

Key Resources and Policies on Student Life, Gender-Based Misconduct & Discrimination and Harassment

**Briefing and Discussion with Arts & Sciences DAAFs
Summer 2018**

Welcome! Our Goals for Today's Discussion

- Think about how to shape climate in the department by having and sharing information about key resources, supports and policies.
- Know the go-to places for University-wide student resources:
 - University Life website
 - University Life app
 - Sexual Respect website

Your Partner Offices for Today's Conversation

- Gender Based Misconduct Office/Title IX Coordinator
- Equal Opportunity and Affirmative Action
- University Life

What We'll Cover:

We'll cover a variety of issues involving students – and some that are particular to staff and faculty – including:

- Public Safety
- Student Mental Health concerns
- Disability accommodations
- Diversity, Inclusion and Belonging resources
- Gender-Based Misconduct resources for students
- Discrimination and Harassment policies and resources

Starting with Emergencies – and How Else Public Safety can Help

In an emergency?

Dial 911 or Public Safety (24/7/365) (4-5555)

How else can Public Safety help?

Emergency response, assistance with personal threats, security escorts, lost and found, and assistance with law enforcement, if you or a student chooses to report a crime to the NYPD

Concerns about a Student's Mental Health? (This Includes Alcohol/Drug Abuse)

How to help:

- Recognize a student's distress and connect them with services
(I notice that you are ...)
- Red flags: repeatedly missing class, appearing unusually disheveled, noticeable change in affect

Who to reach out to?

- You can call Counseling and Psychological Services (Morningside), Furman Center (for Barnard students), or Mental Health Services (for CUMC students)

How to Help a Student who Needs a Disability Accommodation for Class?

Students who need extra time or other assistance because of a disability are required to register with Disability Services. The process starts on the DS website.

DS coordinates accommodations and support services to facilitate equal access for students with disabilities.

Students provide an accommodation letter to their professors.

If a student comes to you with a concern about a faculty member's response to their accommodations, you can contact DS or encourage them to contact DS or their adviser directly.

*For pregnancy-related accommodations, students should contact the Title IX Coordinator.

Disability Resources for Employees, Visitors and Events

- **Columbia's HR Disability Services** is the go-to resource for faculty and staff with disabilities.
- **Disability Services (DS)** is the resource for students, campus visitors, and accommodations to make events accessible.

Diversity, Inclusion and Belonging at Columbia

Columbia has a broad landscape of resources, including these:

For undergraduates – Office of Multicultural Affairs (OMA)

For graduate students – University Life’s Graduate Initiative on Inclusion and Engagement (new!)

For all students:

University Life’s Task Force on Inclusion and Belonging at Columbia

University Life’s Sexual Respect Working Group

Inclusive teaching:

Center for Teaching and Learning offers resources, workshops and individualized consultation.

Diversity, Inclusion and Belonging at Columbia cont.

And more:

Office of the Vice Provost for Faculty Diversity and Inclusion

Guides to Best Practices in Faculty Searches and Hiring, Mentoring

DACA students: University Life hosts a DACA students webpage and a small working group

Gender-non-binary and Transgender students, faculty and staff:

Preferred names: Students can register preferred names for course rosters, CUID

Restroom policy: Everyone should use the restroom that is most consistent with their gender identity. Campus maps include single-user and gender-neutral restrooms.

Diversity, Inclusion and Belonging at Columbia cont...

Still more:

International students, faculty and staff: ISSO is the go-to resource for visa and other questions.

Veterans: Office of Military and Veterans Affairs in Student Financial Services; School of General Studies

Columbia also hosts the Resilience Center for Veterans and Families @ Teachers College (research and psychological services) and the Center for Veteran Transition and Integration (helps veterans around the country)

Counseling and Psychological Services also provides specialized counseling for students related to all aspects of identity.

Discrimination and Harassment – Where to Go?

Where to go if a student, staff member or faculty member has concerns about discrimination or discriminatory harassment?

- **EOAA** handles claims of **Discrimination**:
 - Treating individuals less favorably because of their protected status (e.g. race, sex, religion).
- And claims of **Discriminatory Harassment**:
 - Treating someone – based on a protected status –in a way that is humiliating, abusive, or threatening that unreasonably interferes with their learning, living or work environment.

