

COLUMBIA UNIVERSITY GENDER-BASED
MISCONDUCT PREVENTION AND RESPONSE

September 23, 2014

INTRODUCTION

Welcome to the first annual Report on Gender-Based Misconduct Prevention and Response at Columbia University.¹ The report's central aim is to engage the full University community—students, faculty, administrators, and staff—in creating a climate where all can study, work, and live free from gender-based misconduct, including sexual violence.

More specifically, this report includes information about:

- Recent developments at the University to enhance **resources** related to gender-based misconduct prevention and response
- The University's new **Gender-Based Misconduct Policy and Procedures for Students** (the "policy"), which came into effect for this academic year
- **Student-oriented prevention and education efforts**
- **Faculty and staff training**
- **Data regarding complaints against students** addressed under the University's prior policy, reported during the period July 1, 2013–June 30, 2014

By summarizing key features of the University's work and compiling data from gender-based misconduct cases against students during the previous academic year, the report aims to contribute to the University's work on gender-based misconduct, including sexual assault, for this and future academic years. It is not, however, the sole resource for informing the discourse of our University community on this subject. Additional information includes a [comprehensive update](#) authored by Professor Suzanne B. Goldberg, Special Advisor to President Bollinger on Sexual Assault Prevention and Response, and other materials, including the new Gender-Based Misconduct Policy for Students and accompanying FAQs, available at [Columbia's Sexual Respect website](#).

¹ Throughout this report, references to "the University" include Columbia University, Barnard College, and Teachers College.

I. ADDITIONAL RESOURCES, A NEW GENDER-BASED MISCONDUCT POLICY, AND ENHANCED TRAINING AND EDUCATION

In response to students' suggestions, observations by University faculty and administrators, and new federal guidance, the University has introduced numerous new and enhanced resources to prevent and address gender-based misconduct, including sexual violence.

A. Additional Resources

SEXUAL VIOLENCE RESPONSE AND RAPE CRISIS/ ANTI-VIOLENCE SUPPORT CENTER

Second location: During the previous academic year, numerous students suggested that Sexual Violence Response and Rape Crisis/Anti-Violence Support Center, which is a confidential resource and support center available to students around the clock and throughout the year, have an additional location to complement the existing location at Barnard College in Hewitt Hall. In response, the University created a second, larger location in Lerner Hall to increase access to this resource and its services.

Expanded hours: Both the Barnard and Lerner locations have extended their evening hours during the academic year. In addition, Sexual Violence Response and Rape Crisis/Anti-Violence Support Center now ensures 24-hour on-call access to professional staff while keeping fully intact existing 24-hour access to peer advocates. These services, available through 212-854-4357 (4-HELP), can now be accessed 365 days a year.

Additional staff: The University has authorized six new positions for Sexual Violence Response and Rape Crisis/Anti-Violence Support Center, more than doubling the number of staff in this office. The six positions are one assistant director located at Columbia University Medical Center, one assistant director for training and prevention, three survivor advocates, and one prevention coordinator. To date, four of the six positions have been filled, with only the CUMC assistant director and a third survivor advocate still to be hired.

The presence within our University community of this corps of professional survivor advocates is a particularly significant development, vastly expanding the scope of dedicated support available to survivors of sexual assault and other gender-based misconduct.

GENDER-BASED MISCONDUCT OFFICE

New office: The University has established a Gender-Based Misconduct Office, which is an expanded and enhanced version of the office previously known as Student Services for Gender-Based and Sexual Misconduct (SSGBSM).

Office functions: The Gender-Based Misconduct Office:

- serves as a centralized resource to support and provide assistance to all University students who have experienced or been accused of gender-based misconduct; and

- conducts investigations and coordinates the disciplinary process related to gender-based misconduct complaints against students from all parts of the University and assists students who seek to bring complaints against University employees.

Case managers: A new position called “case manager” has been created within the Gender-Based Misconduct Office. Case managers are responsible for helping students navigate various resources and secure accommodations regarding their academic work, residential living arrangements, and other University activities. Case managers also support and assist students in understanding the investigation and hearing process, if a complaint is filed. At the time of this report, two of the three newly authorized case manager positions have been filled, and the third hire is imminent.

Investigators: In recent months, the Gender-Based Misconduct Office has filled four new investigator positions. Their responsibility is to investigate complaints made against students under the Gender-Based Misconduct Policy, make credibility assessments, and recommend findings of responsibility to hearing panels. The new investigators have received specialized training related directly to their responsibilities.

COLUMBIA OFFICE OF EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

This office is responsible for managing complaints of gender-based misconduct against Columbia employees and third-party affiliates under Columbia’s Policies and Procedures on Discrimination and Harassment. Complaints against Teachers College and Barnard employees are managed by offices in those colleges. See www.tc.edu/titleIX or barnard.edu/doc/titleix/nondiscrimination.

