

# TEACHERS COLLEGE

## 2024 ANNUAL CAMPUS SECURITY & FIRE SAFETY REPORT

(For the 2024-2025 academic year, containing crime  
statistics for calendar years 2021, 2022, & 2023)

Prepared By:  
The Office of Public Safety for  
Teachers College,  
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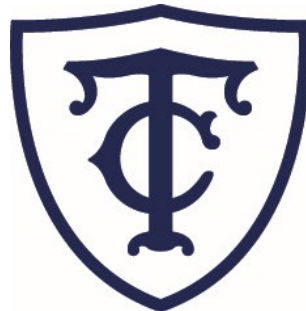
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# **A Message from the Assistant Vice President of Public Safety & EHS**

On behalf of Teachers College, Columbia University Office of Public Safety and Environmental Health & Safety (EHS), I'm pleased to present Teachers College's 2024 Annual Security and Fire Safety Report (ASR), prepared by the Department of Public Safety, and distributed to our community in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

At Teachers College, the Public Safety & EHS team's highest priority is to ensure the safety and well-being of the College's community by maintaining a safe environment for all community members to learn, live, and work. The members of our department are highly trained Public Safety and EHS professionals responsible for ensuring the best practices in campus security, fire safety, environmental health, and emergency preparedness. Furthermore, our team members are committed to fulfilling Teachers College's strategic priority to Institutionalize Diversity, Equity, & Inclusion by fostering a welcoming campus environment for all our community members and visitors.

This publication contains information about Teachers College, Columbia University's campus safety operations, crime prevention & safety awareness programs, three years of crime statistics for incidents occurring on and around our campus, and fire safety data. It also intends to inform current community members and assist prospective students and employees by describing how we keep our community safe. I hope you will take some time to read this informative document as it provides a comprehensive overview of campus safety programs at Teachers College, Columbia University.

Dennis F. Mazone, M.A., CEM, CBCP  
Assistant Vice President  
Public Safety and Environmental Health & Safety

# Teachers College

COLUMBIA UNIVERSITY

# About This Report

This report contains important information for the TC community and is prepared in accordance with the Campus Security Act (Clery Act), as amended by the Violence Against Women Act (VAWA), and New York State Education Law Articles 129A and 129B. The current version may be found at: [www.tc.columbia.edu/policylibrary/public-safety/campus-security-report/](http://www.tc.columbia.edu/policylibrary/public-safety/campus-security-report/).

The report also includes your Annual Notice regarding the College's policies and programs to prevent the use of illicit drugs and alcohol under the Drug-Free Schools and Communities Act. This notice includes important information regarding the College's policies and programs to prevent the use, sale, possession, and manufacture of illicit drugs and alcohol.

Paper copies are available from the Office of Public Safety, which is located at Suite 1A, Whittier Hall, 1230 Amsterdam Avenue, New York City, NY 10027-6696. Business hours are Monday through Friday, 9:30 A.M. to 5:00 P.M.

## The Campus Security Act (Clery Act)

The Clery Act requires colleges and universities to publish annual security and fire safety reports. These reports must contain certain policies and procedures as well as campus crime and fire statistics. These statistics are also reported to the U.S. Department of Education and are available on the Department website <https://ope.ed.gov/campussafety/#/>.

These statistics are compiled by the Office of Public Safety (OPS). They are based not only on information reported directly to the offices but also on information provided by the New York City Police Department 26th Precinct and by other "Campus Security Authorities" (CSAs). CSAs are individuals or organizations that "have significant responsibility for student and campus activities, including student housing, student conduct, and campus judicial proceedings."

At Teachers College, individuals occupying the following positions are CSAs: Office of Public Safety (all managers and officers), Office of Residential Services (directors, associate directors, and community assistants), Office of the Provost (vice provost, associate provost), Office of Student Affairs (associate vice president, directors and associate directors), Office of Access/Disabilities (director and associate directors), and Office of Diversity and Community Affairs (vice president, assistant vice president and director). Faculty and staff responsible for certain off-site programs for which reporting is required are also CSAs.

**Note:** Campus pastoral and professional counselors must protect the confidentiality of communications with those they counsel and are not CSAs. They are encouraged to provide information about college resources to those they counsel. If they deem it appropriate, they may inform the people they are counseling on procedures to report crimes voluntarily, which may be included in the crime statistics.

## Teachers College Office of Public Safety

Teachers College maintains a full-service Office of Public Safety charged with providing a safe and secure environment in which College community members can enjoy the Teachers College experience. Public Safety staff members work 24 hours a day, seven days a week, providing security for the academic and residential buildings on campus.

The administrative offices for the Office of Public Safety are in Whittier Hall, Suite 1A. The office is open during normal business hours, Monday through Friday, from 9:30 A.M. to 5 P.M. The phone number for the administrative office is (212) 678-3111.

The Public Safety Central Information Center (CIC) is in the Whittier Hall lobby and is open 24 hours a day, seven days a week. The phone number for CIC is (212) 678-3220. The emergency extension is **3333** or (212) 678-3333.



Public Safety Officers are assigned to both fixed and mobile posts. Officers are stationed at Public Safety desks throughout campus. The Public Safety desks at the Zankel building, Whittier Hall, and New Residence Hall are staffed 24 hours a day, seven days a week.

The Public Safety Booth at the 528 Building driveway is generally staffed Monday through Thursday from 6:30 A.M. to 9:30 P.M. and Friday from 6:30 A.M. to 9:30 P.M.

The Office of Public Safety enforces laws, rules, and regulations on campus; controls access to the campus; deters and investigates crime (in cooperation with the New York City Police Department); maintains a Lost and Found; provides support for special events and provides general information for visitors and members of the College community. The Office provides community education in crime prevention, personal safety, and fire safety. The Office manages a technically advanced electronic access control system, closed-circuit television cameras, and emergency alarms. Members of the Office of Public Safety provide medical assistance and emergency response to hazardous conditions, including those of fire and smoke.

The Office of Public Safety is staffed by approximately 40 in-house members. It is led by an Assistant Vice President of Public Safety and Environmental Health and Safety. The management team includes a Director of Public Safety Administration, a Director of Public Safety Operations, and a Director of Environmental Health & Safety. Uniformed Public Safety Officers are licensed by New York State, and most are certified as New York City Fire Life & Safety Directors. They are also trained in basic first aid, certified in CPR, and in the operation of Automatic External Defibrillators (AED). Public Safety Officers are unsworn, do not carry firearms, and do not have police arrest powers.

## **Environmental Health and Safety**

The Environmental Health & Safety Team, part of the Office of Public Safety, works to protect the College from fire. EH&S takes the lead in educating the College community about fire safety. It also manages the advanced fire detection and suppression systems located throughout the campus.

## **Interagency Cooperation with Law Enforcement**

### **New York Police Department**

The Teachers College Office of Public Safety enjoys an excellent working relationship with the 26th Precinct of the NYPD. The Office has a formal written Memorandum of Understanding (MOU) with the NYPD for the investigation of violent felonies and reports of missing students.

Local and City-wide crime and crime prevention information is regularly shared between the Office of Public Safety and the Police Precinct. The Police Department actively supports the TC Office of Public Safety in providing security for special events and high-profile visitors. The Police Department provides crime prevention programs for the College community and actively investigates crimes that occur on campus. The Office of Public Safety regularly confers with the Police Department to control and deter criminal activity on or around the College campus. The Office of Public Safety has radio communications capability with both the Columbia University Public Safety Department and the New York City Police Department.

### **Federal Law Enforcement**

The Office of Public Safety works closely, as needed, with various Federal Law Enforcement agencies, including the U.S. Secret Service, State Department, and Federal Bureau of Investigations, to provide security for dignitaries who visit campus.

## Publication of Crime and Fire Statistics

The Clery Act requires the publication of certain crime statistics for the three most recent calendar years. The statistical information on crimes is found on page 17. Fire statistics may be found in Appendix A. Other important policies are found in the additional appendices included at the back of this report. (See Appendices A–L).

The crimes reported were not necessarily committed against members of the College community. Crimes reported on the campuses of other Morningside Heights Institutions (Columbia University, Barnard College, Union Theological Seminary, Jewish Theological Seminary, and the Manhattan School of Music) are not included in Teachers College statistics, as those institutions compile their own crime statistics.

Columbia University's current Annual Campus Security Report can be found at: [publicsafety.columbia.edu](https://publicsafety.columbia.edu).

Teachers College wishes to thank Columbia University's Department of Public Safety for generously sharing portions of Columbia University's Report with Teachers College.

## Daily Crime Log

The Office of Public Safety compiles and reviews campus crime statistics and reports those crime statistics to the United States Department of Education. The Office of Public Safety also maintains a daily crime log that contains criminal acts reported to the Office within two business days of the report unless the confidentiality of the victim would be jeopardized or the disclosure of such would be prohibited by law. The information in the logs typically includes the type of crime, date, time, and location of occurrence. The log is available for review during normal business hours.

The Office of Public Safety is in Suite 1A, Whittier Hall, 1230 Amsterdam Avenue, New York City, NY 10027-6696. Business hours are Monday through Friday, 9:30 A.M. to 5:00 P.M.



# Reporting Procedures

In case of an emergency, dial extension 3333 from any campus phone, (212) 678-3333 from any phone, and 911 from any phone.

Teachers College and the Office of Public Safety encourage the accurate and prompt reporting of crimes to the Office of Public Safety and to local law enforcement, including when the victim elects to or is unable to make such a report.

This can be done either by calling 911 or going to the 26th Precinct in person. The 26th Precinct, 520 West 126th Street (West of Amsterdam Ave.), is within walking distance of campus.

In an emergency, the Office of Public Safety can be reached by immediately dialing 3333 from any on-campus phone or by calling (212) 678-3333 from any phone. Police-NYPD, Fire-FDNY, and FDNY Emergency Medical Services can be reached by dialing 911 from any phone.

The Office of Public Safety recommends that College community members dial **911** in any emergency, and 212-678-3333, so that the Office of Public Safety can facilitate a direct response by both on-campus and off-campus emergency services. On-campus emergency phones are strategically located in the residence hall's laundry rooms, outside of residence halls, and in key locations in the academic areas.

For purposes of including them in the annual statistical disclosure and assessing them for issuing Timely Warning Notices when deemed necessary, members of the community are encouraged to and are helpful when they immediately report crimes or emergencies to the Office of Public Safety and/or to:

- Title IX Coordinator and VP for Diversity and Community Affairs 212-678-3391
- AVP and Chief Student Affairs Officer 212-678-3083
- Executive Director, Graduate Student Life and Development 212-678-3690
- Executive Director, Residential Services 212-678-3235



# Confidential and Anonymous Reporting of Crimes

Teachers College encourages all victims of crimes to alert the Office of Public Safety and the New York City Police Department. If you are the victim of a crime and do not want to pursue action within the Teachers College system or the criminal justice system, you may still want to consider making a confidential report. With your permission, an OPS officer can file a report on the details of the incident without revealing your identity (except to the Title IX Coordinator in the event of a reported sex offense or sexual harassment). The purpose of a confidential report is to comply with your wish to keep the matter confidential while taking steps to enhance the future safety of yourself and others. With such information, TC can keep an accurate record of the number of incidents involving students, employees, and visitors; determine where there is a pattern of crime regarding a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

If you are the victim of a crime and do not want to pursue action within the College system or the criminal justice system, you may choose to make an anonymous report. If you become aware of a crime through observation or information, you may report that crime without identifying your sources or yourself. Call Crime Stoppers at 1-800-577-TIPS or report at [crimestoppers.nypdonline.org](http://crimestoppers.nypdonline.org).

Confidential and/or anonymous reports of crimes may be included in the College's annual crime statistics.

You may leave an anonymous voicemail to the Office of Public Safety at 212.678.3111 during non-business hours, or you may send an anonymous email to [publicsafety@tc.columbia.edu](mailto:publicsafety@tc.columbia.edu).

Anonymous reports may also be filed through Ethics Point, 888-329-6420, or [secure.ethicspoint.com/domain/media/en/gui/22716/index.html](http://secure.ethicspoint.com/domain/media/en/gui/22716/index.html).

With such information, the College can keep a more accurate record of the number of incidents involving students, employees, and visitors; identify any pattern of crimes regarding a particular location, method, or assailant; and alert the campus community to potential danger.

## Response to a Report

A Public Safety Officer is available 24 hours a day to answer your calls at 212-678-3333. In response to a call, OPS will take the required action, either dispatching an officer or asking the victim to report to OPS to file an incident report. All reported crimes will be investigated by the College and may become a matter of public record. All OPS incident reports are forwarded to the Vice Provost for Student Affairs for review and referral to the Committee on Student Conduct for potential action, as appropriate. OPS Investigators will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the Vice Provost of Student Affairs. If assistance is required from the NYPD or the FDNY, OPS will contact the appropriate unit. If a sexual assault or rape should occur, staff on the scene, including OPS, will offer the victim a wide variety of services.

## Investigations of Criminal Incidents

The Office of Public Safety reviews all crime reports on campus. Crimes are reported to the New York City Police Department (unless doing so would be inconsistent with the Violence Against Women Act) and typically investigated by the Police Department and/or the Office of Public Safety.

# Timely Warnings

The Campus Security Act also requires “timely warnings” or “emergency notifications” of Clery Act crimes, and the publication of fire logs and other efforts designed to protect and inform students, faculty, and staff.

The Assistant Vice President of Public Safety (AVPPS) or designee reviews all crime and incident reports to determine if there is a serious or ongoing threat to the community and if the distribution of a Timely Warning is warranted. In the event a crime is reported within the TC Clery Geography (On Campus, Public Property, and Non-campus property) that, in the judgment of the AVPPS or designee, constitutes a serious or continuing threat, a campus-wide “timely warning” notice will be issued.

Timely Warning Notices may be disseminated for any Clery-reportable crime classifications as deemed necessary. Timely Warnings are typically issued for the following Uniform Crime Reporting Program (UCR)/National Incident-Based Reporting System (NIBRS) crime classifications:

- Murder/Non-Negligent Manslaughter
- A string of Burglaries or Motor Vehicle Thefts that occur in reasonably close proximity to one another.
- Aggravated Assault (cases involving assaults among known parties, such as two roommates fighting, which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an ongoing threat to the larger TC community)
- Robbery involving force or violence (cases including pickpocketing and purse snatching will typically not result in the issuance of a Timely Warning Notice but will be assessed on a case-by-case basis)
- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by the AVP of OPS, or designee). In cases involving sexual assault, they are often reported long after the incident occurred. Thus, there is no ability to distribute a “timely” warning notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice.
- Major incidents of Arson
- Other Clery crimes as determined necessary by the AVPPS or their designee in their absence.

Timely Warning Notices are generally written by the AVP of OPS or their designee and distributed to the community as a “Clery Crime Alert” via email and/or text message by the Office of Public Safety. Notices and updates may also be disseminated to the Teachers College community through other forms of communication, such as campus information monitors (e-boards), voice mails, or websites.

Timely Warning Notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential and with the goal of aiding in the prevention of similar occurrences.

The institution is not required to issue a Timely Warning for crimes reported to a pastoral or professional counselor.

# Emergency Notifications

The Office of Public Safety immediately notifies the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of community members. In coordination with federal, state, and local law enforcement and public safety authorities, warnings may be delayed if they would compromise efforts to contain the emergency.

Before activating the Electronic Notification System (ENS), the Authorizing Individual may consider the following:

1. Is this a situation where human life is in jeopardy, and timely notification may protect human life?
2. Is this a situation where public safety is in jeopardy, and timely notification may protect the safety of members of the TC community?
3. Does this situation require immediate evacuation of a campus building or multiple buildings?
4. Is this an approaching extreme weather event that could jeopardize safety?
5. Is this a situation that requires immediate notification to and/or immediate response from a critical group of TC staff members?

If the answer is yes to any of the above questions, the ENS may be activated. The Authorizing Individual shall determine to what groups the message shall be sent.

**Note:** Timely Warnings and Emergency notifications do not identify crime victims.

## Emergency Text Messaging–TC Alert

Emergency notifications may be made to the community via TC Alert, a mass notification system that enables fast and efficient dissemination of critical information to members of the College community. TCAAlert allows the College to send simultaneous emergency text, email, and voice message alerts. TC Alert may not be used for general announcements.

Emergency text messaging (TCAAlert) may be used in conjunction with other communication methods, such as College-wide broadcast emails, online updates via the Teachers College homepage, coordinated use of public media outlets, and public address systems within most college buildings. Face-to-face communication may be used in the event of an emergency. The TC Alert system is tested twice each year.

All community members are strongly encouraged to partner with the College by registering their cell phone numbers with TCAAlert. Individuals who cannot receive text messages may receive these notifications via email and voice messages. There is no charge for the TCAAlert service from Teachers College. Some wireless phone carriers may charge a fee for receiving SMS text messages; please check with your carrier.

To sign up for TCAAlert, follow the steps below:

1. Go to the Teachers College [myTC](#) Portal.
2. Log into the system using your UNI ID and password.
3. Select “Student or Employee Resources” from the menu at the top of the page.
4. Select “Manage TC Alert Settings” in the “Resources” tab.
5. Enter the phone number to which you want to receive text and/or voice messages.
6. Click SAVE.

### Non-Emergency Communications

Non-emergency communications are generally provided via college-wide broadcast emails.

# The Teachers College Campus

The Teachers College Main Campus is in the Morningside Heights neighborhood of the upper west side in the Borough of Manhattan, New York City. The Campus is bordered by West 120th Street, Broadway, West 122nd Street, and Amsterdam Avenue.

There are seven academic buildings on campus:

- 1) the Zankel Building, 2) Thompson Hall, 3) Horace Mann Hall, 4) 528 Building, 5) Macy Hall, 6) Grace Dodge Hall, and 7) Russell Hall.

There are five residential halls on campus:

- 1) Grant, 2) Sarasota, 3) Bancroft, 4) New Residence, and 5) Whittier.

The College also maintains two faculty residences:

- 1) Lowell Hall on-campus and 2) Seth Low, just off-campus at Morningside Drive and West 121st Street.

## Access to Campus

Academic buildings on the main campus are generally open seven days a week from 7:30 A.M. to 11:00 P.M. On College holidays, the academic buildings are open from 9:00 A.M. to 5:00 P.M., and access is limited.

The Gottesman Libraries are open to students, faculty, and staff of Teachers College and affiliated institutions, namely Columbia University, Barnard College, Union Theological, and Jewish Theological seminaries. Non-affiliated researchers and scholars may arrange library visitor access by contacting the Libraries Administration at (212) 678-3494. The Gottesman Libraries are open from 9:00 A.M. to 10:00 P.M. Monday through Thursday; 9:00 A.M. to 5:00 P.M. on Fridays; 12:00 noon to 6:00 P.M. on Saturdays, and 12:00 noon to 8:00 P.M. on Sunday. The libraries have extended hours during midterm and final exam periods. These hours are subject to change. For more information, please go to <https://library.tc.columbia.edu/about/>

Access to academic buildings and the libraries is through the main entrance at the Zankel building at 525 West 120th Street. A valid Teachers College ID card or a valid ID card from the affiliated institutions of Columbia University, Barnard College, and Union Theological or Jewish Theological seminaries must be presented at the Public Safety Desk in the Zankel lobby to gain entry to academic buildings on campus.

Students, faculty, or staff from Teachers College or affiliated institutions may also enter the academic campus through the 528 Building driveway entrance on West 120th Street by presenting a valid ID card at the 528 Building driveway Public Safety Booth. The 528 Building driveway entrance is generally open Monday through Friday from 6:30 A.M. to 9:30 P.M. The entrance is closed on weekends and holidays.

College academic buildings and the dining room are generally not open to the public; however, non-affiliated visitors may enter the College for specific events open to the public or as a guest of a member of the College community. All non-affiliated visitors to the campus must enter through the main entrance at the Zankel building, present a valid government or university-issued photo identification card, and sign in at the Public Safety Desk in the Zankel lobby. A one-day visitor pass shall be provided to visitors.

Access to closed College facilities by authorized individuals is permitted only with assistance from the Office of Public Safety. Faculty may access their offices at any time. Residential halls are closed to the public and may be entered or occupied only by authorized residents, their guests, and College employees.

The residential buildings are always secured and require a TC ID card for access. All residential buildings are equipped with CCTV and are monitored by the Office of Public Safety. New Residence and Whittier Hall residences are staffed 24 hours a day, seven days a week by a Public Safety Officer assigned to a desk in the lobby. Proper identification will be verified and documented upon entering.

A valid Teachers College ID card is needed for access to campus. A valid Teachers College ID must be presented to a card reader and/or Public Safety Officer to gain entry. Teachers College community members who do not have their Teachers College ID card upon their person when entering campus must show a valid government-issued photo ID (e.g., State Driver's License), sign in, and receive a visitor's pass.

New students may receive a Teachers College ID card once they have registered for classes. Students moving into on-campus housing may receive their ID cards on the day they move in.

All students, faculty, and staff are encouraged to carry their Teachers College or affiliate institution ID card on their person and consider wearing it on outermost garment while on campus. Visitors are encouraged to wear their Public Safety-issued visitor pass on their outermost garments while in campus buildings and residence halls.

## **Security of the Campus**

The Campus Access rules are monitored and enforced by the Office of Public Safety.

The main entrance at the Zankel building is staffed with a Public Safety Officer whenever the academic campus is open. The secondary entrance to the academic campus in Whittier is staffed by a Public Safety Officer 24 hours, 7 days a week. The 528 Building Driveway entrance is staffed whenever the Thompson, Chapel, or 528 doors are open. Public Safety Officers at these entrances ensure that all those who enter campus comply with the campus access requirements and are properly identified.

The New Residence student housing facility is staffed 24 hours, seven days a week by a Public Safety Officer to ensure that all those who enter campus comply with the campus access requirements and are properly identified.

The student housing facilities of Bancroft, Sarasota, and Grant Halls are generally unstaffed. They are secured electronically, including restricted access by card swipe only and a closed-circuit video monitoring system.

Public Safety Officers patrol all campus buildings to evaluate and monitor security-related matters.

## **Security Considerations in the Maintenance of Campus Facilities**

The Office of Public Safety is responsible for the evaluation, planning, development, coordination, and execution of health and safety programs in compliance with federal and state statutes and regulations. The Facilities Department is responsible for removing recognizable hazards through routine housekeeping and maintenance or contracting with the appropriate experts.

Heads of departments and supervisors are responsible for providing safe working conditions and implementing health and safety programs as they relate to operations. Employees are responsible for complying with health and safety guidelines, attending required fire safety training, properly using provided safety equipment, and promptly reporting incidents and hazards.

Teachers College is mindful of the security needs in the daily operation of campus facilities, particularly as they relate to residential areas. Keys are signed in and out, as needed, by authorized maintenance staff members who are also required to display a photo identification badge. Whenever possible, prior arrangements are made with resident students requesting facilities services for their residence room so that the students may be present when repairs are made.

The campus maintains a strong commitment to campus safety and security. Adequate exterior lighting is an important part of this commitment. Public Safety Officers are required to report hazardous conditions during their routine patrols. All inoperative lights, malfunctioning emergency phones, and other hazardous conditions are reported immediately and are given the highest priority when repairs are needed.



# Clery Geographical Reporting Area for TC



RED HATCHING = ON-CAMPUS PROPERTY  
YELLOW HATCHING = PUBLIC PROPERTY ADJACENT TO CAMPUS  
BLUE DOT= ON-CAMPUS RESIDENTIAL HOUSING BUILDINGS

The College is required to collect statistics on crimes reported to have taken place within “Clery Geography”:

1. Buildings and property that are part of the institution’s campus;
2. The institution’s non-campus buildings and property; and
3. Public property within or immediately adjacent to and accessible from the campus.

## Clery Geography Definitions

**On-Campus**—Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution’s educational

purposes, including residence halls; and any building or property that is within or reasonably contiguous to the area identified in section 1 that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or retail vendor).

**On-Campus Student Housing**—Any student housing facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility. On-Campus Student Housing is a subset of On-Campus; crimes reported to have taken place in On-Campus Student Housing is reported in both On-Campus and On-Campus Student Housing statistics.

**Non-Campus Building or Property**—Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution’s educational purposes, is frequently used by students and is not within the same reasonably contiguous geographic area of the institution.

**Public Property**—All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus. This includes West 120th Street, West 121st Street, and West 122nd Street, between Amsterdam and Broadway; Broadway between 120th Street and 122nd Street; and Amsterdam Avenue between West 120th Street and West 122nd Street.

**All crimes, whether subject to Clery or not, including Domestic Violence, Dating Violence, Stalking, Sexual Assault, and Bias or Hate Crimes, can be reported to any TC Public Safety Officer and/or the local police department.** Gender-based crimes and misconduct can also be reported to those responsible for addressing such matters on campus, see [www.tc.columbia.edu/titleix/](http://www.tc.columbia.edu/titleix/).

## Definitions of Criminal Offenses

The Clery Act uses the Federal Bureau of Investigation’s Uniform Crime Reporting Handbook (UCR) for most crimes. The Violence Against Women Act (VAWA) sets out additional definitions.

The following definitions are drawn from these sources and from the most recent U.S. Department of Education Handbook for Campus Safety and Security Reporting.

State Law has varying definitions of many sex and gender-related crimes and bias crimes. In accordance with New York State Education Law Article 129-A and VAWA, these definitions are available at: <https://www.tc.columbia.edu/media/administration/title-ix/Laws.pdf>

New York State Education Law Article 129-B uses a third set of definitions adopted from an alternate federal source. These definitions are also set out below.

**Aggravated Assault**—An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury results from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

**Arson**—Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

**Arrests and Disciplinary Actions**—Clery also requires the reporting of alcohol, drug and firearm related arrests and referrals for campus disciplinary action.

**Bias or Hate Crimes**—A hate crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender’s bias. Bias is a pre-formed negative opinion or attitude toward a group of persons based on a protected class.

For Clery purposes, hate crimes are those in which the victim is intentionally selected because of actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability. Reportable hate crimes include bias-motivated homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson (as previously defined), Larceny, Simple Assault, Intimidation, and Destruction / Damage / Vandalism. For more information, refer to the policy on Hate or Bias Crime Reporting at <https://www.tc.columbia.edu/policylibrary/policies/hate-or-bias-crime-reporting-1242137/> or the appendix.

**Burglary**—The unlawful entry of a structure to commit a felony or a theft. For reporting purposes, the definition includes: unlawful entry with intent to commit larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of these offenses.

**Destruction/Damage/Vandalism**—To destroy willfully or maliciously, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

**Intimidation**—To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

**Larceny (except motor vehicle theft)**—The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

**Motor Vehicle Theft**—The theft or attempted theft of a motor vehicle. (Incidents are classified as motor vehicle thefts in all cases where automobiles are taken by persons not having lawful access, even though the vehicles may be later abandoned, including joyriding.)

**Murder and Non-Negligent Manslaughter**—The willful (non-Negligent) killing of one human being by another.

**Manslaughter by Negligence**—The killing of another person through gross negligence.

**Rape**—The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

**Robbery**—The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Simple Assault**—An unlawful physical attack by one person upon another where neither the offender displays a weapon nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.



## **Sexual Assault Definitions**

**Sex Offenses**—Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Under Clery, sexual assault includes all of these offenses:

**Fondling**—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

**Incest**—Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Rape**—The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

**Statutory Rape**—Non-forcible sexual intercourse with a person who is under the statutory age of consent. (In New York, the age of consent is 17.)



## **Violence Against Woman Act (VAWA) Crimes: Dating Violence, Domestic Violence, and Stalking**

State Law has varying definitions of many sex- and gender-related crimes and bias crimes. In accordance with New York State Education Law Article 129-A and VAWA, these definitions are available as “New York Sex Crimes and Bias Crimes” at <https://www.tc.columbia.edu/media/administration/title-ix/Laws.pdf>

These crimes were added to those that must be reported under Clery by the 2013 VAWA reauthorization:

**Dating Violence**—Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. It does not include acts covered under the definition of domestic violence.

**Domestic Violence**—A felony or misdemeanor crime of violence committed:

1. By a current or former spouse or intimate partner of the victim,
2. By a person with whom the victim shares a child in common,
3. By a person who is cohabiting with or has cohabited with the victim as a spouse,
4. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime occurred; or
5. By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime occurred.

New York treats some dating violence as domestic violence. State’s domestic violence laws (“Family Offenses”) cover persons who are related by blood; persons who are married or formerly married; persons with a child in common; intimate partners who live together (or used to); and those who are or have been in an “intimate relationship” (regardless of whether sexual). In determining whether a relationship is an “intimate relationship” New York looks to factors similar to those of Clery’s definition of dating violence. Neither a casual acquaintance nor ordinary fraternization between two individuals in business or social contexts constitutes an “intimate relationship.”

**Stalking**—Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

Fear for a person’s safety or the safety of others; or suffer substantial emotional distress.

For the purposes of the definition of “stalking”:

- Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment of counseling.

# Arrests, Referrals, and Disciplinary Actions

Clery also requires the reporting of alcohol, drug, and firearm-related arrests and referrals for campus disciplinary action.

**Drug-Related Violations**—Violations of Federal, State, and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, benzedrine).

**Liquor Law Violations**—Violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

For Drug and Alcohol abuse education programs see: <https://www.tc.columbia.edu/policylibrary/policies/drug-free-campus-1222584/>

**Weapons Law Violation**—The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

## Missing Persons

If a member of the community has reason to believe that a student who resides in on-campus housing has been missing, they should immediately notify Teachers College Office of Public Safety (OPS) at (212) 678-3333. In an emergency, call 911.

If members of the TC community believe that a student has been missing for 24 hours, it is critical that they report that information to OPS by calling (212) 678-3333. OPS will generate a report and will attempt to locate the student or determine why the student is presumed missing. This investigation is accomplished using both on-campus and off-campus resources. The Office of Public Safety will coordinate with the Office of Residential Services, the Chief Student Affairs Officer, and any other appropriate offices. If the resident student cannot be located within 24 hours, or if the circumstances warrant earlier intervention and investigation by law enforcement, the Office of Public Safety will contact the local NYPD precinct and will assist them as requested. OPS will contact the student's designated confidential missing person contact as soon as practicable and no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and un-emancipated, TC will also notify the student's parent or legal guardian as soon as practicable but no later than 24 hours after the student is determined to be missing, and any other designated contact person within 24 hours. Regardless of whether the student has identified a contact person, is above the age of 18 or is an emancipated minor, TC will inform the Local PD (or the local law enforcement with jurisdiction) that the student is missing within 24 hours.

In addition to registering an emergency contact, students residing in on-campus housing have the option annually to identify an individual to be contacted by OPS in the event the student is determined to be missing more than 24 hours. If a student has designated such an individual, TC will contact that person as soon as practicable but no later than 24 hours after the student is determined to be missing. When students are informed of their option to provide a confidential contact, they are advised that their confidential contact information will only be accessible by authorized campus officials. This information may only be disclosed to the New York City Police Department or other bona fide law enforcement agencies, and only in the furtherance of a missing person investigation.

Students are advised that in the event a student is under 18 years of age and not emancipated, TC must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student. Students are advised that, for all missing students, TC will notify the local law enforcement agency within 24 hours of the determination that the student is missing unless the local law enforcement agency was the entity that made the determination that the student is missing.

# Campus Crime Statistics for 2021, 2022, and 2023

This table includes all reports of Clery crimes made to Public Safety, other TC CSAs, or local Police Authorities. A report is counted during the year made (rather than when the incident occurred) and regardless of the outcome of any investigation or prosecution.

