

COLUMBIA UNIVERSITY GENDER-BASED
MISCONDUCT PREVENTION AND RESPONSE
ANNUAL REPORT

September 21, 2015

COLUMBIA UNIVERSITY GENDER-BASED MISCONDUCT PREVENTION AND RESPONSE

INTRODUCTION

Welcome to the second annual Report on Gender-Based Misconduct Prevention and Response at Columbia University¹. The report's central aim is to engage the full University community—students², faculty, administrators, and staff—in creating a climate where all can study, work, and live free from gender-based misconduct, including sexual violence.

This report includes information about:

- Ongoing efforts at the University to enhance **resources** related to gender-based misconduct prevention and response;
- Highlighted updates to the University's updated **Gender-Based Misconduct Policy and Procedures for Students** (the “policy”);
- Training, prevention, and education efforts;
- Faculty and staff training; and
- Data from the Gender-Based Misconduct Disciplinary Process during the 2014-15 academic year.

By summarizing key features of the University's work and compiling data from gender-based misconduct cases involving students during the previous academic year, the report aims to contribute to the University's work in addressing gender-based misconduct, including sexual assault, for this and future academic years.

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

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

I. OVERVIEW OF RESOURCES, GENDER-BASED MISCONDUCT POLICY UPDATES, AND TRAINING AND EDUCATION

A. Resources

Gender-Based Misconduct Office – new location and structure

The Gender Based Misconduct Office is within Student Conduct and Community Standards and is directly supervised by Jeri Henry, Associate Vice President for Student Conduct and Community Standards, reporting to Suzanne Goldberg, Executive Vice President in the Office of University Life.

Office functions:

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

Title IX Investigators:

The Gender-Based Misconduct Office has four full-time investigators whose responsibility is to investigate complaints made against students under the Gender-Based Misconduct Policy, make credibility assessments, and recommend findings of responsibility to hearing panelists. The investigators receive specialized training related directly to their responsibilities. The Office is responsible for designating a two-person team of investigators to conduct each inquiry and, when appropriate, determine by a preponderance of the evidence standard whether a violation of policy occurred.

Case Managers:

Case Management serves as the primary mechanism through which students receive support. Case Managers are responsible for assisting students with the various needs that arise in connection with the investigative process and/or with experiences of gender-based misconduct.

Case Managers work with all students who come to the Office, separate and apart from any investigation and/or adjudication, and can maintain a relationship with students through their graduation or separation from the University. They serve as a resource to help students understand the investigation and adjudication process and their rights within it. They also assist with appropriate accommodations regardless of whether a student chooses to file a complaint in the disciplinary process. While they are not a confidential resource, Case Managers protect student privacy to every extent possible and only share information that is essential to providing desired support and resources.

Finally, in addition to working with individual students, Case Managers engage the campus community at large through trainings for students, faculty, and staff. By educating students and others about the Gender-Based Misconduct Policy, they promote the University policies while affirming its standard of sexual respect.

Columbia Office of Equal Opportunity and Affirmative Action

The Office of Equal Opportunity and Affirmative Action (EOAA) has overall responsibility for the University's *Employment Policies and Procedures on Discrimination and Harassment, as well as the Supplemental Procedures for Sexual Assault, Dating Violence, Domestic Violence, and Stalking Charges Against Employees*. The Office is responsible for monitoring compliance with policies and laws that ensure equal opportunity for students, employees and applicants for employment or admission and has been designated as the University's Compliance Office for Title IX, Section 504 of the Rehabilitation Act, and other equal opportunity, nondiscrimination and affirmative action laws. It is directly supervised by Melissa Rooker, Associate Provost and Title IX Coordinator/Section 504 Officer, reporting to John Coatsworth, University Provost.

Office Functions:

- Manage compliance related to issues of discrimination, harassment and gender-based misconduct in contracting and employment practices; and
- Conduct internal investigations of employees and third-party affiliates of the University for claims of discrimination, harassment and gender-based misconduct and recommend courses of resolution.

