance from their manager or supervisor, or other College entity to facilitate a conversation between the parties to discuss the allegations and a possible resolution of the matter.

Formal Mediation
Mediation is a private process where parties can participate in a search for mutually acceptable solutions. Mediation requires the consent of both parties and suspends any formal procedures for up to thirty (30) working days, which can be extended with the consent of both parties and at the discretion of the College. TC may facilitate mediation between parties who agree to mediation.

Parties may agree upon a variety of resolutions such as modification of work assignment, training for department staff, or an apology. Because mediation is a voluntary process, formal disciplinary action cannot be imposed against a Respondent. Parties may agree to a resolution that is oral or
embodied in a written agreement. The final resolution is private unless the parties agree otherwise. Mediation is not available in situations involving allegations of sexual assault.

Alternate Resolution
The College may seek to resolve certain Prohibited Conduct through an informal process involving both the Complainant and Respondent. This form of resolution can take place prior to a formal resolution. The College will not use alternate resolution for cases involving allegations of sexual harassment or sexual assault.

Formal Resolution
Investigation
Any individual who wishes to make a formal complaint of discrimination or harassment may submit a written complaint to the Office of the Vice President for Diversity and Community Affairs (ODCA). If a Complainant feels unable to prepare a written complaint themselves, ODCA will make a record of the Complainant’s oral statements which the Complainant may review, correct any inaccuracies, and sign. To the extent possible, the Complainant should include the following information: the identity and status of the Complainant and Respondent; details concerning the incident(s) or conduct that gave rise to the complaint, including the date(s) of the incident(s) and location(s) of the incident(s); and the identity and status of any witness(es) to the incident(s) with telephone numbers, email addresses and street addresses.

Except in matters falling under the Gender Based Misconduct Procedures (described below), union members also may file complaints with their collective bargaining unit unless prohibited by their collective bargaining agreement or unless inherent conflict of interest would interfere with a fair adjudication in the collective bargaining unit. The proceedings will be governed by the applicable procedures of the applicable collective bargaining agreement.

Upon receiving a written or verbal formal complaint that a College employee or third party has allegedly engaged in Prohibited Conduct, the College will initiate an investigation. A trained investigator will be designated to conduct the investigation. The College may, in its sole discretion, assign the investigation to an appropriate College investigator or an outside investigator.

A Complainant may request that the College not disclose the Complainant’s identity to anyone else, including the alleged offender; however, the College cannot guarantee that the Complainant’s identity will not be disclosed. The College strives to preserve the privacy of information shared with the College leading up to and during an investigation where such privacy does not conflict with its obligations to conduct a prompt and thorough investigation.

The investigator will interview the Complainant, the Respondent, witnesses, and any other persons with relevant information about the alleged incident(s). The investigator may also review personnel records and other documents deemed relevant to the investigation. The investigator acting on behalf of the College has the authority and responsibility to gather information from all sources judged necessary for a fair resolution of a complaint. The Complainant and Respondent may suggest witnesses the investigator should interview and documentation the investigator should
consider. The investigator, however, has complete discretion to determine which witnesses to interview and which documents to consider. Complainants, Respondents, witnesses and advisors will not be permitted to record anything related to the investigation and/or disciplinary process.

During the investigation process, no party is permitted to be represented by legal counsel. The Gender Based Misconduct Procedures for claims of gender-based misconduct involving students and all claims of sexual assault, domestic violence, dating violence and stalking do permit attorney-advisors (as described below). Members of collective bargaining units are entitled to union representation during any resolution or investigation process.

Participants are expected to cooperate fully with the College investigation. Providing false or misleading information, or submitting a report or complaint in bad faith, may subject an individual to discipline under this Policy. All parties and witnesses involved in an investigative process are urged to respect the integrity of the procedures and legitimate privacy interests of the parties and witnesses. This does not prohibit either a Complainant or Respondent from consulting with or obtaining support from family members, counselors, therapists, clergy, doctors, attorneys or similar resources.

Investigative Findings and Disciplinary Recommendations
The College strives to conduct all investigations fairly and complete them in a timely fashion (and if applicable, within any time period prescribed by law). The investigator will prepare an investigative report that will include a summary of relevant information of each interview and include any relevant documentation collected.

Adjudication Panel
The Adjudication Panel, composed of three members, is charged with fairly, promptly and impartially determining, based on a preponderance of the evidence, whether it is more likely than not that this Policy has been violated upon a review of the investigative materials.

Adjudication will be conducted by officials of the College as determined by the role of the Respondent as follows:

<table>
<thead>
<tr>
<th>Role of Respondent</th>
<th>Adjudication Panel Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>TC Faculty</td>
<td>Representative from the Office of the Vice President for Diversity and Community Affairs</td>
</tr>
<tr>
<td></td>
<td>2 Representatives from the Office of the Provost and/or Vice Provost</td>
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<tr>
<td>Administrative and</td>
<td>Representative from the Office of the Vice President for Diversity and Community Affairs</td>
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<tr>
<td>Professional Employees</td>
<td>2 Representatives from the Office of Human Resources</td>
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<tr>
<td>Unionized Employees</td>
<td>Representative from the Office of the Vice President for Diversity and Community Affairs</td>
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<td></td>
<td>Representative from the Office of Human Resources</td>
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<td>Union Representative</td>
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<tr>
<td>Third Parties</td>
<td>Representative from the Office of the Vice President for Diversity and Community Affairs</td>
</tr>
<tr>
<td></td>
<td>Representative from the Office of Human Resources</td>
</tr>
<tr>
<td></td>
<td>Representative from the Office of Finance and Administration</td>
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</tbody>
</table>

The Adjudication Panel will promptly review the investigative report and materials upon receipt. If the Adjudication Panel requires clarification on any of the materials, the investigator will assist in obtaining such clarification. If necessary, the Adjudication Panel may consult with the investigator, as needed, to request further information from the Respondent, Complainant and/or any of the witnesses to clarify information in the investigative materials.