Crime/Offense	On Campus			Non-Campus			Public Property			Residence Halls			Total		
	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
Murder/non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	1	1	0	0	0	0	0	0	0	1	1	0	1	1	0
Fondling	0	1	1	0	0	0	0	0	0	0	1	1	0	1	1
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	1	1	0	0	0	0	1	1	0
Aggravated Assault	0	0	0	0	0	0	0	1	1	0	0	0	0	1	1
Burglary	0	1	1	0	0	0	0	0	0	0	0	0	0	1	1
Motor Vehicle Theft	0	0	0	0	0	0	1	2	3	0	0	0	1	2	3
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>VAWA Offenses</b>															
Domestic Violence	1	1	0	0	0	0	0	2	0	0	0	0	1	3	0
Dating Violence	1	3	0	0	0	0	0	0	0	1	2	0	1	3	0
Stalking	2	6	1	0	0	0	2	2	0	2	1	0	4	8	1
<b>Arrests</b>															
Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	1	0	0	0	0	0	1	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Disciplinary Referrals</b>															
Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Hate Crimes</b>															
Hate Crimes	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Unfounded Crimes</b>															
Unfounded Crimes	0	1	0	0	0	0	0	0	0	0	1	0	0	1	0





# **Title IX, VAWA & NYS Education Law Article 129-b.**

Teachers College (“College”) is committed to fostering an environment free from gender-based discrimination and harassment, including sexual assault and all other forms of gender-based misconduct. Through the implementation of policies and procedures as well as education and prevention programs, the College seeks to increase awareness of such misconduct, prevent its occurrence, investigate reports of misconduct, support those who experienced gender-based misconduct, deal fairly with those accused of violating College policy, and sanction those found to have violated College policy. Teachers College prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the College community. Toward that end, Teachers College issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault, and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a College official. This policy is a part of this document, delineated in Appendix F: Gender Based Misconduct Policy for Students.

College policies and procedures reflect the College’s commitment to a safe and non-discriminatory working, learning and living environment and comply with Title IX, the federal law prohibiting sex and gender discrimination in higher education, the Violence Against Women Act (VAWA) (which substantially amended the Clery Act), and New York State Education Law, including Article 129-B which, like VAWA, focuses on sexual assault, domestic violence, dating violence and stalking.

Prohibitions against gender-based misconduct apply to all members of the community, regardless of race, color, national origin, religion, creed, age, disability, sex, gender, gender identity, gender expression, sexual orientation, familial status, pregnancy, genetic characteristics, alienage or citizenship status, military status, domestic violence victim/survivor status, criminal conviction, and/or any other characteristic protected by applicable law. Anyone may experience, and anyone may engage in gender-based misconduct.

## **Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking**

The Clery Act defines the crimes of domestic violence, dating violence, sexual assault, and stalking as follows:

### **Domestic Violence:**

A felony or misdemeanor crime of violence committed—

1. By a current or former spouse or intimate partner of the victim;
2. By a person with whom the victim shares a child in common;
3. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
4. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
5. By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
6. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Teachers College prohibits the crimes of domestic violence, as defined by the Clery Act.

## Dating Violence:

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition—

- Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.
- For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Teachers College prohibits the crimes of dating violence, as defined by the Clery Act.

## Sexual Assault:

An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."

**Rape** is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

**Fondling** is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

**Incest** is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape** is defined as sexual intercourse with a person who is under the statutory age of consent.

Teachers College prohibits the crimes of sexual assault, as defined by the Clery Act.

## Stalking:

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress.

For the purposes of this definition, a course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.

A reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Teachers College prohibits the crimes of stalking, as defined by the Clery Act.



# Jurisdictional Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

**Domestic Violence:** The state of New York defines domestic violence in the Domestic Violence Prevention Act as follows: SECTION 459-A

Definitions

Social Services (SOS) CHAPTER 55, ARTICLE 6-A

§ 459-a. Definitions. As used in this article: 1. "Victim of domestic violence" means any person over the age of sixteen, any married person or any parent accompanied by his or her minor child or children in situations in which such person or such person's child is a victim of an act which would constitute a violation of the penal law, including, but not limited to acts constituting disorderly conduct, harassment, aggravated harassment, sexual misconduct, forcible touching, sexual abuse, stalking, criminal mischief, menacing, reckless endangerment, kidnapping, assault, attempted assault, attempted murder, criminal obstruction of breathing or blood circulation, strangulation, identity theft, grand larceny or coercion; and

(i) such act or acts have resulted in actual physical or emotional injury or have created a substantial risk of physical or emotional harm to such person or such person's child; and

(ii) such act or acts are or are alleged to have been committed by a family or household member.

(iii)

2. "Family or household members" mean the following individuals:

(a) persons related by consanguinity or affinity;

(b) persons legally married to one another;

(c) persons formerly married to one another regardless of whether they still reside in the same household;

(d) persons who have a child in common regardless of whether such persons are married or have lived together at any time;

(e) unrelated persons who are continually or at regular intervals living in the same household or who have in the past continually or at regular intervals lived in the same household;

(f) persons who are not related by consanguinity or affinity and who are or have been in an intimate relationship regardless of whether such persons have lived together at any time. Factors that may be considered in determining whether a relationship is an "intimate relationship" include, but are not limited to: the nature or type of relationship, regardless of whether the relationship is sexual in nature; the frequency of interaction between the persons; and the duration of the relationship. Neither a casual acquaintance nor

ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute an “intimate relationship”; or

(g) any other category of individuals deemed to be a victim of domestic violence as defined by the office of children and family services in regulation.

3. “Parent” means a natural or adoptive parent or any individual lawfully charged with a minor child’s care or custody.

4. “Residential program for victims of domestic violence” means any residential care program certified by the department and operated by a not-for-profit organization in accordance with the regulations of the department for the purpose of providing emergency shelter, services and care to victims of domestic violence. Residential programs for victims of domestic violence shall include, but shall not be limited to:

(a) “Domestic violence shelters”, which shall include any residential care facility organized for the exclusive purpose of providing emergency shelter, services and care to victims of domestic violence and their minor children, if any;

(b) “Domestic violence programs” which shall include any facility which otherwise meets or would meet the requirements of paragraph (a) of this subdivision, except that victims of domestic violence and their minor children, if any, constitute at least seventy percent of the clientele of such program; and

(c) “Safe home networks” which shall include any organized network of private homes offering emergency shelter and services to victims of domestic violence and their minor children, if any. Such network shall be coordinated by a not-for-profit organization.

5. “Non-residential program for victims of domestic violence” means any program operated by a not-for-profit organization, for the purpose of providing non-residential services to victims of domestic violence, including, but not limited to, information and referral services, advocacy, counseling, and community education and outreach activities and providing or arranging for hotline services. Victims of domestic violence and their children, if any, shall constitute at least seventy percent of the clientele of such programs.

**Dating Violence:** The state of New York does not have a separate definition of dating violence, but includes a definition that would encompass dating violence under the domestic violence statute 459-A, sub 2f, restated here:

(f) persons who are not related by consanguinity or affinity and who are or have been in an intimate relationship regardless of whether such persons have lived together at any time. Factors that may be considered in determining whether a relationship is an “intimate relationship” include, but are not limited to: the nature or type of relationship, regardless of whether the relationship is sexual in nature; the frequency of interaction between the persons; and the duration of the relationship. Neither a casual acquaintance nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute an “intimate relationship”;

**Sexual Assault:**

The state of New York defines sexual assault as follows:

S 130.20 Sexual misconduct.

A person is guilty of sexual misconduct when:

1. He or she engages in sexual intercourse with another person without such person's consent; or
2. He or she engages in oral sexual conduct or anal sexual conduct with another person without such person's consent; or
3. He or she engages in sexual conduct with an animal or a dead human body.

Sexual misconduct is a class A misdemeanor.

S 130.25 Rape in the third degree.

A person is guilty of rape in the third degree when:

1. He or she engages in sexual intercourse with another person who is incapable of consent by reason of some factor other than being less than seventeen years old;
2. Being twenty-one years old or more, he or she engages in sexual intercourse with another person less than seventeen years old; or
3. He or she engages in sexual intercourse with another person without such person's consent where such lack of consent is by reason of some factor other than incapacity to consent.

Rape in the third degree is a class E felony.

S 130.30 Rape in the second degree.

A person is guilty of rape in the second degree when:

1. being eighteen years old or more, he or she engages in sexual intercourse with another person less than fifteen years old; or
2. he or she engages in sexual intercourse with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated.

It shall be an affirmative defense to the crime of rape in the second degree as defined in subdivision one of this section that the defendant was less than four years older than the victim at the time of the act.

Rape in the second degree is a class D felony.

S 130.35 Rape in the first degree.

A person is guilty of rape in the first degree when he or she engages in sexual intercourse with another person:

1. By forcible compulsion; or
2. Who is incapable of consent by reason of being physically helpless;  
or
3. Who is less than eleven years old; or
4. Who is less than thirteen years old and the actor is eighteen years old or more.

Rape in the first degree is a class B felony.

#### S 130.40 Criminal sexual act in the third degree.

A person is guilty of criminal sexual act in the third degree when:

1. He or she engages in oral sexual conduct or anal sexual conduct with a person who is incapable of consent by reason of some factor other than being less than seventeen years old;
2. Being twenty-one years old or more, he or she engages in oral sexual conduct or anal sexual conduct with a person less than seventeen years old; or
3. He or she engages in oral sexual conduct or anal sexual conduct with another person without such person's consent where such lack of consent is by reason of some factor other than incapacity to consent. Criminal sexual act in the third degree is a class E felony.

#### S 130.45 Criminal sexual act in the second degree.

A person is guilty of criminal sexual act in the second degree when:

1. being eighteen years old or more, he or she engages in oral sexual conduct or anal sexual conduct with another person less than fifteen years old; or
2. he or she engages in oral sexual conduct or anal sexual conduct with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated.

It shall be an affirmative defense to the crime of criminal sexual act in the second degree as defined in subdivision one of this section that the defendant was less than four years older than the victim at the time of the act.

Criminal sexual act in the second degree is a class D felony.

#### S 130.50 Criminal sexual act in the first degree.

A person is guilty of criminal sexual act in the first degree when he or she engages in oral sexual conduct or anal sexual conduct with another person:

1. By forcible compulsion; or

2. Who is incapable of consent by reason of being physically helpless;  
or
3. Who is less than eleven years old; or
4. Who is less than thirteen years old and the actor is eighteen years old or more.

Criminal sexual act in the first degree is a class B felony.

#### S 130.52 Forcible touching.

A person is guilty of forcible touching when such person intentionally, and for no legitimate purpose, forcibly touches the sexual or other intimate parts of another person for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor's sexual desire.

For the purposes of this section, forcible touching includes squeezing, grabbing or pinching.

Forcible touching is a class A misdemeanor.

#### S 130.53 Persistent sexual abuse.

A person is guilty of persistent sexual abuse when he or she commits the crime of forcible touching, as defined in section 130.52 of this article, sexual abuse in the third degree, as defined in section 130.55 of this article, or sexual abuse in the second degree, as defined in section 130.60 of this article, and, within the previous ten year period, excluding any time during which such person was incarcerated for any reason, has been convicted two or more times, in separate criminal transactions for which sentence was imposed on separate occasions, of forcible touching, as defined in section 130.52 of this article, sexual abuse in the third degree as defined in section 130.55 of this article, sexual abuse in the second degree, as defined in section 130.60 of this article, or any offense defined in this article, of which the commission or attempted commission thereof is a felony.

Persistent sexual abuse is a class E felony.

#### S 130.55 Sexual abuse in the third degree.

A person is guilty of sexual abuse in the third degree when he or she subjects another person to sexual contact without the latter's consent; except that in any prosecution under this section, it is an affirmative defense that (a) such other person's lack of consent was due solely to incapacity to consent by reason of being less than seventeen years old, and (b) such other person was more than fourteen years old, and (c) the defendant was less than five years older than such other person.

Sexual abuse in the third degree is a class B misdemeanor.



S 130.60 Sexual abuse in the second degree.

A person is guilty of sexual abuse in the second degree when he or she subjects another person to sexual contact and when such other person is:

1. Incapable of consent by reason of some factor other than being less than seventeen years old; or
2. Less than fourteen years old.

Sexual abuse in the second degree is a class A misdemeanor.

S 130.65 Sexual abuse in the first degree.

A person is guilty of sexual abuse in the first degree when he or she subjects another person to sexual contact:

1. By forcible compulsion; or
2. When the other person is incapable of consent by reason of being physically helpless; or
3. When the other person is less than eleven years old; or
4. When the other person is less than thirteen years old and the actor is twenty-one years old or older.

Sexual abuse in the first degree is a class D felony.

S 130.65-a Aggravated sexual abuse in the fourth degree.

1. A person is guilty of aggravated sexual abuse in the fourth degree when:

(a) He or she inserts a foreign object in the vagina, urethra, penis, rectum or anus of another person and the other person is incapable of consent by reason of some factor other than being less than seventeen years old; or

(b) He or she inserts a finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person and such person is incapable of consent by reason of some factor other than being less than seventeen years old.

2. Conduct performed for a valid medical purpose does not violate the provisions of this section.

Aggravated sexual abuse in the fourth degree is a class E felony.

S 130.66 Aggravated sexual abuse in the third degree.

1. A person is guilty of aggravated sexual abuse in the third degree when he or she inserts a foreign object in the vagina, urethra, penis, rectum or anus of another person:

(a) By forcible compulsion; or

(b) When the other person is incapable of consent by reason of being physically helpless; or

(c) When the other person is less than eleven years old.

2. A person is guilty of aggravated sexual abuse in the third degree when he or she inserts a foreign object in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person and such person is incapable of consent by reason of being mentally disabled or mentally incapacitated.

3. Conduct performed for a valid medical purpose does not violate the provisions of this section.

Aggravated sexual abuse in the third degree is a class D felony.

S 130.67 Aggravated sexual abuse in the second degree.

1. A person is guilty of aggravated sexual abuse in the second degree when he or she inserts a finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person:

(a) By forcible compulsion; or

(b) When the other person is incapable of consent by reason of being physically helpless; or

(c) When the other person is less than eleven years old.

2. Conduct performed for a valid medical purpose does not violate the provisions of this section.

Aggravated sexual abuse in the second degree is a class C felony.

S 130.70 Aggravated sexual abuse in the first degree.

1. A person is guilty of aggravated sexual abuse in the first degree when he or she inserts a foreign object in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person:

(a) By forcible compulsion; or

(b) When the other person is incapable of consent by reason of being physically helpless; or

(c) When the other person is less than eleven years old.

2. Conduct performed for a valid medical purpose does not violate the provisions of this section.

Aggravated sexual abuse in the first degree is a class B felony.

S 130.75 Course of sexual conduct against a child in the first degree.

1. A person is guilty of course of sexual conduct against a child in

the first degree when, over a period of time not less than three months in duration:

(a) he or she engages in two or more acts of sexual conduct, which includes at least one act of sexual intercourse, oral sexual conduct, anal sexual conduct or aggravated sexual contact, with a child less than eleven years old; or

(b) he or she, being eighteen years old or more, engages in two or more acts of sexual conduct, which include at least one act of sexual intercourse, oral sexual conduct, anal sexual conduct or aggravated sexual contact, with a child less than thirteen years old.

2. A person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charged offense occurred outside the time period charged under this section.

Course of sexual conduct against a child in the first degree is a class B felony.

S 130.80 Course of sexual conduct against a child in the second degree.

1. A person is guilty of course of sexual conduct against a child in the second degree when, over a period of time not less than three months in duration:

(a) he or she engages in two or more acts of sexual conduct with a child less than eleven years old; or

(b) he or she, being eighteen years old or more, engages in two or more acts of sexual conduct with a child less than thirteen years old.

2. A person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charged offense occurred outside the time period charged under this section.

Course of sexual conduct against a child in the second degree is a class D felony.

S 130.85 Female genital mutilation.

1. A person is guilty of female genital mutilation when:

(a) a person knowingly circumcises, excises, or infibulates the whole or any part of the labia majora or labia minora or clitoris of another person who has not reached eighteen years of age; or

(b) being a parent, guardian or other person legally responsible and charged with the care or custody of a child less than eighteen years old, he or she knowingly consents to the circumcision, excision or infibulation of whole or part of such child's labia majora or labia minora or clitoris.

2. Such circumcision, excision, or infibulation is not a violation of this

section if such act is:

(a) necessary to the health of the person on whom it is performed, and is performed by a person licensed in the place of its performance as a medical practitioner; or

(b) performed on a person in labor or who has just given birth and is performed for medical purposes connected with that labor or birth by a person licensed in the place it is performed as a medical practitioner, midwife, or person in training to become such a practitioner or midwife.

3. For the purposes of paragraph (a) of subdivision two of this section, no account shall be taken of the effect on the person on whom such procedure is to be performed of any belief on the part of that or any other person that such procedure is required as a matter of custom or ritual.

Female genital mutilation is a class E felony.

#### S 130.90 Facilitating a sex offense with a controlled substance.

A person is guilty of facilitating a sex offense with a controlled substance when he or she:

1. knowingly and unlawfully possesses a controlled substance or any preparation, compound, mixture or substance that requires a prescription to obtain and administers such substance or preparation, compound, mixture or substance that requires a prescription to obtain to another person without such person's consent and with intent to commit against such person conduct constituting a felony defined in this article; and

2. commits or attempts to commit such conduct constituting a felony defined in this article.

Facilitating a sex offense with a controlled substance is a class D felony.

#### S 130.91 Sexually motivated felony.

1. A person commits a sexually motivated felony when he or she commits a specified offense for the purpose, in whole or substantial part, of his or her own direct sexual gratification.

2. A "specified offense" is a felony offense defined by any of the following provisions of this chapter: assault in the second degree as defined in section 120.05, assault in the first degree as defined in section 120.10, gang assault in the second degree as defined in section 120.06, gang assault in the first degree as defined in section 120.07, stalking in the first degree as defined in section 120.60, strangulation in the second degree as defined in section 121.12, strangulation in the first degree as defined in section 121.13, manslaughter in the second degree as defined in subdivision one of

section 125.15, manslaughter in the first degree as defined in section 125.20, murder in the second degree as defined in section 125.25, aggravated murder as defined in section 125.26, murder in the first degree as defined in section 125.27, kidnapping in the second degree as defined in section 135.20, kidnapping in the first degree as defined in section 135.25, burglary in the third degree as defined in section 140.20, burglary in the second degree as defined in section 140.25, burglary in the first degree as defined in section 140.30, arson in the second degree as defined in section 150.15, arson in the first degree as defined in section 150.20, robbery in the third degree as defined in section 160.05, robbery in the second degree as defined in section 160.10, robbery in the first degree as defined in section 160.15, promoting prostitution in the second degree as defined in section 230.30, promoting prostitution in the first degree as defined in section 230.32, compelling prostitution as defined in section 230.33, disseminating indecent material to minors in the first degree as defined in section 235.22, use of a child in a sexual performance as defined in section 263.05, promoting an obscene sexual performance by a child as defined in section 263.10, promoting a sexual performance by a child as defined in section 263.15, or any felony attempt or conspiracy to commit any of the foregoing offenses.

#### S 130.92 Sentencing.

1. When a person is convicted of a sexually motivated felony pursuant to this article, and the specified felony is a violent felony offense, as defined in section 70.02 of this chapter, the sexually motivated felony shall be deemed a violent felony offense.
2. When a person is convicted of a sexually motivated felony pursuant to this article, the sexually motivated felony shall be deemed to be the same offense level as the specified offense the defendant committed.
3. Persons convicted of a sexually motivated felony as defined in section 130.91 of this article, must be sentenced in accordance with the provisions of section 70.80 of this chapter.

#### S 130.95 Predatory sexual assault.

A person is guilty of predatory sexual assault when he or she commits the crime of rape in the first degree, criminal sexual act in the first degree, aggravated sexual abuse in the first degree, or course of sexual conduct against a child in the first degree, as defined in this article,

and when:

1. In the course of the commission of the crime or the immediate flight therefrom, he or she:
  - (a) Causes serious physical injury to the victim of such crime; or

(b) Uses or threatens the immediate use of a dangerous instrument;  
or

2. He or she has engaged in conduct constituting the crime of rape in the first degree, criminal sexual act in the first degree, aggravated sexual abuse in the first degree, or course of sexual conduct against a child in the first degree, as defined in this article, against one or more additional persons; or

3. He or she has previously been subjected to a conviction for a felony defined in this article, incest as defined in section 255.25 of this chapter or use of a child in a sexual performance as defined in section 263.05 of this chapter.

Predatory sexual assault is a class A-II felony.

S 130.96 Predatory sexual assault against a child.

A person is guilty of predatory sexual assault against a child when, being eighteen years old or more, he or she commits the crime of rape in the first degree, criminal sexual act in the first degree, aggravated sexual abuse in the first degree, or course of sexual conduct against a child in the first degree, as defined in this article, and the victim is less than thirteen years old.

Predatory sexual assault against a child is a class A-II felony.

***Stalking:***

The state of New York defines stalking as follows:

§ 120.45 Stalking in the fourth degree.

A person is guilty of stalking in the fourth degree when he or she intentionally, and for no legitimate purpose, engages in a course of conduct directed at a specific person, and knows or reasonably should know that such conduct:

1. is likely to cause reasonable fear of material harm to the physical health, safety or property of such person, a member of such person's immediate family or a third party with whom such person is acquainted;

or

2. causes material harm to the mental or emotional health of such person, where such conduct consists of following, telephoning or initiating communication or contact with such person, a member of such person's immediate family or a third party with whom such person is acquainted, and the actor was previously clearly informed to cease that conduct; or

3. is likely to cause such person to reasonably fear that his or her employment, business or career is threatened, where such conduct consists of appearing, telephoning or initiating communication or

contact at such person's place of employment or business, and the actor was previously clearly informed to cease that conduct.

For the purposes of subdivision two of this section, "following" shall include the unauthorized tracking of such person's movements or location through the use of a global positioning system or other device.

Stalking in the fourth degree is a class B misdemeanor.

#### § 120.50 Stalking in the third degree.

A person is guilty of stalking in the third degree when he or she:

1. Commits the crime of stalking in the fourth degree in violation of section 120.45 of this article against three or more persons, in three or more separate transactions, for which the actor has not been previously convicted; or
2. Commits the crime of stalking in the fourth degree in violation of section 120.45 of this article against any person, and has previously been convicted, within the preceding ten years of a specified predicate crime, as defined in subdivision five of section 120.40 of this article, and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or
3. With intent to harass, annoy or alarm a specific person, intentionally engages in a course of conduct directed at such person which is likely to cause such person to reasonably fear physical injury or serious physical injury, the commission of a sex offense against, or the kidnapping, unlawful imprisonment or death of such person or a member of such person's immediate family; or
4. Commits the crime of stalking in the fourth degree and has previously been convicted within the preceding ten years of stalking in the fourth degree.

Stalking in the third degree is a class A misdemeanor.

#### § 120.55 Stalking in the second degree.

A person is guilty of stalking in the second degree when he or she:

1. Commits the crime of stalking in the third degree as defined in subdivision three of section 120.50 of this article and in the course of and in furtherance of the commission of such offense: (i) displays, or possesses and threatens the use of, a firearm, pistol, revolver, rifle, shotgun, machine gun, electronic dart gun, electronic stun gun, cane sword, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, chuka stick, sand bag, sandclub, slingshot, slungshot, shirken, "Kung Fu Star", dagger, dangerous knife, dirk, razor, stiletto, imitation pistol, dangerous instrument, deadly instrument or deadly weapon; or (ii) displays what appears to be a pistol, revolver, rifle, shotgun, machine

gun or other firearm; or

2. Commits the crime of stalking in the third degree in violation of subdivision three of section 120.50 of this article against any person, and has previously been convicted, within the preceding five years of a specified predicate crime as defined in subdivision five of section

120.40 of this article and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or

3. Commits the crime of stalking in the fourth degree and has previously been convicted of stalking in the third degree as defined in subdivision four of section 120.50 of this article against any person; or

4. Being twenty-one years of age or older, repeatedly follows a person under the age of fourteen or engages in a course of conduct or repeatedly commits acts over a period of time intentionally placing or attempting to place such person who is under the age of fourteen in reasonable fear of physical injury, serious physical injury or death; or

5. Commits the crime of stalking in the third degree, as defined in subdivision three of section 120.50 of this article, against ten or more persons, in ten or more separate transactions, for which the actor has not been previously convicted.

Stalking in the second degree is a class E felony.

§ 120.60 Stalking in the first degree.

A person is guilty of stalking in the first degree when he or she commits the crime of stalking in the third degree as defined in subdivision three of section 120.50 or stalking in the second degree as defined in section 120.55 of this article and, in the course and furtherance thereof, he or she:

1. intentionally or recklessly causes physical injury to the victim of such crime; or

2. commits a class A misdemeanor defined in article one hundred thirty of this chapter, or a class E felony defined in section 130.25, 130.40

or 130.85 of this chapter, or a class D felony defined in section 130.30

or 130.45 of this chapter.

Stalking in the first degree is a class D felony.

**Consent:**

The state of New York defines consent, in relation to sexual activity, as follows:

NYS Penal Law S 130.05 Sex offenses; lack of consent.

1. Whether or not specifically stated, it is an element of every offense defined in this article that the sexual act was committed without consent of the victim.



2. Lack of consent results from:

(a) Forcible compulsion; or

(b) Incapacity to consent; or

(c) Where the offense charged is sexual abuse or forcible touching, any circumstances, in addition to forcible compulsion or incapacity to consent, in which the victim does not expressly or impliedly acquiesce in the actor's conduct; or

(d) Where the offense charged is rape in the third degree as defined in subdivision three of section 130.25, or criminal sexual act in the third degree as defined in subdivision three of section 130.40, in addition to forcible compulsion, circumstances under which, at the time of the act of intercourse, oral sexual conduct or anal sexual conduct, the victim clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor's situation would have understood such person's words and acts as an expression of lack of consent to such act under all the circumstances.

3. A person is deemed incapable of consent when he or she is:

(a) less than seventeen years old; or

(b) mentally disabled; or

(c) mentally incapacitated; or

(d) physically helpless; or

(e) committed to the care and custody or supervision of the state department of corrections and community supervision or a hospital, as such term is defined in subdivision two of section four hundred of the correction law, and the actor is an employee who knows or reasonably should know that such person is committed to the care and custody or supervision of such department or hospital. For purposes of this paragraph, "employee" means (i) an employee of the state department of corrections and community supervision who, as part of his or her employment, performs duties: (A) in a state correctional facility in which the victim is confined at the time of the offense consisting of providing custody, medical or mental health services, counseling services, educational programs, vocational training, institutional parole services or direct supervision to inmates; or

(B) of supervising persons released on community supervision and supervises the victim at the time of the offense or has supervised the victim and the victim is still under community supervision at the time of the offense; or

(ii) an employee of the office of mental health who, as part of his or her employment, performs duties in a state correctional facility or hospital, as such term is defined in subdivision two of section four hundred of the correction law in which the inmate is confined at the time of the offense, consisting of providing custody, medical or mental health services, or direct supervision to such inmates; or

(iii) a person, including a volunteer, providing direct services to inmates in a state correctional facility in which the victim is confined at the time of the offense pursuant to a contractual arrangement with the state department of corrections and community supervision or, in the case of a volunteer, a written agreement with such department, provided that the person received written notice concerning the provisions of this paragraph; or

(f) committed to the care and custody of a local correctional facility, as such term is defined in subdivision two of section forty of the correction law, and the actor is an employee, not married to such person, who knows or reasonably should know that such person is committed to the care and custody of such facility. For purposes of this paragraph, "employee" means an employee of the local correctional facility where the person is committed who performs professional duties consisting of providing custody, medical or mental health services, counseling services, educational services, or vocational training for inmates. For purposes of this paragraph, "employee" shall also mean a person, including a volunteer or a government employee of the state department of corrections and community supervision or a local health, education or probation agency, providing direct services to inmates in the local correctional facility in which the victim is confined at the time of the offense pursuant to a contractual arrangement with the local correctional department or, in the case of such a volunteer or government employee, a written agreement with such department, provided that such person received written notice concerning the provisions of this paragraph; or

(g) committed to or placed with the office of children and family services and in residential care, and the actor is an employee, not married to such person, who knows or reasonably should know that such person is committed to or placed with such office of children and family services and in residential care. For purposes of this paragraph, "employee" means an employee of the office of children and family services or of a residential facility in which such person is committed to or placed at the time of the offense who, as part of his or her employment, performs duties consisting of providing custody, medical or mental health services, counseling services, educational services, vocational training, or direct supervision to persons committed to or placed in a residential facility operated by the office of children and family services; or

(h) a client or patient and the actor is a health care provider or mental health care provider charged with rape in the third degree as defined in section 130.25, criminal sexual act in the third degree as defined in section 130.40, aggravated sexual abuse in the fourth degree as defined in section 130.65-a, or sexual abuse in the third degree as defined in section 130.55, and the act of sexual conduct occurs during a treatment session, consultation, interview, or examination; or

(i) a resident or inpatient of a residential facility operated, licensed or

certified by (i) the office of mental health; (ii) the office for people with developmental disabilities; or (iii) the office of alcoholism and substance abuse services, and the actor is an employee of the facility not married to such resident or inpatient. For purposes of this paragraph, "employee" means either: an employee of the agency operating the residential facility, who knows or reasonably should know that such person is a resident or inpatient of such facility and who provides direct care services, case management services, medical or other clinical services, habilitative services or direct supervision of the residents in the facility in which the resident resides; or an officer or other employee, consultant, contractor or volunteer of the residential facility, who knows or reasonably should know that the person is a resident of such facility and who is in direct contact with residents or inpatients; provided, however, that the provisions of this paragraph shall only apply to a consultant, contractor or volunteer providing services pursuant to a contractual arrangement with the agency operating the residential facility or, in the case of a volunteer, a written agreement with such facility, provided that the person received written notice concerning the provisions of this paragraph; provided further, however, "employee" shall not include a person with a developmental disability who is or was receiving services and is also an employee of a service provider and who has sexual contact with another service recipient who is a consenting adult who has consented to such contact.

S 130.10 Sex offenses; limitation; defenses.

1. In any prosecution under this article in which the victim's lack of consent is based solely upon his or her incapacity to consent because he or she was mentally disabled, mentally incapacitated or physically helpless, it is an affirmative defense that the defendant, at the time he or she engaged in the conduct constituting the offense, did not know of the facts or conditions responsible for such incapacity to consent.

2. Conduct performed for a valid medical or mental health care purpose shall not constitute a violation of any section of this article in which incapacity to consent is based on the circumstances set forth in paragraph (h) of subdivision three of section 130.05 of this article.

3. In any prosecution for the crime of rape in the third degree as defined in section 130.25, criminal sexual act in the third degree as defined in section 130.40, aggravated sexual abuse in the fourth degree as defined in section 130.65-a, or sexual abuse in the third degree as defined in section 130.55 in which incapacity to consent is based on the circumstances set forth in paragraph (h) of subdivision three of section 130.05 of this article it shall be an affirmative defense that the client or patient consented to such conduct charged after having been expressly advised by the health care or mental health care provider that such conduct was not performed for a valid medical purpose.

4. In any prosecution under this article in which the victim's lack of consent is based solely on his or her incapacity to consent because he or she was less than seventeen years old, mentally disabled, a client or patient and the actor is a health care provider, or committed to the care and custody or supervision of the state department of corrections and community supervision or a hospital and the actor is an employee, it shall be a defense that the defendant was married to the victim as defined in subdivision 4 of section 130.00 of this article.

# Consent: The Institution's Definition of Consent Within Its Title IX Policy and Procedures Is as Follows:

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

- Consent can be given by words or actions, as long as those words or actions clearly communicate willingness to engage in the sexual activity. It is important not to make assumptions about consent. If there is confusion or ambiguity, participants need to stop sexual activity and communicate about each person's willingness to continue.
- Consent cannot be procured by the use of physical force, compulsion, threats, intimidating behavior, or coercion.
- Consent cannot be obtained from, or given by, a person who is incapacitated. 4
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- Consent to engage in sexual conduct with one person does not imply consent to engage in sexual conduct with another person.
- Silence or the lack of resistance, in and of itself, does not demonstrate consent. Again, it is important not to make assumptions; if confusion or ambiguity arises during a sexual interaction, it is essential that each participant stops and clarifies the other's willingness to continue engaging in sexual conduct.
- Consent can be withdrawn at any time, including after it is initially given. When consent is withdrawn or can no longer be given, sexual activity must stop.
- Previous relationships or previous consent for sexual activity is not consent to sexual activity at another time. However, established patterns of consent in a specific relationship may be considered when evaluating whether affirmative consent was given on a particular occasion.
- Accepting a meal, a gift, or an invitation to socialize, including on dating apps, does not imply or constitute consent to sexual activity.
- The definition of consent does not vary based on a participant's sex, sexual orientation, gender identity, gender expression or relationship status.