New investigator: The Office of Equal Opportunity and Affirmative Action has hired a new investigator for the complaints handled by the office, who will provide credibility assessments and make disciplinary recommendations. The new staff person has worked in higher education and has conducted investigations under various federal, state, and local antidiscrimination laws. This new investigator has received specialized training directly related to these responsibilities.

B. Gender-Based Misconduct Policy

New Policy: On August 15, 2014, the University’s new Gender-Based Misconduct Policy and Procedures for Students took effect. The new policy builds on the solid foundation of the previous policy and strengthens it in numerous ways that respond both to student requests and to recent federal guidance. Detailed information, including the policy itself and FAQs regarding the policy, is available on Columbia’s Sexual Respect website (www.sexualrespect.columbia.edu).

Notable changes from the previous policy:

- *Investigators’ role:* Highly-trained investigators are responsible for making assessments of the credibility of complainants (those who file complaints) and respondents (those accused of violating the policy) and recommending findings of responsibility in individual cases.
- *Hearing panels:* Generally, panels are specially designated from University officials who have, or have had, significant responsibility for student life. These panels, by virtue of their experience, are well positioned to assess the impact of gender-based misconduct on students and to evaluate and make judgments regarding conflicts between students, including allegations of serious wrongdoing.

Students no longer serve on hearing panels. The U.S. Department of Education’s Office of Civil Rights has recommended that students not serve on college or university hearing panels for cases of sexual assault. This guidance is intended to ensure that members of hearing panels have the necessary professional experience and training to render fair and appropriate judgments, and that students are not deterred from bringing complaints in order to avoid discussing the issue with a peer.

- *Training for hearing panels, sanctioning officers, and appellate officers (deans):* All participants will receive enhanced training both annually and then specifically in advance of serving in an individual case.

The policy also stresses, in several places, that University employees who participate in the complaint process are responsible for maintaining students’ privacy to the greatest

extent possible. This responsibility is not new; the reason for this repeated emphasis is to help encourage students to report policy violations that occur.

C. Student-Oriented Prevention and Education Efforts

During the 2013–2014 academic year, there were numerous activities aimed at preventing and raising awareness of sexual violence and other forms of gender-based misconduct. In addition to events organized exclusively by student organizations, these events included:

Orientation training: Sexual Violence Response (SVR) and the Office of Equal Employment Opportunity and Affirmative Action conducted 53 orientation sessions for new undergraduate and graduate students, training more than 4,000 students in orientation sessions about gender-based misconduct prevention and response.

Step Up! bystander intervention training: These sessions focus on educating students in techniques to intervene in situations where sexual violence and other forms of gender-based misconduct might occur. During 2013–2014, SVR trained 733 students.

Additional training and education: SVR conducted additional training that addressed the dynamics of sexual, gender-based, and intimate partner violence, crisis intervention techniques, bystander intervention skills, consent, healthy sexuality, and other topics. During 2013–2014, 3,160 students participated in this training.

D. Faculty and Staff Training

Sexual Violence Response and the Title IX Office conducted extensive staff and faculty trainings throughout the University.

Staff and faculty training: During the 2013–2014 academic year, the Office of Equal Opportunity and Affirmative Action (EOAA) and the office previously known as Student Services for Gender-Based and Sexual Misconduct (SSGBSM) conducted 92 policy training sessions for faculty, staff, and various student organizations regarding the EOAA Policies and Procedures on Discrimination and Harassment, and the Gender-Based Misconduct Policies for Students.

Talk20 training: In addition to the school-based training, SVR conducted “Talk20” training. Aimed at Columbia administrators and staff, Talk20 is an initiative designed to increase awareness of on-campus resources for survivors of sexual assault or sexual violence. In 20 minutes, a team from SVR provides information about resources at the University and discusses with administrators and staff how best to support survivors of violence.

During 2013–2014, SVR conducted Talk20 training for 546 participants.

In addition to the training sessions outlined above in sections C and D, the Title IX Officer at Barnard College also conducted a variety of training sessions on these issues for its students, faculty, and staff.

II. REPORTED VIOLATIONS OF THE GENDER-BASED MISCONDUCT POLICY FOR STUDENTS: JULY 1, 2013–JUNE 30, 2014

This is the first in what will be a series of annual releases of aggregate data related to reported violations of the University's Gender-Based Misconduct Policy for Students. There are three main purposes for providing this data: to improve understanding of sexual assault and other gender-based misconduct at the University; to increase awareness of these reported incidents and their handling by the University; and to encourage discussion that helps to prevent gender-based misconduct and supports the creation of a campus environment with zero tolerance for such misconduct.