**Adjudication Panel Findings**
The trained Adjudication Panel will decide, upon a complete review of the investigative report and materials and based on a preponderance of the evidence, whether it is more likely than not that a violation of Policy has occurred.

If the Adjudication Panel determines that a violation has occurred, the Respondent is found “Responsible” and the Adjudication Panel will then determine, in consultation with the appropriate manager or supervisor, the appropriate sanctions. This determination should be made within ten (10) business days of receipt of the investigative report. Whether found “Responsible” or “Not Responsible,” both Respondent and Complainant will be notified in writing of the outcome, rationale for the finding, and any related action (including communication of continued measure such as a no contact directive). In either outcome, instructions will be provided about the right to appeal the outcome and/or sanction(s) to the Appeals Officer (as described below).
Discipline
Discipline may include, but is not limited to: reprimand/warning, change of Respondent’s job duties, disciplinary probations, revocation of honors and awards, restricted access to College and University facilities or activities (including College housing), a “no contact” order, transfer of a Respondent’s College-provided residence, transfer of Respondent’s workplace/station, demotion, suspension, and dismissal or restriction from College employment. The College may also require training or recommend counseling.

Appeal
Either party may appeal the determination. There are two grounds for appeal: (1) the party has new information, unavailable at the time of the investigation; that may change or affect the outcome; or (2) there was a procedural error that may have impacted the outcome. Disagreement with the finding is not, by itself, grounds for appeal. The appeal must be in writing and may be no longer than five double-spaced, type-written pages. The appeal must be delivered to the Adjudication Panel within ten (10) business days of delivery of the determination to the parties (via email, mail or hand delivery). Failure to meet the deadline for appeal shall result in waiver of the right to appeal. The College reserves the right to investigate and take any necessary action of its own accord based on new information or events that were not known during the course of the initial investigation.

On receipt of the appeal, the Adjudication Panel will appoint an Appeal Officer in the matter and will forward the appeal to the Appeal Officer for review. The designated Appeal Officer will be a senior administrator in the Respondent’s area. Thereafter, the Adjudication Panel will notify the party who is not appealing that an appeal has been filed, the grounds for appeal asserted, and the identity of the Appeal Officer. The non-appealing party will be permitted to submit a written response to the appeal, which shall be no longer than five double-spaced type-written pages to the Appeal Officer within five (5) business days of receiving notice of the appeal.

The Appeal Officer may conduct such proceedings as the officer deems appropriate, but will not normally hear the testimony of witnesses.

The Appeal Officer will render a written decision within ten (10) business days of the Adjudication Panel’s initial receipt of the appeal, and will forward the written decision to the Adjudication Panel. Upon submission to the Adjudication Panel, it will provide written notice to the parties of the final disposition of the matter. Once submitted to the Adjudication Panel, the decision of the Appeal Officer is not subject to further review. Faculty members have additional appeal rights under the College’s Statutes; as required by applicable law, any available appeal rights will be available to both the Complainant and the Respondent in any matter.

Any discipline imposed prior to the filing of the appeal will stand during the appeal period. Discipline may also be imposed while the appeal is pending.
Corrective Action
The College may also determine that additional measures are appropriate to respond to the effects of the incident on the College community. Additional responses for the benefit of the community may include increased monitoring, supervision, or security at locations or activities where the prohibited conduct occurred, additional training and educational materials for students and employees and revision of policies.
PROCEDURES

GENDER BASED MISCONDUCT

- For allegations of sexual harassment when the Complainant is an employee;
- For allegations of sexual assault, domestic violence, dating violence, or stalking when the Complainant is an employee or third party;
- For allegations of all types of gender based misconduct when the Complainant is a student

The Gender Based Misconduct Procedures apply to complaints of sexual harassment, sexual assault, domestic violence, dating violence, stalking and retaliation relating to such claims against employees and third parties, and all gender based misconduct (including sexual assault, domestic violence, dating violence, stalking, sexual harassment, gender-based harassment, sexual exploitation, retaliation and other forms of discrimination based on gender or sex) against employees and third parties when the complainant is a student.

To the extent that these Procedures conflict with other provisions of the Policy on Discrimination and Harassment, these Procedures govern with respect to matters involving Gender Based Misconduct made by or against a Teachers College employee or third party. Allegations against students are governed by the Gender Based Misconduct Policy and Procedures for Students.

Reports may be submitted by those who experienced gender based misconduct, by witnesses, or by others made aware of the incident. Nothing in the Gender Based Misconduct Procedures shall affect the College’s inherent authority to take actions it deems appropriate to further the educational mission or to protect the safety and security of the TC community, including its authority to terminate at-will employees immediately, with or without cause. While these Gender Based Misconduct Procedures identify TC offices or employees who typically perform certain roles, the College may designate others to perform any roles or duties described.

The College encourages all students, staff and faculty and third parties affected by Prohibited Conduct to seek immediate assistance. Seeking assistance promptly may be important to ensure someone’s physical safety or to obtain medical care or other support. It may also be necessary to preserve evidence, which can assist the College and/or law enforcement in responding effectively. Assistance is available 24 hours a day, 7 days a week.

Based on the facts alleged in the report and/or complaint, the College will determine at the outset of the investigation whether these Gender Based Misconduct Procedures apply and will give notice to the Complainant and Respondent.
COMPLAINTS OF PROHIBITED CONDUCT

Teachers College provides a range of options for those who believe they have experienced gender based misconduct and individuals are encouraged to bring their concerns to the College’s attention immediately. The College takes allegations of Prohibited Conduct very seriously and will actively respond to alleged gender based misconduct and will take remedial action, where appropriate.