## How to Be an Active Bystander

If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.

Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.

Speak up when someone discusses plans to take sexual advantage of another person. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking. Refer people to on or off-campus resources listed in this document for support in health, counseling, or with legal assistance.

The Office of Public Safety encourages the *Step UP! Bystander Intervention Model* as a guide:

## What Is a Bystander?

All of us are bystanders when we observe actions or situations that jeopardize someone's safety or well-being. One way to create a safe and healthy community is to be a *prosocial bystander* by taking action to help others. Being a prosocial bystander means being aware of what's happening around you and learning how to step in safely or seek help from others.

## How Can I Intervene?

Stepping in can look like a lot of different things:

- telling a friend that you find their language offensive
- leaving a party early with a friend who is intoxicated to make sure they arrive home safely
- asking someone to go to the bathroom together so you can check in

Step UP! Bystander Intervention teaches five basic steps:

1. Notice the event
2. Interpret the situation as a problem
3. Assume personal responsibility
4. Know how to help
5. Step up!

## Tips for Intervening Safely

- Consider which intervention style is best:
  - **Direct**—directly interacting with the people involved
  - **Indirect**—asking others to intervene on your behalf, such as calling 911
  - **Distract**—creating a diversion to diffuse the situation
- Be aware of safety; never put yourself in harm's way.
- Intervene early, if you can, before the problem becomes a crisis.
- Remain calm while gathering information and providing the support you can.

## ADDITIONAL RESOURCES

[Columbia University: Sexual Respect](#)

[Step UP! Bystander Intervention](#)

# Risk Reduction

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org/](http://www.rainn.org/))

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cash money.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
- Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
- If you need to get out of an uncomfortable or scary situation here are some things that you can try:
- Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
- Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
- Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
- Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.

- Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
- If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.





# Gender-Based Misconduct

Under the Clery Act and New York State Education Law 129-B, gender-based misconduct includes sexual assault, domestic violence, dating violence, and stalking.

Gender-based misconduct includes a broad range of behaviors focused on sex and/or gender that may or may not be sexual in nature.

Gender-based misconduct can occur between strangers, acquaintances, or people who know each other well, including between people involved in an intimate or sexual relationship.

Gender-based misconduct can be committed by anyone regardless of gender identity and can occur between people of the same or different sex or gender.

Teachers College and Columbia University policies address a broad range of gender-based misconduct, including additional categories of prohibited conduct and some broader definitions of Clery Act terms.

While the Clery Act requires that only offenses reported as having occurred within “Clery geography” are to be included in annual statistics, prohibitions on gender-based misconduct also apply to conduct with a reasonable connection to the College, including off-campus behavior and during study abroad.

Allegations of gender-based misconduct involving students are governed by the Columbia University Gender-Based Misconduct Policy and Procedures for Students. This policy, which covers students at Teachers College, Barnard College, and Columbia University, may be found at [sexualrespect.columbia.edu](https://www.tc.columbia.edu/policylibrary/diversity-and-community-affairs/-discrimination-and-harassment—policy-and-procedures/). Allegations involving other Teachers College community members, as well as other forms of discrimination and harassment, are governed by the Teachers College policy and procedures concerning discrimination and harassment:

<https://www.tc.columbia.edu/policylibrary/diversity-and-community-affairs/-discrimination-and-harassment—policy-and-procedures/>

Victims/survivors of sexual assault, domestic violence, dating violence or stalking have rights under the law and College policy including these rights:

- to make a report to campus security, local law enforcement, and/or state police or choose not to report.
- to report the incident to the College.
- to be protected by the College from retaliation for reporting an incident; and
- to receive assistance and resources from the College

New York State has established a more detailed bill of rights for student victims and survivors, available at [www.tc.columbia.edu/policylibrary/policies/student-bill-of-rights-for-victims-survivors-of-gender-based-violence-2400099/](http://www.tc.columbia.edu/policylibrary/policies/student-bill-of-rights-for-victims-survivors-of-gender-based-violence-2400099/).

As described in more detail in the Policies, the College and University have a range of resources and options for individuals affected by gender-based misconduct. The Columbia University (CU) Gender-Based Misconduct Office and the TC Title IX Coordinator can provide more details about these resources and options, including:

- Confidential Advocacy, Counseling, and Healthcare Services
- Assistance with reporting gender-based misconduct to the New York City Police Department, the District Attorney’s Office, or other appropriate law enforcement authorities.
- College and University procedures for reporting, investigating, resolving, and remedying gender-based misconduct.
- Procedures the College Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported

The College has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of

counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as changes to housing, academic, protective orders, transportation, and working situations, if reasonably available. The College will make such accommodations or protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the Office of Public Safety or local law enforcement. Students and employees should contact:

**Teachers College, Columbia University, Title IX Coordinator  
Janice Robinson, Esq.**

Vice President for Diversity and Community Affairs

128 Zankel

(212) 678-3732

[jrobinson@tc.columbia.edu](mailto:jrobinson@tc.columbia.edu)



**If a report of domestic violence, dating violence, sexual assault or stalking is reported to the College, below is a summary of the procedures that the College will follow:**

<b>Incident Being Reported</b>	<b>Procedure Institution will follow</b>
Sexual Assault	<ol style="list-style-type: none"> <li>1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care</li> <li>2. Institution will assess immediate safety needs of complainant</li> <li>3. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li> <li>4. Institution will provide complainant with referrals to on and off campus mental health providers</li> <li>5. Institution will assess need to implement interim or long-term protective measures, if appropriate.</li> <li>6. Institution will provide the victim with a written explanation of the victim’s rights and options</li> <li>7. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate</li> <li>8. Institution will provide written instructions on how to apply for Protective Order</li> <li>9. Institution will provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding timeframes for inquiry, investigation, and resolution</li> <li>10. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is</li> </ol> <p>Institution will enforce the anti- retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation</p>

Stalking	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options</li> <li>7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate</li> </ol>
Dating Violence	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options</li> <li>7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate</li> </ol>
Domestic Violence	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options</li> <li>7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate</li> </ol>

## **Assistance for Victims: Rights & Options**

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the College will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. Such written information will include:

- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred;
- information about how the institution will protect the confidentiality of victims and other necessary parties;
- a statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
- a statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- an explanation of the procedures for institutional disciplinary action

## **Accommodations and Interim Measures**

The CU Gender-Based Misconduct Office and TC Title IX Coordinator will work with those persons affected by gender-based misconduct to ensure their safety and well-being. Community members may request accommodations even where an investigation is not undertaken, or a party has declined to participate in a disciplinary or criminal process. Such a request is evaluated in light of the circumstances and information available at the time. Accommodations may include moving a residence, adjusting an academic or employment schedule, allowing a student to withdraw from or retake a class without penalty, and providing academic support.

The College may also take action through interim measures while an investigation or disciplinary process is pending. Interim measures, such as "no contact" directives, restrictions on a respondent's access to particular campus locations or activities, and temporary suspensions, may also be taken to ensure the safety of all involved and to protect the integrity of a pending investigation or disciplinary process.

## **Accommodations and Interim Measures for Others**

Where appropriate, the Teachers College Title IX Coordinator will work with individuals affected by gender-based misconduct to promote their safety and well-being. This assistance may include accommodations to support or protect an employee in the immediate aftermath of an incident and interim measures while an investigation or disciplinary action is pending. Interim measures may include reassignment, supervision, or scheduling changes. The Title IX Coordinator will evaluate the need and propriety for accommodations and interim measures in light of the circumstances and information available at the time.

The College provides written notification to individuals affected by gender-based misconduct about available assistance and how to request accommodations and interim measures, including academic, living, transportation, protective orders, and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

At the victim's request and to the extent of the victim's cooperation and consent, College offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, living, working, protective measures, or transportation situations, regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a

different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

To request changes to academic, living, transportation and/or working situations or protective measures, a victim should contact:

TC Title IX Coordinator at [jrobinson@tc.columbia.edu](mailto:jrobinson@tc.columbia.edu) or (212) 678-3732,

Employees who are victims should contact:

Human Resources Office at (212) 678-3175, or [hr@tc.columbia.edu](mailto:hr@tc.columbia.edu).

If the victim wishes to receive assistance in requesting these accommodations, they may contact the Office of Public Safety at 212-678-3220, or email [publicsafety@tc.edu](mailto:publicsafety@tc.edu).

Individuals affected by gender-based misconduct are also informed about visa and immigration assistance, student financial aid, and other relevant services that may be available to them.

The College prohibits retaliation against anyone who exercises their rights under Title IX, VAWA, the Clery Act or Article 129B. No officer, employee, agent, or student of the College may retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising such rights.

## Privacy and Confidentiality

Teachers College and Columbia University value the privacy of students, employees, and other community members. Community members should be able to seek assistance without fear that the information they provide will be shared more broadly. Federal and state laws, however, impose reporting obligations on faculty and staff that, in some circumstances, require them to share information from a report of gender-based misconduct with others at the College or University or with government authorities. Even when there is a reporting obligation, College and University employees will protect and respect an individual's privacy to the greatest extent possible and share information only on a need-to-know basis. The information provided to a non-confidential resource will be relayed only as necessary to investigate, seek a resolution, and/or protect the College community.

The College's publicly available record keeping, including Clery annual reports, crime logs, alerts or warnings, do not include personally identifiable information about victims/survivors or witnesses. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault, or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

Teachers College and Columbia University provide both confidential resources and non-confidential resources for individuals affected by gender-based misconduct. It is important to understand the difference between confidentiality and privacy:

**Privacy.** Federal and state laws impose reporting obligations, and most faculty and staff (other than those identified as confidential) are obligated to notify the Title IX Coordinator when they learn of an incident of gender-based misconduct. Teachers College and Columbia University resources who cannot guarantee confidentiality will protect your privacy to the greatest extent possible and share information only on a need-to-know basis to investigate, seek a resolution, and/or protect the College community.

**Confidentiality.** Some resources are confidential and will not share any identifying information with others except as required by law in emergency circumstances. These resources generally include licensed health care providers (acting in those capacities and not, for example, as professors), rape crisis counselors, and clergy. At Teachers College and Columbia University, Ombuds officers are also confidential resources.

**Requesting Confidentiality.** An individual who reports gender-based misconduct to a non-confidential employee may ask the TC Title IX Coordinator (or, where applicable, the CU Gender-Based Misconduct Office) that the individual's identity not be disclosed to anyone else, including the person who allegedly committed the misconduct.

While such a request may limit the ability to investigate and respond to the reported misconduct, the Title IX Coordinator will consider the request in light of the College's commitment to providing a safe and non-discriminatory environment and will honor the request when possible.

Whether or not it is possible to keep the individual's identity confidential, Teachers College and Columbia University officials will reveal information about investigations and proceedings related to gender-based misconduct only to those who need to know in order to carry out their duties and responsibilities.

All College community members participating in an investigation, proceeding, or hearing are expected to maintain the privacy of the process. This does not prohibit either a Complainant or Respondent from obtaining the assistance of family members, counselors, therapists, clergy, doctors, attorneys, or similar resources, nor does it prevent either party from discussing the incident itself.

By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain, as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

## **Campus and Community Resources**

### Confidential Resources

#### *Available to all students:*

Sexual Violence Response and Rape Crisis/Anti-Violence Support Center (SVR)  
2920 Broadway, Lerner Hall, 7th Floor  
(212) 854-HELP (4357) CUMC

Available 24 hours a day/365 days a year to assist students who have experienced sexual assault, dating violence, domestic violence, stalking, or other sexual violence. SVR provides crisis intervention and options for reporting and medical help. An advocate can accompany students to resources such as emergency rooms.

#### *Available to students who pay the Columbia Health Fee:*

##### CU Medical Services

Morningside Campus: 535 West 116th Street, 4th Floor John Jay Hall, (212) 854-7426 9 am—4:30 pm

CUMC Campus: Bard Hall Haven Tower 1, Suite B234 60 Haven Avenue (between 169th & 170th Street). (212) 305-3400

CU Counseling & Psychological Services Morningside Campus: 2920 Broadway, Lerner Hall, 8th Floor. (212) 854-2878

CUMC Campus: 60 Haven Avenue (between 169th & 170th Street) Bard Hall Haven Tower 1 Suite 1D. (212) 305-3400, (by appointment only)

CU Office of the University Chaplain (Pastoral Counseling) [ouc.columbia.edu](http://ouc.columbia.edu)

2920 Broadway, 710 Lerner Hall

(212) 854-1493

#### *Available to Teachers College employees:*

TC Employee Assistance Program (EAP) [mhn.advantageengagement.com](http://mhn.advantageengagement.com) (Code: TCEAP)

The EAP provides professional assistance to TC employees and immediate family to resolve personal and family problems on a confidential basis. They will also assist TC employees and their families with locating external counseling and other resources.

Available to all Teachers College community members:

TC College Ombuds [www.tc.columbia.edu/ombuds](http://www.tc.columbia.edu/ombuds) Email: [ombuds@tc.columbia.edu](mailto:ombuds@tc.columbia.edu)

#### Non-Confidential Resources

TC Public Safety

Whittier Hall, First Floor (212) 678-3333 (ext. 3333)

TC Title IX Coordinator Janice Robinson 128 Zankel, 212-678-3391

[jrobinson@tc.columbia.edu](mailto:jrobinson@tc.columbia.edu)

CU Gender-Based Misconduct Office

612 West 115th Street

800 Watson Hall

212-678-1717

*Requesting an Accommodation for a Disability related to gender-based misconduct:*

TC Office of Access and Services for Individuals with Disabilities

212-678-6611; (646)755-3144 Video; Zankel 301

#### Off Campus Resources

##### **New York City Police Department**

(24 hours a day/7 days a week)

**Emergency 911**

Sex Crimes Hotline 212-267-RAPE (7273)

Special Victims Unit 646-610-7272

##### **Manhattan District Attorney's Office**

Sex Crime Unit 212-335-9373

Domestic Violence Unit 212-335-4308

##### **Safe Horizon**

Rape, Sexual Assault & Incest Hotline 212-227-3000

Domestic Violence Hotline 1-800-621-HOPE (4673)

##### **Mt. Sinai/St. Luke's**

Emergency Room/SAFE Center:

1111 Amsterdam Avenue at 113th Street

##### **Crime Victim's Treatment Center**

212-523-4728 (by appointment only)

##### **New York Presbyterian—Columbia (NYP)**

Emergency Room: 622 West 168th Street

##### **DOVE: Domestic & Other Violence Project**

212-305-9060

##### **NYC Gay & Lesbian Anti-Violence Project**



212-714-1141

**NYC Family Justice Center**

<https://www.nyc.gov/site/ocdv/programs/family-justice-centers.page>

**Rape Abuse & Incest National Network**

800-656-HOPE [www.rainn.org](http://www.rainn.org)

**NYS Office of Victim Services**

800-247-8035 [ovs.ny.gov](http://ovs.ny.gov)



**Notice of On and Off Campus Services for Victims:**

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, the College will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement. These resources include the following:

## Additional Gender Based Misconduct Resources for Students:

### STUDENT CONDUCT AND COMMUNITY STANDARDS

#### GENDER-BASED MISCONDUCT RESOURCES FOR STUDENTS

##### ON-CAMPUS RESOURCES

The University Health Services Student Fee covers the on-campus resources that are available to students enrolled in their school's health service program. Services are available during normal business hours, 9:00 a.m.-5:00 p.m., unless otherwise noted.

##### CONFIDENTIAL

###### Sexual Violence Response & Rape Crisis/Anti-Violence Support Center\*

- **Morningside:** Alfred Lerner Hall, Suite 700
- **CUIMC:** 60 Haven Ave, Bard Hall, Suite 206
- **Barnard:** 105 Hewitt Hall, 1<sup>st</sup> Floor
- **Helpline:** 212-854-HELP (4357) (*Available 24 hours a day year-round*)

###### Ombuds Office

- **Morningside:** 660 Schermerhorn Ext. | 212-854-1234
- **CUIMC:** 154 Haven Ave, Room 412 | 212-304-7026

###### Medical Services

- **Morningside:** John Jay, 4<sup>th</sup> Floor | 212-854-7426 | Mon–Thur 9am-4:30pm | Fri 8am – 3:30pm
- **CUIMC:** 100 Haven Ave, Tower 2, 2<sup>nd</sup> Floor | 212-305-3400
- **Barnard:** Lower Level Brooks Hall | 212-854-2091

###### University Counseling and Psychological Services

- **Morningside:** Alfred Lerner Hall, 5<sup>th</sup> and 8<sup>th</sup> Floors | 212-854-2878
- **CUIMC:** 100 Haven Ave, Tower 2, 3<sup>rd</sup> Floor | 212-305-3400
- **Barnard:** 100 Hewitt Hall, 1<sup>st</sup> Floor | 212-854-2092  
After hours 855-622-1903

###### University Pastoral Counseling

- **Office of the University Chaplain:** (*Ordained Clergy*) W710 Lerner Hall | 212-854-1493
- **Columbia Religious Life:** (*Ordained Clergy*) 303 Earl Hall | 212-854-2184

###### Columbia Office of Disability Services (*Confidential Resource for Columbia Only*)

- **Morningside:** Wien Hall, Suite 108A | 212-854-2388
- **CUIMC:** 105 Bard Hall | 212-304-7029  
<http://www.health.columbia.edu/disability-services>

☑ Indicates that facility supports Teachers College.

The medical treatment resources listed above can provide treatment for injuries and for potential exposure to sexually transmitted diseases. They also provide emergency contraception and other health services. They can assist in preserving evidence or documenting any injuries, including by helping find a Sexual Assault Nurse Examiner, who is specially trained to collect evidence. Taking these steps promptly after an incident can be very helpful in later criminal proceedings and/or in seeking a protective order.

##### ADDITIONAL RESOURCES (NON-CONFIDENTIAL)

###### Student Conduct and Community Standards (“SCCS”)

- Case Management and Community Engagement  
[conductcm@columbia.edu](mailto:conductcm@columbia.edu) | 212-854-1717

###### Equal Opportunity and Affirmative Action (“EOAA”)

- [eoaa@columbia.edu](mailto:eoaa@columbia.edu) | 212-854-5511

###### University Title IX Coordinators

- **Columbia University:** Marjory Fisher, Associate Vice President | 201A Kent Hall | [mdf2166@columbia.edu](mailto:mdf2166@columbia.edu) | 212-853-1276
- **Barnard:** Dr. Elizabeth Scott-Francis, Director of Nondiscrimination and Title IX | Elliott Hall, 1<sup>st</sup> Floor | [escottfr@barnard.edu](mailto:escottfr@barnard.edu) | 212-854-0037
- **Teachers College:** Janice Robinson, Vice President for Diversity and Community Affairs | Zankel 128 | [jsr167@tc.columbia.edu](mailto:jsr167@tc.columbia.edu) | 212-678-3391

###### University Public Safety

- **Morningside:** 212-854-2797
- **Manhattanville:** 212-853-3301
- **CUIMC:** 212-305-8100
- **Barnard:** 212-854-3362
- **Teachers College:** 212-678-3333

###### International Students and Scholars Office (“ISSO”)

- 524 Riverside Drive, 1st Floor  
<https://isso.columbia.edu/> | 212-854-3587

###### Requesting Accommodations for a Disability at Barnard and Teacher’s College

- **Teachers College Office of Access and Services for Individuals with Disabilities:** Zankel 301  
<http://www.tc.columbia.edu/oasid> | 212-678-3689
- **Barnard Office of Disability Services:** 101 Althschul Hall  
<http://www.barnard.edu/disabilityservices> | 212-854-4634

## CONFIDENTIALITY PROTECTIONS & REPORTING OBLIGATIONS

Confidential resources will not share information with some exceptions. Exceptions to confidentiality are listed below.

TYPE	PERSONNEL	REPORTING OBLIGATIONS
CONFIDENTIAL	<b>University Chaplains</b> <i>(Ordained Clergy)</i>	<ul style="list-style-type: none"> <li>• None, unless acting in a role described below.</li> </ul>
	<b>Counseling and Psychological Services</b>	<ul style="list-style-type: none"> <li>• If a patient's clinical state poses a substantial risk of harm to the patient or others, as manifested by conduct, this resource must report to County Mental Health officials. (NY Mental Hygiene Law)</li> <li>• If there is reasonable cause to suspect that a minor has been sexually abused, this resource will report to the requisite state officials. (NY Social Services Law)</li> </ul>
	<b>Physicians and Other Health Professionals</b>	<ul style="list-style-type: none"> <li>• This resource will report incidents on an aggregate periodic basis without any identifying information to the Office to enable the University to understand the existence and extent of the problem. (Title IX)</li> <li>• If a patient's clinical state poses a substantial risk of harm to the patient or others, as manifested by conduct, these resources will report to New York County Mental Health officials. (NY Mental Hygiene Law)</li> <li>• If there is reasonable cause to suspect that a minor has been sexually abused, this resource will notify the requisite state officials. (NY Social Services Law)</li> </ul>
	<b>Sexual Violence Response &amp; Rape Crisis/Anti-Violence Support Center</b>	<ul style="list-style-type: none"> <li>• This resource will report incidents on an aggregate periodic basis without any identifying information to the Office to enable the University to understand the existence and extent of the problem. (Title IX)</li> <li>• If there is reasonable cause to suspect that a minor has been sexually abused, this resource will notify University leadership. (NY Social Services Law)</li> <li>• When disclosure may prevent harm to self or others where the danger is imminent (i.e. suicide or homicide) N.Y. [Mental Hygiene] Law</li> <li>• If there is reasonable cause to suspect abuse or neglect of an Incompetent or Physically Disabled Person (defined as persons who are unable to care for themselves because of physical disability, mental disease or defect). (Article 260, NYS Penal Law &amp; Soc. Services)</li> </ul>
	<b>Disability Services</b> <i>(for Columbia only)</i>	<ul style="list-style-type: none"> <li>• This resource will report incidents on an aggregate periodic basis <b>without any identifying information</b> to the Office to enable the University to understand the existence and extent of the problem. (Title IX)</li> </ul>
	<b>University Ombuds Offices</b>	<ul style="list-style-type: none"> <li>• If a patient's clinical state poses a substantial risk of harm to the patient or others, as manifested by conduct, these resources will report to New York County Mental Health officials. (NY Mental Hygiene Law)</li> <li>• If there is reasonable cause to suspect that a minor has been sexually abused, this resource will notify University leadership. (NY Social Services Law)</li> </ul>



## CONFIDENTIALITY PROTECTIONS & REPORTING OBLIGATIONS

Non-confidential resources are required to protect students' privacy to the greatest extent possible and will only disclose identifying information on a need-to-know basis.

TYPE	PERSONNEL	REPORTING OBLIGATIONS
<b>ADDITIONAL RESOURCES (NON-CONFIDENTIAL)</b>	<b>Student Conduct and Community Standards</b>	<ul style="list-style-type: none"> <li>• Unless a complainant requests otherwise and the request is granted, this resource will investigate and respond to reported gender-based misconduct incidents (Title IX)</li> <li>• If the incident may be a crime, this resource will report it without any identifying information to Campus Public Safety for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning. (Clery Act)</li> <li>• This resource will share information with University personnel who need to know it in order to carry out University policies and procedures</li> </ul>
	<b>Title IX Coordinators</b>	
	<b>Equal Opportunity and Affirmative Action</b>	
	<b>Public Safety Personnel</b>	<ul style="list-style-type: none"> <li>• Public Safety will report to the Office all information received about gender-based misconduct incidents so the University can investigate and respond. (Title IX)</li> <li>• If the incident may be a crime, Public Safety will include it in a crime log and annual crime statistics without identifying the alleged victim. (Clery Act)</li> <li>• If the incident may be a crime and poses a serious or continuing threat, Public Safety will issue an emergency notification or timely warning. (Clery Act)</li> <li>• If there is reasonable cause to suspect that a minor has been sexually abused, Public Safety will notify University leadership. (NY Social Services Law)</li> <li>• Public Safety will share information with University personnel who need to know it in order to carry out University policies and procedures</li> </ul>
<b>Other University Personnel</b>	<ul style="list-style-type: none"> <li>• Will report to the Office all information received about gender-based misconduct incidents so the University can investigate and respond. (Title IX)</li> <li>• If the incident may be a crime, a "campus security authority" will report it without any identifying information to Campus Public Safety for inclusion in the daily crime log and annual statistical report and for issuance of any required timely warning. (Clery Act)</li> <li>• If there is reasonable cause to suspect that a minor has been sexually abused, other University personnel will notify University leadership. (NY Social Services Law)</li> <li>• Other University personnel will share information with University personnel who need to know it in order to carry out University policies and procedures.</li> </ul>	
<b>Disability Services</b> <i>Barnard and Teacher's College</i>		

# Actions for Survivors of Sexual Assault and Gender-Based Violence

The College encourages all individuals affected by gender-based misconduct to seek immediate assistance. Seeking assistance promptly may be important to ensure physical safety or to obtain medical care or emotional or other support; it may also be necessary to preserve evidence, which can assist the College or law enforcement in responding effectively. Assistance is available twenty-four hours a day, seven days a week.

Survivors are urged to consider the following steps:

- 1. Get to a Safe Place.** After experiencing a traumatizing event such as a sexual assault, it can be important to find a place where you feel comfortable and safe from harm. This location could be a home, local hospital, friend's home, or police station.
- 2. Call for Assistance.** If you are concerned about your personal safety, call Teachers College Public Safety, 212-678-3333 (x3333 on-campus) or the NYC Police Department (NYPD) at 911 (off-campus) or go to a police station or hospital. Or call an Advocate from Sexual Violence Response and Rape Crisis/Anti-Violence Support Center (SVR), 212-854-HELP (4357), for confidential crisis intervention and to discuss options for reporting and medical help. An advocate can accompany students to resources such as emergency rooms.
- 3. Get Medical Attention and Preserve Evidence.** It is important that a person who has recently experienced violence receives prompt medical attention. Because physical injury is not always noticeable at first, it is important to get a medical examination and treatment as soon as possible. This may include screening and/or treatment for sexually transmitted infection and emergency contraception, if appropriate. A medical examination, particularly a free examination by a Sexual Assault Forensic Examiner (SAFE) can also preserve physical evidence. Survivors are encouraged to have physical evidence collected immediately, even if they are unsure about reporting to the police as they may later decide to do so. Evidence collection in NYC does not require you to file a police report. Survivors can decide whether to file charges later but can only preserve physical evidence now. Evidence is best collected as soon as possible and toxicology testing for date rape drugs is most effective within 72 hours of an assault. The evidence collection kit is turned over to the police only if a survivor chooses to report to the police during the period kept by the hospital. You can ask for a Sexual Assault Forensic Examiner (SAFE) at any emergency room. Mt. Sinai/ St. Luke's Hospital (near the Teachers College campus) has a SAFE available 24/7 at 1111 Amsterdam Ave at 113th Street. The medical exam and collection of forensic evidence are done simultaneously. If possible, avoid drinking, eating, showering, brushing teeth, combing hair or changing clothes before seeing a SAFE. But if you have done any of these things, evidence can still be collected, and it remains important to seek medical attention. Any clothing removed should be placed in a paper bag and brought with you. Evidence of violence, such as bruising or other visible injuries, should be documented including through the preservation of evidence. Evidence of stalking, including communication such as written notes, voice mail, or other electronic communications should be saved and not altered in any way. As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Campus Public Safety or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the College at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.
- 4. Get Support or Counseling Services.** The safety and well-being of survivors are of paramount importance. The College strongly encourages survivors to contact trained professionals for emotional

support, medical services, and advocacy as soon as possible. Counseling is often helpful for survivors because it provides a safe place to talk about your experience and your feelings. Campus and off-campus support options, including confidential options, are listed on pages 20–22.

5. **File a Report with Local Law Enforcement.** The College urges survivors to consider reporting sexual assaults and other gender-based violence to local law enforcement authorities. New York City Police Department may also be reached directly by calling 911, in person at the 26<sup>th</sup> Precinct at 520 W 126th St, New York, NY 10027. The 26<sup>th</sup> Precinct Telephone number is (212) 678-1311. Additional information about the New York Police department may be found online at <https://www.nyc.gov/site/nypd/bureaus/patrol/precincts/26th-precinct.page>.
6. If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, Janice Robinson, office located at 128 Zankel, telephone (212) 678-3391, email [jrobinson@tc.columbia.edu](mailto:jrobinson@tc.columbia.edu), by calling, writing or coming into the office to report in person and the Office of Public Safety (if the victim so desires.) Reports of all domestic violence, dating violence, sexual assault and stalking made to the Office of Public Safety will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.
7. Sexual Violence Response (SVR), the Gender-Based Misconduct Office, Teachers College’s Title IX Coordinator, Public Safety and/or Residential Services personnel can advise the survivor about the reporting process and may accompany the survivor or identify someone else who may accompany the survivor to local law enforcement.
8. Although the College strongly encourages filing a report with local law enforcement authorities, the choice is the survivors, and they have the right to decline to notify law enforcement.
9. **Consider Obtaining an Order of Protection.** Under New York law, victims/survivors of sexual assault, domestic violence, dating violence and stalking may seek a Family Court order of protection. You can file a petition in Family Court for an order of protection if you:
  - are related to the respondent (accused) by blood or marriage;
  - are or were legally married to the respondent (accused);
  - have a child with the respondent (accused); or
  - are or were in an intimate relationship with the respondent (accused).

## Orders of Protection

If you are not eligible for a Family Court order of protection, you may still be eligible for a criminal court order of protection.

The NYC Family Justice Center, with locations throughout New York City, can assist with obtaining an order of protection and other services. <https://www.nyc.gov/site/ocdv/programs/family-justice-centers.page>

The College complies with New York State law in recognizing orders of protection by notifying the New York City Police Department if an order is violated. Any person who obtains an order of protection from New York State or any reciprocal state should provide a copy to Office of Public Safety and the Office of the Title IX Coordinator. A complainant may then meet with the Office of Public Safety to develop a Safety Action Plan, which is a plan for campus public safety personnel and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc.)

The College cannot apply for a legal order of protection, no contact order or restraining order on behalf of a victim from the applicable jurisdiction(s). The victim is required to apply directly for these services through

the NYS Courts. To learn more about applying for an Order of Protection, please visit <https://www.nycourts.gov/fag/orderOfProtection.shtml>.

Orders of protection are issued by a judge to protect you from another person who is abusing, harassing, threatening, and/or intimidating you, or has committed a crime against you. Orders of protection are commonly issued in cases involving domestic violence but may also be issued under other circumstances.

## Types of Orders of Protection

1. **Family Court Order of Protection:** A Family Court Order of Protection is issued as part of a civil proceeding to stop violence that is occurring within the family or within an intimate relationship. You may begin the process of obtaining a Family Court order of protection by filling out the **Family Offense Petition**.

In order to obtain an order of protection in Family Court, your relationship to the other person involved must fall in at least one of the following categories:

- o Current or former spouse.
  - o Someone with whom you have a child in common.
  - o A family member to whom you are related by blood or marriage.
  - o Someone with whom you have, or have had, an 'intimate relationship.' (An intimate relationship does not necessarily mean a sexual relationship. Family Court will consider several factors such as, but not limited to: "how often you see each other or how long you have known each other.")
2. **Criminal Court Order of Protection:** An **Assistant District Attorney** may request a criminal court order of protection on your behalf. You do not need to have an intimate or personal relationship with the person charged with the offense. The judge decides whether to issue an order of protection, as well as the terms and conditions.
  3. **Supreme Court Order of Protection:** A Supreme Court order of protection can be issued as part of ongoing divorce or criminal proceeding. If you are involved in an ongoing divorce case and wish to request an order of protection, you must make a written request by Motion or Order to Show Cause, or an oral request at a court appearance. If an attorney is representing you in the case, the attorney can make the written or oral request on your behalf. The judge decides whether to issue an order of protection, as well as the terms and conditions.

Orders of Protection May Be Temporary or Final

- **Temporary Order of Protection:** Issued the same day that a complainant files for an order of protection and lasts only until the next court date, at which point it may be extended.
- **Final Order of Protection:** A final order of protection is issued when the case results in a conviction (whether by plea or after a trial) in criminal court or in family court after a judge finds that a family offense was committed.

Orders of Protection May Be Full or Limited.