Title IX Investigators:

The Office of Equal Opportunity and Affirmative Action employs three full-time investigators whose responsibility is to investigate complaints made against employees and third-party affiliates under the *Employment Policies and Procedures on Discrimination and Harassment, as well as the Supplemental Procedures for Sexual Assault, Dating Violence, Domestic Violence, and Stalking Charges Against Employees*. In conducting their investigations, the investigators make credibility assessments in their role as a neutral fact-finder and make determinations of responsibility. Where a Respondent is found responsible, the investigator makes recommendations for sanctions/discipline.

Compliance Training:

The Office of Equal Opportunity and Affirmative Action also is responsible for ensuring that students, faculty and staff receive training in accordance with the applicable federal, state, and local laws governing discrimination, harassment and gender-based misconduct. This is accomplished through:

- Live group trainings with students, faculty and staff;
- Individual one-on-one training with faculty and staff; and
- Orientations for new students.

Columbia Health Sexual Violence Response

Sexual Violence Response (SVR) provides trauma-informed, confidential support focused on interpersonal violence and harassment. SVR's mission is to eradicate all forms of gender-based violence. Through collective community action, SVR is committed to social change and creating a culture of accountability.

A comprehensive team of 10, SVR works within the three-point model of Advocacy, Prevention and Outreach, utilizing all three of these approaches to address sexual and intimate partner violence.

Advocacy:

SVR is certified by the New York State Department of Health as a Rape Crisis Center, and has been since 1995. SVR has Survivor Advocates (SA) who assists survivors and co-survivors of sexual, intimate partner and gender-based violence by helping them navigate the various systems, explore rights and options while also supporting their choices. Survivor Advocates mobilize systems that impact students in both a short and long term capacity, during and after an abusive or traumatic experience. Advocates connect survivors to support services they have identified as being helpful to their emotional, psychological, family, residential, and spiritual well-being.

Prevention:

SVR implements prevention as a strategy for eradicating the underlying conditions that foster unhealthy, abusive and violent behaviors. More specifically, SVR works to stop violence before it starts by cultivating healthy attitudes, actions, and norms through education and by encouraging community accountability.

Outreach:

SVR engages trains and supervises students who volunteer as peer advocates and peer educators. Peer Advocates provide survivors and their supporters with confidential emotional support, accompaniment and referrals to on-campus and off-campus resources. They help survivors make informed decisions about their medical, legal, and disciplinary options. Peer Educators lead interactive workshops and provide the campus community with information about sexual, intimate partner and gender-based violence, campus services, positive ways to communicate about sex. Through Peer Education and Peer Advocacy volunteer programs, SVR works to create an informed community and supportive environment.

New location:

Sexual Violence Response identified a need to increase access to services for students on the Columbia University Medical Center (CUMC) campus. On March 25th, 2015 an open house event was held to commemorate the establishment of a new satellite location in Bard Hall at CUMC. This makes three SVR locations in total that provide secure and accessible spaces for students. Lerner Hall serves as the main office for SV and the majority of staff members are located there. In addition, Hewitt Hall on the Barnard campus is another SVR satellite location available to all University students.

B. Gender-Based Misconduct Policy

Updates to Policy:

The Gender-Based Misconduct Policy was updated on September 1, 2015, with changes that reflect updated policy reflects many recommendations and comments from students throughout the University, including students who received support from the Gender-Based Misconduct Office's case managers and students who were /or parties or witnesses in the disciplinary process. Attorney-advisors and others who participated in the process last year also provided valuable input. This updating process is in keeping with the University's commitment to ongoing policy review.

The policy also incorporates requirements from New York's newly-enacted "Enough is Enough" law, which applies to all of the State's higher education institutions.

Here are several highlights from the updated policy:

- The updated policy is reorganized so that important information, including definitions of consent and related terms, is found in the opening pages. The definitions are substantively the same as in last year's policy, including the definition of consent, which continues to require affirmative consent, conveyed by words or actions, for all sexual contact. The definitions' language has been modified to enhance clarity and to comply with New York law;
- The policy includes additional descriptive examples that help explain its application to real-life scenarios;
- The policy contains an expanded statement about amnesty for alcohol and other drug use;
- The policy contains additional information about accommodations for students affected by gender-based misconduct;
- The provisions describing the disciplinary procedures include additional detail about the steps in the investigation and resolution process;
- The policy provides information about mandatory notations that will appear on the transcripts of students who are suspended or expelled after adjudication;
- Hearing panels that are part of the disciplinary process will now be comprised of three professional staff affiliated with Student Conduct and Community Standards;
- Appeals will now be heard by three deans instead of one, as the previous policy had provided;
- The policy includes New York State Students' Bill of Rights; and
- Barnard has adopted its own policy and procedures for the 2015-16 academic year for cases in which Barnard students are respondents. Columbia's policy and procedures will apply in all other instances, including when a Barnard student is a complainant and a Columbia student is a respondent. Barnard will provide an attorney-advisor on request to its students who are directly involved in the gender-based misconduct disciplinary process, just as Columbia has been doing.