These are the goals that the University Senate's Student Affairs Committee (SAC) expressed when it requested the release of aggregate data, and that President Bollinger embraced when he committed the University to providing this information. The University determined that the disclosure of data would go beyond the annual publication of crime reports required by the Clery Act. At the same time, this report is careful to provide only anonymous data and to not disclose information that might indicate the identity of any students who brought or were the subject of complaints. It is essential that students can report gender-based misconduct without concern that the University will share identifying information or comment on their individual reports.

As discussed in the first section of this report, the disclosure of aggregate data and the discussion it generates is only one among many initiatives under way at the University to prevent

gender-based misconduct and to respond to its occurrence effectively and fairly. In addition to reading Part I, we urge you to visit www.sexualrespect.columbia.edu to familiarize yourself with available resources and learn more about the University's efforts to respond to and prevent gender-based misconduct.

A. Guide to the Data

The data in this report includes alleged violations reported to Student Services for Gender-Based and Sexual Misconduct (SSGBSM) in which a University student² was the respondent. These cases were filed between July 1, 2013, and June 30, 2014, and were reviewed under the University's August 2013 Gender-Based Misconduct Policy for Students. (On August 15, 2014, President Bollinger announced a [new, enhanced policy](#); the Gender-Based Misconduct Office now serves the investigation and disciplinary process oversight function that SSGBSM served under the previous policy and has expanded and enhanced resources.)

During the period covered by this report, additional students experienced gender-based misconduct and chose to discuss their experiences with peer counselors at the Sexual Violence Response and Rape Crisis/Anti-Violence Support Center, University ombuds officers, University clergy, health services, University counseling services, or other "confidential" sources

² A University student is an undergraduate, graduate, or professional school student of Columbia University, Barnard College, or Teachers College.

but decided against filing a complaint under the Gender-Based Misconduct Policy for Students. Still other students chose to speak with friends, family, medical professionals, faith leaders, and/or law enforcement outside the University. These confidential communications are not included in the data reported here.

There are many reasons students may choose not to pursue disciplinary action within the University. For some, the trauma leaves them feeling unready to engage in an investigation and disciplinary process that require further conversation with an investigator and possibly a hearing panel. Others believe they will heal from their experience more quickly if they devote their energy to counseling and/or pursuing a complaint in the criminal justice process. Still others are concerned about the degree to which engaging in a formal disciplinary process will distract their attention from their studies or other campus activities. While students will and should choose among these alternatives, the University remains committed to providing a supportive, sensitive, and fair process to all parties, so no student need feel dissuaded from reporting violations.

DATA RELATED TO SEXUAL ASSAULT

As the tables below demonstrate, some reported violations of gender-based misconduct did not require a final determination reached through the University adjudicatory process.

- In 11 of the 29 reports of sexual assault³ identified in the aggregate data, the complainant declined to identify a respondent and/or requested that no investigation or disciplinary process be undertaken. In these cases, the Title IX Coordinator, working with SSGBSM, evaluated the facts presented, weighed the complainant's request against the University's commitment to provide a safe and nondiscriminatory environment, and determined that no further action was required. Student Services for Gender-Based and Sexual Misconduct nonetheless remained engaged to assist the complainant in identifying appropriate campus and other resources. (See page 11, Table 3, for data on the resolution of all sexual assault reports.)

- In three additional reported instances of sexual assault, the report came from a third party such as a faculty member, residence program staff member, advising dean, or other student. In two of these three matters, the identified complainant was contacted and reported that no sexual assault had occurred. In the third case, the third-party reporting non-consensual sexual intercourse was not able to identify a complainant.
- In one incident, a complainant reported that a gender-based misconduct policy violation had occurred but then, in further investigation, recanted and stated that no gender-based misconduct, including no sexual assault, had occurred.
- In three sexual assault cases, the University suspended the respondent for violating restrictions ("interim measures") imposed as a result of the sexual assault allegations. In one additional sexual assault case, the respondent was a visiting student who left the University and returned to his/her home institution before completion of the investigation. If any of these four respondents were to return to the University, the disciplinary process would be reinstated.
- The remaining sexual assault reports were cases in which either the respondent accepted responsibility (2), the hearing and appeals process was completed (4), or the matter remains ongoing either in the investigation/hearing stage or under appeal (4). There were findings of responsibility in two of the four cases for which the hearing process was completed. For the cases unresolved at the time of this report, updates on the outcomes of those matters will be included in the next release of aggregate data.

DATA RELATED TO OTHER FORMS OF GENDER-BASED MISCONDUCT

Forms of gender-based misconduct other than sexual assault include intimate partner violence, stalking, and sexual harassment. The tables below consolidate 33 reports of such misconduct made during the period July 1, 2013, to

³Sexual assault cases include all gender-based misconduct that involves non-consensual sexual contact. For the purpose of this report, sexual assault has been divided into three categories: (a) non-consensual intercourse; (b) other non-consensual contact; and (c) reports where the type of assault is not specified.