- **Full Order of Protection:** A full order of protection means that the subject of the order of protection must stay completely away from you, your home, job and school, and must not abuse, harass, or threaten you.
- **Limited Order of Protection:** A limited order of protection allows the subject of the order of protection to maintain contact with you. However, the subject cannot abuse, harass, or threaten you.

## Serving Family or Supreme Court Orders of Protection

For legal reasons, you may not serve your own order of protection. Orders of protection will be served in court by the judge if the defendant/respondent is present.

The **New York City Sheriff's Office** may serve your **Family or Supreme Court order of protection** Monday through Thursday, between the hours of 3:00 AM and 11:00 PM, and Friday, between the hours of 5:00 AM and 11:00 PM. This service is free of charge. Once the Sheriff's Office has served the respondent, they will provide you with a signed statement that says the service has been completed. If the Sheriff's office is unable to deliver the order of protection after several attempts, they must provide you with a signed statement that includes the dates and times of each attempt.

When the Sheriff's office is not in operation, the NYPD can assist you in serving your Order of Protection. You should go to the precinct where the respondent lives and make the request.

You may also arrange for any person, including a family member or friend, over 18 years old, to serve the order of protection, as long as this person is not a party to the case. The order of protection must be served as soon as possible, and the person who serves the papers must complete an "Affidavit of Service" have it notarized and filed with the court as soon as possible. You need to bring the Affidavit Service when you return to court; otherwise, the case may be delayed or dismissed. A temporary order of protection may not go into effect until it is served.

An order of protection does not guarantee your safety. It is important that you have a safety plan should the person violate the order of protection.

## Violating an Order of Protection

It is a crime to violate a temporary or final order of protection. If an individual violates the order of protection, you should report it to the police. In an emergency call 911 and the individual will be arrested. In a non-emergency, you may file a violation of the order of protection by going to a police precinct. If you have a Family Court order of protection, you may go to Family Court and file the violation; you may report the violation to the police or choose to do both. If you file a violation of the order of protection only in Family Court, the subject who violated the order might not be arrested. Learn more about an [order of protection](#).

**No Contact Orders.** The College may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. If the College receives a report that such an institutional no contact order has been violated, the College will initiate disciplinary proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanctions if the accused is found responsible for violating the no contact order.



# Types of Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault and Stalking

Please refer to the full Gender-Based Misconduct and Interim Title IX Policies and Procedures for Students in Appendix M of this document for a description of disciplinary proceedings utilized in cases of domestic violence, dating violence, sexual assault, and stalking.

## Education and Prevention Programs

The College engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end sexual assault, domestic violence, sexual assault and stalking that:

- are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- utilize an ecological approach to prevention, considering environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees, as well as ongoing awareness and prevention campaigns for students and employees to:

1. Identify sexual assault, domestic violence, dating violence, and stalking as prohibited conduct;
2. Define these behaviors using definitions provided by College policy (informed by Department of Education guidance) as well as providing access to state law definitions regarding what behavior constitutes criminal acts of sexual assault, domestic violence, dating violence, and stalking;
3. Define what behavior and actions constitute affirmative consent to sexual activity as defined in College policy and the purposes for which that definition is used, as well as the appropriate rape consent definition from the statute in the State of New York;
4. Provide a description of safe and positive options for bystander intervention. Bystander intervention means safe and pro- social options that may be carried out by an individual or individuals to prevent harm or intervene when there is risk of sexual assault, dating violence, domestic violence, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional and community expectations to identify this behavior as problematic, seeing personal responsibility and overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene—either directly or indirectly.
5. Provide information on risk reduction. Risk reduction means options designed to decrease perpetration, and bystander inaction, to increase empowerment for complainants in order to promote safety, and to help individuals and communities be actively aware of safe conditions.
6. Provide an overview of rights and responsibilities including available options on and off campus for reporting to campus authorities and/or to law enforcement (as well as the right to decline to report to law enforcement); assistance (such as medical, mental health, and advocacy); and disciplinary procedures and related rights. This includes procedures victims should follow if a crime of domestic violence, dating violence, sexual assault, and stalking occurs (as described in “Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs” elsewhere in this document). Also:

- how the institution will protect the confidentiality of victims and other necessary parties (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
- existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community (as described in “Assistance for Victims”);
- Rights and Options” elsewhere in this document);
- options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
- procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in “Adjudication of Violations” elsewhere in this document);

## **Primary Prevention and Awareness Programs**

The College implements annual educational efforts consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during the New Employee and Faculty Orientations; as well as ongoing prevention and awareness efforts.

The College offers primary prevention and awareness programs for all incoming students at New Student Orientations. Information is presented during required sessions attended by all incoming students including education about confidential and non- confidential reporting of incidents. All new students are also required to view an on-line sexual violence prevention video.

Residential Services and Housing distribute materials from the Title IX Coordinator referencing the Columbia/Teachers College/Barnard College Gender-Based Misconduct Policy and Procedures for Students, directing students to the policy and procedures.

The College offers the following primary prevention and awareness programs required for all new employees, in the fall and spring sessions: Promoting Mutual Respect and Preventing Workplace Harassment, Cultural and Racial Micro- aggressions and Federal Privacy Information sessions (FERPA). The Title IX Coordinator presents to various academic and staff departments.

## **Ongoing Prevention and Awareness Campaigns**

The College offers ongoing awareness and prevention programs for students. In August and January, TC Community Assistants, (Residential Services and student staff) receive training on recognizing gender-based misconduct behaviors including sexual assault, dating violence, domestic violence, and stalking as well as information about how to refer students to confidential and non-confidential reporting options. Community Assistants also receive training on discrimination and harassment prevention, bystander intervention, and consent. Rape Crisis/Anti-Violence Support Center staff train Community Assistants about the Center’s resources. The Teachers College Student Senate and student organization leaders host the Title IX Coordinator for Gender-Based Misconduct training. Poster campaigns are available on campus throughout the year, particularly during relationship violence awareness month (October) sexual assault awareness month (April). Bystander Intervention trainings are provided by the Rape Crisis/Anti- Violence Support Center.

Teachers College’s on-going campaign includes “Got Consent–What to Do If You Have Been Sexually Assaulted” posters in all Teachers College bathrooms and in the residence halls. The posters include a photo of the Teachers College Title IX Coordinator and stating confidential and non-confidential reporting options. Also,

the Student Bill of Rights for Victims/Survivors of Gender Based Violence is posted in residence halls and student areas pursuant to the NYS 129-B Sexual Assault law.



# Links to Important Policies Relating to Safety and Security

IMPORTANT POLICIES RELATING TO SAFETY AND SECURITY CAN BE FOUND AT THE LINKS BELOW OR IN THE APPENDICES IN THE REAR OF THIS BOOKLET.

Policy	Where to find it
Abuse and Harassment of Minors and Adults	<a href="http://www.tc.columbia.edu/policylibrary/policies/abuse-and-harassment-of-minors-and-adults-1232269/">www.tc.columbia.edu/policylibrary/policies/abuse-and-harassment-of-minors-and-adults-1232269/</a>
Campus Sex Crimes Prevention	<a href="http://www.tc.columbia.edu/policylibrary/policies/campus-sex-crimes-prevention-1242133/">www.tc.columbia.edu/policylibrary/policies/campus-sex-crimes-prevention-1242133/</a>
Drug-Free Campus Policy	<a href="http://www.tc.columbia.edu/policylibrary/policies/drug-free-campus-1222584/">www.tc.columbia.edu/policylibrary/policies/drug-free-campus-1222584/</a>
Alcohol Policy	<a href="http://www.tc.columbia.edu/policylibrary/policies/alcohol-policy-1222578/">www.tc.columbia.edu/policylibrary/policies/alcohol-policy-1222578/</a>
Gender- Based Misconduct Policy and Procedures for Students	<a href="https://www.tc.columbia.edu/policylibrary/policies/gender-based-misconduct-policy-for-students-1232278/">https://www.tc.columbia.edu/policylibrary/policies/gender-based-misconduct-policy-for-students-1232278/</a>
Hate or Bias Crime Reporting	<a href="http://www.tc.columbia.edu/policylibrary/policies/hate-or-bias-crime-reporting-1242137/%20">www.tc.columbia.edu/policylibrary/policies/hate-or-bias-crime-reporting-1242137/%20</a>
Missing Students	<a href="http://www.tc.columbia.edu/policylibrary/policies/missing-students-1242139/">www.tc.columbia.edu/policylibrary/policies/missing-students-1242139/</a>
Protection from Harassment	<a href="http://www.tc.columbia.edu/policylibrary/policies/discrimination-and-harassment-policy-and-procedures-1232283/">www.tc.columbia.edu/policylibrary/policies/discrimination-and-harassment-policy-and-procedures-1232283/</a>
Smoke- Free Campus	<a href="http://www.tc.columbia.edu/policylibrary/policies/smoke-free-campus-1242143/">www.tc.columbia.edu/policylibrary/policies/smoke-free-campus-1242143/</a>
Violence- Free Workplace	<a href="http://www.tc.columbia.edu/policylibrary/policies/violence-free-workplace-1276114/">www.tc.columbia.edu/policylibrary/policies/violence-free-workplace-1276114/</a>
Drug-Free Workplace	<a href="http://www.tc.columbia.edu/policylibrary/policies/drug-free-workplace-1271254/">www.tc.columbia.edu/policylibrary/policies/drug-free-workplace-1271254/</a>

# Facts About Sexual Assault

- No one is ever responsible for the crime of sexual assault being perpetrated against them. Under New York State Education Law, colleges and universities must establish this standard for students:  
*“Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as [they] create clear permission regarding willingness to engage in sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant’s sex, sexual orientation, gender identity, or gender expression.”* Further:
- Sexual activity that is coerced or forced is not consensual.
- A person cannot give consent if they lack the ability to make or understand the decision because of disability, lack of sleep, consumption of alcohol or drugs, or if he or she is unwillingly restrained.
- A sleeping or unconscious person cannot give consent.
- The use of alcohol or drugs does not justify or excuse gender-based misconduct and never makes someone at fault for experiencing gender- based misconduct.
- Consent cannot be procured by the use of physical force, compulsion, threats, intimidating behavior, coercion, or from a person who is incapacitated.
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another person.
- Consent may be withdrawn at any time. When consent is withdrawn or can no longer be given, sexual activity must stop.
- Previous relationships or previous consent for sexual activity is not consent to sexual activity on a different occasion.
- The definition of consent does not vary based upon a participant’s sex, sexual orientation, gender identity, gender expression or relationship status.
- Respect a person’s expectations and limits. If you do not know what they are, it is your responsibility to ask.

## Campus Sex Crimes Prevention Act/Sex Offenders Registry

The Campus Sex Crimes Prevention Act provides for the tracking of convicted, registered sex offenders enrolled as students, or working or volunteering at institutions of higher education. It requires sex offenders who must register under state law to provide notice of enrollment or employment at any college or university in the state, as well as notice of each change of enrollment or employment status. It also requires that state procedures ensure that this information is promptly made available to law enforcement agencies with jurisdiction of the institutions of higher education entered into appropriate state records or data systems.

The New York State Sex Offender Registration Act requires anyone who must register as a sex offender to notify the state of enrollment, attendance, employment, or residence at any institution of higher education

and any changes to such enrollment, attendance, employment, or residence. More information about the Act may be found at [www.criminaljustice.ny.gov/nsor](http://www.criminaljustice.ny.gov/nsor), where there is also a database of registered offenders.

Resources: **New York State Registry** [www.criminaljustice.ny.gov/SomsSUBDirectory/search\\_index.jsp](http://www.criminaljustice.ny.gov/SomsSUBDirectory/search_index.jsp)

**NYPD, 26th Precinct** 520 West 126th Street (West of Amsterdam Ave.)  
[www1.nyc.gov/site/nypd/bureaus/patrol/precincts/26th-precinct.page](http://www1.nyc.gov/site/nypd/bureaus/patrol/precincts/26th-precinct.page)

## **(HEOA) Notification to Victims of Crimes of Violence**

The College will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

## **Crime Prevention and Education Awareness**

The safety and security of our Teachers College students, faculty, and staff is one of the College's highest priorities. While a full-time staff of licensed and certified proprietary public safety personnel are employed by the College to keep the campus safe and secure, a truly safe campus can only be achieved through the cooperation and awareness of all students, faculty, and staff. You can help maintain your own safety by complying with established College security policies and by following common sense personal safety practices as follows:

### **Take Responsibility for Your Own Safety**

1. Be aware of your surroundings and what is going on around you. Keep your head up and your eyes moving. Walk purposefully with a steady pace and self-assured stride. Confidence deters attackers.
2. When walking at night, walk in well-lit and well trafficked areas. Avoid walking through parks, parking lots, and isolated or deserted areas.
3. Use the buddy system. When traveling at night arrange with friends to walk or ride together.
4. Walk in the center of sidewalks away from doors and bushes.
5. If you suspect that you are being followed, indicate your suspicions by looking behind you. If you are on foot, cross the street, change direction, or vary your speed. Walk to a location where there are other people, to the nearest "open store", or to a Columbia University "SAFE HAVEN" location (Red Lion Decal on Window).
6. Stay away from isolated ATM locations. Plan ahead to avoid using ATM machines during off- hours.
7. Do not feel bullied by people who look you in the eyes; look them in the eyes. Eye contact makes everyone uneasy so use that to your advantage.
8. Be wary of strangers at night. It is better to be rude, ignore, and walk away than to have someone take advantage of your kindness.

9. Trust your instincts. Don't allow rationality to over-ride your "sixth sense"-it could protect you from danger.
10. Do not resist armed robbers. Property can be replaced; your life cannot.
11. Do not openly display maps on a public street because it indicates that you are a stranger to the community, unfamiliar with your surroundings, and a potential victim.
12. Do not unnecessarily display your tablets, smart phones, or laptops in public.

## TC Safe: The Official Safety App for the Teachers College Community

TC Safe is the official safety app of Teachers College, Columbia University. It is the only app that integrates with Teachers College, Columbia University's safety and security systems. TC Public Safety has worked to develop this unique app that provides students, faculty, and staff with added safety on the Teachers College, Columbia University campus. The app will send you important safety alerts and provide instant access to campus safety resources.

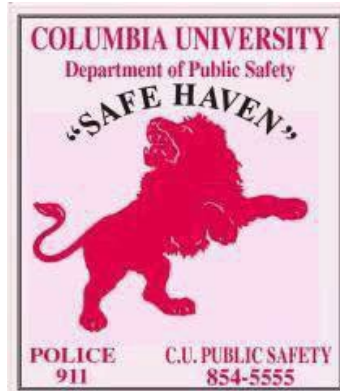
### TC Safe features include:

- **Emergency Contacts:** Contact the correct services for the Teachers College, Columbia University area in case of an emergency or a non-emergency concern.
- **Friend Walk:** Send your location to a friend through email or SMS on your device. Once the friend accepts the Friend Walk request, the user picks their destination, and their friend tracks their location in real-time; they can keep an eye on them to make sure they make it safely to their destination.
- **Safety Toolbox:** Enhance your safety with the set of tools provided in one convenient app.
- **Campus Maps:** Navigate around the Teachers College, Columbia University area.
- **Safety and Emergency Resources:** Campus emergency documentation that can prepare you for disasters or emergencies. This can be accessed even when users aren't connected to Wi-Fi or cellular data.
- **Support Resources:** Access support resources in one convenient app to enjoy a successful experience at Teachers College, Columbia University.
- **Safety Notifications:** Receive instant notifications and instructions from Teachers College, Columbia University safety when on-campus emergencies occur.

For more information, please visit [www.tc.columbia.edu/publicsafety/safety--emergency-resources/tc-safe-app/](http://www.tc.columbia.edu/publicsafety/safety--emergency-resources/tc-safe-app/)

# Neighborhood Safe Havens

Local businesses register with the CU Department of Public Safety and pledge to assist Columbia University affiliates in distress by contacting Public Safety or the NYPD. These businesses display a distinctive red lion logo on their storefronts.



*Columbia Safe Haven locations link:* [publicsafety.columbia.edu/content/safe-havens](https://publicsafety.columbia.edu/content/safe-havens)

Avail yourself of the free Columbia University shuttles and/or free Columbia University Escort Program (212- 854-SAFE or 212-854- 5555)

# Transportation and Campus Safety

## Taking Public Transportation

1. Know your timetables to avoid long waits— especially if you are alone.
2. Avoid empty subway cars and ride at the conductor (middle) or motor-person’s position (first car).
3. Buses tend to be safer at night than subways. Sit close to the bus operator’s position when possible.
4. Always plan your route in advance. Avoid getting off a bus or subway in unfamiliar neighborhoods especially during nighttime.
5. Avoid isolated bus and subway stops.
6. While riding public transportation, keep your handbag, knapsacks, bookbags and personal property in front of you and close to your body.
7. Don’t open your purse or wallet when boarding a bus or waiting to buy a metro card in a subway station. Always have your fare ready and avoid exposing your wallet or purse unnecessarily.
8. Always be aware of the people around you!
9. You can receive text message alerts and Emails from the MTA: <https://new.mta.info/guides/service-alerts>
10. You can receive bus information: [bustime.mta.info](https://bustime.mta.info)



## Columbia University Shuttle Buses

Teachers College students, faculty, and staff have free access to Columbia University's shuttle buses. The service is free of charge to members of the Teachers College community with a valid TC ID card.

CU provides a variety of shuttle bus services. Information about all of the CU shuttle bus routes can be found at: [transportation.columbia.edu](http://transportation.columbia.edu)

Or download the iPhone and Android App with a QR code:

iOS



Android



## Columbia University Walking Safety Escort

Teachers College students, faculty, and staff have free access to Columbia University's Safety Escort Service. This service is free of charge to members of the Teachers College community with a valid TC ID card. The Safety Escort Service is a footed patrol or a Public Safety/Security vehicle service that is available from 8:00 P.M. to 3:00 A.M., seven nights a week. Escorts carry two-way radios provided by Columbia University Public Safety. The service is available from West 108th Street to West 110th Street between Amsterdam Avenue and Riverside Drive and from West 111th Street to West 122nd Street between Morningside Drive and Riverside Drive. For more information about this service, you may visit the Columbia University Department of Public Safety web site at: <https://publicsafety.columbia.edu/safetYEScorts>.

## Avoid Theft of Personal Property

Theft is the unlawful taking of personal property and is the single most common crime on most college campuses. What can you do to deter theft? Remove the opportunity by following the suggestions below:

### Student Residence

1. Lock your doors/windows whenever you leave your room or apartment.
2. Do not allow unescorted strangers inside your room/apartment.
3. Be suspicious of unknown persons loitering in your area.
4. Never leave an exterior door propped open.
5. Keep a record of your valuables.
6. Do not hold doors open for strangers while entering or exiting the residence halls.
7. If you see something, say something!

## **In Offices and Classrooms**

1. Avoid keeping your handbags under your desk or classroom worktable.
2. Lock your office door, even if the office is left unattended for a short amount of time.
3. Do not bring large sums of cash to work or school.
4. Carry only the necessary credit cards and identifications.
5. If you must leave your purse or wallet at your workstation, lock it in a locker or desk. In a classroom, keep it in front of you where you can always see it.

## **In the Library**

1. Do not leave personal property unattended even for a minute.
2. Report any suspicious person/activities to library personnel or to the Office of Public Safety.
3. Keep personal property in sight at all times.
4. Try not to bring valuables into the library.

## **In Athletics Facilities at the Morningside Campus of Columbia University**

1. Secure all personal property in a locker.
2. Avoid carrying large sums of money or other valuables with you to the athletic facility.
3. Report any suspicious persons to the athletic staff, to the Columbia University Department of Public Safety, or to the TC Office of Public Safety. Keep your locker locked whenever unattended.

## **If You Have a Car**

1. Park in a well-lit area, close all windows, and lock all doors.
2. Place all packages or valuables out of sight: CD players, cell phones, radar detectors, and other items of value. Expensive items placed in the open invite theft.
3. If you park in a commercial lot or garage, leave only the ignition key with the attendant.
4. Do not keep your license, registration, or title inside of your car. Thieves can use these documents to sell your car, if stolen, and to impersonate you if questioned by the police.

Please report any suspicious persons or activities to the Office of Public Safety and/or the New York City Police Department.

## **Be Aware and Be Safe if You Are a Victim:**

1. Report the crime to the Police by calling **911**.
2. Report the crime to the Office of Public Safety at **(212) 678-3333**.
3. Attempt to remain calm while waiting for the police to respond.
4. If you are injured, request medical attention.

5. Obtain hospital report numbers from the hospital and complaint numbers from the police.
6. If you sustained injuries and/or suffered financial loss, you may be eligible for *Crime Victim's Compensation*. Write or call:

## **Crime VICTIMS' Compensation Board (718) 923-4325**

7. To replace important ID cards:
  - a. **TC ID** (212) 678-3098

## **Social Security/Medicare Card**

(800)772-1213

## **MTA Reduced Fare & Disabled Card**

(718) 330 1234

For major credit cards, immediately contact the individual store or credit card companies.

The Teachers College Office of Public Safety and Columbia University Department of Public Safety provide information on crime prevention and educational seminars to members of the Teachers College community.

During orientation week, crime prevention presentations and related information are made available to incoming students. Crime prevention lectures on the safeguarding of personal property, and personal and transportation safety, are presented to various organizations and student groups throughout the year.

## **Crime Prevention Presentations**

These presentations are given during student and employee orientations and are also available to any group upon request. These presentations provide vital information on how to reduce the likelihood of being a crime victim.

## **Property Identification Programs to Safeguard Property**

The following are programs provided by the Columbia University Department of Public Safety and are made available to members of the TC community:

### **Operation ID**

Columbia participates in "Operation ID" which is a nationwide program aimed at deterring theft by permanently marking and identifying valuables. The Department will mark valuable property with a specially assigned number that is indelible and inconspicuous. It is recommended that you retain a photograph of anything that cannot be engraved and keep an up-to-date inventory of your property with their respective model and serial numbers.

## Operation Blue Light

This program allows Public Safety personnel to mark property with an invisible ink discernable under a special light.

## PC Phone-Home

This innovative program is available to all members of the Columbia University community. It allows authorities to locate a lost or stolen computer by identifying its location when the computer is connected to the internet. This program is effective in any location, worldwide.

## Stop Theft Tags

These tags possess a unique ID number that is entered into the STOPTHEFT database. This allows lost or stolen property to be reunited with its owner.

## Bicycle Registration

The Department of Public Safety provides free registration for all bicycles. A unique ID number is applied to the bicycle and registered with the NYPD. A permanent decal is affixed to the bicycle.

## Auto VIN Etching

Unique vehicle identification numbers (VIN) are etched into a car's windows. This program reduces the risk of the vehicle being stolen by making the glass traceable. It also aids police in recovering stolen vehicles by making them identifiable and can result in reduced insurance premiums.

## Antitheft Locking Devices

Columbia University Department of Public Safety sells the following locking devices at cost: 1) **Kryptonite** bike locks, 2) Desktop computer locks, 3) Laptop computer locks, 4) The **Club**-Antitheft device for automobiles, and 5) The **Shield**-Anti theft car device that works with the **Club**.

During the 2022-2023 academic year, TC offered approximately 4 crime prevention and security awareness programs. Topics such as personal safety, residence hall security, drug, and alcohol abuse awareness, and sexual assault prevention are some examples of programs offered during the prior academic year.

All crime prevention and security awareness programs encourage students and employees are encouraged to be responsible for their own security and the security of others. Participants in these programs are asked to be alert, security-conscious, and involved and advised to call the Office of Public Safety to report suspicious behavior. For additional questions regarding crime prevention, contact the department directly at 212-678-3111. STATEMENT ON MONITORING AND RECORDING OF CRIMINAL ACTIVITY BY STUDENTS AT NON-CAMPUS LOCATIONS OF RECOGNIZED STUDENT ORGANIZATIONS

TC does not have officially recognized student organizations that own or control housing facilities outside of the TC core campus. Therefore, local PD is not used to monitor and record criminal activity since there are no non-campus locations of student organizations.



# Emergency Evacuation Procedures and Policies

The Office of Public Safety leads College planning efforts and response to natural and/or human-made disasters and other campus-wide emergencies.

Response protocols are illustrated in the TC Crisis Management Plan (CMP).

## Crisis Management Plan (CMP)

### Overview

The Teachers College Crisis Management Plan (CMP) was jointly developed by and through cooperation of multiple College offices and disciplines. The multi-disciplinary approach to the development of this plan brings together a wide range of expertise and experience in the varied campus functions and responsibilities necessary to successfully respond to campus-wide emergencies. The EMP will continually be reviewed, practiced, and updated to meet newly identified threats to our campus environment and to incorporate additional resources as they may become available. The Office of Public Safety is responsible for reviewing the Plan annually, prior to the beginning of each fall semester, and to update the Plan and Plan training as required.

The Teachers College Public Safety staff is dedicated to providing a safe and secure environment in which students, faculty, and staff can enjoy the Teachers College experience. We encourage all members of the College community to become familiar with the EMP and to partner with us in ensuring the safety and security of our community.

### Purpose of the Plan

The CMP is designed to provide general guidelines and protocols deemed necessary to successfully respond to a variety of potential campus emergencies. While the specific circumstances of any emergency and the detailed actions required for its mitigation cannot be predicted in advance, we can plan and prepare for a successful and comprehensive management of emergencies.

The CMP assigns roles and responsibilities to departments and individuals that are directly responsible for emergency response efforts and critical support services and provides a management structure for coordinating and deploying essential resources. While the Plan provides specific protocols for responders, it also provides flexibility for the use of common sense and sound judgment by the leaders of our emergency response.

### Scope of the Plan

A variety of natural or human-made hazards or disasters can affect the Teachers College campus and pose an actual or potential threat to our community's health and safety. A comprehensive emergency plan is required to insure the protection of students, faculty, staff, and visitors from the potential effects of such hazards.

This plan may be activated in response to a local, regional, or national emergency that affects the greater Columbia University family of campuses. Any emergency that affects our students, faculty, and/or staff may be considered a Teachers College emergency.

The plan, while primarily local in scope, is intended to be able to support a city-wide, state-wide, and/or national incident management plan.

The Plan and the response including the Police Department, the Fire Department, and the Office of Emergency Management (OEM). The College participates in a private college consortium that works closely with OEM and maintains a seat at OEM during City-wide crisis. The OEM seat serves as a direct communication

link to the College's own emergency command center which is staffed during City-wide or College emergencies. The Plan and the training associated with the Plan shall conform to protocols of the National Incident Management System (NIMS) and the Incident Command System (ICS) and conform to New York City and New York State Emergency Operations Plans.

Individuals can report emergencies occurring at Teachers College by calling 212-678-3333.

In conjunction with other emergency agencies, the College conducts emergency response drills and exercises each year, such as tabletop exercises, field exercises, and tests of the emergency notification systems on campus. These tests, which may be announced or unannounced, are designed to assess and evaluate the emergency plans and capabilities of the institution.

Each test is documented and includes a description of the exercise, the date and time of the exercise, and whether it was announced or unannounced.

The campus publicizes a summary of the emergency response and evacuation procedures via email at least once each year in conjunction with a test (exercise and drill) that meets all of the requirements of the Higher Education Opportunity Act.

## **Evacuation Procedures**

The College maintains an Emergency Evacuation Plan (EEP) to provide training to community members on the proper evacuation protocols for fire or other emergencies requiring the evacuation of one or more buildings on campus. Each new employee receives a copy of the EEP, from the Human Resources Office, upon hire. Each new resident student receives a copy of the EEP at the new resident student orientation.

The Community may be notified of a need for partial or full evacuation by a number of communications options, including community-wide email, community-wide voice mail, public announcement broadcasts, e-boards, Facebook, Twitter, or electronic notification system (by text or voice mail). The primary communication methods for evacuation are the electronic notification system, TCAlert, and public announcements via speaker throughout campus. The other methods are supplemental.

The Office of Public Safety maintains ongoing communication protocols with various New York City agencies involved in emergency notification and response including the Police Department, the Fire Department, and the Office of Emergency Management (OEM). The College participates in a private college consortium that works closely with OEM and maintains a seat at OEM during City-wide crisis. The OEM seat serves as a direct communication link to the College's own emergency command center which is staffed during City-wide or College emergencies.

The emergency evacuation procedures are tested at least twice each year. Students and employees learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. The OPS does not tell building occupants in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, OPS staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At TC evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.

## Shelter-in-Place Procedures

What does it mean to “Shelter-in-Place”?

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Therefore, to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

Basic “Shelter-in-Place” Guidance

If an incident occurs and the building you are in is not damaged, stay inside the building in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belongings (purse, wallet, TCID, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest College building quickly. If College Public Safety, police, or fire department personnel are on the scene, follow their directions.

1. Close all doors.
2. If while exiting the building you are blocked by fire, go to the safest fire-free area, or stairwell. If a phone is available call Public Safety or find a window and signal that you are still in the building.

How to “Shelter–in-Place”

No matter where you are, the basic steps of shelter in-place will generally remain the same. Should the need ever arise; follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
  - an interior room.
  - above ground level; and
  - without windows or with the least number of windows.

If there is a large group of people inside a particular building, several rooms may be necessary.

3. Shut and lock all windows (tighter seal) and close exterior doors.
4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able. (University staff will turn off the ventilation as quickly as possible.)
6. Make a list of the people with you and ask someone to phone the information to the NYPD and/or Teachers College Office of Public Safety so they know where you are sheltering.
7. Turn on a radio or TV and listen for further instructions.
8. Make yourself comfortable.



# Emergency Text Messaging

In the event of an emergency involving an imminent threat on campus, the Office of Public Safety shall confirm that there is a significant emergency or dangerous situation, and then in conjunction with the Office of the Vice President for Finance and Administration, determine the appropriate segment or segments of the campus community to receive a notification; determine the contents of the notification; and utilize the College's emergency notification system (TC Alert text and voice messaging) to notify the campus community. The TC Alert emergency notification system is tested two times each year.

The Office of Public Safety immediately notifies the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to health or safety of community members.

Teachers College will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: OPS, Local PD, and/or the Local Fire and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Follow-up information will be distributed using some or all of the identified communication systems (except fire alarm).

The local news media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents, and other interested parties. The larger community can also access emergency information via the Teachers College home page and/or social media.

If there is an immediate threat to the health or safety of students or employees occurring on campus, an institution must follow its emergency notification procedures. An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed.

# Fire Safety and Prevention

The Office of Environmental Health & Safety (EH&S) and the Officer of Public Safety work in concert to protect the College from fire. The Office of Environmental Health & Safety (EH&S) takes the lead in educating the College community about fire safety. It also manages the advanced fire detection and suppression systems located throughout the campus. The Environmental Health & Safety Fire and Life Safety Coordinator is located in Zankel building room ZB31 and can be reached by phone at (212) 678-8164.

## Description of Student Housing Fire Systems

Every Teachers College residence has:

1. An interior fire alarm system.
2. Monthly inspection of fire suppression equipment.
3. Semi-annual testing of all fire detection and notification equipment.
4. An interior fire alarm panel that triggers a full first alarm response (three engine companies, two ladder companies, and a Battalion Chief) to the building upon activation.
5. Automatic wet sprinklers in all laundry rooms.

Public Safety Officers are trained and certified by the City of New York as Fire Safety Directors, and as such, maintain the knowledge and skills necessary to successfully respond to fire emergencies on campus. The College maintains a working relationship with the New York City Fire Department and the New York City Department of Buildings to ensure that the College buildings fire systems meet or exceed applicable fire and building codes and best practices in fire safety are applied throughout the campus.

Teachers College is a Smoke-Free Campus. Smoking is prohibited in all buildings, residential and academic. Smoking is prohibited outside within 50 feet of any College building entrance/exit, driveway, or open window.

## **Continuous Evaluation and Enhancement of Campus Fire Safety**

Teachers College is committed to continual assessment and enhancement of fire safety equipment and procedures to ensure continued compliance with New York City, State, and National Fire Safety Standards. The College does not have any planned improvements in fire safety at this time.

### Daily Fire Logs

The Office of Environmental Health & Safety (EH&S) compiles campus fire statistics and reports them to the U.S. Department of Education. The Office also maintains a daily fire log. The information in the logs typically includes the type of fire, date, time, and general location. The log is available for review during normal business hours.