For our full policy text, please see the EOAA website.

*For concerns about discrimination or harassment committed by a student, Student Conduct and Community Standards is the key resource.

What kinds of Discrimination does Columbia prohibit?

Columbia University prohibits discrimination based on:

- Race
- Color
- Religion
- Sex
- Gender
- Gender Identity
- Pregnancy
- Age
- National Origin
- Disability
- Sexual Orientation
- Marital Status
- Status as a Victim of Domestic Violence
- Citizenship or Immigration status
- Creed
- Genetic Predisposition or Carrier Status
- Unemployment Status
- Partnership Status
- Military Status
- or any other applicable legally protected status

Policy 101: Gender-Based Misconduct

What do I need to know about our gender-based misconduct policy and how to help students?

Most important: Remember that all information – including the Policy, definitions of misconduct and resources – are on the Sexual Respect website.

Still, it can be useful to know some basics:

Sexual Harassment

Unwelcome sexual advances, requests for sexual contact, and other verbal, physical, or visual conduct of a sexual nature

Gender-Based Harassment

Acts of verbal, intimidation, stalking or hostility based on gender or gender-stereotyping

Dating Violence

Physical or sexual violence – or threats of that type of violence - toward someone who is or was in a romantic or intimate relationship.

Domestic Violence

Physical violence – or threats of violence – toward a current or former spouse or intimate partner, a person who has a child in common, or anyone protected against domestic violence under NYS laws

More Gender-Based Misconduct Policy Def'ns:

Stalking

Unwanted attention that is repeated or obsessive AND that is reasonably likely to cause alarm. This can include calls, texts, unwanted gifts, surveillance and in-person contact.

Sexual Exploitation

Non-consensual abuse or exploitation of another person's sexuality.

Sexual Assault – Sexual Intercourse

Any form of sexual intercourse (any penetration or mouth/genital contact) without affirmative consent.

Sexual Assault – Sexual Contact

Any intentional sexual touching – over or under clothing - without affirmative consent.

Detailed definitions are on the Sexual Respect website.

What is Affirmative Consent?

Affirmative consent = Yes means Yes

Simply put, this means that people need to clearly indicate – through words or actions – that they are consenting to any type of sexual activity.

Silence or lack of resistance is *not* consent!

This is Columbia's policy and is required by NY State law for all students. For the full policy text, please see the Sexual Respect website.

Consent Under the Influence is Problematic

Columbia's policy is clear that there is **NO** consent if a person is incapacitated by alcohol, drugs or anything else.

This is because they lack the capacity to give knowing consent (i.e., to understand the “who, what, when, where, why or how” of the sexual interaction)

It's no excuse for someone to say they were intoxicated at the time and didn't realize their partner was incapacitated!

Some common questions about incapacitation:

- If I have had a few drinks, can I still consent? Can my partner consent?
 - It depends! You can be tipsy or intoxicated and **still able to consent**, or incapacitated and almost unconscious, and **unable to consent**. Remember: if your partner has not affirmatively consented, that is sexual assault under Columbia's Affirmative Consent policy (and NYS law).
- What about “blackout”? “Blackout” doesn't mean you can't consent. It means that you can't remember what happened.

What if a Student Who Makes a Report is Engaged in Underage Drinking or Drug Use?

Columbia wants to be sure students are as comfortable as possible reporting incidents of assault or other gender-based misconduct – including dating and relationship violence, stalking, sexual and gender-based harassment.

We recognize that students who have violated the University's alcohol or drug policies at the time of an incident may be hesitant to report an incident.

So, we do not discipline students for these violations if they make a good-faith report about an incident that happened at the same time as drinking or drug use. (See the Sexual Respect website for the full Amnesty policy.)

Romantic and Sexual Relationships – What's Columbia's policy?

Faculty/Student: No faculty member shall have a consensual romantic or sexual relationship with a student **over whom he or she exercises academic or professional authority.**

Staff/Student: No staff member at Columbia should **supervise, evaluate, advise, take employment actions or mentor** any Columbia University student with whom s/he has or has had a consensual romantic or sexual relationship, except in unusual circumstances.

Staff/Staff: No staff member at Columbia should **hire, supervise, evaluate, or take employment actions** any Columbia University staff member with whom s/he has or has had a consensual romantic or sexual relationship, except in unusual circumstances.

