



COLUMBIA UNIVERSITY EQUAL EDUCATIONAL OPPORTUNITY AND STUDENT NONDISCRIMINATION POLICIES AND PROCEDURES ON DISCRIMINATION AND HARASSMENT

The University's Office of Equal Opportunity and Affirmative Action (EOAA) has overall responsibility for the management of the University's Equal Opportunity and Nondiscrimination Policies and has been designated to coordinate compliance activities under these policies and applicable federal, state and local laws. Students, faculty, and staff may contact the EOAA Office to inquire about their rights under the University's policies, request mediation or counseling, or seek information about filing a complaint.

Complaints by students against students are governed by the *Equal Educational Opportunity and Student Nondiscrimination Policies and Procedures on Discrimination and Harassment* which are printed here and available online at: http://www.columbia.edu/cu/vpaa/eoaa/docs/student_discrim.html.

Complaints by students against employees are governed by the *Equal Employment Opportunity and Nondiscrimination Policies and Procedures on Discrimination, Discriminatory Harassment and Sexual Harassment*, which are available online at: <http://www.columbia.edu/cu/vpaa/eoaa/docs/nondispol.html>. All students and employees are protected from retaliation for filing a complaint or assisting in an investigation under Columbia's Equal Opportunity and Nondiscrimination Policies. All students, employees, and applicants for admissions and employment are protected from coercion, intimidation, interference, or retaliation for filing a complaint or assisting in an investigation under any of the applicable policies and laws. For further information, contact

Susan Rieger

Associate Provost

Office of Equal Opportunity and Affirmative Action

103 Low Library, MC 4333

212-854-5511

<http://www.columbia.edu/cu/vpaa/eoaa.html>.

COLUMBIA UNIVERSITY EQUAL EDUCATIONAL OPPORTUNITY AND STUDENT NONDISCRIMINATION POLICIES

Columbia University is committed to providing a learning environment free from unlawful discrimination and harassment and to fostering a nurturing and vibrant community founded upon the fundamental dignity and worth of all of its members. Consistent with this commitment and with applicable laws, it is the policy of the University not to tolerate unlawful discrimination or harassment in any form and to provide students who feel that they are victims of discrimination or harassment with mechanisms for seeking redress.

Columbia University does not discriminate against any person in the administration of its educational policies, admissions policies, scholarship and loan programs, and athletic and other University-administered programs or permit the harassment of any student or applicant on the basis of race, color,

sex, gender (including gender identity and expression), pregnancy, religion, creed, marital status, partnership status, age, sexual orientation, national origin, disability, military status, or any other legally protected status.

Nothing in this policy shall abridge academic freedom or the University's educational mission. Prohibitions against discrimination and harassment do not extend to statements or written materials that are germane to the classroom subject matter.

DEFINITIONS

For purposes of these policies and procedures, discrimination, discriminatory harassment, and sexual harassment are defined as follows:

DISCRIMINATION

Discrimination is defined as:

- treating members of a protected class less favorably because of their membership in that class;
- or
- having a policy or practice that has a disproportionately adverse impact on protected class members.

DISCRIMINATORY HARASSMENT

Discriminatory harassment is defined as substantially interfering with an individual's educational experience by subjecting him or her to severe or threatening conduct or to repeated humiliating or abusive conduct, based on his or her membership in a protected class. This includes sexual harassment, which is described below in further detail.

SEXUAL HARASSMENT

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education; or
- submission to or rejection of such conduct by an individual is used as the basis for academic decisions affecting that individual; or
- such conduct has the purpose or effect of unreasonably interfering with an individual's academic performance or creating an intimidating, hostile, demeaning, or offensive academic or living environment.

Consensual, romantic relationships between faculty and other employees and students are generally not considered sexual harassment and are not prohibited by University policy. Individuals should be aware, however, that these relationships are susceptible to being characterized as non-consensual, and even coercive, if there is an inherent power differential between the parties. For further information, students and employees should consult the Romantic Relationship Advisory Statement which is printed here and available online at: <http://www.columbia.edu/cu/vpaa/eoaa/docs/romance.html>.

DISABILITY ACCOMODATION

Students seeking an accommodation for a disability should contact the Office of Disability Services at (212) 854-2388. Information on the services provided by the Office may be found online at: <http://www.health.columbia.edu/docs/services/ods/index.html>.