The Office of Environmental Health & Safety (EH&S) is located in the Zankel Building, ZB 31, 525 West 120th Street, New York City, N.Y. 10027-6696. Business hours are Monday through Friday 7:00 A.M. to 4:00 P.M.

### Fire Statistics

For 2021, 2022 and 2023 Fire Statistics, see Appendix A.

## **Fire Safety Education and Training**

- 1. Fire Evacuation (FET) Training**—The College maintains a Fire Evacuation Team (FET) charged with the responsibility to assist the Office of Public Safety with emergency and fire evacuation of buildings on campus. The FET receives fire response and evacuation training annually at the beginning of each “fall” semester.
- 2. Public Safety Staff Training**—The College maintains a proprietary Public Safety Office with Public Safety staff on hand around the clock. The Public Safety staff provides the primary response to fire, medical, and criminal incidents on campus. Public Safety staff members receive training and certification as Fire Safety Directors. In addition, they receive semi-annual refresher training in fire safety, fire alarm response and emergency evacuations.
- 3. Community Assistant (CA) Training**—Community Assistants employed by the Office of Residential Services are tasked with the on-site management of campus residential facilities. Members of the CA staff receive entry level training in fire safety, fire alarm response, and emergency evacuation as part of their orientation training. This training is provided by the Office of Public Safety, and the Office of Environmental Health and Safety.
- 4. New Resident Student Fire Safety Orientation Training**—Resident students receive information about fire safety, fire alarm response, and emergency evacuation as part of the New Resident Student Orientation provided at the beginning of each semester by the Offices of Public Safety, and Environmental Health and Safety.

- 5. Faculty and General Staff Training**—Fire Safety, fire alarm response, and emergency evacuation training is provided on request by the Office of Public Safety to both academic and non-academic offices and departments. Presentations are provided throughout the academic calendar year.

## Reporting a Fire

1. Campus Public Safety-Emergency 212-678-3333
2. Police, Medical, Fire-Emergency 911 / x3333
3. All fires are to be reported to the Office of Public Safety, no matter how minor.
4. If a member of the TC community finds evidence of a fire that has been extinguished, and the person is not sure whether OPS has already responded, the community member should immediately notify OPS at 212-678-3333 to investigate and document the incident for disclosure in the College's annual fire statistics.

## Fire Safety Precautions

1. Keep doorways, corridors, and stairwells clear and unobstructed. Keep fire doors closed.
2. Make sure that all electrical appliances and cords are in good condition and UL approved.
3. Do not overload electrical outlets. Use fuse protected multi-outlet power strips and extension cords when possible.
4. Never store flammable substances or combustible items (oily rags, paint, etc.) in your office or apartment.
5. The use of candles, incense, and other open flames is strictly prohibited in all college academic buildings and residential halls.
6. Never leave food, cooking or running electrical appliances unattended, no matter the amount of time.
7. Be familiar with the locations of firefighting equipment that is closest to your office or apartment.
8. Be familiar with fire evacuation routes from your office or apartment.
9. When leaving for extended periods of time, i.e. vacations or leave of absence, unplug electrical appliances and shut off gas stoves. (Note: Consult the Office of Residential Services and Facilities with regards to turning off the gas stoves and/or the unplugging of electrical appliances).
10. Ensure that the smoke detectors are working properly by looking for the green light. Residential building occupants should test their smoke detectors regularly. The Office of Environmental Health and Safety regularly tests the smoke detectors in the academic buildings.
11. The following are prohibited items (e.g., sources of open flames, such as candles; non-surge protected extension cords; halogen lamps; portable cooking appliances in non-kitchen areas; etc.) or prohibited activities (e.g., smoking in the room; tampering with life safety equipment; possession of pets; etc.). Electric Scooters are prohibited campus wide.

# Procedures for Students and Employees in the Event of a Fire

1. If you discover a fire, immediately shout a warning to other occupants and PULL the nearest fire alarm as you exit the building.
2. Remain calm.
3. When evacuating the building, remember to feel doors before opening them to ensure that there is no fire danger on the other side. If you must enter a smoke-filled room or hallway, stay low, head as close to the ground/floor as possible, keeping one hand on the wall to avoid disorientation and crawl to the nearest exit.
4. Provide assistance to persons with disabilities. Notify the TC Office of Public Safety if persons with disabilities are in the area and may need to be relocated.
5. Provide assistance to other individuals in your immediate area. Attempt rescue efforts only if there is no immediate danger to self.
6. If the fire is small and if you have had training, use the proper type of fire extinguisher to control and extinguish the fire. Do this only after the evacuation has started and the Office of Public Safety has been notified (by activating the fire alarm or by calling extension **3333**).
7. Close all doors and windows in the vicinity of a fire.
8. Once you are safely away from danger, call the emergency number for the Office of Public Safety, extension **3333** to report the fire.
9. Once **outside the building and away from the danger** and when possible, direct emergency teams to the location of the fire and then proceed to your department's designated gathering point (at least 500 feet away from the affected building) and stay there.
10. Keep streets, fire lanes, hydrant areas, and walkways clear for emergency vehicles and workers.
11. If requested, assist TC Office of Public Safety staff as necessary.
12. Do not return to an evacuated building until given the "All Clear" sign by the TC Public Safety staff.

## For Persons with Disabilities

It is suggested that individuals who use wheelchairs or who have mobility impairment prepare for an emergency ahead of time by asking co-workers or fellow students to plan on providing assistance in an emergency. It is also suggested that individuals contact the Director of the Office of Public Safety and/or the Director of the Office of Access & Services for individuals with Disabilities for assistance in planning for emergencies.

1. During an emergency evacuation due to fire the building elevators should not be used.
2. Evacuation may not always be necessary or advisable. If persons with disabilities cannot be transported from the building without using an elevator, assist persons with disabilities to the nearest fire stairway landing on each floor of the building. Immediately notify TC Public Safety staff, first responders, or other rescue workers on scene of the arrival of persons with disabilities to the rescue area.
3. Do remain in your room if you cannot get out of the building because of heat or smoke. **Call Public Safety immediately or 911.** Keep the door closed and wait for assistance from the Fire Department. If smoke is entering the room through the cracks of the door, stuff the crack under the door with towels,

sheets, or blankets. If possible, open the window and signal to the Fire Department with a bright colored garment from that window; the Fire Department will be looking for this type of signaling or sign.

4. Do close the door behind you if and when it is safe to leave your room.
5. Don't waste time collecting personal valuables. Take your keys with you so that you can re-enter your room if exiting the building is not possible.

## **Student Housing Evacuation Procedures in Case of a Fire**

1. If you hear the fire alarm, immediately evacuate the building using the nearest available exit. Do not attempt to fight a fire unless you have been trained to do so.
2. Awaken any sleeping roommate or suitemates. Prepare to evacuate by putting on shoes and a coat if necessary. Feel the doorknob and the door. If they are hot, do not open the door. If they are cool, open slowly, if heat or heavy smoke rushes in, close the door immediately and remain inside.
3. When leaving your room, be sure to take your key in case it is necessary to return to the room should conditions in the corridor deteriorate. Make sure to close the door tightly when evacuating.
4. Residential Services staff members who are present on their floors should facilitate the evacuation of their floor/section if possible. When the alarm sounds, shout and knock on doors as they make their way to the nearest exit and out of the building.
5. When exiting in smoky conditions keep your hand on the wall and crawl to the nearest exit. Always know more than one path out of your location and the number of doors between your room and the exit.
6. **DO NOT USE ELEVATORS.** Elevator shafts may fill with smoke, or the power may fail, leaving you trapped. Elevators have features that recall and deactivate the elevator during an alarm. Standing and waiting for an elevator wastes valuable time.
7. Each resident should report to their assigned assembly area. Residential Services staff should report to their assigned assembly area and make sure that students have cleared the building. Conduct a head count and do not allow re-entry into the building until directed to do so by emergency personnel.

### **Fire Response Dos and Don'ts**

1. Do treat every alarm as an emergency. If an alarm sounds, exit the building immediately.
2. Don't assume that a fire alarm is a drill or test. All building alarm systems are tested as required by law, but these tests are announced in advance. **The College does not schedule unannounced fire drills.**
3. Do be aware that transmitting a false alarm is a criminal offense that endangers the lives of both building occupants and emergency personnel. It is also an offense to prop open fire doors or to tamper in any way with alarm equipment, electromagnetic locks, or other life safety devices or to block or obstruct paths of egress.

## **Campus Safety Advisory Committee**

The primary mission of the Committee, as set by New York State Education Law Article 129A, is to review campus security policies and procedures and make recommendations for their improvement. The committee

is particularly concerned with ensuring that procedures and programs are in place to educate the community about sexual assault, domestic violence, dating violence, stalking, and to educate the community about personal safety and crime prevention. The Chair of the Committee is the Assistant Vice President of Public Safety.

**TEACHERS COLLEGE**

**COLUMBIA UNIVERSITY**

A Graduate School of Education, Health & Psychology

**APPENDICES**





# Appendix A: Campus Fire Statistics

TC Annual Campus Security and Fire Safety Report, including statistics for 2021, 2022,2023:

## Calendar Year 2023

Location	Total Fires	Fire Number	Date	Time	Cause	Value of Property Damaged
New Residence (517 W121)	0	0	N/A	N/A	N/A	N/A
Bancroft (509 W121)	0	0	N/A	N/A	N/A	N/A
Sarasota(512 W122)	0	0	N/A	N/A	N/A	N/A
Grant(514 W122)	0	0	N/A	N/A	N/A	N/A
Whittier(1230 Amsterdam Ave)	0	0	N/A	N/A	N/A	N/A

## Calendar Year 2022

Location	Total Fires	Fire Number	Date	Time	Cause	Value of Property Damaged
New Residence (517 W121)	0	0	N/A	N/A.	N/A	N/A
Bancroft (509 W121)	0	0	N/A	N/A.	N/A	N/A
Sarasota(512 W122)	0	0	N/A	N/A	N/A	N/A
Grant(514 W122)	0	0	N/A	N/A	N/A	N/A
Whittier(1230 Amsterdam Ave)	0	0	N/A	N/A	N/A	N/A

**Calendar Year 2021**

Location	Total Fires	Fire Number	Date	Time	Cause	Value of Property Damaged
New Residence (517 W121)	0	0	N/A	N/A	N/A	N/A
Bancroft (509 W121)	1	1	3/14/21	9:06 a.m.	Cooking Fire	N/A
Sarasota(512 W122)	0	0	N/A	N/A	N/A	N/A
Grant(514 W122)	0	0	N/A	N/A	N/A	N/A
Whittier(1230 Amsterdam Ave)	0	0	N/A	N/A	N/A	N/A

**Data for all Calendar Years 2021 - 2023**

Location	Medical Facility Treatment		Fire related Deaths	Property Damage	Malicious False Alarms	Incident #
New Residence	0		0	0	0	N/A
Bancroft	0		0	0	0	N/A
Sarasota	0		0	0	0	N/A
Grant	0		0	0	0	N/A
Whittier	0		0	0	0	N/A

Location	Fire Alarms Monitored	Sprinkler System	Fire Alarm System & Smoke Detectors	Evacuation Plans Posted & Fire Safety Training	Evacuation Drills Each Academic Year
New Residence	Yes	Yes	Yes	Yes	12
Bancroft	Yes	Yes	Yes	Yes	4
Sarasota	Yes	Partial	Yes	Yes	4
Grant	Yes	Partial	Yes	Yes	4
Whittier	Yes	Partial	Yes	Yes	4

# Appendix B: Abuse and Harassment of Minors and Adults

Retrieved September 10, 2024, from: [www.tc.columbia.edu/policylibrary/policies/abuse-and-harassment-of-minors-and-adults-1232269/](http://www.tc.columbia.edu/policylibrary/policies/abuse-and-harassment-of-minors-and-adults-1232269/)

## Abuse and Harassment of Minors and Adults: Guidance for Teachers College Faculty and Staff on Reporting Obligations

Recent events at other universities have served as a powerful reminder that we are all obliged to report and help prevent assault, abuse and harassment. Changes in federal guidance on Title IX, which prohibits gender-based misconduct, sexual harassment and discrimination at educational institutions, have modified our legal obligations, as has the reauthorization of the Violence Against Women Act. Please carefully read these guidelines to understand what is required of you.

**1. All allegations of gender-based misconduct (including sexual assault, domestic and dating violence, stalking, sexual harassment, gender-based harassment, and sexual exploitation) must be reported.** You must report any allegations of gender-based misconduct and sexual harassment of any adult or child to one of the following:

- Janice Robinson, Title IX Coordinator & VP for Diversity & Community Affairs, jrobinson@tc.edu, x3391
- Marie Miville, Vice Dean for Faculty Affairs, miville@tc.columbia.edu, 212-678-3343
- Tom Rock, Vice Provost for Student Affairs, rock@tc.columbia.edu, X3083
- Svetla Eneva, Human Resources, eneva@tc.columbia.edu, x4026
- Marjory Fisher, CU Associate Vice President & Title IX Coordinator, mdf2166@columbia.edu, 212-853-1276

The College will take appropriate steps to investigate and respond. If you learn, directly or indirectly, of an allegation of discrimination or harassment, you are obligated to report it. You should also describe available resources to anyone complaining of or concerned about harassment and encourage him or her to contact one of those listed above.

a, Please review the CU/TC Gender Based Misconduct Policies and Procedures for Students and the TC Policy and Procedures on the Protection from Discrimination and Harassment for more information.

b, While the law on other forms of discriminatory harassment is less clear in specifying community members' obligations, you should also report (to the same people) allegations of harassment based on race, color, religion, creed, sex, gender, sexual orientation, national origin, ancestry, age, marital status, disability, pregnancy or other protected classes.

c. You cannot promise confidentiality to any community member (student, staff or faculty) reporting discrimination, harassment or gender-based misconduct, although you should assure them that TC will handle their concerns as sensitively and privately as possible. If a person desires greater confidentiality, you should direct them to:

- A psychologist, counselor or other health care provider acting in that capacity, [health.columbia.edu/services/overview](http://health.columbia.edu/services/overview).
- Sexual Violence Response & Rape Crisis/Anti-Violence Support Center, 212-854-HELP (4357)
- TC Ombuds, Dr. Stephen Peverly, ombuds@tc.columbia.edu, 212-678-4169

Remember: TC faculty and staff members who are psychologists, counselors or lawyers cannot promise confidentiality to a student or colleague unless they are acting in their professional counseling or legal advice-giving capacity. These privileges do not apply to instructor-student or collegial relationships.

**2. Special Duties Involving Abuse or Mistreatment of Children:** If a child is in immediate danger, call the police (911) immediately. Then call Tamara Britt, General Counsel, x3438, Janice Robinson, Title IX Coordinator, x3391, or Public Safety at x3333.

In New York, “mandated reporters” [1] have an obligation to report abuse or mistreatment of minors,[2] including sexual assault. *Even if you are not a mandated reporter, you can help protect children by following the same procedures.*

Call the Child Abuse Hotline: (800) 635-1522 (mandated reporters) or 800-342-3720 (others). If you make a report, you must also alert TC immediately by contacting Tamara Britt x3438, Janice Robinson x3391, or Public Safety x3333. TC needs to know about possible abuse to protect children and the TC community.

Many members of the TC community work with minors. There are minors at Hollingworth, the Rita Gold Center and elsewhere on campus; many faculty and students work with children in schools and other institutions. Many TC programs have specific procedures for reporting abuse; faculty and staff supervising TC students who work with minors should provide guidance on reporting obligations and procedures. If your program has established procedures, please follow them. If you are not sure what to do or if you have questions, please call Tamara Britt, General Counsel, or Janice Robinson, VP for Diversity and Community Affairs and Title IX Coordinator.

**3. Policies and Procedures** are available in the TC Policy Library, [www.tc.edu/policylibrary](http://www.tc.edu/policylibrary). They include:

- TC Policy and Procedures on the Protection from Discrimination and Harassment. Also see the Reporting Form.
- Columbia/TC Gender-Based Misconduct Policies and Procedures for Students,
- TC Outline (general guidance on grievance options and procedures).

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

[2] “Minor” generally means under 18; some professions must also report abuse of other vulnerable individuals.

Responsible Office: Vice President for Diversity and Community Affairs

Last edited: May 2023

# Appendix C: Campus Sex Crimes Prevention

Retrieved September 10, 2024, from: [www.tc.columbia.edu/policylibrary/policies/campus-sex-crimes-prevention-1242133/](http://www.tc.columbia.edu/policylibrary/policies/campus-sex-crimes-prevention-1242133/)

## Campus Sex Crimes Prevention

### 1. Introduction:

The Campus Sex Crimes Prevention Act provides for the tracking of convicted, registered sex offenders enrolled as students, or working or volunteering at institutions of higher education.

Teachers College Office of Public Safety, in compliance with the notification requirements of the federal “Campus Sex Crimes Prevention Act,” provides sex offender registration information for any students, employees, or residents of the College. Additionally, information on any sex offenders who are also residents of Morningside Heights can be found at the New York Police Department - 26th Precinct.

### 2. New York State Law

New York State law mandates that anyone required to register as a sex offender do so with both their local law enforcement (municipal or county) agency at their residence and also with the police or security department of any institution of higher learning at which they are enrolled as a student (full-time or part-time), are an employee (full-time or part-time), or reside (or intend to reside or stay) on any property owned or controlled by the institution of higher learning.

### 3. Sex Offender Registration

Any affiliates who have not done so, but who are required to register by the “New

York State Offenders Registration Act”, must contact the 26th Precinct of the New York Police Department and file a report with the Office of Public Safety. Completed forms must be delivered in person (registrants must bring a valid photo ID) to the Office of Public Safety in a sealed envelope: Attn: Director of Public Safety.

### 4. Community Resources

- New York State Registry:

<https://www.criminaljustice.ny.gov/nsor/>

- New York Police Department

26th Precinct: <https://www.nyc.gov/site/nypd/bureaus/patrol/precincts/26th-precinct.page>

Responsible Office: Public Safety

Effective Date: April 2015

Last Updated: April 2015

# Appendix D: Drug-Free Campus Policy

Retrieved September 10, 2024, from: [www.tc.columbia.edu/policylibrary/policies/drug-free-campus-1222584/](http://www.tc.columbia.edu/policylibrary/policies/drug-free-campus-1222584/)

## Introduction

Teachers College (the “College”) is committed to creating and maintaining an environment for its students, staff, and faculty that is free of illicit drug and alcohol use. The College recognizes that the abuse of drugs and alcohol is a potentially strong threat to the College, to its educational mission and programs, and to the safety and well-being of the community as a whole. Accordingly, while several offices of the College are prepared to assist individuals seeking corrective help for drug or alcohol-related problems, it is the College’s policy that the unlawful manufacture, possession, use, or distribution of drugs and other controlled substances on or about the campus or any site of a College-sponsored or sanctioned activity is strictly prohibited and will not be tolerated.

Teachers College is committed to adopting and implementing programs, including awareness campaigns and counseling programs that may be needed to prevent the unlawful manufacture, possession, use or distribution of illicit drugs and alcohol by all students and employees on campus or as part of any of our activities.

Federal, state and local laws address the unlawful manufacture, possession, use, or distribution of drugs and other controlled substances, determine when drug and alcohol use is illegal, and set the legal sanctions for such laws. The College and all of its members are subject to these laws as well as College disciplinary policies which also prohibit such illegal behavior. The sale, service, possession, and consumption of alcoholic beverages at Teachers College is governed by the New York State Alcoholic Beverage Control Law, by other New York State and New York City laws, and by College policy. To review the College’s Alcohol Policy see: <http://www.tc.columbia.edu/policylibrary/policies/alcohol-policy-1222578>

## Health and Other Effects of Drugs and Alcohol

Abuse of alcohol and drugs can have serious effects on the abusers, their families, friends and communities. Some of these effects are listed below. Mindful of these risks, the College provides counseling, treatment, and educational programs to help those who abuse alcohol and drugs and those who may be affected by this abuse. This Policy also identifies external assistance programs.

### A. Alcohol Risks

The National Council on Alcoholism and Drug Dependence (NCADD) identifies “alcohol-related problems and impairments such as liver disease, gastritis, anemia, neurological disorders, impairments in cognition, [and] changes in mood or behavior.” Alcohol consumption also presents serious health risks to pregnant women and can cause birth defects. *For more information, please see:* <https://www.ncadd.org/about-addiction/alcohol/facts-about-alcohol>.

Alcohol abuse, including excessive or “binge” drinking, can also seriously affect academic and work performance. Alcohol abuse can also lead to behaviors that are destructive, violent, or asocial.

In some cases excessive consumption of alcohol can directly or indirectly lead to death.

### B. Risks of Drugs and Controlled Substances

Effects of drugs vary greatly but are similar to the effects of alcohol in that drugs often pose serious health risks, impair cognition, and change mood and behavior. Drug abuse can also directly or indirectly lead to death. The National Institute on Drug Abuse (NIDA) has prepared a listing of Commonly Abused Drugs showing their

common street names, their effects and possible treatment options. *For more information, please see:* <https://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs-charts>.

## Assistance Programs

Teachers College is committed to the education of its students regarding the dangers of alcohol and drug abuse. While vigorously enforced policies and sanctions are essential to protect the safety and well-being of the community as a whole, we believe that the best way to achieve and maintain the objective of a drug-free campus and community is through compassionate attention and preventive education. To that end, the College provides on-campus support programs and referral services for those who may require help with alcohol and drug-related problems. For any member of the College community who may have developed an alcohol or drug-related problem, who suspects that they are at risk of developing such a problem, or who seeks information about illegal or controlled substances, support programs and services are provided on a voluntary and confidential basis.

### A. Campus Drug and Alcohol Counseling Programs

- Alice! Health Promotion—(212) 854-5453 - [www.health.columbia.edu](http://www.health.columbia.edu)
- Columbia University Counseling & Psychological Services—(212) 854-2878  
[www.health.columbia.edu](http://www.health.columbia.edu)
- Columbia University Medical Services—(212) 854-7426 [www.health.columbia.edu](http://www.health.columbia.edu)
- Teachers College Office of the Ombuds—Dr. Stephen Peverly—(212) 678 4169  
<http://www.tc.edu/ombuds>
- Opioid Education and Naloxone Training:  
<https://www.health.columbia.edu/content/opioid-education-and-naloxone-training>

### B. Off-Campus Hotline Information:

- The Alcoholism Council of New York Help Line—(212) 252-7022
- Alcoholics Anonymous—in NY: (212) 647-1680 - <http://www.nyintergroup.org>
- National AA materials: <http://www.aa.org/>
- Cocaine Anonymous—(877) 958-8012 - [www.canewyork.org](http://www.canewyork.org)
- LIFENET— (800) 543-3638
- LIFENET En Español—(877) 298-3373
- Narcotics Anonymous—(212) 929-6262—[www.na.org](http://www.na.org)
- National Council on Alcoholism and Drug Dependence—(800) NCA-CALL (800) 622-2255  
<https://recovered.org/>
- National Institute on Alcohol Abuse and Alcoholism—(301) 496-4000 -[www.niaaa.nih.gov](http://www.niaaa.nih.gov)
- New York City Department of Mental Health, Bureau of Alcoholism and Substance Abuse Services—(877) 846-7369
- Pills Anonymous—(212) 874-0700

## College Sanctions

Abuse of drugs or alcohol is a violation of the College's Student Conduct Code for which the College may impose its own penalties. Any student found in violation of the College's policies regarding the unlawful manufacture, possession, use or distribution of illicit drugs, alcohol or other controlled substances on College premises or at any College-sponsored or sanctioned activity is subject to appropriate disciplinary action, including, but not limited to, warning, censure, disciplinary probation, suspension, or expulsion. Please refer to the Student Conduct Code for more information. In addition to College sanctions, individuals who violate alcohol and drug laws may be subject to federal, state or local criminal prosecution and suspension of financial aid.

The use of alcohol or drugs is never an excuse for committing any College policy violation.

Regarding gender-based misconduct, the use of alcohol or drugs never makes someone at fault for experiencing gender-based misconduct and does not diminish anyone's responsibility to obtain informed and freely given consent to sexual activity.

The health and safety of every student at the College is of utmost importance. Anyone in the presence of a severely intoxicated or apparently impaired person is encouraged to contact appropriate College or local medical or safety personnel immediately. The College recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that gender-based misconduct occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. Because the College strongly encourages students to report gender-based misconduct (including but not limited to sexual assault, dating violence, domestic violence and stalking) to College employees, the College has adopted the following policy: A student (including a bystander), acting in good faith, who discloses any incident of gender-based misconduct to a College employee or law enforcement will not be subject to subsequent disciplinary action by the College for violations related to the possession and/or use of alcohol and/or drugs occurring at or near the time of the gender-based misconduct, whether use and/or possession is intentional or accidental. This does not apply to those who use alcohol or drugs as a weapon or to facilitate assault.

## Laws Concerning Controlled Substances

Federal, state and local laws determine when drug and alcohol manufacture, possession, use, or distribution is illegal and set the legal sanctions for violations. Under federal, state and local laws, drug and alcohol offenses can result not only in fines and lengthy criminal sentences but also in the forfeiture of personal and real property and the denial of federal benefits, such as student loans, grants, contracts, and professional and commercial licenses.

### A. Penalties Under Federal Law

Federal law criminalizes possession of controlled substances as well as drug trafficking and related crimes. Information about federal criminal law and sanctions can be found in the DEA Drugs of Abuse Resource Guide and DEA Drug Trafficking Penalties Guide.

Drug offenses at or near educational institutions carry enhanced penalties. Anyone found to have manufactured, distributed, or dispensed, or possessed with intent to manufacture, distribute, or dispense, a controlled substance in or on, or within one thousand feet of, the real property comprising a public or private elementary, vocational, or secondary school or a public or private college, junior college, or university is subject to (1) twice the maximum punishment authorized; and (2) at least twice any term of supervised release for a first offense. A fine up to twice that authorized may be imposed in addition to any term of imprisonment authorized. *For additional information please see:* 21 U.S.C. § 860 - U.S. Code—Unannotated Title 21. Food and Drugs § 860. Distribution or manufacturing in or near schools and colleges.



## B. Penalties Under State and Local Law

New York State law also criminalizes possession of controlled substances and related crimes:

- New York Penal Law Article 220 (controlled substances)
- New York Penal Law Article 222 (marijuana)
- New York Penal Law Article 120 (vehicular assault, sections 120.03-04.)
- NYS DMV Penalties for alcohol or drug related violations.

The New York City Administrative Code also addresses alcohol and drug-related crimes:

- New York City Administrative Code—Public Safety

## **Suspension of Financial Aid Eligibility for Drug Offenses**

The Higher Education Act generally provides that a student who has been convicted of any federal or state offense involving the possession or sale of a controlled substance for conduct that occurred while the student was receiving any federal grant, loan or work assistance is not eligible for any other federal grant, loan, or work assistance during the period beginning on the date of conviction and ending after the interval specified below:

The penalties are:

Possession of a controlled substance:

- First offense—One year ineligibility
- Second offense—Two year ineligibility
- Third offense—Indefinite loss of aid

Sale of a controlled substance:

- First offense—Two year ineligibility
- Second offense—Indefinite loss of aid

A conviction for multiple counts of possession or sale is considered a single conviction. Juvenile court convictions are not considered. Students whose eligibility has been suspended can be reinstated if the conviction is reversed or set aside, or if the student completes an eligible rehabilitation program.

## **Biennial Review Procedures**

The College's Campus Safety Advisory Committee shall review this policy biennially, on even-numbered years to evaluate the effectiveness of the College's drug prevention policies and programs and to ensure that any College disciplinary sanctions are applied in a fair and consistent manner. A written report of the biennial review shall be prepared and submitted to the Vice President for Finance and Administration and made available to others as required by law.

It is the responsibility of Assistant Vice President, Public Safety and Environmental Health to propose changes to policies and programs and take action to correct any inconsistent application of sanctions for drug and alcohol offenses by the College. The College is committed to be responsive to the needs of its students, faculty and staff in continuing to develop policies, programs and enforcement schemes that prevent drug and alcohol abuse and comply with all regulatory requirements.

Responsible office: The Office of Public Safety

Last updated: November 7th, 2022

# Appendix E: Alcohol Policy

Retrieved September 10, 2024, from: [www.tc.columbia.edu/policylibrary/policies/alcohol-policy-1222578](http://www.tc.columbia.edu/policylibrary/policies/alcohol-policy-1222578)

Policy regarding alcoholic beverages. Applicable to faculty, staff, and students.

## Owner: Public Safety Tags: AP

The sale, service, possession, and consumption of alcoholic beverages at Teachers College (“College”) is governed by the New York State Alcoholic Beverage Control Law and other New York State and New York City laws and by College policy.

Teachers College is committed to providing an academic, living, and working environment that supports individual freedom while promoting individual responsibility, health and safety, and community welfare. Based on these laws and principles, Teachers College has developed this policy concerning the sale, service, possession, and consumption of alcoholic beverages.

This policy is applicable to the following situations:

1. All events at Teachers College and/or its student residence halls at which alcoholic beverages are served or sold. *Note* -Students in TC housing must also comply with the housing alcohol policies for any events held in the residence halls; see more at the [Office of Residential Services](#);
2. All events, on and off the Teachers College campus, that are sponsored by the College or by any College organization, department or office; and
3. All Teachers College activities, whether they occur at the College or not.

## Possession and Consumption

1. Persons under the age of 21 are prohibited from possessing or consuming alcohol at the College, within its student residence halls, or at any event, on or off campus, sponsored by any College organization, department, or office.

## Sale and Service

1. No person shall be sold or served any alcoholic beverage if:
  - a. That person is, or appears to be, under the legal drinking age of 21; or
  - b. That person is or seems to be intoxicated.
2. No person under the age of 21 shall misrepresent or proffer any false evidence of their age in order to obtain or try to obtain any alcoholic beverage or to gain access to any event or activity at which any alcoholic beverage is being sold or served.
3. No alcoholic beverage shall be sold to any person unless:
  - a. A license or permit sanctioning the sale of such alcoholic beverage has been obtained by the seller, and
  - b. The license or permit sanctioning such sale and any posters, signs, notices, or other material or information required by applicable law or by the State Liquor Authority are prominently displayed at the site of such sales.

## Sponsor

1. The “Sponsor” is the individual(s) and/or group(s) sponsoring an event or activity on or off the Teachers College campus and/or its student residence halls at which alcoholic beverages are to be sold or served.
2. The Sponsor shall be responsible for ensuring that all laws and regulations and all Teachers College policies regarding the sale, service, possession, and consumption of alcoholic beverages are complied with at such event or activity, including
  - a. The event or activity must comply with this Policy, including effective procedures for examining the attendee’s evidence of age;
  - b. As part of the request to use College facilities, the Sponsor must notify Teachers College Public Safety and Room Assignments of any event or activity at which alcoholic beverages are to be sold or served.
  - c. Student groups sponsoring events or activities on or off Teachers College campus and/or its student residence halls at which alcoholic beverages are to be sold or served must notify the Office of Graduate Student Life & Development prior to the event and comply with the requirements regarding student organizations.
  - d. The Sponsor shall instruct the person or persons actually selling or serving the alcoholic beverages not to sell or serve alcoholic beverages to any person who is or appears to be intoxicated, or whom such seller or server knows to be a problem drinker, or who is or appears to be under the legal drinking age. In addition, specific policies, procedures, and regulations governing particular facilities or populations may be developed by the persons or offices authorized to do so in conjunction with the Office of Public Safety.

## Violations

1. Actions or situations that recklessly or intentionally endanger mental or physical health or involve forced consumption of alcohol or drugs in connection with initiation into or affiliation with any organization are strictly prohibited.
2. The use of alcohol or drugs is never an excuse for committing any College policy violation. Regarding gender-based misconduct, the use of alcohol or drugs never makes someone at fault for experiencing gender-based misconduct and does not diminish anyone’s responsibility to obtain informed and freely given consent to sexual activity, and the impact of alcohol and other drugs varies from person to person, and there is no specific amount of alcohol or drugs consumed that leads to incapacitation.<sup>1</sup>
3. Violations of this policy or of any related laws are subject to College disciplinary codes and policies. Sanctions that may be assessed against violators include suspension and expulsion for students and discharge for employees. Visitors who violate this Policy may be removed from the event or activity, from the campus, and/or banned from the College.