Faculty/Undergraduate: No faculty member shall have a consensual romantic or sexual relationship with a student **who is an undergraduate.**

Retaliation – What is it? What to Do About It?

- **Anyone who files a complaint with EOAA or who participates in an EOAA process as a party or a witness is protected by University policy from retaliation. Same for the Gender-Based Misconduct Office process for students.**
- **Retaliation** is any adverse action taken against someone for making a complaint, defending themselves or participating in the process. It can include giving someone a poorer grade because they filed a complaint or demoting or firing someone for being a witness.
- **Everyone** – the people involved in the case, their friends, and anyone else – is prohibited from retaliating.
- **Violations** of this policy are taken **extremely seriously** and may result in additional disciplinary action.

Where to get help?

Confidential *and* Non-Confidential Resources

Students, Faculty and staff at Columbia can report concerns about discrimination, harassment and gender based misconduct to **Confidential** or **Non-Confidential** campus resources.

- **Confidential** resources – like the **Ombuds Office, Sexual Violence Response, Counseling and Psychological Services, Chaplain** – do not share the information given to their offices by the person reporting.
- **Non-Confidential** resources (like **EOAA, Gender-Based Misconduct Office, Title IX Coordinator**) keep the information they receive **private** but may need to share information with other offices to help with accommodations and to keep the campus community safe.

Who has a Duty to Report Discrimination and Harassment?

If an incident involves a student:

All Columbia employees who do not work as confidential resources have a duty to report any instance or allegation of prohibited conduct involving a student that they see or learn about. This includes:

- Faculty; Officers of Administration, Research, and the Libraries; Coaching Staff
- Staff who work directly with students, including student advisers and residential program staff as well as DAAFs.

- Teaching assistants and residence assistance also have this duty to report.

Where Should I Make a Report?

- You can make a report to **EOAA or the Gender-Based Misconduct Office or the Title IX Office**. We'll make sure the report gets to the right place.
- The Sexual Respect and EOAA websites have a “button” for making reports.
- You can also call or email any of these offices.

Do Managers and Supervisors have Special Duties?

- **Yes.** Managers and supervisors have a duty to report any instance or allegation of prohibited conduct **by an employee or third party** that they see or learn about.
- **Where should they make this report?**

To EOAA or the designated human resources representative.

- **What about non-managerial/supervisory employees?**

All employees are strongly encouraged to report any misconduct involving an employee or third party that they see or learn about. This can help the employee and the University.

Who has a Duty to Act and What is that Duty?

- All managers and supervisors have a duty to act.
- This means that managers and supervisors are responsible for taking reasonable actions to stop the discriminatory or harassing behavior that they see or learn about.

Remind Me – Where do I report an incident?

Columbia has two offices that investigate incidents.

For Violations of the Student Gender-Based Misconduct Policy:

Gender-Based Misconduct Office

For All Other Incidents (including Discrimination, Harassment, Consensual Relationships Policy:

Equal Opportunity and Affirmative Action

The Sexual Respect and EOAA websites have “Report an Incident” buttons. You can also call either office or contact the Title IX Coordinator directly (titleix@columbia.edu)

What about Reporting to Law Enforcement?

- If you experience, or witness, a crime, you **MAY** decide to report to:
 - The local police department
 - But you cannot notify the police if a student reports gender-based misconduct to you and they do not want the police to be contacted. It is their choice whether to contact law enforcement.
- We **do not require** anyone in our community (students, faculty, other employees) to report to law enforcement. Columbia has various resources to provide support for students or others who report incidents to law enforcement.

What does the Gender-Based Misconduct Office do When it Receives a Report?

- **Every student is offered a case manager**
 - Discuss resources and accommodations
 - Explain investigative and disciplinary process
- **Investigation/Mediation/Restorative Justice process**
 - Columbia has a two-person team investigate each incident.
 - Students can have an attorney-advisor at no charge to them.
 - For some types of incidents, students can also choose to go through mediation or a restorative justice process instead of the investigation/adjudication process. For this, both parties and the University must all agree.
- **Adjudication and Sanctions**
 - After an investigation, a panel will decide if the accused student is responsible for violating the Policy. If yes, sanctions will be imposed. Sanctions range from Warning / Education on the Policy, to Disciplinary Probation, to Expulsion. Students have a right to appeal.