June 30, 2014, in a manner similar to the sexual assault cases described above (see page 12, Table 4, for data on the resolution of these reports), with two important exceptions:

- First, for these cases, the Gender-Based Misconduct Policy allows for “informal resolution” of the reported violation—an outcome not permitted for an allegation of sexual assault. To reach this resolution, there is no formal investigation, determination of responsibility, or disciplinary action; instead, if the complainant, respondent, and SSGBSM are satisfied with the agreed-upon outcome, the matter is closed. The resolution of these cases can take the form of a “no contact directive,” an accommodation to support and protect a student, and/or education for a respondent relevant to the alleged misconduct. Either complainant or respondent may opt out of the informal process at any time and proceed with the disciplinary process.

The parties and SSGBSM informally resolved ten reports of gender-based misconduct other than sexual assault identified in this report. These matters included allegations of intimate partner violence, sexual harassment, and stalking; in each case, the Title IX Coordinator deemed informal resolution to be consistent with preserving a safe and nondiscriminatory University environment.

- The second point of differentiation are the five reports of gender-based misconduct where the complainants’ allegations were accepted as true and accurate, but the assistant director of Student Services for Gender-Based and Sexual Misconduct determined that the behavior described was not a violation of the policy. No sexual assault cases were resolved in this manner.

ADDITIONAL NOTES REGARDING THE DATA: APPEALS AND ACCOMMODATIONS

All members of our community are urged to carefully examine the accompanying tables that provide the aggregate record of violations of University policy reported to the office of Student Services for Gender-Based and Sexual Misconduct for the covered year. Two of the responses to information requested by the President’s Advisory Committee on Sexual Assault are notable:

- **Appeals.** During the time period covered by this report, a total of five appeals were filed: two by complainants and three by respondents. One appeal by a complainant resulted in a stronger sanction being issued. One appeal by a respondent resulted in additional investigation of an issue and the reconvening of a hearing panel; upon further review there was no change in the sanction. In the remaining three appeals (one complainant and two respondents), there also was no change in the sanction. None of these five appeals resulted in a change to the initial finding regarding the existence of a policy violation. (See page 13, Table 6.)

- **Accommodations:** On 34 occasions, accommodations such as moving a student’s residence, changing a student’s academic schedule, adjusting a student’s schedule of University employment, allowing a student to withdraw from or retake a class, providing access to tutoring, and/or issuing a “no contact” order were either requested by a complainant or recommended by SSGBSM on its own initiative. (The term “interim measures,” sometimes used interchangeably with “accommodations,” refers to measures put into place during the course of an investigation or disciplinary proceeding and describes a subset of requested and granted accommodations.)

In all 34 cases, the accommodations were granted and implemented in their entirety. In four instances, a respondent violated the accommodations. These four violations resulted in three of the violators being suspended (two of them for a period two years, requiring reapplication for admission before returning to the University), and one instance in which no action was taken because the complainant recanted. (See page 14, Table 7.)

AN INVITATION FOR CONVERSATION AND ENGAGEMENT

The release of aggregate data meets an important request expressed by students through their elected representatives on the University Senate’s Student Affairs Committee. The provision of this information is intended to encourage engagement with and discussion of the University’s policies and practices for responding to reports of gender-based misconduct. There is no doubt that such a conversation will ensue at the University.

In addition, an anonymous, University-wide climate survey will be conducted for the first time during this academic year and will provide another measure of the scope of gender-based misconduct at the University.

Feedback from this survey and many other sources will be used to guide further assessment of the University's new resources dedicated to preventing and responding to sexual assault and other forms of gender-based misconduct. In all these efforts, the University aims to make clear and reinforce the high standards of character and proper conduct that should define our institution and members of the University community. Above all, we must address this challenging problem together as a University community, if we are to achieve the changes we seek both quickly and comprehensively.

Other opportunities for sharing your views about the report and the University's work on prevention of and response to sexual violence will be announced soon.

B. Tables

REPORTED VIOLATIONS OF GENDER-BASED MISCONDUCT POLICY FOR STUDENTS:

July 1, 2013–June 30, 2014

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1. Reports of Sexual Assault, by Complainant and Respondent Affiliation

Complainant Affiliation - Reports of Sexual Assault							
	Undergraduate (Morningside)	Graduate & Nondegree Programs (Morningside)	Graduate & Nondegree Programs (CUMC)	Employee (Morningside)	Employee (CUMC)	Nonaffiliate	Undisclosed ⁴ Student
Sexual Assault: Non-Consensual Intercourse ⁵	9	0	0	0	0	2	1 ⁶
Sexual Assault: Non-Consensual Contact ⁷	5	3	0	0	0	0	0
Sexual Assault: Type Not Specified by Complainant	8	0	0	0	0	0	1

Respondent Affiliation - Reports of Sexual Assault					
	Undergraduate (Morningside)	Graduate & Nondegree Programs (Morningside)	Graduate & Non-Degree Programs (CUMC)	Undisclosed Student	Unknown Student ⁸
Sexual Assault: Non-Consensual Intercourse	10	0	0	2	0
Sexual Assault: Non-Consensual Contact	6	1	0	1	0
Sexual Assault: Type Not Specified by Complainant	1	0	0	7	1

4. An undisclosed student is a student whose identity is known by the reporter or complainant, but was not disclosed to Student Services for Gender-Based and Sexual Misconduct.