COLUMBIA UNIVERSITY STUDENT PROCEDURES ON DISCRIMINATION AND HARASSMENT

All members of the University community are expected to adhere to the applicable policies and to cooperate with the procedures for responding to complaints of discrimination and harassment. All are encouraged to report any conduct believed to be in violation of these policies. All students and applicants for admission are protected from coercion, intimidation, interference, or retaliation for filing a complaint or assisting in an investigation under any of the applicable policies and laws. Subjecting

another to retaliatory, intimidating or coercive conduct for filing a complaint or participating in an investigation is prohibited and may be addressed as a separate violation.

Any person who believes that he or she has been the subject of discrimination and harassment may initially choose to deal with the alleged offender directly through a face-to-face discussion, a personal telephone conversation, e-mail correspondence, or letters. In some cases this may effectively resolve the situation; however, individuals should not feel pressured to address the individual directly. Such an approach may be ineffective in correcting the problem, or an individual may be uncomfortable in handling the situation alone. The University offers several options for those seeking the intervention of the offices and individuals who are authorized to respond to their complaints. These include confidential guidance and assistance, informal counseling, mediation, and formal processes for having their complaints reviewed and investigated.

CONFIDENTIAL GUIDANCE AND ASSISTANCE

The University has crafted a "safe haven" for those individuals who want to approach a knowledgeable person for confidential conversations. Individuals who wish to take advantage of this option may contact either the University Ombuds Officer or a member of the University Panel on Discrimination and Sexual Harassment. These officers are not authorized to conduct formal investigations.

UNIVERSITY OMBUDS OFFICER

The Ombuds Office is an informal, safe and confidential place to voice concerns. The Ombuds Officer will listen, offer information about Columbia University policies and resources, and help visitors evaluate a range of options for resolving a problem. The visitor selects the course of action, if any. The Ombuds Officer may, with permission, participate in informal conflict resolution, and may mediate if all parties agree. The Ombuds Office provides information about formal grievance procedures in other offices, and is a resource for any kind of issue, including concerns which fall outside the scope of formal complaint channels. In some situations, the Ombuds Officer may help find ways to convey information while maintaining the anonymity of the source. Discussions with the Ombuds Officer are off-the-record and do not constitute notice to the University.

For more information, see <http://www.columbia.edu/cu/ombuds/>.

UNIVERSITY PANEL ON DISCRIMINATION AND SEXUAL HARASSMENT

The University Panel on Discrimination and Sexual Harassment is composed of trained, experienced, and accessible members of the Columbia community. Members of the Panel provide an informal, impartial, non-adversarial setting in which problems can be addressed through confidential counseling or mediation. Any student may approach any Panelist to discuss his or her concerns and seek advice. The Panelist may also meet with persons other than the student to ascertain facts relevant to appropriate resolution of the complaint or to seek an informal resolution to situations in which there are allegations of discrimination, discriminatory harassment, or sexual harassment. Discussions with Panelists are confidential and do not constitute notice to the University. A list of the current Panelists may be found online at: <http://www.columbia.edu/cu/vpaa/eoaa/docs/shpanel.html>.

MEDIATION

Students may choose to resolve their complaints through mediation by the Office of Equal Opportunity and Affirmative Action, the University Ombuds Office, or the Mediation Clinic at Columbia Law School. Mediation is an informal, voluntary and confidential process where parties can participate in a search for a fair and workable solution. Guidelines for mediation by the EOAA Office or the Mediation Clinic may be found online at: <http://www.columbia.edu/cu/vpaa/eoaa/docs/mediation.pdf>.

FORMAL COMPLAINT PROCEDURES AGAINST ANOTHER STUDENT

DEAN'S DISCIPLINE

Student complaints of discrimination or harassment against another student should be filed with the Dean of the school in which the accused student is enrolled. Complaints against students are investigated under the appropriate Dean's Discipline procedure of the accused student's school, with the

exception noted below. Students found to have engaged in discrimination or harassment will be subject to discipline up to and including expulsion.