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<sup>1</sup> For additional information about the relationship between alcohol and drugs and gender-based misconduct, please see the Columbia University/Teachers College Gender-Based Misconduct Policy and Procedures for Students.

## Criminal Penalties

Faculty, staff, students, and others affiliated with the College should also be aware that, in addition to College sanctions, violators may be subject to criminal penalties for unlawful manufacture, possession, service, or sale of alcoholic beverages to a person under the age of 21 years.<sup>2</sup>

## Procedures

**For larger and formal events (11 attendees or more):** organizations, departments, and offices, a New York State (NYS) licensed bartender(s) (NYS ATAP trained) must be retained, and the costs covered by the organization, department, or office hosting the event or activity. Please also note the following regarding alcohol service at larger and formal events:

1. There must be no charge for alcoholic beverages or for the event
2. No caterer or private event producer may purchase alcohol on behalf of Teachers College, its students, or employees.
3. Any organization, department, or office planning on hosting an event and intending on providing alcohol must be independently purchased from a licensed vendor, be stored and maintained, both before or after an event, in a location where they are not available to passersby
4. Any containers of alcohol opened during an event must have the remaining contents disposed of and discarded at the event's conclusion. (Kegs, whether empty or containing any alcohol, are prohibited at TC.)
5. Signs must be posted at the doors to the event location indicating that alcoholic beverages may not be taken beyond that location
6. New York law forbids serving alcoholic beverages to anyone under 21 or to anyone "disorderly, visibly intoxicated, or known to be a habitual drunkard." The Office of Public Safety must be contacted at 212-678-3333 immediately if anyone in attendance at the event or activity is disorderly or visibly intoxicated.
7. When alcoholic beverages are served, alternative beverages and food must be provided.
8. The Sponsor must comply with these procedures, and the representative's contact information must be provided to room assignments at least two weeks before the event or activity.

To ensure the fluidity of the event or activity, the College recommends that the sponsoring organization, department, or office follows approved catering vendor processes. While Columbia Dining Services is the recognized and preferred caterer for all College events and activities, other approved vendors may be found in Unimarket. If utilizing a catering vendor other than Columbia Dining Services, proof of licensed bartenders and a current Certificate of Insurance (COI) should be required. Arrangements for catering and bartending services must be confirmed in advance with Teachers College Public Safety and Room Assignments [via 25Live](#).

**Smaller and informal events (10 attendees and under):** organizations, departments, and offices may serve wine or beer without hiring a bartender, provided the following standards, as listed above, are met and service is consistent with applicable laws and does not create undue risk for the TC community.

Please refer to the Residential Services Contract for rules, policies, and regulations regarding the student residence halls.

Responsible Office: Office of Public Safety

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<sup>2</sup> For information about relevant federal, state, and local alcohol laws, please see the Teachers College [Drug Free Campus Policy](#) and the Teachers College [Drug Free Workplace Policy](#)

Last updated: July 10, 2023

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# Appendix F: Reporting and Investigating Hate Crimes or Bias Offenses on Campus

Retrieved September 10, 2024, from: [www.tc.columbia.edu/policylibrary/policies/hate-or-bias-crime-reporting-1242137/](http://www.tc.columbia.edu/policylibrary/policies/hate-or-bias-crime-reporting-1242137/)

## 1. Introduction

Bias crimes, also known as hate crimes, are criminal activities motivated by the perpetrator's bias toward certain actual or perceived personal characteristics of the victim. Teachers College policy and federal and state law prohibit crimes motivated by bias on the basis of race, color, creed, sex or gender, gender identity or expression, age, ancestry, national origin, caste, religious belief or practice, disability, sexual orientation, pregnancy, military status or political persuasion. The College is required to report all Hate Crimes to the NYPD and annually on the statistical incidence of bias crimes on or around campus as part of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act (the "Clery Act"). The College will separately and clearly post on its website the hate crime data from its most recently published Annual Security Report.

Not all expressions of hate or group bias rise to the level of hate crime as defined in state and federal statutes. Derogatory words or epithets directed against an individual because they are a member of a particular group are not considered hate crimes if not accompanied by a threat of harm with the ability to carry it out. Such hate-related incidents may, however, violate TC standards and norms. This is inclusive of the [Student Conduct Code: Academic Integrity and General Misconduct](#) policy.

Additionally, Teachers College is firmly committed to educating students, faculty, and staff about preventing all expressions of bias and hate through impactful trainings, seminars, discussion groups, and presentations. By fostering open discussions and encouraging our TC community to promptly report such incidents, we can enhance our ability to effectively prevent them and to encourage community interactions consistent with our mission and standards.

Note: Tracking and analyzing hate incidents provides the needed information for the community to identify potential threats and assess the level of tension in their community. Please report incidents to the Office of Public Safety or to a campus official or the NYPD.

## 2. Federal Law

The Clery Act defines hate crimes as any of the crimes otherwise reportable under the Clery Act or any bodily injury to any person in which the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim.

## 3. New York State Law

New York State Education Law Sections 6433, 6434, and 6435 require the reporting and investigation of certain bias and hate crimes as well as specific disclosure and training to help prevent such crimes. The college shall notify the NYPD as soon as practicable, but in no case more than twenty-four hours after a report of a hate crime.

New York Penal Law Section 485.05 specifies that a person commits a hate crime when he or she commits a specified offense and either intentionally selects the person against whom the offense is committed or intended to be committed in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of the

person, regardless of whether the perception or belief is correct, or intentionally commits the act or acts constituting the offense in whole or in substantial part because of a belief or perception with respect to the categories enumerated above. The specified offenses applicable under this legislation are spelled out in [New York Penal Law Section 485.05](#) section three.

For purposes of this policy, [New York Penal Law Section 485.05](#) section four defines the following:

- a. the term "age" means sixty years old or more;
- b. the term "disability" means a physical or mental impairment that substantially limits a major life activity;
- c. the term "gender identity or expression" means a person's actual or perceived gender-related identity, appearance, behavior, expression, or other gender-related characteristics regardless of the sex assigned to that person at birth, including, but not limited to, the status of being Transgender. or any attempt or conspiracy to commit any of the foregoing offenses.

When a person is convicted of a hate crime where the specified offense is a violent felony offense, the hate crime shall be deemed a violent felony offense. When a person is convicted of a hate crime where the specified offense is a misdemeanor or a class C, D, or E felony, the hate crime shall be deemed to be one category higher than the specified offense the defendant committed or one category higher than the offense level applicable to the defendant's conviction for an attempt or conspiracy to commit a specified offense, whichever is applicable.

## **4. Policy and Procedure**

Any Teachers College community member who believes they may have been the victim of a hate crime or may have witnessed a hate crime should contact the Teachers College Office of Public Safety or NYPD via 911. The Office of Public Safety is located at Whittier 1A, or by calling Public Safety at extension 3333 or (212) 678-3333. They may also contact the NYPD Hate Crimes Task Force at 1-888-440-HATE. E-Mail: [hctf@nypd.org](mailto:hctf@nypd.org)

When the Office of Public Safety receives a report of a hate crime, the NYPD will be notified and will initiate an investigation. Teachers College has a Memorandum of Understanding with the NYPD to investigate any hate crime or all felony crimes on campus. Public Safety may also conduct an investigation and refer the matter to the appropriate College administrator or supervisor for Student Conduct or other action.

There are times when an individual may believe that they have been a victim of or witnessed an act of biased activity, but there has been no apparent crime committed. In those incidents, victims or witnesses may contact the Office of Public Safety or may choose one of the other resources listed below.

The Ombuds Office offers confidential and neutral complaint handling. The Ombuds Office helps callers assess options and makes referrals to appropriate College resources. It is an independent resource for conflict resolution. It serves all members of the Teachers College community—students, faculty, and employees.

Hate Crimes are against New York law and are violations of the College's anti-discrimination policy. Concerning the law and the penalties of the law, please refer to New York State Senate Legislation Section 485.05 [Hate Crimes](#) for more information.

## **5. Educating our Community**

In accordance with Section 6436 of the New York State Education Law, and in order to inform the Teachers College Community about bias-related and hate crime prevention and reporting procedures, the College utilizes a series of methods to educate our community, including during the onboarding of all new students and

employees via new student and new employee orientations. Information is included in the consumer affairs information distribution and on the Office for Diversity and Community Affairs [webpage](#). Information includes bias and hate crime awareness, safety resources, reporting procedures, and crime prevention.

## 6. Reporting

Under the Campus Security Act, a hate crime is a crime that is committed because of the victim's race, religion, ethnicity, disability, gender, or sexual orientation.

While Teachers College takes all bias-related conduct seriously, the Campus Security Act identifies only certain crimes as potential Hate crimes:

- Aggravated Assault
- Arson
- Burglary
- Manslaughter (negligent)
- Murder/Non-negligent manslaughter;
- Motor Vehicle Theft
- Robbery
- Sex Offenses – forcible
- Sex Offenses -- non-Forcible
- Larceny-theft
- Simple assault
- Intimidation
- Destruction to property, damage to property, and vandalism

Reporting Hate Crimes and incidents, even those that you might not consider “serious,” is important to monitoring and stopping future incidents. By keeping detailed information on incidents, you can strengthen the case for official action.

- Write down exactly what happened. Try to include as much specific detail as possible in your account.
- Record precisely where and when the incident occurred.
- If anyone was with you or saw what happened, record their names and phone numbers as well. Ask them to write an account of what they witnessed and sign and date this document.
- Record names or detailed descriptions of the perpetrators.
- Make photocopies of hate mail or other documentation. Keep the originals.
- Keep a careful log of hate calls and make a tape of hate calls on your answering machine, if possible.
- Photograph physical injuries, offensive graffiti, and evidence of vandalism.
- Call Police (911) in an emergency and Public Safety via an on-campus phone dial 3333 or (212) 678-3333. Give the responding officer or official complete information to ensure the incident is documented as bias-related, hate crime



- Record the officer's name and badge number.

Responsible Office: Public Safety

Effective Date: November 3, 2023

Last Updated: November 3, 2023

# Appendix G: Missing Persons Policy

Retrieved September 10, 2024, from: [www.tc.columbia.edu/policylibrary/policies/missing-students-1242139](http://www.tc.columbia.edu/policylibrary/policies/missing-students-1242139)

## 1. Introduction:

Federal law requires Teachers College to establish procedures for use if a student who resides in campus housing is believed to be missing. Any member of the community who believes that a student is missing is encouraged to contact Public Safety immediately so the Office may investigate the apparent disappearance. Any College official with reason to believe that a student is missing must contact Public Safety immediately.

## 2. Procedure:

If members of the TC community believe that a student has been missing for 24 hours, it is critical that they report that information to the Office of Public Safety (OPS) by calling (212) 678-3333. OPS will generate a report and will attempt to locate the student or determine why the student is presumed missing. This investigation is accomplished using both on-campus and off-campus resources. The Office of Public Safety will coordinate with the Office of Residential Services, the Vice Provost for Student Affairs, and any other appropriate offices.

If the resident student cannot be located within 24 hours, or if the circumstances warrant earlier intervention and investigation by law enforcement, the Office of Public Safety will contact the local NYPD precinct and will assist them as requested. OPS will contact the student's designated confidential missing person contact as soon as practicable and no later than 24 hours after the student is determined to be missing.

If the missing student is under the age of 18 and un-emancipated, TC will also notify the student's parent or legal guardian as soon as practicable but no later than 24 hours after the student is determined to be missing, and any other designated contact person within 24 hours. Regardless of whether the student has identified a contact person, is above the age of 18 or is an emancipated minor, TC will inform the NYPD that the student is missing within 24 hours.

In addition to registering an emergency contact, students residing in on-campus housing have the option annually to identify an individual to be contacted by OPS in the event the student is determined to be missing more than 24 hours. If a student has designated such an individual, TC will contact that person as soon as practicable but no later than 24 hours after the student is determined to be missing. When students are informed of their option to provide a confidential contact, they are advised that their confidential contact information will only be accessible by authorized campus officials. This information may only be disclosed to the New York City Police Department or other bona fide law enforcement agencies and only in the furtherance of a missing person investigation.

Responsible Office: Public Safety  
Effective Date: January 2015  
Last Updated: September 29, 2022

# Appendix H: Smoke-Free Campus

Retrieved September 10, 2024, from: [www.tc.columbia.edu/policylibrary/policies/smoke-free-campus-1242143](http://www.tc.columbia.edu/policylibrary/policies/smoke-free-campus-1242143)

## Purpose

To establish Teachers College policy and procedure in conforming with NYS and NYC regulations pertaining to smoking or vaping tobacco and/or nicotine products on College property. SCOPE

This policy applies to all students, faculty, staff, and visitors.

## Responsibility

The interpretation and administration of this policy shall be the responsibility of the Director of Public Safety or their equivalent.

## Policy

NYS Public Health Law, Article 13-E, known as the Clean Indoor Air Act (CIAA,) prohibits the smoking of tobacco products and use of vapor products in nearly all indoor and certain outdoor public and workplaces.

The NYC Smoke Free Air Act (SFAA) prohibits smoking and the use of electronic cigarettes in most workplaces and public spaces. This applies to any substance, including cannabis, and includes areas near hospital entrances, in parks, beaches and pedestrian plazas. The SFAA also prohibits the use of smokeless tobacco at sports arenas and recreational areas that issue tickets.

Therefore, and in accordance with the NYC Smoke-Free Air Act and the NYS Clean Indoor Air Act, the College prohibits smoking of any kind, the use of smokeless tobacco products, the use of e-cigarettes, and the use of vaping devices of any kind in all College buildings and common areas including private offices, lounges, rooftops, residence halls, including rooms and apartments, and the Russell Courtyard. Smoking is also prohibited within fifty (50) feet of all building entrances.

Smoking, vaping, smokeless tobacco use, and e-cigarette use where prohibited is a violation of both Teachers College policy and, in most cases, New York City and State law. Violations of this policy may result in disciplinary action within TC as well as legal penalties.

## Procedure

Violations of the Smoke-Free Campus Policy should be reported to the Office of Public Safety by telephone at number 212-678-3333, or by email to [publicsafety@tc.edu](mailto:publicsafety@tc.edu).

Responsible Office: Public Safety

Last Updated: October 19th, 2022

# Appendix I: Violence-Free Workplace

Retrieved September 10, 2024, from: [www.tc.columbia.edu/policylibrary/policies/violence-free-workplace-1276114](http://www.tc.columbia.edu/policylibrary/policies/violence-free-workplace-1276114)

## 1.0 Purpose

To establish Teachers College policy and procedure to enhance the safety of employees, students and community members.

## 2.0 Scope

This policy applies to all employees.

## 3.0 Responsibility

The interpretation and administration of this policy shall be the responsibility of the Director of Public Safety.

## Policy

4.0 Teachers College is committed to providing a safe workplace for all employees.

### 4.1 Prohibited Conduct

The College does not tolerate any type of workplace violence committed by or against employees. Employees are prohibited from making threats or engaging in violent activities.

Examples of prohibited conduct include but are not limited to:

- Causing physical injury to another person;
- Making physically-threatening remarks;
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- Intentionally or recklessly damaging employer property or property of another employee;
- Possession of a weapon while on College property or while on College business;
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

4.2 Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, up to and including termination, and may be reported to the proper authorities. Non-employees engaged in violent acts on the College premises will be reported to the proper authorities.

4.3 Any potentially dangerous situations must be reported immediately to the Director of Public Safety or, if s/he is not available, a Public Safety Officer. All reported incidents or concerns will be investigated. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need- to-know basis.

Responsible Office: Human Resources Effective Date:

Last Updated: February 2015

# Appendix J: Drug-Free Workplace

Retrieved September 10, 2024, from: [www.tc.columbia.edu/policylibrary/policies/drug-free-workplace-1271254](http://www.tc.columbia.edu/policylibrary/policies/drug-free-workplace-1271254)

## Drug-Free Workplace Policy 408

### 1.0 PURPOSE

To establish Teachers College policy and procedure pertaining to unlawful use, distribution or possession of drugs or alcohol in its workplace.

### 2.0 SCOPE

This policy applies to all employees.

### 3.0 RESPONSIBILITY

The interpretation and administration of this policy shall be the responsibility of the Human Resources Officer.

### 4.0 POLICY

4.1 The College prohibits the unlawful manufacture, distribution, dispensation, sales, possession or use of any drug or substance by its employees and in its facilities. The sale, service, possession, and consumption of alcoholic beverages at Teachers College is governed by the New York State Alcoholic Beverage Control Law and by other laws of the State of New York, as indicated in TC policy. See [Alcohol Policy](#).

4.2 Any College employee who violates the College's policy or who is convicted of a drug-related crime is subject to the College's disciplinary procedures, up to and including termination. Where appropriate, an employee who has violated the College's policy may be required to participate satisfactorily in a drug or alcohol abuse assistance or rehabilitation program as a condition of continued employment.

4.3 The College must certify to contracting government agencies that it provides a drug-free workplace in connection with its government contracts. All employees are therefore given and required to sign a policy statement in which they acknowledge reading and agreeing to comply with the policy. The College complies with its legal obligation to notify the federal government of any employee's workplace-related drug conviction.

4.4 Each College employee agrees, as a condition of employment, to abide by this policy and to notify his or her supervisor no later than five (5) days after any conviction under a criminal drug statute.

4.5 Reasonable efforts will be made to assist an employee who comes forth and discloses that s/he is known to be a substance abuser. The College will endeavor to make supervisors aware of the dangers of drug abuse in the workplace.

Responsible office: Human Resources

Last updated: April 4, 2022

# Appendix K: Title IX Policy and Procedure

## POLICY STATEMENT

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

In furtherance of this commitment, and in accordance with Title IX of the Education Amendments of 1972 (“Title IX”), and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the “Clery Act”), as amended by the Violence Against Women Act (“VAWA”), the College prohibits the forms of sexual or related conduct as defined below.

Title IX of the Educational Amendments Act of 1972 (“Title IX”) is the federal law that prohibits sex discrimination by any educational institution that receives federal funding. This law has been interpreted by courts and the U.S. Department of Education to require colleges and universities to take certain steps to prevent and respond to sexual harassment.

To comply with these regulations, the College has adopted this Title IX Policy and Procedures to address the types of misconduct alleged against employees. Teachers College also maintains the “Policy on Discrimination and Harassment” for other types of discrimination, harassment, and gender-based misconduct by employees that are not covered by the new regulations. Both policies are important to creating and supporting a College community that rejects all forms of discrimination, harassment, and gender-based misconduct. In addition, Columbia University, Teachers College, and Barnard College maintain the “Gender-Based Misconduct Policy and Procedures for Students” for other types of gender-based misconduct by students that are not covered by the new regulations.

Under both the Title IX Policy and Procedures and the Policy and Procedures on Discrimination and Harassment, the College remains committed to diligently investigating reports of prohibited conduct, supporting students and employees who experience discrimination, harassment, or gender-based misconduct, and responding fairly and firmly when employee members of the College community violate College policy.

The U.S. Department of Education has issued new Title IX rules and regulations, which technically became effective on August 1, 2024, but are the subject of numerous injunctions, including one affecting Columbia University. The College is in the process of evaluating the situation and will update our Title IX Policy and Procedures in conjunction with Columbia University to comply with the new rules and regulations. You may find the most current Teachers College Title IX Policy and Procedures here:

<https://www.tc.columbia.edu/policylibrary/policies/title-ix-policy-and-procedures-11288607/>

# Appendix L: Discrimination and Harassment Policy

Retrieved September 10, 2024, from: <https://www.tc.columbia.edu/policylibrary/policies/discrimination-and-harassment-policy-and-procedures-1232283>

## Teachers College Policy and Procedures on Discrimination and Harassment

Teachers College (“TC” or the “College”) is committed to providing a working, learning and living environment free from discrimination and harassment<sup>3</sup> and to fostering a vibrant, nurturing community founded upon the fundamental dignity and worth of all of its members.

The College prohibits discrimination and harassment on the basis of race, color, religion, creed, sex, gender, gender identity or expression, sexual orientation, national origin, age, marital or partnership status, citizenship or immigration status, caste, military status, disability, pregnancy, genetic predisposition or carrier status, status as a victim of domestic violence, or any other legally protected status specified by federal, state and local laws.<sup>4</sup> In furtherance of this commitment, the College complies with Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Violence Against Women Act, the New York State Human Rights Law, New York Education Law, the New York City Human Rights Law and other federal, state and local laws prohibiting discrimination and harassment against protected classes in College employment and educational programs and activities.

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

In May 2020, the U.S. Department of Education issued new regulations for colleges and universities that address sexual harassment. Specifically, the U.S. Department of Education new set of regulations under Title IX:

- Define the meaning of “sexual harassment” (including forms of sex-based violence) and limits Title IX’s coverage to incidents involving misconduct that is “severe, pervasive and objectively offensive,”
- Address how institutions of higher education that receive federal funding (including Teachers College) **must** respond to reports of behaviors falling within that definition of sexual harassment, and
- Set out a detailed grievance process that institutions of higher education (including Teachers College) **must** follow when investigating, adjudicating and imposing sanctions in cases involving sexual harassment under that definition.

To comply with these regulations, the College has adopted a new policy for those types of misconduct alleged against employees - the Title IX Policy and Procedures. These new regulations do not cover all of the types of misconduct or places in which misconduct occurs that Teachers College believes must be addressed in keeping with our own commitment to non-discrimination and our obligations under additional federal, state and local laws. The Teachers College Policy and Procedures on Discrimination and Harassment addresses other types of discrimination, harassment and gender-based misconduct by employees that are not covered by the new regulations. Both policies are important to creating and supporting a College community that rejects all

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<sup>3</sup> For purposes of this Policy, the term “discrimination and harassment” refers to discrimination, harassment and all forms of gender-based misconduct.

<sup>4</sup> See the [Teachers College Non-Discrimination Statement](#).

forms of discrimination, harassment and gender-based misconduct. In addition, Columbia University, Teachers College and Barnard College maintain the [Gender-Based Misconduct Policy and Procedures for Students](#) for instances of gender-based misconduct where the Respondent is a student.

Under both the Title IX Policy and Procedures and the Policy and Procedures on Discrimination and Harassment, Teachers College remains committed to diligently investigating reports of misconduct, supporting students and employees who experience gender-based misconduct, and responding fairly and firmly when employee members of the College community violate College policy.

## Scope of Policy and Procedures

This Policy governs the conduct of College employees and third parties<sup>5</sup> that: (1) occurs on any College campus or in connection with College-sponsored programs or activities; or (2) creates, contributes to, or continues a hostile work, educational or living environment for College employees, students, or third parties.

The Procedure sections below describe the general response, resolution and disciplinary processes that apply when the person accused of prohibited conduct (referred to as the “Respondent”) is a current College employee or a third party.

As noted above, federal, state<sup>6</sup> and local laws set forth specific requirements for addressing allegations of sexual harassment, sexual assault, dating violence, domestic violence and stalking, as well as other types of gender-based misconduct (including gender-based harassment, and sexual exploitation). The **Sexual Misconduct Procedures** describe the general response, resolution and disciplinary process that applies to these prohibited conducts when the Respondent is a current College employee or a third party. For allegations meeting the federal definition of sexual harassment under Title IX, the Teachers College Title IX Policy and Procedures is applicable.

## Policy

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

This Policy includes the following guidance:

- Principles and definitions concerning discrimination, harassment, gender-based misconduct and related matters
- Reporting obligations and options
- Informal and formal procedures
- Resources
- Legal Protections and External Remedies

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<sup>5</sup> For purposes of this Policy, “third parties” includes non-employees who are (or are employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. Non-employees include persons commonly referred to as independent contractors, “gig” workers and temporary workers. Also included are persons providing equipment repair, cleaning services or any other services provided pursuant to a contract with the employer.

<sup>6</sup> New York law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace from workplace harassment. A perpetrator of workplace harassment can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, visitor, or student. This includes by students, staff or third party.



## Definitions of Prohibited Conduct

### **Discrimination**

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

### **Discriminatory Harassment**

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

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

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

### **Sexual Harassment**

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

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

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

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone, which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient's job performance.

### *Examples of Sexual Harassment:*

- Physical assaults of a sexual nature, such as:
  - Touching, pinching, patting, grabbing, brushing against another person's body or poking another person's body.
- Unwanted sexual advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the victim's job performance evaluation, a promotion or other job benefits or detriments;
  - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks, jokes, or comments about a person's sexuality or sexual experience, which create a hostile work or learning environment.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
  - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
  - Sabotaging an individual's work;
  - Bullying, yelling, name-calling.

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

### **Gender-Based Harassment**

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

### **Gender-Based Misconduct**

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

### **Sexual Assault: Penetration**

Any form of vaginal, anal, or oral penetration, however slight, by a penis, tongue, finger, or object, without a person's affirmative consent.

### **Sexual Assault: Contact**

Any sexual contact, including sexual touching for the purpose of sexual gratification of either party, without a person's affirmative consent. Sexual touching includes contact under or over clothing with the breasts,

buttocks, genitals, groin or inner thigh, or touching another with any of these body parts; making another person touch any of these body parts under or over clothing; or the emission of ejaculate on the clothing or body of another person without that person's consent.

### **Domestic Violence**

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

### **Dating Violence**

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

### **Stalking**

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

### **Sexual Exploitation**

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

### **Retaliation**

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

- Any individual or group of individuals, not just the Respondent or Complainant can be found to have engaged in retaliation.
- Retaliation includes threatening, intimidating, harassing or any other conduct that would discourage a reasonable person from engaging in activity protected under this Policy. Protected activity includes: reporting misconduct (either internally or with any

antidiscrimination agency); participating in an investigation or adjudication; seeking services; receiving protective measures and accommodations.

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

### Consensual Romantic and Sexual Relationships

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

### Disability Accommodations and Access

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

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

In addition, the College is committed to fostering a campus that is equally accessible to employees, students and applicants. Individuals with disabilities who have physical or digital access needs to the Teachers College community should also contact OASID to discuss their concerns.

### Reasonable Accommodation of Pregnancy

In accordance with federal, state and local law, the College will provide reasonable accommodations to employees and students based on the needs of pregnancy, childbirth or related medical conditions, unless doing so places an undue hardship on the College.

*Employees* seeking a reasonable accommodation based on the needs of pregnancy, childbirth or related medical conditions should contact [TC Human Resources](#) for guidance and assistance.

*Students* seeking a reasonable accommodation based on the needs of pregnancy, childbirth or related medical conditions should contact the TC Title IX Coordinator, Janice S. Robinson at [jsr167@tc.columbia.edu](mailto:jsr167@tc.columbia.edu), or via telephone at (212) 678-3391 for guidance and assistance.

## Reasonable Accommodation of Religion

In accordance with federal, state and local law, the College will provide reasonable accommodations of religious practices and beliefs, unless doing so places an undue hardship on the College.

*Employees* seeking a religious accommodation should contact their supervisor or [TC Human Resources](#).

*Students* seeking a religious accommodation should initially work with their course instructor. If they cannot reach a suitable arrangement, students should consult with the appropriate program director or department chair. Students also may take the matter to the Office of the Provost for additional appeal.

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

## Duty to Act

Management and supervisory personnel are expected to take reasonable and necessary action to prevent discrimination and harassment, to take appropriate action when they learn directly or indirectly of conduct that may violate College policies, and to respond promptly and thoroughly to any such claims. Management and supervisor personnel are also responsible for reasonably accommodating their direct reports. For additional information regarding this obligation, please see the [TC Reasonable Accommodation Policy for Employees](#).

A manager or supervisor who fails to take appropriate action may be found to have violated the College's policies even in situations where the underlying event does not constitute discrimination or harassment. Upon notice that a direct report is a Respondent in an allegation of prohibited conduct, the Respondent's immediate supervisor(s) will take prompt and effective remedial action to immediately stop the prohibited conduct, as well as prevent its recurrence.

For purposes of this Policy, management and supervisory personnel include:

- Any employee having formal supervisory responsibility over employees;
- Faculty in such roles as department chair, program director, institute director, center director, dean or similar position supervising other faculty and/or staff;<sup>7</sup> and
- Principal Investigators on a grant or contract act in a supervisory capacity over the individuals in the lab or research they lead.

## Duty to Report

### **Abuse of Minors**

All College employees are directed contact the police (911) if they believe a child is in immediate danger and to then report to Tamara Britt, TC Vice President and General Counsel at (212) 678-3438, Janice S. Robinson, Vice President for Diversity and Community Affairs and TC Title IX Coordinator at (212) 678-3391, or Public Safety at (212) 678-3333

To report child abuse externally, employees are directed to contact the NYS Child Abuse Hotline (800-635-1522 (mandated reporters) or 800-342-3720 (others)), and then must report to Tamara Britt, TC Vice President and General Counsel at (212) 678-3438, Janice S. Robinson, Vice President for Diversity and Community Affairs and TC Title IX Coordinator at (212) 678-3391, or Public Safety at (212) 678-3333.

A copy of the College's policy on Abuse and Harassment of Minors can be found here:

[Guidance for Teachers College Faculty and Staff on Reporting Obligations](#).

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<sup>7</sup> For example, faculty and other instructional staff may supervise teaching assistants, course assistants, research assistants, department secretaries and other staff members.

### **Prohibited Gender-Based Misconduct**

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

Prohibited gender-based misconduct should be reported immediately to the TC Title IX Coordinator, Janice S. Robinson at:

- [Via report form](#)
- By phone at (212) 678-3391
- By email [jsr167@tc.columbia.edu](mailto:jsr167@tc.columbia.edu)
- By mail at 525 West 120<sup>th</sup> Street, 128 Zankel Hall Box 220, New York, NY 10027
- By hand delivery to 128 Zankel Hall

### **Other Prohibited Conduct**

The College strongly encourages all employees to report any other form of discrimination or harassment to the Office of the Vice President for Diversity and Community Affairs (ODCA) and/or the employee's designated Human Resources representative.

### **Managers and Supervisors**

Managers and supervisors **must** report any instance or allegation of prohibited conduct by an employee or third party that is disclosed to, observed or otherwise known by them to ODCA and/or their designated human resources representative (who will report to immediately and coordinate with ODCA regarding the appropriate College response).

Failure of a manager or supervisor to report any instance or allegation of prohibited conduct by an employee or third party that is disclosed to, observed or otherwise known by the manager or supervisor will constitute a violation of this Policy and may result in disciplinary action, even in situations where the College determines that the underlying conduct does not constitute a policy violation.

### **Employees Not Required to Report**

College employees serving in a privileged professional capacity (e.g., counselors)<sup>8</sup> are not obligated to report and, absent a request by the Complainant, should not report information disclosed to them in their capacity as a privileged professional, except as required by law.

Similarly, the College Ombuds Officer will not provide the College or the Title IX Coordinator with identifying information concerning individuals who disclose possible incidents of discrimination or harassment. The College Ombuds Officer will quarterly provide the College with limited, nonidentifiable information intended to permit the College to assess the incidence of such prohibited conduct and, where appropriate, include such incidents in the College's Annual Security Report.

If an employee has any question about who is the appropriate College contact to whom that employee should report potential prohibited conduct, the employee should contact ODCA staff at (212) 678-3391 or via email at [odca@tc.columbia.edu](mailto:odca@tc.columbia.edu) for guidance.

### **Privacy and Confidentiality**

The College values the privacy of its faculty, staff, students and all community members. Some campus resources are confidential and will not share any identifying information with others, except as required by law in emergency situations. Other resources are not confidential, but will protect the privacy of a faculty, staff or

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<sup>8</sup> Individuals trained as psychologists, counselors and lawyers have a legal obligation of confidentiality to their patients and clients, but not to their students, colleagues or others. While faculty will protect student privacy to the extent possible, the law does not protect student or colleague confidences shared with administrators or faculty members. Psychologists hired as faculty/instructors/lecturers/adjuncts are not confidential.

student to the greatest extent possible and will share information with other staff on a need-to-know basis. Appendix B contains resource information regarding including whether the resource is confidential.

#### Education and Training Programs

All College employees are expected to read, understand and adhere to this Policy. The College provides educational and training programs for faculty and staff concerning conduct that may constitute a violation of College policies and the procedures applicable to alleged violations. All College employees are required<sup>9</sup> to participate in training programs offered to them and to be knowledgeable about the College's policies and procedures.