If an individual files a complaint with more than one College department or office regarding the same incident, the College, will determine the appropriate department to conduct the investigation. Complaints shall not be investigated by more than one department or office simultaneously, nor will a department or office investigate a complaint after another department or office has completed an investigation into that claim. 8

FOR ALLEGATIONS OF SEXUAL HARASSMENT

Sexual harassment complaints may be made in writing or made orally to an employees’ manager or supervisor, or to the TC Title IX Coordinator. Complaints may be submitted directly to the TC Title IX Coordinator by any of the following methods:

- By phone at (212) 678-3391
- By email at jrobinson@tc.columbia.edu
- Via complaint form
- By mail at 128 Zankel Hall
- By hand delivery to 128 Zankel Hall

Formal Resolution - Investigation

All complaints or information about suspected sexual harassment will be investigated in a private and timely manner.

Upon receipt of a written or verbal complaint that a College employee or third party has allegedly engaged in sexual harassment, the Title IX Coordinator (or designee) will conduct an immediate review of the allegations and take any interim actions, as appropriate. If the complaint is oral, the Complainant will be encouraged to complete the complaint form in writing. If the Complainant refuses, the Title IX Coordinator (or designee) will prepare a complaint form based on the oral reporting. A trained investigator will be designated to conduct the investigation. The College may, in its sole discretion, assign the investigation to an appropriate College investigator or an outside investigator.

The College will conduct a prompt, thorough and private investigation that ensures a fair process for all parties, whenever a complaint is received by management or when management otherwise

8 “Grievances of academic appointees shall first be considered or given a hearing through regular administrative channels. If action taken is not satisfactory to the complainant, appeal may be taken to the Faculty Advisory Committee.” See Faculty Handbook Section 2.VI.B.13
knows of possible sexual harassment occurring. All employees are required to cooperate with any internal investigation.

The investigator will interview the Complainant, the Respondent and any other persons with relevant information about the alleged incident(s). The investigator will inform Complainants of their right to file a complaint or a charge externally. The investigator will preserve, obtain and review all evidence including documents, emails or phone records relevant to the allegations. The investigator, acting on behalf of the College, has the authority and responsibility to gather information from all sources judged necessary for a fair resolution of a complaint. The Complainant and Respondent may suggest witnesses the investigator should interview and documentation the investigator should consider. The investigator, however, has complete discretion to determine which witnesses to interview and which documents to consider. Complainants, Respondents, witnesses and advisors will not be permitted to record anything related to the investigation and/or disciplinary process.

During the investigation process, no party is permitted to be represented by legal counsel, except as provided for in the Gender Based Misconduct Procedures for claims of gender-based misconduct involving students and all claims of sexual assault, domestic violence, dating violence and stalking. Members of collective bargaining units are entitled to union representation during any resolution or investigation process.

Participants are expected to cooperate fully and with the College investigation. Providing false or misleading information, or submitting a report or complaint in bad faith, may subject an individual to discipline under this Policy. All parties and witnesses involved in an investigative process are urged to respect the integrity of the procedures and legitimate privacy interests of the parties and witnesses. This does not prohibit either a Complainant or Respondent from consulting with or obtaining support from family members, counselors, therapists, clergy, doctors, attorneys or similar resources.

Investigative Findings and Disciplinary Recommendations

The investigator is expected to complete the investigation and submit a determination to the TC Title IX Coordinator in a timely fashion. The investigator’s determination will be made on the basis of the preponderance of the evidence (it is more likely than not that the behavior occurred), taken in its totality and considering any attendant circumstances.

If the investigator determines that no violation of these policies has occurred, the Title IX Coordinator shall forward the written determination to the Complainant, the Respondent and the Respondent’s immediate supervisor.

If the investigator finds that the Respondent has engaged in the prohibited conduct, the determination will be accompanied by a disciplinary recommendation. In making such a recommendation, the investigator shall consider records of previous conduct or behavior, the seriousness of the violation, the totality of the information available (including investigative records) and any extenuating or aggravating circumstances the investigator deems relevant. The TC Title IX Coordinator will consult with Respondent’s supervisor regarding possible discipline.

9 For a list of external agencies, please see Appendix C.
and shall forward the determination and disciplinary recommendation to the Complainant, the Respondent, and the Respondent’s immediate supervisor.

**Discipline**

If the investigation reveals that Prohibited Conduct has occurred, the Respondent’s immediate supervisor will take prompt and effective remedial action to immediately stop the prohibited conduct as well as prevent its recurrence.

Discipline may include, but is not limited to: reprimand/warning, change of Respondent’s job duties, disciplinary probations, revocation of honors and awards, restricted access to College and University facilities or activities (including College housing), a “no contact” order, transfer of a Respondent’s College-provided residence, transfer of Respondent’s workplace/station, demotion, suspension, and dismissal or restriction from College employment. The College may also require training or recommend counseling.

**Appeal**

Either party may appeal the determination. There are two grounds for appeal: (1) the party has new information, unavailable at the time of the investigation that may change or affect the outcome; or (2) there was a procedural error that may have impacted the outcome. Disagreement with the finding is not, by itself, grounds for appeal. The appeal must be in writing and may be no longer than five double-spaced, type-written pages. The appeal must be delivered to the Title IX Coordinator within ten (10) business days of delivery of the determination to the parties (via email, mail or hand delivery). Failure to meet the deadline for appeal shall result in waiver of the right to appeal. The College reserves the right to investigate and take any necessary action of its own accord based on new information or events that were not known during the course of the initial investigation.

On receipt of the appeal the College will appoint an Appeal Officer in the matter and will forward the appeal to the Appeal Officer for review. Thereafter, the College will notify the party who is not appealing that an appeal has been filed, the grounds for appeal asserted, and the identity of the Appeal Officer. The non-appealing party will be permitted to submit a written response to the appeal, which shall be no longer than five double-spaced type-written pages to the College within five (5) business days of receiving the notice of the appeal.