Student training, prevention, and education efforts

During the 2014-15 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:

The Gender-Based Misconduct Office and the Office of Equal Employment Opportunity and Affirmative Action (EOAA) conducted 64 orientation sessions for new undergraduate and graduate students, training approximately 9,000 students in orientation sessions about gender-based misconduct prevention and response.

Sexual Violence Response (SVR) conducted 51 sessions during new student orientation programming educating over 13,000 new undergraduate and graduate students about sexual and gender-based violence prevention and response.

SVR also trained 2400 students through 6 workshops during new student orientation programming in *Step Up! Bystander Intervention Education*. These sessions focused on educating students on techniques to intervene in situations where sexual violence and other forms of gender-based violence might occur.

Workshops, Trainings, and Events during the Academic Year:

In addition to the orientation sessions described above, 24 *Step Up! Bystander Intervention Education* workshops were held throughout the 2014-2015 academic year, reaching 1,352 students.

SVR conducted numerous workshops, trainings, and awareness activities throughout the academic year that addressed the dynamics of sexual, intimate partner and gender-based violence, crisis intervention techniques, bystander intervention skills, consent, healthy sexuality, and other topics. These workshops, trainings and awareness activities included:

- During Relationship Violence Awareness Month (RVAM), Lerner Hall was lit in purple after dusk as an additional opportunity to increase campus-wide awareness;
- 400 individuals participated in Denim Day, a university-wide initiative in which administrators wore denim in support of ending sexual violence;
- 95 educational workshops facilitated by the SVR team had a participation rate of 3,200 students. These sessions were offered through the Office of University Life's Sexual Respect and Community Citizenship Initiative;
- In 2014-2015, SVR held over 20 awareness events, including the Lerner Hall and Columbia University Medical Center open house events, and programs held during Sexual Assault Awareness Month (SAAM) and Relationship Violence Awareness Month (RVAM) that reached more than 1,000 students;
- The Men's Peer Education program held 15 discussions and training sessions for over 450 male-identified students focused on promoting healthy relationships and sexuality in an effort to transform beliefs and practices that encourage gender-based violence; and
- Over 2,000 students participated in other training and educational opportunities offered by the Sexual Violence Response team;

Sexual Respect and Community Citizenship Initiative:

During the spring semester, all Columbia students were required to participate in the University's Sexual Respect and Community Citizenship Initiative. Through one of five participation options, students were invited to learn about and reflect and act on the link between sexual respect and membership in the University community. The five participation options included: workshops; film and discussion sessions; video and reflection; the Arts Option, which invited students to reflect creatively on the link between sexual respect and community membership; and Finding Keys to Resiliency, which was designed for students who had experienced trauma, supported someone through trauma, or were especially interested in trauma and healing.

Climate Survey:

During April 2015, all enrolled Columbia students were invited to participate in the AAU Climate Survey on Sexual Assault and Sexual Misconduct. This detailed survey, which was administered at 27 higher-education institutions across the United States, is the most comprehensive survey to date on issues related to sexual assault and other forms of sexual misconduct. The survey findings are addressed in a separate report.

C. Faculty and Staff Training

The Gender-Based Misconduct Office, Sexual Violence Response (SVR), and the Office of Equal Employment Opportunity and Affirmative Action (EOAA) conducted extensive staff and faculty trainings throughout the University.

During the 2014-2015 academic year, EOAA and the Gender-Based Misconduct Office conducted 57 policy training sessions for faculty, staff, and various student organizations regarding the Policies and Procedures on Discrimination and Harassment, and the Gender-Based Misconduct Policy for Students.