Requests for live training as well as any questions about the College's policies and procedures should be addressed to the Office of the Vice President for Diversity and Community Affairs at [odcctraining@tc.columbia.edu](mailto:odcctraining@tc.columbia.edu).

#### Academic Freedom

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

#### Resources

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

## PROCEDURES

### COMPLAINTS OF PROHIBITED CONDUCT

Teachers College provides a range of options for those who believe they have experienced Prohibited Conduct and individuals are encouraged to bring their concerns to the College's attention immediately. The College takes allegations of Prohibited Conduct very seriously, will actively respond to alleged discrimination and/or harassment and will take remedial action, where appropriate. The College does not limit the time for submitting a complaint of Prohibited Conduct, but strongly urges the immediate reporting of complaints or concerns. Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of discrimination and/or harassment. The College's ability to investigate and respond effectively may be reduced with the passage of time.

#### Where to Report

Those who have experienced Prohibited Conduct by a College employee or third party may notify ODCA. If particular circumstances make a discussion with, or a complaint to ODCA inappropriate (for instance, the complaint involves an ODCA employee), incidents may be reported to Human Resources or the Complainant's supervisor. The College takes allegations of Prohibited Conduct very seriously and will take appropriate action against all alleged discrimination and/or harassment, even in the absence of a complaint.

Complaints may be submitted in writing or made orally to ODCA. Complaints may be submitted to ODCA by any of the following methods:

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<sup>9</sup> All Teachers College employees are required to complete annual online discrimination, harassment and gender- based misconduct training. Access to the training platform may be found in the myTC portal under Support Resources.

- By phone at (212) 678-3391
- [Via report form](#)
- By email at [odca@tc.columbia.edu](mailto:odca@tc.columbia.edu)
- By mail at 525 West 120<sup>th</sup> Street, 128 Zankel Hall Box 220, New York, NY 10027
- By hand delivery to 128 Zankel Hall Individuals with Limited English Proficiency

Teachers College is dedicated to ensuring that individuals with Limited English Proficiency can participate fully and equally in the TC community. Individuals with Limited English Proficiency can receive this complaint process in their primary language as well as access translation and interpretation services. In order to, receive a copy of this complaint process in your primary language, to request translation or interpretation services, or request any other related services, contact ODCA:

- By phone at (212) 678-3391
- By email at [odca@tc.columbia.edu](mailto:odca@tc.columbia.edu)
- By mail at 525 West 120<sup>th</sup> Street, 128 Zankel Hall Box 220, New York, NY 10027
- By hand delivery to 128 Zankel Hall

### **Individuals with Disabilities**

Teachers College is dedicated to ensuring that individuals with disabilities can participate equally in the TC community. Teachers College Office of Access and Services for Individuals with Disabilities (OASID) can provide this policy, which includes the information about the complaint process, in disability-related alternative text formats (e.g., immersive reader, electronic braille, BeeLine Reader, audio MP3, ePub, HTML). This policy is also screen reader accessible. Go to [my.tc.columbia.edu](http://my.tc.columbia.edu) to find the Policy and Procedures on the Protection from Discrimination and Harassment and download the document from the TC policy library.

Contact OASID for disability-related alternative text formats, or any other related services:

- By phone at (212) 678-3689
- By website [www.tc.columbia.edu/oasid](http://www.tc.columbia.edu/oasid)
- By email at [oasid@tc.edu](mailto:oasid@tc.edu)
- By mail at 525 West 120<sup>th</sup> Street, 301 Zankel Hall Box 105, New York, NY 10027
- By hand delivery to 301 Zankel Hall

To the extent possible, the complaint should include the following information: the identity and status of the Complainant and the Respondent (e.g., employee, student); details concerning the incident(s) or conduct that gave rise to the complaint; date(s) of, and location(s) of the incident(s); the identity and status of any witness(es) to the incident(s) with telephone numbers, e-mail addresses, and street addresses if known. Reports may be submitted anonymously, by witnesses, or by others who are made aware of the incident.

The College will, as appropriate, assess complaints against third parties or unknown individuals discriminating against or harassing College employees or students. The College will take appropriate steps to protect employees, non-employees providing services on campus, students, and the College community as a whole.

If employees choose to direct their complaints or allegations of Prohibited Conduct to their managers, supervisors, or Human Resources, then those individuals, as mandatory reporters, will report the alleged conduct to ODCA. Except in matters falling under the Sexual Misconduct Procedures (described below), union members may file complaints with their collective bargaining unit unless prohibited by their collective bargaining agreement, or unless an inherent conflict of interest would interfere with a fair adjudication in the collective bargaining unit. The proceedings will be governed by the applicable procedures of the



applicable collective bargaining agreement: <https://www.tc.columbia.edu/human-resources/policies--union- contracts/union- contracts/> .

If an individual files a complaint with more than one College department or office regarding the same incident, ODCA, in consultation with the other departments, will determine the appropriate department to conduct the investigation. Complaints shall not be investigated by more than one department or office simultaneously, nor will a department or office investigate a complaint after another department/office has completed an investigation into that claim.<sup>10</sup>

## **Action Taken By ODCA**

### **Initial Assessment of Complaints**

After receiving a report of possible prohibited conduct, ODCA will conduct an initial assessment to evaluate whether, if substantiated, the conduct constitutes a Policy violation and whether there is a reasonable basis to engage in the investigative process. Reasonable basis is defined as the existence of some credible information to support the alleged violation and can include a credible witness or Complaint's narrative, among others. ODCA will assess the available information, determine if a complaint is supported or unsupported by any such information, and take the following actions:

- ODCA may dismiss the complaint if it determines that the report does not allege facts that, if substantiated, would constitute a violation of the Policy, or that the facts as alleged in the report are refuted by evidence or information known to or possessed by the Office;
- ODCA may refer the report to another office such as Human Resources to address the alleged conduct through alternate means;
- ODCA will review available options for resolution with the parties, including but not limited to investigation, and other options for informal resolution such as personal informal resolution, administrative resolution, mediation, facilitated dialogues and/or communications between the parties. Informal resolution is not available for allegations of sexual harassment and sexual assault.

ODCA can require an investigation upon assessment of a complaint, even if the parties request an alternative resolution. ODCA's assessment includes, without limitation, whether there is sufficient information to conduct an investigation and the nature and scope of the alleged prohibited conduct.

## **Resolutions**

Individuals who believe they have experienced Prohibited Conduct (non-gender based misconduct) have various options for resolution both informally and formally.

### *Options for Informal Resolution*

Informal resolution options are not available for individuals who have experienced sexual harassment or sexual assault.

Options for informal resolution may be available for individuals who have experienced domestic violence, dating violence and/or stalking depending on the resolution involved.

For all other forms of Prohibited Conduct, the College will provide each party with sufficient information to make an informed decision to consent to any form of informal resolution.

### *Personal Informal Resolution*

A person who believes that they have experienced discrimination or harassment, based on their membership in a protected class may choose to work with the alleged offender directly through various approaches including:

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<sup>10</sup> Grievances of academic appointees shall first be considered or given a hearing through regular administrative channels. If action taken is not satisfactory to the complainant, appeal may be taken to the Faculty Advisory Committee." See Faculty Handbook Section 2.VI.B.13.

- a face-to-face discussion,
- a personal telephone conversation,
- email correspondence, or
- other communication.

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

#### *College-Assisted Informal Resolution Options*

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

#### *Facilitated Conversation*

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

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

#### *Formal Mediation*

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

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

#### *Alternate Resolution*

The College may seek to resolve certain Prohibited Conduct through an informal process involving both the Complainant and Respondent. This form of resolution can take place prior to a formal resolution.

### **Supportive and Interim Measures**

Where appropriate, the College will work with individuals affected by Prohibited Conduct to ensure their safety and promote their well-being. In addition to providing preliminary information regarding the resolution processes, ODCA Staff will discuss the availability of supportive and interim measures with both parties. This assistance may take the form of supportive measures intended to support or to protect the employee or student in the aftermath of an incident and interim measures while an investigation or disciplinary action is pending. Parties may request supportive or interim measures even in cases where an investigation is not undertaken or the Complainant or Respondent has declined to participate in the College proceeding or where applicable, a criminal process. The College will evaluate any request for supportive or interim measures in light of the circumstances and information available at the time of the request.

Supportive and interim measures may include extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence or administrative leave, no contact directives, increased security and monitoring of certain areas of the campus, and other similar measures.

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

The imposition of supportive and interim measures does not indicate that the College has made a final decision about the report of prohibited conduct. The College will provide notice about these supportive and interim measures only to those who need to know in order to make them effective. Failure to comply with supportive and/or interim measures or other directives is a violation of College Policy and may lead to additional disciplinary action.

All parties and witnesses are expected to continue to perform their job responsibilities during the course of an ODCA resolution process. Supportive and interim measures are intended to support parties in fulfilling their job responsibilities.

## **Formal Resolution**

### *Investigation*

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

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

Upon receiving a written or verbal formal complaint that a College employee or third party has allegedly engaged in Prohibited Conduct, ODCA will initiate an investigation. The Vice President for Diversity and Community Affairs will assign an investigative team to conduct the investigation and may, in their sole discretion, assign the investigation an outside investigator.

### *Confidentiality*

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

The investigative team will interview the Complainant, the Respondent, witnesses, and any other persons with relevant information about the alleged incident(s). The investigative team may also review personnel records and other documents deemed relevant to the investigation. The investigative team acting on behalf of the College has the authority and responsibility to gather information from all sources judged necessary for a fair resolution of a complaint. The Complainant and Respondent may suggest witnesses the investigative team should interview and documentation they should consider. The investigative team, however, has complete discretion to determine which witnesses to interview and which documents to consider.

Complainants, Respondents, witnesses and advisors will not be permitted to record anything related to the investigation and/or disciplinary process.

During the investigation process, no party is permitted to be represented by legal counsel. The **Sexual Misconduct Procedures** for claims of sexual assault, dating violence, domestic violence and stalking and student complaints of gender-based misconduct permit advisors of choice (who may be an attorney) (as described below). Members of collective bargaining units are entitled to union representation during any investigation process. The union representative may not actively participate in or interfere with the investigative process.

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

#### *Investigative Findings and Disciplinary Recommendations*

The College strives to conduct all investigations fairly and complete them in a timely fashion (and if applicable, within any time period prescribed by law).

Upon conclusion of the investigation, the investigative team will provide a written investigative report (Investigative Report) to the Complainant, the Respondent, and the Respondent's supervisor(s). The Investigative Report will summarize the alleged prohibited conduct that was the subject of investigation, identify the Prohibited Conduct at issue, briefly detail the investigative steps, and inform the parties of ODCA-respective finding(s) as to whether the conduct constituted a violation of the Policy. If the investigative team finds that the Respondent has engaged in the Prohibited Conduct at issue, the investigative team will forward a disciplinary recommendation to the Respondent's supervisors. The Investigative Report will also inform the parties that they have five (5) days to appeal as described below.

#### *Discipline*

If the investigative team finds that the Respondent has engaged in Prohibited Conduct, the Respondent's supervisor(s) will be informed of the finding(s) and based on the facts and circumstances of the case and, in consultation with appropriate College officials (including ODCA), will be tasked with implementing appropriate discipline for the Respondent.

The Respondent's supervisor(s) may consider instances of previous Prohibited Conduct, the seriousness of the violation, the totality of the information available, and any extenuating or aggravating circumstances the designated supervisor(s) deems relevant.

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

#### *Appeal*

Either party may appeal the determination. There are two grounds for appeal: (1) the party has new information, unavailable at the time of the investigation; that may change or affect the outcome; or (2) there was a procedural error that may have impacted the outcome. Disagreement with the finding is not, by itself, grounds for appeal. The appeal must be in writing and may be no longer than five double-spaced, type-written pages. The appeal must be delivered to the Vice President for Diversity and Community Affairs within five (5) business days of delivery of the Investigative Report to the parties (via email, mail or hand delivery). Failure to meet the deadline for appeal shall result in waiver of the right to appeal. The College reserves the right to investigate and take any necessary action of its own accord based on new information or events that were not known during the course of the initial investigation.

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

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

The Appeal Officer should render a written decision within ten (10) business days of receipt of any response from the non-appealing party, and will forward the written decision to the Vice President. The Vice President will provide written notice to the parties of the final disposition of the matter. Once submitted to the Vice President, the decision of the Appeal Officer is not subject to further review. Faculty members have additional appeal rights under the College's Statutes; as required by applicable law, any available appeal rights will be available to both the Complainant and the Respondent in any matter.

Any discipline imposed prior to the filing of the appeal will stand during the appeal period. Discipline may also be imposed while the appeal is pending.

#### *Corrective Action*

The College may also determine that additional measures are appropriate to respond to the effects of the incident on the College community. Additional responses for the benefit of the community may include increased monitoring, supervision, or security at locations or activities where the prohibited conduct occurred, additional training and educational materials for students and employees and revision of policies.

# PROCEDURES

## SEXUAL MISCONDUCT

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

The Sexual Misconduct Procedures apply to reports of sexual harassment,<sup>11</sup> sexual assault, domestic violence, dating violence, stalking and retaliation relating to such claims against employees and third parties when the complainant is an employee or third party. These procedures also apply to all gender-based misconduct (including sexual assault, domestic violence, dating violence, stalking, sexual harassment, gender-based harassment, sexual exploitation, retaliation and other forms of discrimination based on gender or sex) against employees and third parties when the complainant is a student. Allegations of Gender Based Misconduct against Teachers College students are governed by the [Gender-Based Misconduct Policy and Procedures for Students](#).

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

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

## COMPLAINTS OF SEXUAL MISCONDUCT

Teachers College provides a range of options for those who believe they have experienced sexual misconduct and individuals are encouraged to bring their concerns to the College's attention immediately. The College takes allegations of Sexual Misconduct very seriously, will actively respond to alleged Misconduct, and will take remedial action, where appropriate. The College does not limit the time for submitting a complaint of Sexual Misconduct, but strongly urges the immediate reporting of complaints or concerns. Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of Sexual Misconduct.

The College's ability to investigate and respond effectively may be reduced with the passage of time.

### Where to Report

Those who have experienced Sexual Misconduct by a College employee or third party should notify the TC Title IX Coordinator. If particular circumstances make a discussion with, or a complaint to the Title IX Coordinator inappropriate (for instance, the complaint involves the Title IX Coordinator), incidents may be reported to a designee. The College takes allegations of Sexual Misconduct very seriously and will take appropriate action against all alleged sexual harassment, sexual assault, domestic violence, dating violence, stalking and all forms of student reports of gender-based misconduct, even in the absence of a complaint.

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<sup>11</sup> Please be aware that the federal definition of sexual harassment under the new Title IX regulations is different from the definitions found in NYC and NYS laws. Therefore, as noted above, Teachers College has created a separate policy to address those behaviors that fall under the federal definition.

Reports and/or complaints may be made in writing or made orally to an employees' manager or supervisor, or to the TC Title IX Coordinator. All employees, especially management and supervisory personnel, have a duty to report allegations of Sexual Misconduct to the TC Title IX Coordinator. Complaints and/or reports should be submitted directly to the TC Title IX Coordinator by any of the following methods:

- By phone at (212) 678-3391
- By email at [jsr167@tc.columbia.edu](mailto:jsr167@tc.columbia.edu)
- [Via report form](#)
- By mail to 525 West 120<sup>th</sup> Street, 128 Zankel Hall Box 220, New York, NY 10027
- By hand delivery to 128 Zankel Hall

To the extent possible, the complaint and/or report should include the following information: the identity and status of the Complainant and the Respondent (e.g., employee, student); details concerning the incident(s) or conduct that gave rise to the complaint; date(s) of, and location(s) of the incident(s); the identity and status of any witness(es) to the incident(s) with telephone numbers, e-mail addresses, and street addresses if known. Reports may be submitted anonymously, by witnesses, or by others who are made aware of the incident.

The Title IX Coordinator will, as appropriate, assess complaints against third parties or unknown individuals engaging in Sexual Misconduct against College employees or students. The College will take appropriate steps to protect employees, non-employees providing services on campus, students, and the College community as a whole.

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

#### *Initial Assessment of Complaints and Reports*

After receiving a report of possible sexual misconduct, the Title IX Coordinator will designate the report to the ODCA Title IX Staff who will conduct an initial assessment to evaluate whether, if substantiated, the conduct constitutes a Policy violation and whether there is a reasonable basis to engage in the investigative process. Reasonable basis is defined as the existence of some credible information to support the alleged violation and can include a credible witness or Complainant's narrative, among others. The ODCA Title IX Staff will assess the available information, determine if a complaint is supported or unsupported by any such information, and take the following actions:

- The ODCA Title IX Staff may dismiss the complaint if it determines that the report does not allege facts that, if substantiated, would constitute a violation of the Policy, or that the facts as alleged in the report are refuted by evidence or information known to or possessed by the Office;
- The ODCA Title IX Staff may refer the report to another office such as Human Resources to address the alleged conduct through alternate means;
- The ODCA Title IX Staff will review available options for resolution with the parties, including but not limited to investigation, and other options for informal resolution such as personal informal resolution, administrative resolution, mediation, facilitated dialogues and/or communications between the parties. Informal resolution is not available for allegations of sexual harassment and sexual assault.

ODCA Title IX Staff can require an investigation upon assessment of a complaint, even if the parties request an alternative resolution. ODCA's assessment includes, without limitation, whether there is sufficient information to conduct an investigation and the nature and scope of the alleged misconduct.

## Allegations of Sexual Harassment

### **Formal Resolution - Investigation**

The College will investigate all complaints and/or reports about suspected sexual harassment in a private and timely manner.

Upon receipt of a written or verbal complaint and/or report that a College employee or third party has allegedly engaged in sexual harassment, the Title IX Coordinator will designate the ODCA Title IX Staff to conduct an immediate review of the allegations and take any interim actions, as appropriate. If the complaint is oral, the Complainant will be encouraged to complete the TC Complaint Form. If the Complainant refuses, the ODCA Title IX Staff will prepare the Complaint Form based on the oral reporting. The Title IX Coordinator will assign the investigation to an appropriate College Title IX investigative team or to an outside investigator to conduct the investigation.

The investigative team will conduct a prompt, thorough and private investigation that ensures a fair process for all parties. The investigative team will interview the Complainant, the Respondent and any other persons with relevant information about the alleged incident(s). The investigative team will inform Complainants of their right to file a sexual harassment complaint or a charge externally.<sup>12</sup> The investigative team will preserve, obtain and review all evidence including documents, emails or phone records relevant to the allegations. Acting on behalf of the College, the investigative team has the authority and responsibility to gather information from all sources judged necessary for a fair resolution of a complaint. The Complainant and Respondent may suggest witnesses the investigative team should interview and documentation they should consider. The investigative team, however, has complete discretion to determine which witnesses to interview and which documents to consider. Complainants, Respondents, and witnesses will not be permitted to record anything related to the investigation and/or disciplinary process.

During the sexual harassment investigation process, no party is permitted to be represented by legal counsel. Members of collective bargaining units are entitled to union representation during any resolution or investigation process.

### **Investigative Findings and Disciplinary Recommendations**

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

Upon conclusion of the investigation, the investigative team will provide a written investigative report to the Complainant, the Respondent, and the Respondent's supervisor(s). The Investigative Report will summarize the alleged sexual harassment, briefly detail the investigative steps, and inform the parties of the investigative team's respective finding(s) as to whether the conduct constituted a violation of the Policy. The Investigative Report will also inform the parties that they have ten days to appeal.

If the investigative team finds that the Respondent has engaged in sexual harassment, the investigative team will forward a disciplinary recommendation to the Respondent's supervisors. In making such a recommendation, the investigative team shall consider records of previous conduct or behavior, the seriousness of the violation, the totality of the information available (including investigative records) and any extenuating or aggravating circumstances the investigator deems relevant.

### *Discipline*

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<sup>12</sup> For a list of external agencies, please see Appendix C.



The Title IX Coordinator will consult with the Respondent's supervisor regarding possible discipline and along with the supervisor, based on the facts and circumstances of the case, they may consider instances of previous Prohibited Conduct or Misconduct, the seriousness of the violation, the totality of the information available, and any extenuating or aggravating circumstances the supervisor deems relevant in determining appropriate discipline. The Respondent's supervisor will impose discipline that is fair and appropriate given the facts of the particular case; adequate to protect the safety of the campus community and reflective of the seriousness of the sexual harassment.

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

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

The Respondent's supervisor will generally render a disciplinary decision within 10 business days following issuance of the final investigation report. The Respondent's supervisor will communicate the disciplinary decision in writing to the Title IX Coordinator who will notify the Complainant and Respondent in writing.

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

### *Appeal*

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

On receipt of the appeal, the Title IX Coordinator will designate an Appeal Officer in the matter and will forward the appeal to the Appeal Officer for review. The appeal officer will be a senior administrator at the College. Thereafter, the Title IX Coordinator will notify the party who is not appealing that an appeal was filed, the grounds for appeal asserted, and the identity of the Appeal Officer. The non-appealing party will be permitted to submit a written response to the appeal, which shall be no longer than five double-spaced typewritten pages to the Title IX Coordinator within five (5) business days of receiving the notice of the appeal. The Title IX Coordinator will forward any response to the Appeal Officer.

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

The Appeal Officer will render a written decision within ten (10) business days of the initial receipt of the appeal, and will forward the written decision to the Title IX Coordinator. The Title IX Coordinator will provide written notice to the parties of the final disposition of the matter.

Once submitted to the Title IX Coordinator, the decision of the Appeal Officer is not subject to further review. Faculty members have additional appeal rights under the College's Statutes; as required by applicable law, any available appeal rights will be available to both the Complainant and the respondent in any matter.

Any discipline imposed prior to the filing of the appeal will stand during the appeal period. Discipline may also be imposed while the appeal is pending.

#### *Corrective Action*

The College may also determine that additional measures are appropriate to respond to the effects of the incident on the College community. Additional responses for the benefit of the community may include increased monitoring, supervision, or security at locations or activities where the prohibited conduct occurred, additional training and educational materials for students and employees and revision of policies.

Allegations of Other Sexual Misconduct (Including Sexual Assault, Dating Violence, Domestic Violence, Stalking and Student Complaints of Gender Based Misconduct)

#### **Confidentiality**

A Complainant may report Sexual Misconduct to the Title IX Coordinator and request in writing that the Title IX Coordinator not disclose the Complainant's identity to anyone else, including the person who allegedly committed the misconduct. While such a request may limit the ability to investigate and respond to the reported sexual misconduct, the Title IX Coordinator will consider the request in light of the College's commitment to provide a safe and non-discriminatory environment and will honor the request whenever possible.

In considering the request, the Title IX Coordinator will weigh the following factors:

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

The Title IX Coordinator will promptly notify the Complainant in writing whether the College will be able to honor the Complainant's request for confidentiality. At the Complainant's written request, the Title IX Coordinator will also notify the Respondent in writing, including that the Complainant asked the Title IX Coordinator not to investigate.

Whether or not the Title IX Coordinator is able to grant a request to keep the Complainant's identity confidential, College personnel will reveal information about investigations and disciplinary proceedings related to Sexual Misconduct only to those who need to know in order to carry out their duties and responsibilities. In all cases, the College will take appropriate steps designed to counteract the effects of the alleged Sexual Misconduct, prevent its recurrence and provide supportive measures for the parties involved.

#### **Student Amnesty for Alcohol and/or Drug Use**

The health and safety of every student at TC is of utmost importance. TC recognizes that students who have been drinking and/or using drugs (whether use is voluntary or involuntary) at the time that violence, including

but not limited to sexual assault, domestic violence, dating violence, or stalking occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The College strongly encourages students to report sexual assault, domestic violence, dating violence, or stalking to TC officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any assault to College officials or law enforcement will not be subject to disciplinary action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the sexual assault, domestic violence, dating violence, or stalking.

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

### **Advisors of Choice**

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

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

### **Guidelines for Advisors of Choice**

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

### **Options for Informal Resolution**

Informal resolution options are not available for individuals who have experienced sexual harassment or sexual assault.

Options for informal resolution may be available for individuals who have experienced domestic violence, dating violence and/or stalking depending on the resolution involved.

#### *Personal Informal Resolution*

A person who believes that they have experienced sexual misconduct, may choose to work with the alleged offender directly through various approaches including:

- a face-to-face discussion,
- a personal telephone conversation,
- email correspondence, or
- other communication.

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

#### *College-Assisted Informal Resolution*

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

#### *Facilitated Conversation*

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

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

#### *Formal Mediation*

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

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

#### *Alternate Resolution*

The College may seek to resolve certain Misconduct through an informal process involving both the Complainant and Respondent. This form of resolution can take place prior to a formal resolution.

### **Supportive & Interim Measures**

Where appropriate, the College will work with individuals affected by Prohibited Conduct to ensure their safety and promote their well-being. In addition to providing preliminary information regarding the resolution processes, ODCA Staff will discuss the availability of supportive and interim measures with both parties. This assistance may take the form of supportive measures intended to support or to protect the employee or student in the aftermath of an incident and interim measures while an investigation or disciplinary action is pending. Parties may request supportive or interim measures even in cases where an investigation is not undertaken or the Complainant or Respondent has declined to participate in the College proceeding or where applicable, a criminal process. The College will evaluate any request for supportive or interim measures in light of the circumstances and information available at the time of the request.

Supportive and interim measures may include extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence or administrative leave, no contact directives, increased security and monitoring of certain areas of the campus, and other similar measures.

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

The imposition of supportive and interim measures does not indicate that the College has made a final decision about the report of prohibited conduct. The College will provide notice about these supportive and interim measures only to those who need to know in order to make them effective. Failure to comply with

supportive and/or interim measures or other directives is a violation of College Policy and may lead to additional disciplinary action.

All parties and witnesses are expected to continue to perform their job responsibilities during the course of an ODCA resolution process. Supportive and interim measures are intended to support parties in fulfilling their job responsibilities.

## **Formal Resolution**

### *Investigation*

Any individual who wishes to make a formal complaint of sexual assault, domestic violence, dating violence, stalking and/or a student complaining of gender-based misconduct, should submit a written complaint to the Title IX Coordinator. If a Complainant feels unable to prepare a written complaint themselves, the Title IX Coordinator will make a record of the Complainant's oral statements, which the Complainant may review, correct any inaccuracies and sign. To the extent possible, the Complainant should include the following information: the identity and status of the Complainant and Respondent; details concerning the incident(s) or conduct that gave rise to the complaint, including the date(s) of the incident(s) and location(s) of the incident(s); and the identity and status of any witness(es) to the incident(s) with telephone numbers, email addresses and street addresses.

Upon receipt of a written or verbal complaint that a College employee or third party has allegedly engaged in misconduct, the Title IX Coordinator will initiate an investigation. The Title IX Coordinator will assign an investigative team to conduct the investigation and may, in their sole discretion, assign the investigation to an outside investigator.

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

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

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

### *Evidentiary Rules*

In conducting the investigation and drafting the investigative report, the investigator will follow the protocols set forth below:

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

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

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

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

#### *Time Frame*

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

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

#### *Written Report*

In consultation with the Title IX Coordinator, the investigative team will prepare a draft report detailing the relevant content from the interviews and the documentation gathered. The draft report will include the investigative team's assessment of individual credibility and recommended findings of responsibility. The Respondent and Complainant will each have the opportunity to review a copy of the investigative report. The names and other identifying information of students will be redacted from such materials in accordance with the Family Educational Rights and Privacy Act (FERPA) except to the extent that doing so would interfere with the purpose of Title IX to eliminate sex-based discrimination.

Following their review of the draft investigation report, both the Complainant and Respondent will have the opportunity to submit to the investigative team written responses to the draft report. The Complainant and Respondent will have the opportunity to review any written submissions by the other. The Title IX Coordinator may set reasonable parameters for these written submissions. In the written submission, the Respondent will be required to respond to the alleged violation in one of the following ways: 1) Responsible; 2) Not Responsible; or 3) No Response. If the Respondent accepts responsibility, the matter will immediately proceed to the disciplinary stage. If the Respondent does not accept responsibility, the investigative team will review the written submissions and make any appropriate revisions to the draft report.

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

#### *Discipline*

If the investigative team finds that the Respondent has engaged in sexual harassment, the Respondent's immediate supervisor will take prompt and effective remedial action to immediately stop the sexual harassment, as well as prevent its recurrence.

The Title IX Coordinator will consult with Respondent's supervisor regarding possible discipline and along with the supervisor, based on the facts and circumstances of the case, they may consider instances of previous Prohibited Conduct or Misconduct, the seriousness of the violation, the totality of the information available, and any extenuating or aggravating circumstances the supervisor deems relevant in determining appropriate discipline. The Respondent's supervisor will impose discipline that is fair and appropriate given the facts of the particular case; adequate to protect the safety of the campus community and reflective of the seriousness of the Sexual Misconduct.

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

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

The Respondent's supervisor will generally render a disciplinary decision within 10 business days following issuance of the final investigation report. The Respondent's supervisor will communicate the disciplinary decision in writing to the Title IX Coordinator who will notify the Complainant and Respondent in writing.

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

### *Appeal*

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

On receipt of the appeal, the Title IX Coordinator will designate an Appeal Officer in the matter and will forward the appeal to the Appeal Officer for review. The appeal officer will be a senior administrator at the College. Thereafter, the Title IX Coordinator will notify the party who is not appealing that an appeal was filed, the grounds for appeal asserted, and the identity of the Appeal Officer. The non-appealing party will be permitted to submit a written response to the appeal, which shall be no longer than five double-spaced typewritten pages to the Title IX Coordinator within five (5) business days of receiving the notice of the appeal. The Title IX Coordinator will forward any response to the Appeal Officer.

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

The Appeal Officer will render a written decision within ten (10) business days of the initial receipt of the appeal, and will forward the written decision to the Title IX Coordinator. The Title IX Coordinator will provide written notice to the parties of the final disposition of the matter.

Once submitted to the Title IX Coordinator, the decision of the Appeal Officer is not subject to further review. Faculty members have additional appeal rights under the College's Statutes; as required by applicable law, any available appeal rights will be available to both the Complainant and the respondent in any matter.

Any discipline imposed prior to the filing of the appeal will stand during the appeal period. Discipline may also be imposed while the appeal is pending.

#### *Corrective Action*

The College may also determine that additional measures are appropriate to respond to the effects of the incident on the College community. Additional responses for the benefit of the College community may include increased monitoring, supervision, or security at locations or activities where the Prohibited Conduct occurred; additional training and educational materials for students and employees; further revision of College policies.

#### RIGHTS OF EMPLOYEE COMPLAINANTS AND RESPONDENTS

Throughout the process described in these Sexual Misconduct Procedures, both the Complainant and Respondent have the following rights:

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

#### RIGHTS OF STUDENT COMPLAINANTS

- To respect, dignity, and sensitivity.
- To appropriate support from the College.
- To privacy to the extent possible consistent with applicable law and College policy.
- To information about applicable College policies.
- To the presence of an advisor throughout the process.
- To an opportunity to challenge investigator(s), disciplinary officer, and/or the appeal officer for a possible conflict of interest.



- To participate or to decline to participate in the investigation process. However, a decision to refrain from participating in the process either wholly or in part will not prevent the process from proceeding with the information available.
- To a prompt and thorough investigation of the allegations.
- To adequate time to review and comment on a summary of the Complainant's investigative interview.
- To refrain from making self-incriminating statements.
- To report the incident to law enforcement at any time.
- To understand that information collected in the process may be subpoenaed in criminal or civil proceedings.
- To notification in writing of the case resolution, including the outcome of any appeal.
- All students also have the rights set forth in the Students' Bill of Rights established by New York State law (see Appendix D)

## APPENDIX A

### Definitions

**Complainant.** The person who experienced the alleged Prohibited Conduct.

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

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

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

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

**Force.** Force refers to the use of physical violence and/or imposing on someone physically to gain sexual access. Force can also include threats, intimidation (implied threats) or coercion used to overcome resistance.

