

THE RULES OF UNIVERSITY CONDUCT

The National Labor Relations Board recently ruled that students working as teaching and research assistants are “employees” under Section 7 of the National Labor Relations Act (NLRA).

Columbia is committed to ensuring that all employees are free to exercise their NLRA Section 7 rights. These rights include but are not limited to discussions concerning wages, hours and terms and conditions of employment, picketing, leafleting, strikes, and other “concerted” activities.

The Rules of University Conduct have been reviewed to ensure that they do not interfere with the rights of any individual under the NLRA. Based on that review, the following clarifying statement has been added:

These Rules of Conduct shall not be construed to limit any employee’s rights under Section 7 of the National Labor Relations Act. These Rules do apply to conduct not protected by the NLRA, including violations designated as serious by the Rules such as the destruction of property, threats of physical harm to others, the occupation of University facilities, and the disruption of University events.

THE RULES OF UNIVERSITY CONDUCT**§440. Affirmative Statement**

The Rules of University Conduct, found in Chapter XLIV of the Statutes of Columbia University, are intended to ensure that all members of our community may engage in our cherished traditions of free expression and open debate. The University, as a forum for the pursuit and attainment of knowledge in every field of human endeavor, has a special role in fostering free inquiry. A principal reason why universities have endured and flourished over centuries is that they provide a place for ideas to be tested, for values to be questioned, and for minds to be changed with as few constraints as possible. Like society at large, but even more so, the University has a vital interest in fostering a climate in which nothing is immune from scrutiny. And Columbia, in particular, has a long tradition of valuing dissent and controversy and in welcoming the clash of opinions onto the campus.

To be true to these principles, the University cannot and will not rule any subject or form of expression out of order on the ground that it is objectionable, offensive, immoral, or untrue. Viewpoints will inevitably conflict, and members of the University community will disagree with and may even take offense at both the opinions expressed by others and the manner in which they are expressed. But the role of the University is not to shield individuals from positions that they find unwelcome. Rather, the University is a place for received wisdom and firmly held views to be tested, and tested again, so that members of the University community can listen, challenge each other, and be challenged in return.

The University recognizes only two kinds of limitations on the right of freedom of expression, and both are to be narrowly construed. First, the University reasonably regulates the time, place, and manner of certain forms of public expression. In keeping with the University's dedication to the principle of uninhibited discourse, these regulations do not turn on the content of any message that might be expressed. Rather, they are necessary not because they would prevent any opinion from being stated or heard, but, to the contrary, because they protect the rights of free speech, free press, and academic freedom. Just as all members of the University community have the right to speak, to study, research, to teach, and to express their own views, so must they allow others in the community to do the same. The right to demonstrate, for example, cannot come at the expense of the right of others to counter-demonstrate, to teach, or to engage in academic pursuits requiring uninterrupted attention. As is true of the larger community in which the University sits, the University must protect the rights of all to engage in their callings and express their own views.

Second, the University may restrict expression that constitutes a genuine threat of harassment, that unjustifiably invades an individual's privacy, or that falsely defames a specific individual. These forms of expression stand apart because they do little if anything to advance the University's truth-seeking function and they impair the ability of individuals at the University to participate in that function. The University has an obligation to assure members of its community that they can continue in their academic pursuits without fear for their personal security or other serious intrusions on their ability to teach and to study.

Because of the University's function as an incubator of ideas and viewpoints, the principle of free expression must be jealously guarded. As President Bollinger has noted, "Our great institutions of higher education bear a special social responsibility for educating people to possess a nimble cast of mind, able to grasp multiple perspectives and the full complexity of a subject. And for centuries, great societies of all types have understood that this kind of intellectual capacity is essential to progress. But never have critical thinking and tolerance been more important for individual well-being and for our collective prosperity." Every member of our community therefore retains the right to demonstrate, to rally, to picket, to circulate petitions and distribute ideas, to partake in debates, to invite outsiders to participate, and to retain the freedom to express opinions on any subject whatsoever, even when such expression invites controversy and sharp scrutiny. Although the University values the civil and courteous exchange of viewpoints, it does not limit discussion because the ideas expressed might be thought offensive, immoral, disrespectful, or even dangerous. We expect that members of our community will engage in public discussions that may confront convention, and free expression would mean little if it did not include the right to express what others may reject or loathe.

§441. Definitions

Terms used in this Chapter shall have the following meanings: (Comment: While gender-neutral language is employed in these Rules whenever possible, "he," "him," or "his" occasionally appear. They are used to avoid awkward locutions and are not intended to perpetuate gender stereotypes.)