Sexual Violence Response conducted training sessions for over 800 faculty and staff. Trainings were designed to increase awareness of on-campus resources for survivors, the dynamics of violence, and ways to screen for sexual, intimate partner and gender-based violence

II. REPORTED VIOLATIONS OF THE GENDER-BASED MISCONDUCT POLICY FOR STUDENTS: JULY 1, 2014–JUNE 30, 2015

This is the second annual release 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 that promotes sexual respect.

Consistent with the previous year’s release of data, this report addresses the community’s expressed interest in the release of aggregate data. The disclosure of this data is also compliant with New York State legislation and, in support of the University’s goals described above, goes 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 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 Columbia’s Sexual Respect website, 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. Understanding the Data

The data in this report includes alleged violations reported to the Gender-Based Misconduct Office in which a University student was the respondent. These cases were filed between July 1, 2014 and June 30, 2015, and were reviewed under the University’s Gender-Based Misconduct Policy for Students issued in August 2014.

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 clergy, health services, University counseling services, University Ombuds officers, or other “confidential” sources 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 of the University. These are considered confidential communications and 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 requires 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 may choose among these alternatives, the University remains committed to providing a supportive, sensitive, and fair process to all parties, so no student feels dissuaded from reporting violations.

Readers familiar with the Campus Crime Statistics Act (Clery Act) may note that the data presented in this report differ from those released pursuant to the Clery Act, which requires the University to record and report incidents of

certain crimes on or near campus. The Clery Act is different from the Gender-Based Misconduct Policy in several ways, including: time frame for data collection; geographic scope (Clery covers incidents on or near campus while Columbia's policy is not geographically restricted); affiliation of the parties involved (Clery does not limit reporting to incidents involving alleged policy violations by Columbia students); and other circumstances of the incident. Consequently, the numbers reported in Columbia's Clery report for sexual assault, domestic violence, dating violence, and stalking may differ from the numbers in this report, which covers complaints under Columbia's Gender-Based Misconduct Policy. For additional information regarding Columbia University's Clery report, please visit www.columbia.edu/cu/publicsafety/SecurityReport.pdf.

Data Related to Sexual Assault

As summarized below and described in the tables later in this report, some reported violations of gender-based misconduct did not require a final determination reached through the University adjudication process and others proceeded through an investigation and adjudication. Through Case Management, the Gender-Based Misconduct Office engaged with all complainants, regardless of the status or outcome of the investigation and adjudication process, to identify appropriate campus and other resources.

- In 42% of **sexual assault** reports identified in the aggregate data (eight cases of non-consensual intercourse and fifteen cases on non-consensual contact), no further investigation could be conducted because either the complainant did not know the identity of the respondent and/or the respondent was a non-affiliate. Support was provided to the complainant by a case manager;
- In 37% of **sexual assault**³ reports identified in the aggregate data (five cases of non-consensual intercourse and one case of non-consensual contact), the complainant declined to identify a respondent, declined to provide significant detail to support an investigation, and/or requested that no investigation or disciplinary process be undertaken. In these cases, the Title IX Coordinator, working with the Gender-Based Misconduct Office evaluated the facts presented, weighed the complainant's request against the University's commitment to provide a safe and non-discriminatory environment, and determined that no further action was required (*See page 15, Table 3, for data on the resolution of all sexual assault reports.*);
- In 4% of **sexual assault** cases (three cases of non-consensual contact) the disciplinary process was suspended because the respondent was not currently enrolled at the University and/or the respondent was disciplinarily suspended for violating restrictions ("interim measures") imposed as a result of the sexual assault allegation. If any of these respondents return to the University, the disciplinary process would be reinstated;
- In sexual assault cases where the formal investigation was completed, 64% of respondents (seven out of eleven) were found responsible; and
- Fifteen percent (two cases) were not yet resolved at the time of this report; updates on the outcomes of those matters will be included in the next release of aggregate data.

³ Sexual 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.