The Appeal Officer may conduct such proceedings as the officer deems appropriate, but will not normally hear the testimony of witnesses.

The Appeal Officer will render a written decision within ten (10) business days of the initial receipt of the appeal, and will submit the decision to the Title IX Coordinator. The Title IX Coordinator will provide written notice to the parties of the final disposition of the matter. The decision of the Appeal Officer is not subject to further review. Faculty members have additional appeal rights under the College’s Statutes; as required by applicable law, any available appeal rights will be available to both the Complainant and the respondent in any matter.

Any discipline imposed prior to the filing of the appeal will stand during the appeal period. Discipline may also be imposed while the appeal is pending.
Corrective Action
The College may also determine that additional measures are appropriate to respond to the effects of the incident on the College community. Additional responses for the benefit of the community may include increased monitoring, supervision, or security at locations or activities where the prohibited conduct occurred, additional training and educational materials for students and employees and revision of policies.

FOR ALLEGATIONS OF OTHER GENDER BASED MISCONDUCT

Gender based misconduct complaints may be made in writing or made orally to an employees’ manager or supervisor, to any TC employee, or to the TC Title IX Coordinator. Complaints may be submitted directly to the TC Title IX Coordinator by any of the following methods:

- By phone at (212) 678-3391
- By email at jrobinson@tc.columbia.edu
- Via complaint form
- By mail at 128 Zankel Hall,
- By hand delivery to 128 Zankel Hall

Accommodations & Interim Measures
The College will work with all individuals affected by Prohibited Conduct to ensure their safety and promote their well-being. Sometimes this assistance will take the form of accommodations intended to support or to protect the employee or student in the aftermath of an incident. Parties may request accommodations even in cases where an investigation is not undertaken or the Complainant or the Respondent has declined to participate in the College proceeding or a criminal process. The College will evaluate any request for accommodations in light of the circumstances and information available at the time of the request.

Accommodations may include but are not limited to:
- moving an on-campus residence
- adjusting a work schedule for College employment
- changing a student’s academic schedule
- changing transportation arrangements
- allowing a student to withdraw from or retake a class without penalty
- providing access to tutoring or other academic support

The College also will assist parties seeking accommodations for a disability in connection with the process of reporting or responding to an incident of gender based misconduct by working with the Office of Access and Services for Individuals with Disabilities (OASID).

Outside of the College, a Complainant may also be entitled to obtain remedies under applicable law, such as an order of protection. The College can assist in contacting law enforcement or legal service organizations to learn about these remedies.

- “No contact” directives
• Restricted access to campus buildings and or College property
• Moving an on-campus residence
• Temporary separation from the College
• Suspension from activities

Failure to comply with accommodations, interim measures or other directives is a violation of College policy and may lead to disciplinary action.

Following report of an incident, the Title IX Coordinator will provide written notice to the Complainant and Respondent including any necessary accommodations, interim measures and resources available to them. The Title IX Coordinator will provide information related to accommodations and interim measures only to those who need to know to make them effective.

Disclosure
A Complainant may report gender based misconduct to the College and request that the College not disclose the Complainant’s identity to anyone else, including the person who allegedly committed the misconduct. While such a request may limit the ability to investigate and respond to the reported misconduct, the College will consider the request in light of the College’s commitment to provide a safe and non-discriminatory environment and will honor the request whenever possible.

In considering the request, the College will weigh the following factors:
• Circumstances that suggest there is an increased risk of the Respondent committing additional acts of sexual misconduct or other acts, such as:
  o Whether there have been other sexual misconduct complaints about the same Respondent,
  o Whether the Respondent threatened further misconduct against the Complainant or others, and/or
  o Whether the sexual misconduct was committed by multiple perpetrators.
• Circumstances that suggest there is an increased risk of future acts of sexual misconduct under similar circumstances, such as a pattern of perpetration, via illicit use of drugs or alcohol, a given location or by a particular group,
• Gender based misconduct alleged involved the use of a weapon,
• Age of the Complainant,
• Whether the College possesses other means to obtain relevant evidence, such as security cameras, witnesses and/or physical evidence.

The College will promptly notify the Complainant making the request in writing whether the College will be able to honor it. At the Complainant’s written request, the College will also notify the Respondent in writing, including that the Complainant asked the College not to investigate.

Whether or not the College is able to grant a request to keep the Complainant’s identity confidential, College personnel will reveal information about investigations and disciplinary proceedings related to gender based misconduct only to those who need to know in order to carry out their duties and responsibilities. In all cases, the College will take appropriate steps designed
to counteract the effects of the alleged gender based misconduct, prevent its recurrence and make accommodations for the parties involved.

**Student Amnesty for Alcohol and/or Drug Use**
The health and safety of every student at TC is of utmost importance. TC recognizes that students who have been drinking and/or using drugs (whether use is voluntary or involuntary) at the time that violence, including but not limited to sexual assault, domestic violence, dating violence, or stalking occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. TC strongly encourages students to report sexual assault, domestic violence, dating violence, or stalking to TC officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any assault to College officials or law enforcement will not be subject to disciplinary action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the sexual assault, domestic violence, dating violence, or stalking.

A Complainant has the option to choose whether they will notify and seek assistance from law enforcement and from campus authorities.

**Advisors of Choice**
*Student Complainants* may be accompanied by an advisor of their choice to any meeting related to any incident of gender-based misconduct, including sexual assault, domestic violence, dating violence, stalking, sexual harassment, gender-based harassment, sexual exploitation, related retaliation and other forms of discrimination based on gender or sex.