5. Seven of the reports of Sexual Assault: Non-Consensual Intercourse also included a charge of Intimate Partner Violence (IPV). These seven cases are reported in the Sexual Assault: Non-Consensual Intercourse category. The absence of an IPV charge does not preclude the existence of a prior relationship between complainant and respondent.

6. Third-party reporter indicated an unconfirmed number of complainants.

7. One of the reports of Sexual Assault: Non-Consensual Contact also included a charge of Intimate Partner Violence (IPV). This case is reported in the Sexual Assault: Non-Consensual Contact category.

8. An unknown student is a student whose identity was not known to the reporter or the complainant.

2. Reports of Other Gender-Based Misconduct, by Complainant and Respondent Affiliation

Complainant Affiliation—Reports of Other Gender-Based Misconduct							
	Undergraduate (Morningside)	Graduate & Nondegree Programs (Morningside)	Graduate & Nondegree Programs (CUMC)	Employee (Morningside)	Employee (CUMC)	Nonaffiliate	Undisclosed Student
Intimate Partner Violence	11	4	0	0	0	1	0
Sexual Harassment	9	2	1	1	0	0	0
Stalking	0	3	1	0	0	0	0

Respondent Affiliation—Reports of Other Gender-Based Misconduct					
	Undergraduate (Morningside)	Graduate & Nondegree Programs (Morningside)	Graduate & Nondegree Programs (CUMC)	Undisclosed Student	Unknown Student
Intimate Partner Violence	10	3	0	3	0
Sexual Harassment	6	5	1	1	0
Stalking	0	3	1	0	0

3. Resolution of Reports of Sexual Assault

Explanatory note: Some reported violations of sexual assault and other gender-based misconduct resulted in a final determination reached through the University adjudicatory process, while others did not. For example, in 11 reported instances of sexual assault, the Title IX Coordinator, working with SSGBSM, evaluated the facts presented, weighed the complainant's preferences with respect to proceeding with an investigation or disclosing the identity of respondent, and determined that consistent with the University's commitment to provide a safe and nondiscriminatory environment, no further action was required. Four reported violations remain unresolved at the time this report was finalized (September 15, 2014). These and other outcomes, including those reached prior to a final determination produced by the University adjudicatory process, are specified in the table below.

RESOLUTION	Sexual Assault: Non-Consensual Intercourse	Sexual Assault: Non-Consensual Contact	Sexual Assault: Type Not Specified by Complainant
Complainant declined to identify a respondent and/or requested that no investigation or disciplinary process be undertaken; no further investigation was conducted.	2	1	8
Unconfirmed third-party report. ⁹	1	1	1
Complainant recanted and stated that respondent had not engaged in conduct that violated the policy.	1	0	0
Respondent suspended for violation of accommodations (interim measures) or not currently enrolled at the University. ¹⁰	3	1	0
Respondent accepted responsibility.	0	2	0
Complaint resolved after a hearing: finding of responsibility.	0	2	0
Complaint resolved after a hearing: finding of no responsibility.	1	1	0
Investigation and disciplinary proceedings ongoing. ¹¹	4	0	0

9. In two of the three reports catalogued here, the identified complainant reported that no sexual assault had occurred; in the third case, the third party could not identify a complainant.

10. The respondents in these four cases are not present on campus. Investigation and disciplinary proceedings would be reinstated if any of these respondents were to return to the University.

11. Updates on the outcomes of these reports will be presented in the next data report.

4. Resolution of Reports of Other Gender-Based Misconduct

Explanatory note: Some reported violations of sexual assault and other gender-based misconduct result in a final determination reached through the University adjudicatory process, while others do not. Several of the reasons for this, which were described on the previous page in connection with reports of sexual assault, also apply to the reports of other gender-based misconduct catalogued in the table below.

RESOLUTION	Intimate Partner Violence	Sexual Harassment	Stalking
Complainant declined to identify a respondent and/or requested that no investigation or disciplinary process be undertaken; no further investigation was conducted.	4	1	1
Unconfirmed third-party report.	5	2	0
Behavior described by reporting individual was not a violation of University policy. ¹²	0	4	1
Informal resolution. ¹³	3	5	2
Respondent accepted responsibility.	2	0	0
Proceedings suspended at complainants' request to accommodate medical or other concerns.	1	1	0
Investigation and disciplinary proceedings ongoing. ¹⁴	1	0	0

12. After accepting the complainant's report as true and accurate, the assistant director of SSGBSM determined that the behavior described was not gender-based misconduct. The complainant was notified that no further action would be taken and that the matter would be closed. No sexual assault allegation was resolved in this manner.