Data Related to Other Forms of Gender-Based Misconduct

Types of gender-based misconduct other than sexual assault include domestic violence, dating violence, intimate partner violence, sexual exploitation, sexual harassment, gender-based harassment, and stalking. The tables below consolidate 110 reports of such misconduct made during the period July 1, 2014, to June 30, 2015, in a manner similar to the sexual assault cases described above (*see page 16, 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 the Gender-Based Misconduct Office 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,” mediation, another 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 the Gender-Based Misconduct Office informally resolved 25 reports of gender-based misconduct other than sexual assault identified in this report. These matters included allegations of domestic violence, dating violence, sexual harassment, and stalking; in each case, the Title IX Coordinator deemed informal resolution to be consistent with preserving a safe and non-discriminatory 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 Gender-Based Misconduct Office determined that the behavior described was not a violation of the policy. These cases were referred to and resolved by a partner office. No sexual assault allegations were resolved in this manner.

B. Tables (See attachment for tables; only table of contents included here.)

Reported Violations of Gender-Based Misconduct Policy for Students:

July 1, 2014 – June 30, 2015

Contents

1. Reports of Sexual Assault and Other Gender-Based Misconduct by Complainant Affiliation
2. Reports of Sexual Assault and Other Gender-Based Misconduct by Respondent Affiliation
3. Resolution of Reports of Sexual Assault with Known, Affiliated Respondents
4. Resolution of Reports of Other Gender-Based Misconduct with Known, Affiliated Respondents
5. Sanctions Applied to Responsible Parties
6. Disposition of Appeals
7. Time Frames for Resolution of Reported Violations

Note on Cases where the Sexual Assault type was Not Specified by the Reporter: A number of cases reported in the following tables involved a situation where the Gender-Based Misconduct Office was notified that a sexual assault occurred but the reporter declined or was unable to provide further specific information.

Note on Cases with Multiple Charges: The cases reported in the following tables may contain more than one allegation of gender-based misconduct within one case. In these cases, a “hierarchy of charges” was applied and the cases are counted to reflect the more serious charge. For example: one case that includes allegations of Sexual Assault: Non-Consensual Intercourse and Sexual Assault: Non-Consensual Contact would be counted as one case of Non-Consensual Intercourse.

Note on Affiliate/ Student Currently Unenrolled: This category in the tables that follow includes students who are currently on leave from the University or a student organization.

1. Reports of Sexual Assault and Gender-Based Misconduct by Complainant Affiliation

	Undergraduate (Morningside)	Graduate & Non-degree Programs (Morningside)	Graduate & Non-degree Programs (CUMC)	Faculty, Staff, Affiliate, or Student currently unenrolled
Sexual Assault: Non-Consensual Sexual Intercourse	17	4	-	1
Sexual Assault: Non-Consensual Sexual Contact	7	11	1	1
Sexual Assault: Type Not Specified by Reporter	29	7	-	-
Intimate Partner Violence ⁴	2	-	1	-
Domestic Violence	-	1	-	1
Dating Violence	9	9	-	0
Sexual Exploitation	-	-	-	-
Sexual Harassment	16	12	2	2
Gender-Based Harassment	5	8	1	0
Stalking	15	13	-	1

In addition to the reports in this table, there were seven instances where a third-party reporter declined to disclose the identity of the complainant to a Case Manager. In these instances, the third party reporter was provided with resources to pass onto the complainant on behalf of the Gender-Based Misconduct Office.

⁴ This violation falls within the policy that was in effect prior to the release of the August 2014 policy.

2. Reports of Sexual Assault and Other Gender-Based Misconduct by Respondent Affiliation

	Undergraduate (Morningside)	Graduate & Non-degree Programs (Morningside)	Graduate & Non-degree Programs (CUMC)	Affiliate/ Student Currently unenrolled
Sexual Assault: Non-Consensual Sexual Intercourse	7	5	1	-
Sexual Assault: Non-Consensual Sexual Contact	2	2	3	1
Sexual Assault: Type Not Specified by Reporter	1	-	-	1
Intimate Partner Violence	1	-	-	-
Domestic Violence	1	1	-	-
Dating Violence	5	4	-	-
Sexual Exploitation	-	-	-	-
Sexual Harassment	11	4	3	2
Gender-Based Harassment	1	7	1	2
Stalking	8	3	-	-

In addition to the reports in this table, there were 43 cases of sexual assault and other gender-based misconduct where the respondent was not affiliated with the University, 46 cases where a complainant did not know the identity of the respondent, and 33 cases where a complainant did not disclose the identity of the respondent to Gender-Based Misconduct Office. In all of these instances, the disciplinary process was not initiated and the complainant was offered support from Gender-Based Misconduct Office Case Managers.