*Employee Complainants and Respondents* may be accompanied by the advisor of their choice to any meeting related to an incident of sexual assault, domestic violence, dating violence, stalking or retaliation relating to an incident of such misconduct. For incidents of sexual assault, domestic violence, dating violence, stalking, sexual harassment, gender-based harassment, sexual exploitation, related retaliation and other forms of discrimination based on gender or sex – when a student is the complainant and exercises their right to be accompanied by an advisor, employee respondents will be permitted to be accompanied by an advisor as well.

**Guidelines for Advisors of Choice**
Advisors may provide support and advice about the resolution and investigation process. An advisor may not intervene in a meeting or address the investigator or other disciplinary officials. If any advisor’s conduct is not consistent with these guidelines, the advisor may be excluded from the process. While efforts will be made to accommodate the schedules of advisors, the process will not be unduly delayed due to an advisor’s unavailability. Advisors who are attorneys are permitted whenever advisors are permitted (as set forth above).

**Options for Informal Resolution**
*Personal Informal Resolution*  
A person who believes that they have experienced sexual assault, domestic violence, dating violence, stalking or a student complains that an employee or third party engaged in gender based misconduct, may choose to work with the alleged offender directly through various approaches including:
- a face to face discussion,
- a personal telephone conversation,
- email correspondence, or
- other communication.

In some cases, this may effectively resolve the situation; in others, they may be ineffective or place the complaining individual in an uncomfortable, insecure or compromised position. Under no circumstances should an individual feel pressured to attempt informal resolution. If these measures prove unsuccessful, the individual may choose to pursue other methods of resolution.

Individuals who have experienced sexual assault, domestic violence, dating violence and/or stalking are advised not to attempt to resolve the matter on their own.

**College-Assisted Informal Resolution**
If both parties consent and sexual assault is not involved, the College may offer to facilitate informal procedures involving both parties. Such approaches will be pursued only with the consent of both parties, and either party has the right to terminate the process and begin the formal process at any time. If an alternative procedure results in a resolution, any formal procedures will be concluded and the matter closed. If the parties are unable to reach a resolution, a Complainant may choose to proceed with a formal resolution.

**Facilitated Conversation**
TC encourages a facilitated conversation whenever practical and appropriate. A facilitated conversation may take place only if the Complainant and Respondent both agree to participate. A matter is resolved through a facilitated conversation only if all parties agree on the resolution.

Students may seek out a faculty member or instructor, program director or department chair for assistance in requesting a facilitated conversation to discuss the allegations and a possible resolution of the matter. Employees may seek assistance from their manager or supervisor, or other College entity to facilitate a conversation between the parties to discuss the allegations and a possible resolution of the matter.

**Formal Mediation**
Mediation is an informal and confidential process where parties can participate in a search for mutually acceptable solutions. Mediation requires the consent of both parties and suspends any formal procedures for up to thirty (30) working days, which can be extended with the consent of both parties and at the discretion of the College. TC may facilitate mediation between parties who agree to mediation.

Parties may agree upon a variety of resolutions such as modification of work assignment, training for department staff, or an apology. Because mediation is a voluntary process, formal disciplinary action cannot be imposed against a Respondent. Parties may agree to a resolution that is oral or embodied in a written agreement. The final resolution is confidential unless the parties agree otherwise. Mediation is not available in situations involving allegations of sexual assault.
Alternate Resolution
The College may seek to resolve certain prohibited conduct through an informal process involving both the Complainant and Respondent. This form of resolution can take place during an investigation or after its conclusion. The College will not use alternate resolution for cases involving allegations of sexual assault.

Formal Resolution
Investigation
Any individual who wishes to make a formal complaint of sexual assault, domestic violence, dating violence, stalking and/or gender based misconduct involving a student, may submit a written complaint to the Title IX Coordinator. If a Complainant feels unable to prepare a written complaint themselves, the Title IX Coordinator will make a record of the Complainant’s oral statements which the Complainant may review, correct any inaccuracies and sign.

Upon receiving notice or otherwise learning that a College employee or third party has allegedly engaged in prohibited conduct, the Title IX Coordinator will initiate an investigation. A trained investigator will be designated to conduct the investigation. The College may, in its sole discretion, assign the investigation to an appropriate College investigator or an outside investigator.

As soon as possible after the start of an investigation, the College will provide notice to the Complainant and Respondent with a written explanation of their rights and resources available. The College will additionally provide updates on a regular basis and notice at key stages of the investigation, including notice of all meetings with the Complainant and/or Respondent regarding the complaint. Such notices shall be simultaneous and in writing. Notice will describe the allegations in the report. The Complainant and Respondent will be given the opportunity to meet separately with the investigator to review these Procedures and any applicable policies.

The investigator will interview the Complainant, the Respondent and any other persons with relevant information about the alleged incident(s). The investigator may also review personnel records and other documents deemed relevant to the investigation. The investigator acting on behalf of the College has the authority and responsibility to gather information from all sources judged necessary for a fair resolution of a complaint. The Complainant and Respondent may suggest witnesses the investigator should interview and documentation the investigator should consider. The investigator, however, has complete discretion to determine which witnesses to interview and which documents to consider. Complainants, Respondents, witnesses and advisors will not be permitted to record anything related to the investigation and/or disciplinary process.

Participants are expected to cooperate fully and with the College investigation. Providing false or misleading information, or submitting a report or complaint in bad faith, may subject an individual to discipline under this Policy. All parties and witnesses involved in an investigative process are urged to respect the integrity of the procedures and legitimate privacy interests of the parties and witnesses. This does not prohibit either a Complainant or Respondent from consulting with or obtaining support from family members, counselors, therapists, clergy, doctors, attorneys or similar resources.
Evidentiary Rules
In conducting the investigation and drafting the investigative report, the investigator will follow the protocols set forth below:

Preserving Evidence. The investigator will direct the Complainant, Respondent, witnesses, and other interested individuals to preserve any relevant evidence, which may include phone logs, text messages, electronic communications or other evidence relating to the complaint.