13. For a case to be resolved in this way, the complainant, respondent, and SSGBSM must agree upon the outcome. Resolution could take the form of a "no contact directive," an accommodation to support or protect a student, or education of a respondent relevant to the alleged misconduct. Complainants and respondents may opt out of informal resolution at any time and resume the adjudication process. Resolution of cases in this manner is not permitted for reported allegations of sexual assault.

14. Updates on the outcomes of these reports will be presented in the next data report.

5. Sanctions Applied to Responsible Parties

The President's Advisory Committee on Sexual Assault strongly emphasized that in releasing aggregate data the University should not provide information that could lead to the identification of specific students. Linking sanctions to hearing outcomes and/or cases where students accepted responsibility raises precisely this risk. As a result of this concern and in keeping with the University's commitment to protect the confidentiality of individual students, specific case information of this type is not provided in this annual report.

Sanctions for Sexual Assault: The determination to suspend or expel a student found responsible for any type of sexual assault takes into account numerous factors, including (1) the specific gender-based misconduct at issue; (2) the circumstances accompanying the lack of consent; (3) the respondent's state of mind; (4) the impact of the offense on the complainant; (5) the respondent's prior disciplinary history; and (6) the safety of the University community.

The category of Sexual Assault: Non-Consensual Contact includes any form of intentional sexual touching, however slight. Given the range of covered activity, appropriate sanctions varied widely: during the reporting period sanctions included suspension, disciplinary probation, access restriction, and policy education.

There were no findings of responsibility and thus no sanctions imposed in the category of Sexual Assault: Non-Consensual Intercourse.

Sanctions for Other Gender-Based Misconduct: For the broad range of policy violations identified as gender-based misconduct other than sexual assault, sanctions issued during this reporting period included policy education, disciplinary probation, registration hold, access restriction, *persona non grata* status, loss of alumni privileges, and ineligibility for future enrollment in any University program.

6. Disposition of Appeals

Either party can file an appeal challenging the underlying hearing panel determination and/or the sanction. During the time period covered by this report, a total of five appeals were filed: two by complainants and three by respondents.

One appeal by a complainant resulted in a stronger sanction being issued.

One appeal by a respondent resulted in additional investigation of an issue and the reconvening of a hearing panel; upon further review there was no change in the sanction.

In the remaining three appeals (one complainant and two respondents), there also was no change in the sanction.

None of these five appeals resulted in a change to the initial finding regarding the existence of a policy violation.

7. Accommodations Requested by Complainant or Directed by SSGBSM

Accommodations	
Directed / Requested	34
Granted Entirely	34
Granted in Part	0
Denied Entirely	0
Violated ¹⁵	4

15. These four violations resulted in three of the violators being suspended (two of them for a period of two years, requiring reapplication for admission before returning to the University), and one instance in which no action was taken because the complainant recanted.

8. Time Frames for Resolution of Reported Violations¹⁶

The average length of time for resolving a report from a complainant who either declined to identify the respondent, describe the behavior in question, participate in the investigation, or otherwise expressed an interest in maintaining privacy was 24 days.

The average time frame for reaching a final determination that a third-party report could not be confirmed was 48 days. When a complainant was identified by a third party, SSGBSM promptly sought to contact that individual. Despite SSGBSM's efforts, in some instances the identified complainant did not promptly respond to SSGBSM, and in some instances the individual did not respond at all. In other cases, a period of time was required for SSGBSM to confirm that no complainant could be identified.

The average length of time for a complainant to be informed that his/her report of gender-based misconduct other than sexual assault did not describe behavior that was a violation of University policy was 10 days. The average length of time for a complainant to receive notification that the matter had been closed was 40 days.

Due to the complexity of the matter, the time for completing the sexual assault report that was later recanted by the complainant was 82 days.

The average time to resolve reports that were fully investigated and then resolved via a hearing was 91 days (not including the appeal).

The average length of time for an appeal decision to be rendered was 9 business days (reported in business days consistent with the policy in place requiring that appeals decisions be rendered within 10 business days after the receipt of the formal appeal).

16. Factors such as the availability of the parties, breaks, and recesses during and between academic years affect the time frame in which these reports were resolved.

C. Additional Information about the Scope of the Data

The data in the preceding tables are based on reports of gender-based misconduct reported from July 1, 2013–June 30, 2014, to the University’s Office of Student Services for Gender-Based and Sexual Misconduct, in which the respondent was a Columbia University, Barnard College, or Teachers College student. Since this report covers the 2013–2014 academic year, we use the term *Student Services for Gender-Based and Sexual Misconduct* (SSGBSM), which has now been reorganized and more simply named the *Gender-Based Misconduct Office*.