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

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

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

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

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

## APPENDIX B

### Resources

#### *Campus Resources for Faculty and Staff*

##### **Confidential**

Ombuds Office

Stephen Pevery, College Ombuds [ombuds@tc.columbia.edu](mailto:ombuds@tc.columbia.edu)

(212) 678-4169

280 Grace Dodge Hall

##### **Non-Confidential**

Office of the Vice President for Diversity and Community Affairs

Janice S. Robinson

Vice President for Diversity and Community Affairs; Associate Professor of Higher Education,

TC Title IX Coordinator [jsr167@tc.columbia.edu](mailto:jsr167@tc.columbia.edu)

(212) 678-3732

128 Zankel Hall

Juan Carlos Reyes

Executive Director, Diversity, Community Affairs & Equity Office of The Vice President for Diversity & Community Affairs Interim Section 504 Compliance Officer [jcr2101@tc.columbia.edu](mailto:jcr2101@tc.columbia.edu)

(212) 678-8410

128 Zankel Hall

Human Resources

Robyn Davis-Mahoney

Assistant Vice President, Chief Human Resources Officer [rd3034@tc.columbia.edu](mailto:rd3034@tc.columbia.edu)

(212) 678-3976

120 Whittier Hall

Svetla Eneva Director

[Se2181@tc.columbia.edu](mailto:Se2181@tc.columbia.edu)

(212) 678-4026

120 Whittier Hall

**Office of the Vice Provost**

Tom Rock

Chief Student Affairs Officer and Associate Vice President [tpr4@tc.columbia.edu](mailto:tpr4@tc.columbia.edu)

(212) 678-3083

528 Building

*Public Safety*

(212) 678-3333 (emergency)

(212) 678-3220 (non-emergency) Whittier Hall Suite 1A

Dennis Mazon

Assistant Vice President Public Safety and Environmental Health [dfm2137@tc.columbia.edu](mailto:dfm2137@tc.columbia.edu) (212) 678-4180

100 Whittier Hall

### **Non-Teachers College Resources for Faculty and Staff**

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

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

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

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

Local Law Enforcement:  
Emergency 911  
26<sup>th</sup> Precinct  
(212) 678-1311

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

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

## APPENDIX C

### Legal Protections and External Remedies for Sexual Harassment

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

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

#### **State Human Rights Law (HRL)**

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

Beginning on August 12, 2020, complaints with DHR may be filed any time **within three years** of the sexual harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

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

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

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

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

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

## **Civil Rights Act of 1964**

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

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

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1800-6694000 (TTY: 1-800-669-6820), visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov).

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

## **The Office for Civil Rights (OCR)**

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

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

## **Local Protections**

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

## **Contact the Local Police Department**

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.



## APPENDIX D

### NYS Student's Bill of Rights

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

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

## Reporting Form: Discrimination, Harassment & Gender-Based Misconduct

- I. If you believe that you were subjected to discrimination, harassment and/or gender-based misconduct, you are encouraged to complete this form and submit it to:

Your immediate supervisor

Faculty Concerns

- Marie Miville, Vice Dean for Faculty Affairs, Professor of Psychology and Education, [miville@tc.columbia.edu](mailto:miville@tc.columbia.edu), 212-678-3343, Zankel Hall

Office of Human Resources

- Robyn Davis-Mahoney, Assistant Vice President, Chief Human Resources Officer, [rd3034@tc.columbia.edu](mailto:rd3034@tc.columbia.edu) 120 Whittier Hall
- Svetla Eneva, Director, [Eneva@tc.columbia.edu](mailto:Eneva@tc.columbia.edu), (212) 678-4026, 120 Whittier Hall

Office of the Vice President for Diversity and Community Affairs

- Janice S. Robinson, Vice President for Diversity and Community Affairs; Associate Professor of Higher Education, TC Title IX Coordinator; [jsr167@tc.columbia.edu](mailto:jsr167@tc.columbia.edu), (212) 678-3732, 128 Zankel Hall
- Juan Carlos Reyes, Director, Diversity & Community Affairs & Equity; Deputy Section 504 Compliance Officer, [jcr2101@tc.columbia.edu](mailto:jcr2101@tc.columbia.edu), (212) 678-8410, 128 Zankel Hall

- **You will not be retaliated against for filing a report.**

- II. If you are an employee who is reporting an instance or allegation of discrimination, harassment and/or gender-based misconduct you may use this form to report that behavior to:

Janice S. Robinson

Vice President for Diversity and Community Affairs, Associate Professor of Higher Education; TC Title IX Coordinator

- By phone at (212) 678-3391

- By email at [jsr167@tc.columbia.edu](mailto:jsr167@tc.columbia.edu)
- [Via report form](#)
- By mail at 525 West 120<sup>th</sup> Street, 128 Zankel Hall Box 220, New York, NY 10027
- By hand delivery to 128 Zankel Hall

*As a reminder, all College faculty and staff (except the College Ombuds) who learn of possible sexual misconduct are required to report that behavior immediately to Janice S. Robinson, TC Title IX Coordinator. Additionally, all managers and supervisors are also required to report any instance of discrimination and harassment to:*

Janice S. Robinson

Vice President for Diversity and Community Affairs, Associate Professor of Higher Education; TC Title IX Coordinator

- By phone at (212) 678-3391
- By email at [jsr167@tc.columbia.edu](mailto:jsr167@tc.columbia.edu)
- [Via report form](#)
- By mail at 525 West 120<sup>th</sup> Street, 128 Zankel Hall Box 220, New York, NY 10027
- By hand delivery to 128 Zankel Hall

- **If there is an immediate safety or health concern, please contact TC Public Safety at 212-678-3333.**

**REPORTER INFORMATION**

Full Name:

Job Position/Title:

Work Phone Number:

Work Email Address:

Work Physical Address:

Select Preferred Communication Method:      Email Phone In person

- **DISCRIMINATION, HARASSMENT, GENDER-BASED MISCONDUCT INFORMATION**

1. Who is the person(s) alleged to have engaged in the discrimination, harassment and/or gender-based misconduct:

Full Name:

Job Position/Title:

Work Phone Number:

Work Email Address:

Work Physical Address:

2. Please describe what happened. Use additional sheets of paper if necessary.

3. Date(s) discrimination, harassment and/or gender-based misconduct occurred:

Is the discrimination, harassment and/or gender-based misconduct continuing? Yes/No Location of discrimination, harassment and/or gender-based misconduct:

4. Please list the name and contact information of any witnesses or individuals who may have information related to the report:

5. If you have any supporting documentation (such as emails, text messages, etc.) please attach them to this form.

*Signature:* \_\_\_\_\_

*Date:* \_\_\_\_\_

Responsible Office: Vice President for Diversity and Community Affairs Effective

Date: October 9, 2018

Last updated/edited: January 29, 2024

## Appendix M: Gender-Based Misconduct Policy

Columbia University, Barnard College, and Teachers College are committed to fostering an environment that is free from gender-based discrimination and harassment, including sexual assault and all other forms of gender-based misconduct. The University recognizes its responsibility to increase awareness of such misconduct, prevent its occurrence, diligently investigate reports of misconduct, support students and others who experience gender-based misconduct, and respond fairly and firmly when students violate University policy. The University is also committed to supporting students accused of gender-based misconduct. In addressing issues of gender-based misconduct, all members of the University must respect and care for one another in a manner consistent with our deeply held academic and community values.

The Policies set forth reflect the University's commitment to a safe and nondiscriminatory educational environment, consistent with Title IX, the Violence Against Women Act ("VAWA"), and New York State Education Law 129-B. They define gender-based misconduct and explain Title IX, highlight available resources for students, and set procedures for addressing gender-based misconduct involving students.

Under both the Gender-Based Misconduct Policy and the Interim Title IX Policy, the University remains committed to diligently responding to, investigating reports of misconduct, and supporting students and others who experience gender-based misconduct.

The U.S. Department of Education has issued new Title IX rules and regulations, which technically became effective on August 1, 2024, but are the subject of numerous injunctions, including one affecting Columbia University. The College is in the process of evaluating the situation and will update our Title IX Policy and Procedures in conjunction with Columbia University to comply with the new rules and regulations. You may find the most current Columbia University Gender-Based Misconduct and Title IX Policy and Procedures here:

<https://sexualrespect.columbia.edu/university-policy>

# Appendix N: Student Conduct Code: Academic Integrity and General Misconduct

Retrieved on September 10, 2024, from: <https://www.tc.columbia.edu/policylibrary/policies/student-conduct-code-academic-integrity-and-general-misconduct-1222590/>

**Owner:** Student Affairs **Tags:** Student Affairs Students This policy on student conduct has been adopted to comply with Education Law § 6450 for the maintenance of public order on college campuses.

Student Conduct Code Topics covered with links | [Definitions and Organization of the Disciplinary System](#) | [Academic Integrity](#) | [General Misconduct](#) | [Informal Procedures](#) | [Formal Procedures](#) | [Disciplinary Sanctions](#) | [Counseling, Evaluation & Treatment](#) | [Disciplinary Records & Confidentiality](#) | [Student Organizations](#)

## Introduction

Teachers College (TC or the College) expects students to observe traditional norms of scholarly discourse, academic integrity, and fairness. All students should engage in responsible social/[ethical](#) conduct while modeling good civil conduct and citizenship. Activities that disrupt the regular and essential operations of the College or Columbia University are not permitted.

Members of the TC community may bring concerns of alleged violations of academic integrity or general misconduct. These allegations, if deemed warranted may be resolved by informal or formal procedures. Students who admit to or are found responsible for violating these standards may be subject to appropriate disciplinary action ranging from reprimand to disciplinary probation, (immediate) suspension and/or expulsion from the College. [Barnard College](#) and [Columbia University](#) students in violation of TC Policy may be subject to disciplinary action by their own institution or the University, if a proposed violation occurs on the TC Campus. While [Columbia University Rules of Conduct](#) apply to all TC students, TC reserves the right to a separate adjudication process.

When students are accused of gender-based misconduct, including but not limited to sexual assault, domestic violence, dating violence, and stalking, the [Gender-Based Misconduct Policy and Procedures for Students](#) applies. All other academic and general misconduct involving students falls under this student conduct code.

Nothing in these standards of conduct shall replace professional codes of ethics applicable to students in various academic programs.

## 1. DEFINITIONS AND ORGANIZATION OF THE DISCIPLINARY SYSTEM

1.1 Student: For purposes of this Code, any person currently enrolled in a degree-granting program (for the current or future term(s) or any person currently enrolled in a for-credit course(s) as a non-degree student in a certificate or other program or in a single course(s) (including an online course) at TC is considered a student.

Non-credit offerings may be instructional programs or stand-alone courses that do not require extensive assessment or examinations and do not offer academic credit. Non-credit programs are a *series* of non-credit courses that may lead to a non-credit certificate of attendance. Non-credit courses are usually offered as a 1 or 2-day course, workshop, or a conference. For purposes of this Code, any person currently participating in a non-credit program at TC is a student subject to all of the provisions of this Code. Any person currently participating in a non-credit course, as defined above, must abide by Sections 2. Academic Integrity and 3. General Misconduct, but is not entitled to a Student Conduct Committee Hearing. Instead, alleged Academic Integrity

and General Misconduct by persons participating in non-credit courses will be reviewed by the Associate Vice President (AVP) for Student Affairs / Chief Student Affairs Officer, who will be responsible for determining the outcome which could include withdrawal from the course without refund.

1.1.1 Students who also serve as TC employees may be subject to separate disciplinary proceedings by virtue of their employment status. TC has other policies that relate to staff and faculty as well as policies that apply to all members of the community. All TC policies may be found in the [Policy Library](#). Nothing in this Code shall prevent an investigation or discipline under other applicable College policies.

1.1.2 If an accused student is also enrolled at another institution, that student may be referred to that student's primary institution at the discretion of TC.

1.2 Jurisdiction: This Code addresses misconduct committed by students including:

1.2.1 Any alleged violation that is committed by a student that adversely affects the safety and security of the College (or Columbia University), College (or Columbia University) property or an individual member of the College (or Columbia University) community;

1.2.2 Any alleged violation that is committed by a student that substantially disrupts the functions or operations of the College (or Columbia University). Teachers College students are subject to the Rules of University Conduct. When there are alleged violations of Columbia University Rules of Conduct, cases will be referred to Teachers College for adjudication through the TC Code of Student Conduct.

1.3 The AVP/Chief Student Affairs Officer is responsible for overseeing proceedings and all matters related to the enforcement of this Code but may assign a Teachers College Conduct Officer to carry out any of these responsibilities.

1.3.1 The duties of the Student Conduct Officer include:

- assigning a Teachers College Conduct Officer, at their discretion
- determining whether to resolve complaints by voluntary agreements
- determining whether complaints warrant referral to the Student Conduct Committee (SCC);
- bringing charges of violations to the SCC for disciplinary hearings;
- monitoring and enforcing the fulfillment of any sanctions imposed;
- maintaining records of all disciplinary matters; and
- providing administrative support for all aspects of the disciplinary process (including hearings), preparing reports, and compiling statistics.

1.3.2 Immediate Interim Measures: In cases where the Student Conduct Officer determines that a student's presence on campus endangers the health, safety and/or well-being of self or any person, or of the College property, or disrupts the normal operations of the College, including classes or events, the Student Conduct Officer has the authority to take immediate interim measures before the start of any formal or informal process. Interim measures may include, but are not limited to, restricting a student from contacting another person or persons; restricting a student from accessing the residence halls or other buildings on campus; or suspending a student from participation in classes or events and/or organizations within the campus community.

1.3.3 Investigations: In cases in which the Student Conduct Officer determines it necessary, a pre-hearing investigation may be undertaken in order that appropriate evidence is obtained, and witnesses are identified that may be presented at a Hearing. The Student Conduct Officer will initiate an investigation for all serious or repeated Code violations including but not limited to any allegations involving actual or threatened injury to College community members or visitors and allegations of theft or fraud covered



under this Code. In the event that the investigation concludes that the allegations are unfounded, the Student Conduct Officer may decide not to proceed. Neither an investigation nor a hearing is required in the event of a criminal conviction related to alleged Code violations. The College may rely on such conviction as a finding of responsibility and the Student Conduct Officer may apply an appropriate sanction without a Hearing.

1.4 Student Conduct Committee (SCC): The SCC is responsible for conducting hearings related to alleged violations of this Code.

1.4.1 The jurisdiction of the SCC extends to both areas of the TC disciplinary system: Academic Integrity and General Misconduct.

1.4.2 The SCC shall be composed of three students, three professional staff members, and three faculty members. Its members shall serve two year terms, which are staggered, to ensure continuity as members of the SCC rotate on and off the Committee. Students are recommended by the [Student Senate](#). Staff members are recommended through the [Staff Advocacy & Support Council](#) (SASC). Faculty members are recommended through the [Faculty Executive Committee](#) (FEC).

1.4.3 SCC hearings are conducted by a three-member panel of the SCC convened by the AVP /Chief Student Affairs Officer.

1.5 Complainant and Respondent: Any member of the TC or Columbia University community who alleges an academic or general misconduct violation is called a complainant. Students accused of academic or general misconduct violations under this Code are called respondents.

1.6 Advisors: Advisors can assist students involved in disciplinary proceedings to understand the disciplinary process, respect and comply with the provisions of this Code, and manage all aspects of the process.

1.6.1 An advisor may accompany any complainant or respondent to a meeting regarding a disciplinary complaint. Advisors also may accompany complainants or respondents at hearings, and in both cases, may quietly advise but may not participate in such meetings or hearings.

1.6.2 An advisor must be either a TC faculty member or staff member in good disciplinary standing or a TC student. Students must be in good academic and disciplinary standing.

1.6.3 Generally, the student must select an advisor whose schedule allows attendance at the scheduled hearing dates and times. Delays will not be allowed due to advisor scheduling conflicts.

1.6.4 Outside Counsel or Advisors that are not a part of the Teachers College Community are not permitted to attend a Student Conduct Hearing.

1.7 Any member of the TC or Columbia University community may bring a complaint about student conduct to the attention of the Student Conduct Officer. Doing so in no way limits the complainant's rights or obligations to bring such matters to the attention of College offices, officers, or resources, including the [Office of the Ombuds](#) or to seek recourse outside TC through civil or criminal legal proceedings.

1.8 All time periods and deadlines referred to in this Code are intended as guidelines and may be, at the discretion of the Student Conduct Officer, extended for a reasonable period of time as circumstances warrant, with due consideration of fairness and equity.

## **2. ACADEMIC INTEGRITY**

2.1 TC is an academic community, whose fundamental purpose is the pursuit of knowledge. High principles of academic integrity are essential to the functioning and continued growth of this community. Students, as well as

faculty, are responsible for adhering to these principles, and TC will not tolerate failure to adhere to the College's principles of academic integrity. Students who intentionally or recklessly submit work either not their own or without clear attribution to the original source, fabricate data or other information, engage in cheating, misrepresent academic records or other violations noted below are subject to discipline under this Code. Those who engage in academic misconduct should expect sanctions up to and including dismissal from TC.

In cases of admission fraud, the Conduct Officer will work with the Office of Admission and other offices as necessary to discipline those who violated the College's admission certification of accuracy statement.

**2.2 Responsibilities of Community Members:** Every member of the TC academic community is responsible for upholding the standards of academic integrity declared in this Code.

**2.2.1** If a student is unsure whether actions might constitute academic misconduct, the student has the responsibility to consult with the instructor in advance about any ambiguities.

**2.3 Academic integrity violations include but are not limited to:**

**2.3.1 Cheating:** using or attempting to use unauthorized assistance, technology (including the uncited use of generative artificial intelligence), material or study aids in examinations or other academic work;

**2.3.2 Plagiarism:** using the ideas, data or language of another without specific and proper acknowledgement;

**2.3.3 Fabrication:** submitting contrived or altered information in any academic exercise such as making up data, citing nonexistent articles, contriving events and sources of information;

**2.3.4 Duplicate Submissions:** submitting any work submitted to fulfill another assignment without appropriate revision to meet the instructional goals of the current course. In cases of uncertainty or ambiguity, a student should check with the student's instructor;

**2.3.5 Misrepresentation of academic records or attempting to tamper with transcripts of any portion of a student's academic record;**

**2.3.6 Facilitating academic dishonesty by knowingly helping another student to engage in academic misconduct; and**

**2.3.7 Unfair advantage through attempting to gain unauthorized access to examination or other course-related materials or obstructing another student's academic efforts.**

**2.3.8 Any false or inauthentic statements (including work generated by AI), falsified documents, submission of unoriginal work, or any deliberate omission in the application for admission to TC is also covered under this policy. In cases of Admission fraud, the Student Conduct Officer will work with the AVP of Enrollment Management/Chief Admission Officer on appropriate next steps.**

[Report Academic Integrity Here](#)

### **3. GENERAL MISCONDUCT**

**3.1 Violations of general misconduct include but are not limited to:**

**3.1.1 Obstruction or disruption of teaching, research, administration, TC procedures and activities, or other authorized activities;**

**3.1.2 Physical abuse, verbal abuse, written abuse, threats, intimidation, harassment, coercion or other conduct that may endanger the health and/or safety of others. This includes threats of violence against another person and physical or verbal intimidation that unreasonably impairs the security or privacy of another person; and**

3.1.3 Discrimination and Harassment: Prohibited discrimination is adverse treatment of any student on the basis of race, color, religion, creed, sex, sexual orientation, national origin, ancestry, age, marital status, citizenship status, veteran status, disability, pregnancy, gender expression or any other criterion specified by federal, state, or local laws. Prohibited discrimination is subjecting an individual to humiliating, abusive, or threatening conduct, whether verbal or physical, that creates an intimidating, hostile, or abusive work, educational or living environment; alters the conditions of employment, education, or residential life; or unreasonably interferes with an individual's work or educational performance or living environment on the basis of race, color, religion, creed, sex, sexual orientation, national origin, ancestry, age, marital status, citizenship status, veteran status, disability, pregnancy, gender expression or any other criterion specified by federal, state or local laws.

Please see the [TC Policy on Protection from Harassment](#);

- 3.1.4 Unauthorized entry or use of TC facilities or unauthorized possession or use of TC property assigned to others;
- 3.1.5 Disorderly conduct or highly offensive conduct or expression;
- 3.1.6 Forgery, alteration or misuse of TC documents, records or identification, furnishing false information to TC or Columbia University or use of any false identification or identification belonging to another person;
- 3.1.7 Identity Theft: possessing or using another person's name, address, Social Security Number (SSN), bank or credit card account number, or other identifying information without that person's knowledge and/or with the intent to commit fraud or other crimes;
- 3.1.8 Theft or other abuse of computer facilities and resources including but not limited to: any violation of TC or Columbia University Computer Use Policy, using computing facilities and resources to send offensive or abusive messages or other unauthorized use of computing facilities and resources;
- 3.1.9 Violations of copyright law by unlawful copying, distributing, sharing or storing copyright-protected information or material, including but not limited to music, film and internet video;
- 3.1.10 The unlawful manufacture, possession, use, or distribution of illicit drugs, unlawful drug paraphernalia, and alcohol. Please see the [TC Drug-Free Campus Policy](#);
- 3.1.11 Failure to comply with authorized directions of or furnishing false information to TC or Columbia University officials or representatives of the SCC acting in performance of their duties;
- 3.1.12 Failure to engage in responsible social conduct and to model good civil conduct and citizenship;
- 3.1.13 Violations of any other TC or Columbia University policy, rule or regulation, or of federal, state, or local law that reflect upon or are related to the Student's activities or status as a TC student.
- 3.1.14 Violations of any policy, rule or regulation (including any applicable professional standards) of an organization or facility at which a student is interning, student teaching or conducting research for TC credit or in connection with a course of study at TC.

[Report General Misconduct Here](#)

## 4. INFORMAL PROCEDURES

4.1 When an issue arises involving the academic or general misconduct of a student, the Code provides informal avenues by which the complaint may be resolved.

4.2 Personal Resolution:

4.2.1 Academic Integrity: A faculty member or other instructor who believes that a student has engaged in academic misconduct will apprise the student of the suspected academic misconduct and refer the student to the Student Conduct Code and the Student Conduct Officer. The instructor shall also provide the student with the opportunity to meet with the instructor to discuss the nature and validity of the allegations and the possible institutional responses. After a discussion with the student, the instructor will decide whether the alleged violation was intentional or unintentional. The instructor will then propose a resolution to the student and discuss possible sanctions with the Student Conduct Officer, as appropriate. If a resolution is agreed to that involves the imposition of sanctions, these will be issued by the Student Conduct Officer.

4.2.2 General Misconduct: A complainant may wish to communicate directly with the person against whom the complaint is being made in order to address the issues involved. However, a complainant may bypass personal resolution if the complainant would feel uncomfortable or unsafe doing so. In particular, individuals who believe that they were threatened or who was injured by a student are encouraged to speak with the Student Conduct Officer or visit the TC Ombuds to seek assistance before pursuing personal resolution. Such an individual may wish to pursue other options such as a facilitated conversation, mediation or to file a request for a formal resolution.

#### 4.3 Facilitated Conversation:

4.3.1 TC encourages a facilitated conversation, whenever practical and appropriate. A facilitated conversation may take place only if the complainant and respondent both agree to participate. A matter is resolved through a facilitated conversation only if all parties agree on the resolution.

4.3.2 Academic Integrity: If, after following the procedure for personal resolution above, a resolution is not reached, the instructor and student may approach the Program Director (or Department Chair if the instructor is the Program Director) following their discussion and decide to move forward with a facilitated conversation. The Program Director, or Department Chair, may then facilitate a conversation between the instructor and the student to discuss the allegations and a possible resolution of the matter. If as part of the facilitated conversation, a resolution is agreed to that involves the imposition of sanctions, these will be issued by the Program Director, or Department Chair, and should be communicated in writing to the student.

4.3.3 General Misconduct: In situations involving alleged general misconduct, any involved party may contact the Student Conduct Officer with a request for a facilitated conversation. The Student Conduct Officer may then facilitate a conversation between the parties to discuss the allegations and a possible resolution of the matter. If as part of the facilitated conversation, a resolution is agreed to that involves the imposition of sanctions, these will be issued by the AVP /Chief Student Affairs Officer.

4.3.4 Ombuds Office Mediation: The parties may ask the [TC Ombuds](#) to mediate a dispute. The mediation must be agreed to by both parties. The TC Ombuds is independent from the College's administration and determines the procedures under which the mediation will take place.

## 5. FORMAL PROCEDURES

5.1 If attempts at personal resolution, facilitated conversation or mediation fail or are inapplicable due to the nature of the alleged violation, and if any party involved wishes to file a formal complaint, that complainant shall notify the Student Conduct Officer through the appropriate reporting form. The Student Conduct Officer will then convene a Hearing Panel from the members of the SCC. The Student Conduct Officer will provide notice of the hearing and a statement of the allegations to the complainant and the respondent within 10 calendar days of receipt in writing of the complaint by the Student Conduct Officer. A primary hearing date will be scheduled along with a follow-up date, about seven (7) days later. This follow-up date is to be used, should it be necessary, for the

Hearing Panel to review additional evidence or witnesses if additional evidence or witnesses are requested by the Hearing Panel.

5.2 The statement of the allegations will identify the reasons for calling the hearing with sufficient particularity and rationale to ensure the parties have an opportunity to prepare for the hearing. The statement of the allegations also will contain the names of the proposed hearing panelists. Either party should notify the Student Conduct Officer of any hearing panelist that is known to them and/or who could present a conflict in the case. The Student Conduct Officer will review the potential conflict and decide whether or not the hearing panelist should be replaced. No member of the Hearing Panel, who is otherwise interested in the particular case, shall sit on the Hearing Panel for that case.

5.3 A hearing may be expedited in appropriate circumstances, including disciplinary matters involving students who have been placed on mandatory temporary suspension or conditional attendance, graduating students, or students who are about to take a leave of absence or to leave campus to study elsewhere.

5.4 The SCC Hearing Panel will be composed of one student, one professional staff member, and one faculty member, one of whom will serve as Chair. The Chair, in consultation with the Student Conduct Officer, is responsible for ensuring that the hearing process occurs in a timely fashion.

5.5 All members of the TC community are required to cooperate with these formal procedures. Individuals who are interviewed, or called as witnesses (including complainants and respondents), are obligated to provide honest and complete statements during the process.

5.6 Disciplinary hearings are not trials or legal in nature, and they are not governed by rules of legal procedure, evidence, or judicial formality. They are designed to encourage open discussion among the participants to promote the Hearing Panel's understanding of the facts, the individuals involved, and the circumstances under which the alleged incident occurred, the nature of the conduct, and the attitudes and experiences of those involved. Information, including hearsay evidence, may be considered if it is relevant, not unduly repetitious, and the sort of information on which responsible persons are accustomed to relying upon in the conduct of serious affairs.

5.7 These procedures and standards apply to all hearings:

5.7.1 The complainant and respondent in the process may be accompanied by advisors as described in the section on advisors above.

5.7.2 At least three (3) business days prior to the hearing, or as otherwise instructed by the Student Conduct Officer, the parties shall submit to the Student Conduct Officer all documents to be submitted as evidence and the names and anticipated areas of testimony of any witnesses.

5.7.3 Witnesses and Additional Documentation: The Hearing Panel has the discretion to determine which witnesses, if any, they wish to interview during the hearing and may request additional documentation or witnesses when the Hearing Panel determines it is necessary for their decision.

5.7.4 Both the complainant and the respondent may make opening and closing remarks of not more than five minutes each.

5.7.5 The Hearing Panel's findings are based on the statements of the complainant, respondent, and/or witnesses and any evidence submitted.

5.7.6 The Hearing Panel will determine a violation of the Code by a preponderance of the evidence.

5.7.7 All documents presented to the SCC Hearing Panel shall become the official property of TC.

5.7.8 If either the complainant or the respondent fails to appear at the hearing, proceedings will continue. Evidence may be presented and considered even if a party is absent

5.7.9 After the hearing concludes the SCC Hearing Panel shall deliberate in private.

5.7.10 All findings of the Hearing Panel require a majority vote. At the conclusion of the deliberations, the SCC Hearing Panel shall deliver a brief written statement of their findings and any recommended sanctions to the Student Conduct Officer.

5.7.11 The AVP/ Chief Student Affairs Officer shall communicate to the respondent the Hearing Panel's findings, their decision, and any sanctions imposed. The Student Conduct Officer shall also inform the complainant of the decision. These communications shall be in writing.

5.8 Appeals. Both parties have the right to appeal. The appeal must be submitted to the assigned Conduct Officer within seven (7) business days following written notification of the case. Grounds for appeal include (1) Substantive procedural error, (2) the adequacy or severity of the recommended sanction or, (3) additional evidence or information if the Hearing Panel requested additional information but it is not possible to reconvene the Hearing Panel. Appeals must be in writing, must state the ground for appeal, and must provide evidence to support the appeal.

5.8.1 The Student Conduct Officer, or their designee, acts as the appellate officer and shall be provided with all information regarding the case. After review, the designated appellate officer may (1) render a decision, or (2) remand the case back to a Hearing Panel for additional consideration. The designated appellate officer will notify both parties in writing of the appeal decision.

5.8.2 If the Student Conduct Officer is the complainant, a witness, or has any other significant conflict of interest with respect to the case, the appellate officer function shall be discharged by an unconflicted member from Student Affairs.

5.8.3 Subject to the special provision for emergency or other extraordinary situations, there shall be no change in the status of the respondent until the appeals process is complete.

5.9 In an emergency or other extraordinary situation, the Student Conduct Officer shall take such interim disciplinary action as is necessary to appropriately manage an incident pending a hearing by the SCC or a decision on appeal.

## **6. DISCIPLINARY SANCTIONS**

6.1 Disciplinary sanctions may include, but are not limited to, one or more of the following:

6.1.1 Reprimand: a verbal admonition and an official written warning, course or grade failure;

6.1.2 Restitution: repair or replacement of property when loss or damage is part of the offense;

6.1.3 Training: formal or informal training, coaching or instruction relevant to the violation;

6.1.4 Restriction: loss of privileges that are consistent with the offense and the rehabilitation of the student, except that in cases involving assault, personal injury or other disruptive or threatening behavior, the College retains the independent right to limit campus access or to restrict a student's activities to those that are essential to a student's academic progress;

6.1.5 Disciplinary Probation: the student is no longer in good disciplinary standing for a specified period of time;

- 6.1.6 Suspension: dismissal from TC and its residence halls for a specified time. Suspension, pending a hearing, maybe imposed when there is reason to believe the action is necessary to maintain TC operations and/or to protect the safety of individuals;
- 6.1.7 Rescind: take back offer of admission to the College
- 6.1.8 Expulsion: permanent dismissal from TC and/or its residence halls; and
- 6.1.9 Revocation: withholding or repealing admission, course credit or a degree award.

## **7. COUNSELING, EVALUATION & TREATMENT**

7.1 In some cases of misconduct, such as those committed under the influence of alcohol or other drugs, participation in an evaluation and/or treatment program by an approved counseling service may be a condition of readmission to TC or a condition of continued enrollment.

## **8. DISCIPLINARY RECORDS & CONFIDENTIALITY**

8.1. Records of disciplinary proceedings are maintained by the Student Conduct Officer. No record of the disciplinary proceedings shall be entered in the student's official College file until a final decision, and, if appropriate, disciplinary sanctions are rendered and any appeals are concluded. Disciplinary records shall be maintained as specified in TC's [Document Retention Policy](#).

8.2. All disciplinary proceedings, the identity of individuals involved in particular disciplinary matters, and all disciplinary files, testimony, and findings shall be kept confidential to the extent possible.

## **9. STUDENT ORGANIZATIONS**

9.1. There are several recognized and approved student organizations at TC in any academic year. To assume a student leadership role in any student organization, a student, as defined above, must be enrolled in a degree program and must be in good academic and conduct standing.

9.2. The Student Conduct Officer has the authority to restrict any student from membership in a student organization for academic or general misconduct.

9.3. Student organizations are collectively responsible for any action committed by members on behalf of the organization that violates TC policy. Disciplinary action against student organizations is separate from actions taken against individuals. An incident may necessitate action against both a student organization and the individual members of that organization who were found to have violated TC policy. Disciplinary sanctions against a student organization may include, but are not limited to, the dissolution of the student organization.

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Teachers College is committed to equity and excellence in education bolstered by honest and ethical conduct in the achievement of academic goals for the enrichment of students and betterment of the country and the world. All College officers, trustees, faculty, staff, student employees, and others acting on behalf of the College are expected to maintain the highest standard of ethical conduct outlined in the [Statement of Ethical Conduct](#).

Responsible Office: Student Affairs Administration

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