Character Witnesses. The investigator will not interview witnesses whose sole purpose is to provide character information.

Romantic or Sexual History in Sexual Assault Cases. The investigator will not consider information concerning the romantic or sexual history of either the Complainant or the Respondent, except from either the Complainant or Respondent regarding their shared sexual history. If either offers such information, the other will have the right to respond.

Prior Conduct Violations. The investigator may consider the Respondent’s prior conduct violations, where the previous incident was substantially similar to the present allegation(s) and/or the information indicates a pattern of behavior by the Respondent.

Time Frame
The College will seek to resolve every report under these Procedures as expeditiously and efficiently as possible. Time frames may vary depending on the details of a case and at certain times of the academic year (for example during breaks, study periods or final exams). The College may extend any time frame for good cause.

The College’s process for responding to, investigating and adjudicating sexual misconduct reports will continue during any law enforcement proceeding. The College may need to temporarily delay an investigation while the police are gathering evidence but it will resume the investigation after it learns that the police department has completed its evidence-gathering and will generally not wait for the conclusion of any related criminal proceeding. In all cases, the College will complete a preliminary review of the allegations and ensure appropriate interim measures are provided.

Written Report
In consultation with the Title IX Coordinator, the investigator will prepare a draft report detailing the relevant content from the interviews and the documentation gathered. The draft report will include the investigator’s assessment of individual credibility and recommended findings of responsibility. The Respondent and Complainant will each have the opportunity to review a copy of the investigative report. The names and other identifying information of students will be redacted from such materials in accordance with the Family Educational Rights and Privacy Act (FERPA) except to the extent that doing so would interfere with the purpose of Title IX to eliminate sex-based discrimination. The parties will have an opportunity to review the investigative report.
Following their review of the draft investigation report, both the Complainant and Respondent will have the opportunity to submit to the investigator written responses to the draft report. The Complainant and Respondent will have the opportunity to review any written submissions by the other. The Title IX Coordinator may set reasonable parameters for these written submissions. In the written submission, the Respondent will be required to respond to the alleged violation in one of the following ways: 1) Responsible; 2) Not Responsible; or 3) No Response. If the Respondent accepts responsibility, the matter will immediately proceed to the sanctions stage. If the Respondent does not accept responsibility, the investigator(s) will review the written submissions and make any appropriate revisions to the draft report.

The final investigation report will include a determination whether the Respondent is responsible for the alleged Prohibited Conduct. The investigator will make this determination after consulting with the Title IX Coordinator. The investigator will use “preponderance of the evidence” as the standard of proof to determine whether the Respondent is responsible. To find a Respondent responsible for violating the Policy, the investigator must conclude that the Respondent was more likely than not to have engaged in the conduct at issue.

**Discipline**

The Provost or appropriate Vice President (or designee) will serve as Disciplinary Officers for these matters. To promote consistency in the handling of similar cases, Disciplinary Officers will receive training and, prior to imposing any sanction, will consult with the Title IX Coordinator about discipline imposed in any similar cases. Similar offenses may result in different discipline where there are distinguishing facts and circumstances in the opinion of the Disciplinary Officer. All investigator determinations of responsibility will be referred to the designated Disciplinary Officer. The Disciplinary Officer will solicit the views of the Respondent’s supervisor regarding the appropriate sanction. The Disciplinary Officer will impose sanctions that are fair and appropriate given the facts of the particular case; adequate to protect the safety of the campus community; and reflective of the seriousness of the Prohibited Conduct.

The Disciplinary Officer will consider relevant factors, which may include: (1) the specific conduct at issue; (2) the circumstances accompanying any lack of consent (such as force, threat, coercion, intentional incapacitation, etc.); (3) the Respondent’s state of mind (intentional, knowing, bias-motivated, reckless, negligent, etc.); (4) the impact of the offense on the Complainant; (5) the Respondent’s prior disciplinary history; (6) the safety of the College community; and (7) the Respondent’s conduct during the disciplinary process.

In determining what sanctions will protect the safety of the College community, the Disciplinary Officer may be advised by Public Safety or other experts and will consider: (1) the risk that the Respondent may engage in additional Prohibited Conduct; and (2) the deterrent or permissive effect of a particular sanction on the campus community, including on particular individuals and organizations aware of the offense (keeping in mind that a sanction must always be fair and appropriate for the particular case).

The Disciplinary Officer will generally render a sanctioning decision within 10 business days following issuance of final investigation report. The sanctioning decision will be communicated in writing to the Complainant and the Respondent.
Discipline may include: reprimand/warning, change of job duties, disciplinary probation, revocation of honors and awards, restricted access to College facilities or activities, a “no contact” order, movement of a College-provided residence, movement of a workplace, demotion, suspension, and dismissal or restriction from College employment. The College may also require training or recommend counseling.

Some College policies or contracts require TC to use additional processes before taking certain employment-related actions with respect to faculty and certain other employees. Where a person covered by such a policy or contract has allegedly engaged in Prohibited Conduct, the investigation and sanctioning process will proceed in accordance with these Gender Based Misconduct Procedures, except that the Disciplinary Officer will not impose a sanction that would require the use of additional processes. Instead, the Disciplinary Officer will impose all appropriate sanctions that do not require the use of additional processes and then refer the matter, if appropriate, for action under the additional process. The College’s disciplinary action will be considered complete with the Disciplinary Officer’s imposition of sanctions and referral, subject to any appeals.

**Appeal**

Either party may appeal the investigator’s determination on the grounds that: (1) the party has new information, unavailable at the time of the investigation, that may change or affect the outcome; or (2) there was a procedural error that may have impacted the outcome. Disagreement with the finding is not, by itself, grounds for appeal.