3. Resolution of Reports of Sexual Assault with Known, Affiliated Respondents

	Sexual Assault: Non-Consensual Sexual Intercourse	Sexual Assault: Non-Consensual Sexual Contact	Sexual Assault: Type Not Specified by Complainant
Complainant recanted and stated that respondent had not engaged in conduct that violated the policy ⁵	1	-	-
Respondent suspended for violation of accommodations (interim measures) or not currently enrolled at the University ⁶	-	3	1
Respondent accepted responsibility	3	-	-
Complaint resolved after a hearing: finding of responsibility	2	2	-
Complaint resolved after a hearing: finding of no responsibility	3	1	-
Investigation and disciplinary proceedings ongoing ⁷	1	1	-

⁵ The Gender-Based Misconduct Office conducts an inquiry into all allegations of sexual assault, even if a complainant recants.

⁶ The respondents in these cases are not present on campus. Investigation and disciplinary proceedings would be reinstated if any of these respondents were to return to the University.

⁷ Resolutions for reports received by June 30, 2015 but not resolved prior to the release of this report will be reflected in the next data report.

4. Resolution of Reports of Other Gender-Based Misconduct with Known, Affiliated Respondents

	Intimate Partner Violence	Domestic Violence	Dating Violence	Sexual Exploitation	Sexual Harassment	Gender-Based Harassment	Stalking
Behavior described by reporting individual did not meet the definition of the Gender-Based Misconduct Policy for Students; case referred to a partner office for adjudication	-	1	1	-	1	2	-
A complaint was reported by a third party but the identified complainant reported that no gender-based misconduct occurred and/or did not corroborate this complaint; no further investigation was conducted; complainant offered support by Gender-Based Misconduct Case Manager	-	-	-	-	-	-	-
Behavior described by reporting individual may be a violation of the Gender-Based Misconduct Policy for Students; case resolved via Informal Resolution	-	1	4	-	11	2	7
Complaint resolved after respondent accepted responsibility (Administrative Resolution)	-	-	-	-	-	-	-
Complaint resolved after a hearing: finding of responsibility	-	-	-	-	1	-	-
Respondent withdrew from the University after the allegations were reported	-	-	-	-	2	-	-
Complaint resolved after a hearing: finding of no responsibility	-	-	-	-	-	-	-
Investigation and disciplinary proceedings ongoing ⁸	-	-	-	-	-	-	-

⁸ Resolutions for reports received by June 30, 2015 but not resolved prior to the release of this report will be reflected in the next data report.

C. Additional information about the scope of the data

The data in the preceding tables are based on reports of gender-based misconduct from July 1, 2014-June 30, 2015 to the Gender-Based Misconduct Office in which the respondent was a Columbia University, Barnard College, or Teachers College student. If the respondent was a Columbia, Barnard, or Teachers college employee, or other person doing business with Columbia, Barnard, or Teachers College, a different set of investigation and disciplinary processes applied. The Columbia, Barnard, and Teachers College processes now in effect can be viewed at their respective links:

<http://eoaa.columbia.edu>

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

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

5. Sanctions Applied to Responsible Parties

As described earlier, the University seeks to release this aggregate data in a way that does not provide information that could lead to the identification of specific students so that students can report gender-based misconduct without concern that the University will share identifying information or comment on their individual reports. Linking sanctions to hearing outcomes and/or cases where students accepted responsibility raises this risk. As a result of this concern and in keeping with the University's commitment to protect the confidentiality of individual students, case-by-case sanction information is not provided in this annual report. However, this report does provide data on sanctions as described below. In all cases where there were findings of responsible, in addition to changes in disciplinary status (i.e. Disciplinary Probation, Disciplinary Suspension, Expulsion), respondents were required to participate in education and training related to the gender-based misconduct policy provision at issue and were subjected to other loss of privileges (e.g., alumni privileges, ability to enroll at Columbia in the future, etc.); sanctions also included education and/or training related to the gender-based misconduct for which the respondent was found responsible.