If the respondent was a Columbia, Barnard College, or Teachers College employee, or other person doing business with Columbia, Barnard College or Teachers College, a different set of investigation and disciplinary processes applied. The Columbia, Barnard College, and Teachers College processes now in effect can be viewed at their respective links:

<http://eoaa.columbia.edu>

<http://barnard.edu/doc/titleIX/>

http://www.tc.edu/policylibrary/protection_from_harassment

DATA REPORTING

The aggregate data presented here includes alleged violations of the Gender-Based Misconduct Policy that were reported to the University from July 1, 2013, through June 30, 2014. These reports may concern alleged violations occurring prior to this time period; there is no time limitation for filing a complaint. The aggregate data presented here does not include alleged violations reported to the University prior to July 1, 2013.

As noted in tables 3 and 4 (pages 11 and 12), the outcomes of cases filed from July 1, 2013, through June 30, 2014, for which investigations and disciplinary proceedings remain

ongoing, will be included in our second annual report. The next annual report, therefore, will differ from this report in that it will include a group of cases (now pending) that were filed before the covered time period.

Reports of gender-based misconduct often contain allegations of more than one category of gender-based misconduct within a single report (e.g., sexual harassment and sexual assault—non-consensual sexual intercourse). For reporting purposes, complaints involving more than one allegation are listed only once, and the data tables reflect the more severe allegation under University policy.¹⁷

D. Definitions of Violations, Resolutions, and Other Words and Phrases

VIOLATIONS¹⁸

Sexual assault—non-consensual sexual intercourse. Any form of sexual intercourse (anal, oral, or vaginal), however slight, with any object without consent. Intercourse means vaginal penetration (however slight) by a penis, object, tongue, or finger; anal penetration by a penis, object, tongue, or finger; and oral copulation (mouth to genital contact or genital to mouth contact).

Sexual assault—non-consensual sexual contact. Any form of intentional sexual touching, however slight, with any object without consent. Intentional sexual contact includes contact with the breasts, buttocks, groin, or touching another with any of these body parts, or making another person touch any of these body parts; any intentional bodily contact in a sexual manner.

Intimate partner violence (also known as “dating violence” or “domestic violence”). The use of physical violence, coercion, threats, intimidation, isolation, stalking, or other forms of emotional, sexual, or economic abuse directed toward a partner in an intimate relationship constitute intimate partner violence. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize,

¹⁷ Reports of Intimate Partner Violence that include any type of non-consensual sexual contact are reported in the appropriate category of Sexual Assault.

¹⁸ The definitions of violations are from the August 2013 Gender-Based Misconduct Policies for Students, which was in force during the July 1, 2013–June 30, 2014, period of the present report.

coerce, threaten, blame, hurt, injure, or wound someone. Intimate partner violence can be a single act or a pattern of behavior in relationships. Intimate partner relationships are defined as short- or long-term relationships (current or former) between persons intended to provide some emotional/romantic and/or physical intimacy.

Sexual harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal, physical, or visual 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 educational activities; 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 effect of unreasonably interfering with an individual's academic performance or creating an intimidating, hostile, demeaning, or offensive academic or living environment.

Gender-based harassment. Acts of verbal, nonverbal, or physical aggression, intimidation, stalking, or hostility based on gender or gender-stereotyping constitute gender-based harassment. Gender-based harassment can occur if students are harassed either for exhibiting what is perceived as a stereotypical characteristic for their sex, or for failing to conform to stereotypical notions of masculinity or femininity. In order to constitute harassment, the conduct must be such that it has the effect of unreasonably interfering with an individual's academic performance or creating an intimidating, hostile, demeaning, or offensive academic or living environment.

Stalking. A course of conduct directed at a specific person that would cause a reasonable person to feel fear. Stalking involves repeated and continued harassment made against the expressed wishes of another individual which causes the targeted individual to feel emotional distress, including fear and apprehension. Stalking behaviors may include pursuing or following; non-consensual (unwanted) communication or contact—including face-to-face, telephone calls, voice messages, electronic messages, web-based messages, text

messages, unwanted gifts, etc.; trespassing; and surveillance or other types of observation.

RESOLUTIONS

Complainant declined to identify a respondent and/or requested that no investigation or disciplinary process be undertaken; no further investigation was conducted

In these cases, the Title IX Coordinator working with SSGBSM evaluated the facts presented, weighed the complainant's request with the University's commitment to provide a safe and nondiscriminatory environment, and determined that no further action was required. Student Services for Gender-Based and Sexual Misconduct continued to assist the complainant in identifying appropriate campus and other resources.