- a. *University* means Columbia University in the City of New York.
- b. *University facility* means that place where a University function occurs.
- c. *University function* means any charter or statutory operation or activity of the University, including instruction, research, study, administration, habitation, social life, space allocation and control, food supply, and other functions directly related thereto. Specifically included are both functions of fixed-time duration (e.g., classes, examinations, lectures, etc.) and functions of continuing duration (e.g., the operation of libraries, research laboratories, maintenance shops, computers, business offices, etc.). Also included are functions ancillary to directly educational purposes, such as meetings, disciplinary proceedings, and athletic and social events sponsored by any University-approved organization.
- d. *Deans* are persons appointed by the President, and approved by the Trustees, either as dean, acting dean, or director of one of the divisions or schools of the Columbia Corporation, or such staff persons as they may assign to administer disciplinary affairs.

- e. *Delegates*. Delegates are appointed by the President and/or the Rules Administrator. In addition, all Deans and Deans of Students are automatically considered Delegates under these rules. Delegates have authority for the enforcement of these Rules. They shall warn individuals and groups whose actions may violate these Rules and may declare their belief that the demonstration does not conform to the Rules of Conduct. They shall, when facts known to them or brought to their attention warrant, file a complaint with the Rules Administrator against alleged violators.
- f. *Day* means a calendar day, regardless of whether the University is in academic session except for purposes of the procedures set forth in Section 448 and 450. Whenever any time limit expires on a nonworking day, it shall be extended to the next working day.
- g. *Students* are any persons registered in any division of the University, whether for courses or research, and whether or not they are candidates for a degree or certificate. They also include persons who are on leave or suspended or continuing matriculants for any degree or certificate, as well as persons registered during any preceding terms and who have not since that time earned the degree or certificate or withdrawn from the University.
- h. *Faculty* means officers of instruction appointed to any division, school, or other department of the University, including officers on leave.
- i. *Staff* means members of the administration, administrative staff, research staff, library staff, or supporting staff, and includes all non-instructional officers.
- j. *Violation* means the commission of an act proscribed by these Rules. However, inadvertent or accidental behavior shall not be considered to be the substance of a violation.
- k. *Respondent* means a person against whom a charge for violation of these Rules has been filed.
- l. *Rules Administrator* means the Rules Administrator appointed under Section 445a.

§442. Jurisdiction

The Rules of University Conduct shall apply to all members of the University community: administrators, administrative staff, research staff, library staff, supporting staff, faculty, and students. Also visitors, licensees, and invitees on a University facility shall be subject to the Rules of University Conduct. Violations by such persons may result in the revocation of their invitation or license to be on a University facility and their subsequent ejection.

The Rules of University Conduct apply to any demonstration, including a rally or picketing, that takes place on or at a University facility or at any University sponsored activity. Such facilities include, but are not limited to, all University campuses, research laboratories, maintenance shops, business offices, athletic fields, dormitories, classrooms, and meeting halls. The Rules of University Conduct do not apply to participation in a demonstration, including a rally or picketing, by full-time employees of the University represented by a collective bargaining agent, where the demonstration arises in the course of or is incident to a labor dispute involving the University.

§443. Violations

a. A person is in violation of these Rules when such person individually or with a group, incident to a demonstration, including a rally or picketing:

- (1) (simple violation) engages in conduct that places another in danger of bodily harm;
- (2) (serious violation) causes or clearly attempts to cause physical injury to another person;
- (3) (simple) uses words that threaten bodily harm in a situation where there is clear and present danger of such bodily harm;
- (4) (serious) uses words in a situation of clear and present danger that actually incite others to behavior that would violate Sections 443a (2) or (6);
- (5) (simple) causes minor property damage or loss, or endangers property on a University facility;
- (6) (serious) misappropriates, damages, or destroys books or scholarly material or any other property belonging to the University, or to another party, when that property is in or on a University facility, and by such action causes or threatens substantial educational, administrative, or financial loss;
- (7) (simple) interferes over a short period of time with entrance to, exit from, passage within, or use of, a University facility but does not substantially disrupt any University function;
- (8) (serious) continues for more than a short period of time to physically prevent, or clearly attempt to prevent, passage within, or unimpeded use of, a University facility, and thereby interferes with the normal conduct of a University function;
- (9) (serious) enters or remains in a University facility without authorization at a time after the facility has been declared closed by the University; (Comment: The University shall make all reasonable attempts to publicize this declaration to the fullest extent possible.)
- (10) (simple) enters a private office without authorization;
- (11) (serious) holds or occupies a private office for his own purposes; (Comment: Persons may not enter a private office unless invited and then not substantially in excess of the number designated or invited by the occupant. Anyone so entering must leave on request of a recognized occupant of such office or on request of another authorized person. Passage through reception areas leading to private offices must not be obstructed for more than a short period of time. Clear and unimpeded passageway through lobbies, corridors, and stairways must be maintained at all times. For this purpose, the Delegate may advise demonstrators as to the permissible number of participants in such restricted areas and regulate the location of such participants. Persons may use rooms in which instruction, research, or study normally take place only when such rooms are assigned to them through established University procedures.)
- (12) (simple) causes a noise that substantially hinders others in their normal academic activities;
- (13) (simple) briefly interrupts a University function;
- (14) (serious) disrupts a University function or renders its continuation impossible;
- (15) (serious) illicitly uses, or attempts to use, or makes threats with a firearm, explosive, dangerous or noxious chemical, or other dangerous instrument or weapon;
- (16) (simple) fails to self-identify when requested to do so by a properly identified Delegate;