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 Sexual Intercourse includes 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). *There were five findings of responsibility in this category which resulted in three Disciplinary Suspensions and two Expulsions.*

The category of Sexual Assault: Non-Consensual Sexual Contact includes 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. *There were two finding of responsible in this category which resulted in Disciplinary Probation and Disciplinary Suspension.*

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 three appeals were filed: one by a complainant and two by respondents.

None of the appeals resulted in a change of the disposition.

7. Time Frames for Resolution of Reported Violations

The median length of time for resolving all 37 reports of the *Gender-Based Misconduct* where a respondent was a known affiliate and the allegation(s) met the definition of a violation under the Gender-Based Misconduct Policy for Students was 49 days.

	Resolution Time Frame			
	0-60 Days	61-120 Days	121-180 Days	181-240 Days
Sexual Assault: Non-Consensual Intercourse	1	2	2	3
Sexual Assault: Non-Consensual Contact	-	-	2	1
Intimate Partner Violence	-	-	-	-
Domestic Violence	1	-	-	-
Dating Violence	2	1	1	-
Sexual Harassment	8	3	1	-
Gender-Based Harassment	2	-	-	-
Stalking	7	-	-	-

The median length of time to resolve reports of *Other Gender-Based Misconduct* that met the definition of a violation under the Gender-Based Misconduct Policy for Students, were fully investigated, and then resolved was 14 days.

The median length of time to resolve reports of *Sexual Assault* that met the definition of a violation under the Gender-Based Misconduct Policy for Students, were fully investigated, and then resolved via a hearing or administrative resolution was 171 days (not including the appeal). The extended time frame occurred in cases where the complainant initially declined participation in the investigation but then changed this decision, cases where the complainant or respondent was out of the country and unable to participate in the investigation, cases where difficulty was experienced when contacting witnesses, and cases where difficulty was experienced in the process of obtaining attorney advisors.

ADDITIONAL NOTES ON THE SCOPE OF DATA REPORTING

The designated time period of July 1, 2014-June 30, 2015 for this report refers to the period for the filing of the report of gender-based misconduct, rather than the time period of the alleged incident. Some of the reports filed during the July 1, 2014-June 30, 2015 period were for incidents that occurred prior to July 1, 2014. The University does not limit the time for submitting a report of gender-based misconduct. Additional data tables in Appendix A reflect reports of gender-based misconduct filed prior to July 1, 2014 that were concluded during the July 1, 2014-June 30, 2015 period.

As discussed above, 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.⁹

Two of the investigations or adjudications that were reported in the spring of 2015 are coded in the data tables as “pending,” indicating that the process is still ongoing. Updates on the outcomes of these reports will be presented in the next data report.

⁹ Reports of Domestic Violence, Dating Violence, and/or Intimate Partner Violence that include any type of non-consensual sexual contact are reported in the appropriate category of Sexual Assault.

DEFINITIONS OF VIOLATIONS, RESOLUTIONS, AND OTHER WORDS AND PHRASES

Violations¹⁰

Sexual assault: non-consensual sexual intercourse. Under the August 2014 policy, this term refers to any form of sexual intercourse (anal, oral, or vaginal), however slight, with any object without a person's 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. Under the August 2014 policy, this term refers to any form of intentional sexual touching, however slight, with any object without a person's consent. Intentional sexual contact includes contact with the breasts, buttocks, groin, or touching another with any of these body parts; making another person touch any of these body parts; and any intentional bodily contact in a sexual manner.

Domestic Violence. The use of physical violence, coercion, threats, intimidation, isolation, stalking, or other forms of emotional, sexual or economic abuse directed towards (a) a current or former spouse or intimate partner; (b) a person with whom one shares a child; or (c) anyone who is protected from the respondent's acts under the domestic or family violence laws of New York. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone. Domestic violence can be a single act or a pattern of behavior in relationships.

Dating Violence. The use of physical violence, coercion, threats, intimidation, isolation, stalking, or other forms of emotional, sexual or economic abuse directed towards a person who is or has been in a social relationship of a romantic or sexually intimate nature with the victim. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone. Dating violence can be a single act or a pattern of behavior in relationships.

Intimate partner violence. Prior to the August 2014 policy, intimate partner violence was the policy term used to describe conduct that has subsequently been subdivided into two separate policy terms: Domestic Violence and Dating Violence. Intimate Partner Violence was defined as: The use of physical violence, coercion, threats, intimidation, isolation, stalking, or other forms of emotional, sexual or economic abuse directed towards a partner in an intimate relationship constitute intimate partner violence. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, 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.