The appeal must be in writing and may be no longer than five (5) double-spaced, type-written pages. The appeal must be delivered to the Title IX Coordinator within ten (10) business days of delivery of the investigator’s determination to the parties (via email, mail or hand delivery). Failure to meet the deadline for appeal waives the right to appeal. The College reserves the right to investigate and take any necessary action of its own accord based on new information or events that were not known during an initial investigation.

On receipt of the appeal, the College will designate an Appeal Officer. The Appeal Officers shall receive appropriate training relating to issues of Gender Based Misconduct and the role of Appeal Officer. The Title IX Coordinator will notify the party who is not appealing that an appeal has been filed, the grounds for appeal asserted, and the identity of the Appeal Officer. The non-appealing party may submit a written response to the appeal, which shall be no longer than five (5) double-spaced type-written pages, to the Title IX Coordinator within five business days of receiving notice of the appeal.

The Appeal Officer will render a written decision within ten (10) business days of the Title IX Coordinator’s initial receipt of the appeal, and will forward the written decision to Title IX Coordinator. Upon submission to the Title IX Coordinator, it will provide written notice to the parties of the final disposition of the matter. Once submitted to the Title IX Coordinator the decision of the Appeal Officer is not subject to further review. Faculty members have additional appeal rights under the College’s Statutes; as required by applicable law, any available appeal rights will be available to both the Complainant and the Respondent in any matter.
Corrective Action
The College may also determine that additional measures are appropriate to respond to the effects of the incident on the College community. Additional responses for the benefit of the College community may include increased monitoring, supervision, or security at locations or activities where the Prohibited Conduct occurred; additional training and educational materials for students and employees; further revision of College policies.


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RIGHTS OF EMPLOYEE COMPLAINANTS AND RESPONDENTS
Throughout the process described in these Gender Based Misconduct Procedures, both the Complainant and Respondent have the following rights:

- To respect, dignity, and sensitivity.
- To appropriate support from the College.
- To privacy to the extent possible consistent with applicable law and College policy.
- To information about applicable College policies.
- To the presence of an advisor throughout the process in cases of sexual assault, domestic violence, dating violence, and stalking.
- To an opportunity to challenge the investigator(s), disciplinary officer, and/or appeal officer for a possible conflict of interest.
- To a prompt and thorough investigation of the allegations.
- To adequate time to review and comment on a summary of his or her investigative interview.
- To refrain from making self-incriminating statements. Employees should understand, however, that the decision not to respond honestly and completely to questions asked during the investigation may result in disciplinary action up to and including termination of employment.
- To report the incident to law enforcement at any time.
- To understand that information collected in the process may be subpoenaed in criminal or civil proceedings.
- To notification in writing of the case resolution, including the outcome of any appeal.

RIGHTS OF STUDENT COMPLAINANTS

- To respect, dignity, and sensitivity.
- To appropriate support from the College.
- To privacy to the extent possible consistent with applicable law and College policy.
- To information about applicable College policies.
- To the presence of an advisor throughout the process.
- To an opportunity to challenge investigator(s), disciplinary officer, and/or the appeal officer for a possible conflict of interest.
- To participate or to decline to participate in the investigation process. However, a decision to refrain from participating in the process either wholly or in part will not prevent the process from proceeding with the information available.
- To a prompt and thorough investigation of the allegations.
• To adequate time to review and comment on a summary of the Complainant’s investigative interview.
• To refrain from making self-incriminating statements.
• To report the incident to law enforcement at any time.
• To understand that information collected in the process may be subpoenaed in criminal or civil proceedings.
• To notification in writing of the case resolution, including the outcome of any appeal.
• All students also have the rights set forth in the Students’ Bill of Rights established by New York State law (see Appendix D)
APPENDIX A

DEFINITIONS

Complainant. The person who experienced the alleged Prohibited Conduct.

Respondent. The person alleged to have engaged in the Prohibited Conduct.

Protected Class. A class of persons who are protected under applicable federal, state and local laws against discrimination and harassment on the basis of: race, color, religion, creed, sex, sexual orientation, national origin, ancestry, age, marital status, citizenship status, veteran status, disability, pregnancy, gender expression, or any other criterion specified by federal, state and local laws.

Affirmative Consent. Affirmative consent is a knowing, voluntary and mutual decision among all participants to engage in sexual activity:

- Consent can be given by words or actions, as long as those words or actions clearly communicate willingness to engage in the sexual activity. It is important not to make assumptions about consent. If there is confusion or ambiguity, participants need to stop sexual activity and communicate about each person’s willingness to continue.
- Consent cannot be procured by the use of physical force, compulsion, threats, intimidating behavior, or coercion.
- Consent cannot be obtained from, or given by, a person who is incapacitated.
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- Consent to engage in sexual conduct with one person does not imply consent to engage in sexual conduct with another person.
- Silence or the lack of resistance, in and of itself, does not demonstrate consent. Again, it is important not to make assumptions; if confusion or ambiguity arises during a sexual interaction, it is essential that each participant stops and clarifies the other’s willingness to continue engaging in the sexual conduct.
- Consent can be withdrawn at any time, including after it is initially given. When consent is withdrawn or can no longer be given, sexual activity must stop.
- Previous relationships or previous consent for sexual activity is not consent to sexual activity at another time. However, established patterns of consent in a specific relationship may be considered when evaluating whether affirmative consent was given on a particular occasion.
- Accepting a meal, a gift, or an invitation to socialize, including on dating apps, does not imply or constitute consent to sexual activity.
- The definition of consent does not vary based on a participant’s sex, sexual orientation, gender identity, gender expression or relationship status.
**Force.** Force refers to the use of physical violence and/or imposing on someone physically to gain sexual access. Force can also include threats, intimidation (implied threats) or coercion used to overcome resistance.