What Happens after EOAA Receives a Report?

- EOAA staff provide the Complainant with resources and options
- Interim measures/accommodations may be provided
- Informal resolution/mediation may be an option in some cases, if all parties and the University agrees.
- Investigation:
 - EOAA uses two investigators for gender-based misconduct cases and one or two for all others
 - Investigative Report or Determination Letter
- Sanctions: EOAA will recommend sanctions/discipline to dean or supervisor if an employee is found responsible for a policy violation.
- Right to appeal

How to File a Report: eoaa.columbia.edu

EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION



- Notice of Nondiscrimination
- EOAA Policies and Procedures
- Recruitment
- Affirmative Action
- Disability
- Training Services
- Report an Incident
- Resources
- Contact Us

Equal Opportunity and Affirmative Action

[Report an Incident](#)

[Contact Us](#)

Text Resize

As an institution, Columbia University is committed to the principles of equity and excellence. It actively pursues both, adhering to the belief that equity is the partner of excellence. Columbia University's goal is a workforce and student body that reflects the diversity and talent of New York City, the larger metropolitan area, and the nation. In furtherance of this goal, Columbia has implemented policies and programs which seek to ensure that its employment and educational decisions are based on individual merit and not on bias or stereotypes.

The University's Office of Equal Opportunity and Affirmative Action (EOAA) has overall responsibility for the management

Sexual Respect Website: Resources, Reporting and the Sexual Respect Initiative

sexualrespect.columbia.edu

 Columbia University in the City of New York

[Key Campus Resources Guide](#)

[For Faculty and Staff](#)

[Exit](#)

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Initiative](#)

[University Policy](#)

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[File a Report](#)

**Sexual Respect
is a commitment.**

It is a commitment to communicating and acting with integrity and respect for others.

Key Resources on Campus

| | | | |
|---|--|---|--|
|  <p>Sexual Violence Response (24/7/365)</p> <p>Call (212) 854-4357 (HELP) to connect with survivor advocates for trauma-informed rape crisis/anti-violence support, including accompaniment to the hospital, police, or to other resources. SVR also offers prevention education.</p> <p>Learn more.</p> <p>Confidential</p> |  <p>Counseling Services</p> <p>Get trauma support and short-term counseling, referral for ongoing mental health services, and/or introduction to student support groups.</p> <p>Learn more.</p> <p>Confidential</p> |  <p>Public Safety (24/7/365)</p> <p>Call (212) 854-5555 when you need emergency response, security escorts or assistance with law enforcement.</p> <p>Learn more.</p> <p>Not Confidential</p> |  <p>Gender-Based Misconduct Office</p> <p>Receive help in seeking academic and other accommodations, and guidance through the complaint, investigation and adjudication process.</p> <p>Learn more.</p> <p>Not Confidential</p> |
|---|--|---|--|

For more resources, click [here](#).

For Students: Where to Report? Where to Get Confidential Help?

What if I want to report an incident, or if I don't...I just want someone to talk to confidentially?

Go to the Sexual Respect Website. (<https://sexualrespect.columbia.edu/>)

The screenshot shows the top navigation bar of the Sexual Respect website. A yellow arrow points to the 'File a Report' button. Below the navigation bar, the text reads 'Sexual Respect is a commitment. It is a commitment to communicating and acting with integrity and respect for others.' Underneath, there is a section titled 'Key Resources on Campus' with four resource cards. A yellow arrow points to the first card, 'Sexual Violence Response (24/7/365)'. The cards are color-coded by confidentiality: purple for Confidential and yellow for Not Confidential.

| Resource | Confidentiality |
|-------------------------------------|------------------|
| Sexual Violence Response (24/7/365) | Confidential |
| Counseling Services | Confidential |
| Public Safety (24/7/365) | Not Confidential |
| Gender-Based Misconduct Office | Not Confidential |

Thank you, and more:

It takes all of us to create a campus climate that fosters respect for the fundamental dignity and worth of all community members.

DAAFs play a key role in fostering this climate by knowing and sharing all of the information we have just discussed.

Remember – you can always find all of this and more on the **Faculty/Researchers/Staff Resource Tab at the top of University Life's website.**

Thank you!