Unconfirmed third-party report

A third-party report was a report to Student Services for Gender-Based and Sexual Misconduct by someone who was not the complainant. This may have been a faculty member, residence program staff member, advising dean, student, etc.

Behavior described by reporting individual was not a violation of University policy

This category describes reports where, after accepting the complainant's report as true and accurate, the assistant director of SSGBSM determined that the behavior described was not gender-based misconduct. The complainant was notified of SSGBSM's determination, including that no further action would be taken and that the matter would be closed.

Informal resolution

For a case to be resolved in this manner, the complainant, respondent, and Title IX coordinator must agree on the outcome. Resolution could take the form of a "no contact directive," an accommodation to support or protect a student, or education of a respondent relevant to the alleged misconduct. Complainants and respondents may opt out at any time. Resolution of cases in this manner is not permitted for reported allegations of sexual assault.

Respondent accepted responsibility for the violation of the policy

After a review of the Investigative Report, the respondent was given the opportunity to respond to the alleged

violation(s) of policy in the following ways: (1) no response; (2) not responsible; or (3) responsible. If the respondent accepted responsibility, the sanctioning officer of the respondent's school was notified and determined the sanction based on the evidence provided in the Investigative Report. The complainant and respondent were informed of the sanctioning decision, and the respondent and complainant then had the opportunity to appeal the sanctioning decision. The acceptance of responsibility, however, was not appealable.

OTHER WORDS AND PHRASES

Accommodations

The accommodations discussed in this report are measures that were put into place by Student Services for Gender-Based and Sexual Misconduct to support and protect a student in the aftermath of an incident of alleged gender-based misconduct. Students may request an accommodation outside the investigative and disciplinary process. (The term "interim measures," sometimes used interchangeably with "accommodations," refers to measures put into place during the course of an investigation or disciplinary proceeding and describes a subset of all accommodations.) Under appropriate circumstances, accommodations may include, but are not limited to, moving a student's residence; adjusting a student's work schedule for University employment; changing a student's academic schedule; allowing a student to withdraw from or retake a class without penalty; providing access to tutoring or other academic support; and issuing a "no contact" order. Student Services for Gender-Based and Sexual Misconduct will evaluate any request for accommodations in light of the circumstances and information available at the time of the request. The University will reveal information about the accommodations only to those who need to know in order to make them effective. Failure to comply with the parameters of any accommodation by a party is a violation of University policy and may lead to additional disciplinary action.

Appeals

An appeal is a request, by either the respondent or the complainant, to the dean of the respondent's school to review and change the responsibility determination of the hearing panel and/or the sanctions applied. The three grounds for appeal are: (1) a procedural error affecting the

determination or sanction; (2) new information that was not available at the time of the investigation or hearing and that may change the determination or sanction; and (3) excessiveness or insufficiency of the sanction. Disagreement with the finding or sanctions is not, by itself, grounds for appeals. If the dean concludes that a change in the hearing panel's determination is warranted, the dean may enter a revised determination, reconvene the panel to reconsider the determination, or return the matter for additional investigation. The dean may also change the sanction. In cases where the complainant and respondent are in different schools, the dean of the respondent's school will consult with the dean of the complainant's school in considering any appeal.

Complainant

Complainant refers to the person who experienced gender-based misconduct or the person who is identified as experiencing gender-based misconduct in a report filed by a third party.

Hearing panel

The hearing panel determines whether the respondent is or is not responsible for a violation of the Gender-Based Misconduct Policies for Students. If the respondent declines responsibility or chooses not to respond after reviewing the investigative report, a hearing panel is convened.

Investigation

An investigation is the process of fact-finding that commences following the receipt of a report of gender-based misconduct by Student Services for Gender-Based and Sexual Misconduct.

Preponderance of the evidence/Findings of responsibility

The hearing panel uses "preponderance of the evidence" as the standard of proof to determine whether a policy violation has occurred. Preponderance of the evidence means that a panel must be convinced, based on the information provided, that a policy violation was more likely than not to have occurred in order to find a student responsible for violating the policy. The panel will find a student responsible or not responsible based on a majority vote. The panel's decision includes an explanation of the basis of the decision.

Respondent

Respondent refers to the student who is alleged to have engaged in gender-based misconduct.

Sanctions

Sanctions are disciplinary actions when a student is found responsible or accepts responsibility for violating the Gender-Based Misconduct Policies for Students. A student found responsible for violating the policy may be subject to sanctions including, but not limited to, reprimand/warning, disciplinary probation, suspension, and dismissal. A student may also be barred from certain University facilities or activities or required to attend educational programming.

Undisclosed student

An undisclosed student is a student whose identity is known by the complainant or a third-party reporter but is not disclosed to Student Services for Gender-Based and Sexual Misconduct.

Unknown student

An unknown student is a student whose identity is not known to the complainant or a third-party reporter.