**Intimidation.** Any threat of violence or other threatening behavior directed toward another person or group that reasonably leads the target(s) to fear for their physical well-being or to engage in sexual conduct for self-protection.

**Coercion.** Unreasonable pressure for sexual activity. When someone makes it clear that they do not want to engage in sexual activity or go beyond a certain point of sexual activity, continued pressure beyond that point can be considered coercive. The use of coercion can involve the use of pressure, manipulation, substances, and/or force. Ignoring another’s objections is a form of coercion.

**Incapacitation.** Incapacitation occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. A person who is incapacitated cannot make a rational, reasonable decision because the person lacks the ability to understand their decision.

Incapacitation may be associated with a person’s lacking consciousness; being asleep; being involuntarily restrained; having a disability that impedes consent; or if an individual otherwise cannot consent due to other forms of helplessness.

Depending on the degree of intoxication, someone under the influence of alcohol, drugs or other intoxicants may be incapacitated and therefore unable to consent. Being intoxicated, impaired or incapacitated by alcohol or other drugs is never an excuse for committing a policy violation and does not diminish anyone’s responsibility to obtain informed and freely-given consent. The use of alcohol or other drugs never makes someone at fault for experiencing gender-based violence.
APPENDIX B

Resources
On Campus Resources for Faculty and Staff

Office of the Vice Provost not confidential
Katie Embree
Vice Provost
debree@tc.columbia.edu
(212) 678-3991
113 Zankel Hall

Tom Rock
Vice Provost for Student Affairs
tpr4@tc.columbia.edu
(212) 678-3083
113 Zankel Hall

Office of the Vice President for Diversity and Community Affairs not confidential
Janice Robinson
Vice President for Diversity and Community Affairs
TC Title IX Coordinator
jsr167@tc.columbia.edu
(212) 678-3732
128 Zankel Hall

Melissa Rooker
Executive Director for Equity
Section 504 Compliance Officer
mor2102@tc.columbia.edu
(212) 678-7508
128 Zankel Hall

Human Resources not confidential
Svetla Eneva
Director
Eneva@tc.columbia.edu
(212) 678-4026
120 Whittier Hall

Public Safety not confidential
(212) 678-3333 (emergency)
(212) 678-3220 (non-emergency)
Whittier Hall Suite 1A
John Deangelis  
Assistant Vice President Public Safety and Environmental Health  
deangelis@tc.columbia.edu  
(212) 678-4180  
100 Whittier Hall

Ombuds Office confidential  
Stephen Peverly  
College Ombuds  
ombuds@tc.columbia.edu  
(212) 678-4169  
280 Grace Dodge Hall

Riddhi Sandil  
Ombuds for Gender Based Misconduct  
Sandil@tc.columbia.edu  
(212) 678-4016  
328B Horace Mann
Off Campus Resources for Faculty and Staff

Employee Assistance Program (EAP) confidential
Call toll-free 24/7:
(855) 789-5915
TTY: 711
mhn.advantageengagement.com
company code: tceap

Mt. Sinai/St. Luke’s Hospital Crime Victims Treatment Center
(212) 523-4728

Safe Horizon
Sexual Assault Hotline
(212) 227-3000
Domestic Violence Hotline
(800) 621-HOPE (4673)

NYC Gay and Lesbian Anti-Violence Project
(212) 714-1141

Local Law Enforcement:
Emergency
911
26th Precinct
(212) 678-1311

New York County (Manhattan) District Attorney’s Office
Domestic Violence Unit
(212) 335-4308
Sex Crimes Unit
(212) 335-9373

Special Victims Bureau – Manhattan Family Justice Center
(212) 335-4300
APPENDIX C

Legal Protections and External Remedies

Sexual harassment is not only prohibited by Teachers College, but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at Teachers College, employees may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

State Human Rights Law (HRL)

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time within one year of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, within three years of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to Teachers College does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney’s fees and civil fines.

DHR’s main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: www.dhr.ny.gov.

Contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR’s regional offices across New York State.
Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal antidiscrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a “Charge of Discrimination.” The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

The Office for Civil Rights (OCR)

The Office for Civil Rights enforces Title IX of the Education Amendments of 1972, the federal law that prohibits sex discrimination in programs or activities that receive federal financial assistance from the Department of Education. A complaint of discrimination can be filed by anyone who believes that an education institution that receives federal financial assistance has discriminated against someone on the basis of sex. Complaints must be filed within 180 calendar days after the discrimination. The following is the contact information for the OCR’s New York office:

United States Department of Education
Office for Civil Rights (OCR)
New York Office
32 Old Slip, 26th Floor
New York, NY 10005-2500
Telephone: 646-428-3900
FAX: 646-428-3843; TDD: 800-877-8339
Email: OCR.NewYork@ed.gov

Local Protections

Employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau
of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

**Contact the Local Police Department**

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.
APPENDIX D
NYS Student’s Bill of Rights

All students reporting dating violence, domestic violence, sexual assault and/or stalking have the right to:

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
3. Make a decision about whether or not to disclose a crime or violation and participate in the conduct process and/or criminal justice process free from pressure by the College;
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
5. Be treated with dignity and to receive from the College courteous, fair, and respectful health care and counseling services, where available;
6. Be free from any suggestion that the reporting individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
7. Describe the incident to as few College representatives as practicable and not be required to unnecessarily repeat a description of the incident;
8. Be protected from retaliation by the College, any student, the Respondent and/or their friends, family and acquaintances within the jurisdiction of the College;
9. Access to at least one level of appeal of a determination;
10. Be accompanied by an advisor of choice who may assist and advise a reporting individual or Respondent throughout the conduct process including during all meetings and hearings related to such process; and
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or conduct process of the College.