DISCIPLINARY PROCEDURES FOR SEXUAL MISCONDUCT

Complaints involving non-consensual physical contact of a sexual nature by a student against a student must be filed under Dean's Discipline or the Disciplinary Procedures for Sexual Misconduct. A copy of the Disciplinary Procedures for Sexual Misconduct may be obtained from the Program Coordinator of the Disciplinary Procedures for Sexual Misconduct, 701A Alfred Lerner Hall, or online at: <http://www.columbia.edu/cu/sexualmisconduct.html>.

PROCEDURE FOR COMPLAINT AGAINST A STUDENT ORGANIZATION

Students who wish to file a complaint of discrimination or harassment against a student organization should do so in consultation with the Dean of their own school; the Dean will identify the appropriate procedure and channels and assist the student in pursuing the complaint.

PROCEDURE FOR COMPLAINT AGAINST A MEMBER OF THE FACULTY OR STAFF

OFFICE OF EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

Student complaints of discrimination, discriminatory harassment or sexual harassment against a University employee should be filed with the Office of Equal Opportunity and Affirmative Action. Complaints filed with the EOAA office are governed by the *Equal Employment Opportunity and Nondiscrimination Policies and Procedures on Discrimination, Discriminatory Harassment and Sexual Harassment*, which are available online at: <http://www.columbia.edu/cu/vpaa/eoaa/docs/nondispol.html>. The Office of Equal Opportunity and Affirmative Action is located at 103 Low Memorial Library and can be reached by telephone at (212) 854-5511.

GRIEVANCE PROCEDURES

Students should consult their school's policy for the appropriate procedure to complain about a faculty member's conduct in an instructional setting. School policies may be found on the Provost's webpage at <http://www.columbia.edu/cu/provost/docs/policies.html>.

INDEPENDENT INVESTIGATION

The University, at the discretion of the General Counsel, may conduct an investigation independent of or in addition to the procedures provided herein at any time. The investigation may involve complaints or allegations concerning discrimination, discriminatory harassment, or sexual harassment against the University or any of its employees or students.



Students with questions as to the appropriate procedure in a particular situation should contact the Dean of Students for their school

COLUMBIA UNIVERSITY'S COMPLIANCE WITH LAWS PROMOTING EQUAL EDUCATIONAL OPPORTUNITY AND PROHIBITING DISCRIMINATION AND HARASSMENT

In accordance with all applicable laws and pursuant to its own policies and operating procedures, Columbia University provides for equal opportunity and prohibits unlawful discrimination and harassment. The applicable laws include:

- Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination against any person on the basis of race, color, or national origin in programs or activities receiving federal financial assistance.
- Title IX of the Education Amendments of 1972, as amended, prohibits discrimination on the basis of sex in the conduct or operation of a school's educational programs or activities, including

admission to these programs and activities.

- Section 504 of the Rehabilitation Act of 1973 prohibits the exclusion of any person solely on the basis of a disability from participation in or access to benefits of any federally financed program or activity; it also prohibits discrimination against any person solely on the basis of disability in any federally financed program or activity.
- The Americans with Disabilities Act of 1990 prohibits discrimination against persons with disabilities in public accommodation.
- The Age Discrimination Act of 1975 prohibits discrimination on the basis of age in programs and activities receiving federal financial assistance.
- The New York Executive Law, Article 15, Section 296(4) prohibits an educational institution from denying the use of its facilities to anyone otherwise qualified or permitting harassment of a student or applicant on the basis of color, race, religion, disability, national origin, sexual orientation, military status, sex, age, and marital status.
- The New York Education Law, Section 313, as amended, prohibits educational institutions from discriminating against persons seeking admission as students to any institution, program, or course because of race, color, sex, religion, creed, marital status, age, sexual orientation, or national origin.
- The New York City Human Rights Law, Section 8-107 prohibits discrimination on the basis of actual or perceived race, creed, color, national origin, age, gender, (including gender identity and expression), disability, marital status, partnership status, sexual orientation or alienage or citizenship status in public accommodations.

Any person wanting to file a complaint under any of these laws should consult the website of the relevant government agency listed below:

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

<http://www.ed.gov/about/offices/list/ocr/index.html>

New York State Division of Human Rights

<http://www.dhr.state.ny.us/>

New York City Commission on Human Rights

<http://www.nyc.gov/html/cchr/home.html>

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