¹⁰ The definitions of violations are from the August 2014 Gender-Based Misconduct Policy for Students, which was in force during the August 15, 2014-June 30, 2015 period of the present report.

Sexual harassment. Under the August 2014 policy, sexual harassment refers to 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 declined to provide significant detail to support and investigation; no further investigation was conducted – complainant offered support by Gender-Based Misconduct Case Manager

In these cases the Gender-Based Misconduct Office evaluated the facts presented, weighed the complainant's request with the University's commitment to provide a safe and non-discriminatory environment, and determined that no further action was required. Case Management continued to assist the complainant in identifying appropriate campus and other resources.

Complainant did not know the identity of a respondent and/or the respondent was a non-affiliate; no further investigation was conducted – complainant offered support by Gender-Based Misconduct Case Manager

In these cases the Gender-Based Misconduct Office evaluated the facts presented, weighed the complainant's request with the University's commitment to provide a safe and non-discriminatory environment, and determined that no further action was required. Case Management continued to assist the complainant in identifying appropriate campus and other resources.

A complaint was reported by a third party but the identified complainant reported that no sexual assault occurred and/or did not corroborate this complaint; no further investigation was conducted – complainant offered support by Gender-Based Misconduct Case Manager

A third-party report was a report to the Gender-Based Misconduct Office by someone who was not the complainant. This may have been a faculty member, residence program staff member, advising dean, student, etc. In these cases the Gender-Based Misconduct Office evaluated the facts presented, weighed the complainant's request with the University's commitment to provide a safe and non-discriminatory environment, and determined that no further action was required. Case Management continued to assist the complainant in identifying appropriate campus and other resources.

Behavior described by reporting individual did not meet the definition of the Gender-Based Misconduct Policy for Students

This category describes reports where, after accepting the complainant's report as true and accurate, the Gender-Based Misconduct Office determined that the behavior described was not gender-based misconduct. The complainant was notified of the Gender-Based Misconduct Office determination, including that no further action would be taken and that the matter would be closed. These matters were referred to and resolved by a partner office.

Informal resolution

For a case to be resolved in this manner, the complainant, respondent, and the Gender-Based Misconduct Office 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 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

Under the terms of the August 2014 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 Gender-Based Misconduct Office to support and protect a student after a report of an incident of gender-based misconduct. Students may request an accommodation outside of 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. The Gender-Based Misconduct Office 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

Under the terms of the August 2014 policy, 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 having experienced gender-based misconduct in a report filed by a third party.

Hearing panel

The hearing panel determines whether the respondent is responsible or not responsible for a violation of the Gender-Based Misconduct Policy 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 the Gender-Based Misconduct Office.

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 Policy 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 also may be barred from certain University facilities or activities, or required to participate in educational programming.

Student Currently Unenrolled

A currently unenrolled student is a matriculated student at the University who is on leave (e.g., personal, medical, academic, disciplinary, etc.) from the University.

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.

APPENDIX A

Update to 2014-15 Cases:

The Gender-Based Misconduct Office resolved a number of cases that were designated as “ongoing” in the 2013-14 report. The table below is from that 2013-14 report and is updated here to reflect these resolutions.

	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.	1	1	1
Complainant recanted and stated that respondent had not engaged in conduct that violated the policy.	1	-	-
Respondent suspended for violation of accommodations (interim measures) or not currently enrolled at University.	3	1	-
Respondent accepted responsibility.	0	2	-
Complaint resolved after a hearing: finding of responsibility.	1	3	-
Complaint resolved after a hearing: finding of no responsibility.	3	1	-
Investigation and disciplinary proceedings ongoing.	0	0	0

	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	-
Behavior described by reporting individual was not a violation of University policy.	-	4	1
Informal resolution.	3	5	2
Respondent accepted responsibility.	2	-	-
Proceedings suspended at complainant's request to accommodate medical or other concerns	1	1	-
Respondent suspended for violation of accommodations (interim measures) or not currently enrolled at University.	1	-	-
Investigation and disciplinary proceedings ongoing.	-	-	-