(17) (serious) prevents a properly identified Delegate from the discharge of his official responsibilities under these Rules, except through a mere refusal to self-identify;

(18) (simple) fails to obey the reasonable orders of a properly identified Delegate regulating the location of demonstrators or others within the vicinity of a demonstration to assure unimpeded access to or use of a facility or to avoid physical conflict between demonstrators and others; (Comment: This regulation gives the Delegate authority to regulate assemblies. The check against abuse of such authority is provided by the test of reasonableness imposed by the University Judicial Board in such disciplinary proceedings as may result from noncompliance. Should a Delegate in the exercise of discretion fail to disperse an assembly in which some or all of the participants are violating or have violated the Rules, this should in no way be construed as excusing the violators, who remain liable for their acts under these Rules.)

(19) (simple) fails to disperse from an assembly upon order of a properly identified Delegate when such order results from repeated or continuing violations of these Rules by members of the assembly and the Delegate has by verbal directions made reasonable effort to secure compliance before ordering dispersal;

(20) (serious) fails to disperse from an assembly upon order of a properly identified Delegate when such order results from serious violations of these Rules by members of the assembly and the Delegate so states in his order to disperse.

§444. Enforcement

- a. *Summoning a Delegate.* Should any member of the University community believe that participants in an assembly or other demonstration are violating the Rules of University Conduct, he or she should notify the appropriate Delegate(s) by contacting the Rules Administrators and/or The Office of Public Safety. The Delegate(s) shall proceed to the site of the demonstration and gather information for possible transmission to the Rules Administrator. This includes the identities of any participants who the Delegate feels are violating the Rules and the facts surrounding the demonstration.
- b. *Warning and advice.* Properly identified Delegates shall warn those parties whose actions they consider to be in violation of these Rules. However, a member of the University community may be charged with a violation of these Rules even if no prior warning has been given or perceived. Only the University Judicial Board shall, in either case, be empowered to determine whether the actions of the accused were in violation of these Rules.
- c. *Creating separate areas for demonstrations believed to be in violation of these Rules and for permissible demonstrations/ observation.* Delegates believing that an assembly or other demonstration is violating these Rules should, to the extent practicable in their sole judgment, immediately make all reasonable efforts to create separate areas for demonstrators whose actions are believed to violate the Rules and for those wishing to demonstrate permissibly, or to observe, or to report on, cover, photograph, or document the demonstration. There should be a reasonable distance between these areas, with a presumption in favor of allowing unobstructed view and observation, and they should be graphically delineated without creating barriers, to the extent feasible. Failure by a Delegate to create these areas shall not excuse a violation of these Rules.

- d. *Distribution of a flier conveying pertinent information to demonstrators and observers.* Whenever an assembly or other demonstration believed to be in violation of these Rules continues for more than a short period of time, the Delegate shall consider preparing a flier for distribution to persons in the area of demonstration. The flier should repeat any previous warning by a Delegate concerning the violation of these Rules that are believed to be taking place, describe the locations of any areas cordoned off under Section 444c, and identify the locations where full copies of these Rules are available. Failure by the Delegate to prepare and distribute such a flier shall not excuse a violation of these Rules.
- e. *Self-identifying.* A properly identified Delegate may request individuals believed to be violating these Rules to identify themselves. Members of the University community who do not self-identify may be charged with a violation of these Rules.
- f. *Treatment of outsiders.* In accordance with the jurisdiction of these Rules, any visitor, licensee, or invitee who the Delegate determines is violating these Rules, and who does not comply with the Delegate's warning and advice, may be ejected from a University facility without regard to the procedures set forth herein. Delegates also have a responsibility to protect the rights of lawful demonstrators. Delegates may warn counterdemonstrators or vigilantes whose actions the Delegate may consider to be in violation of these Rules. Members of the University community should not take enforcement of these Rules into their own hands, since such action may result in violations of these Rules.

If the President, upon consultation with a majority of a panel established by the University Senate's Executive Committee, decides that a demonstration poses a clear and present danger to persons, property, or the substantial functioning of any division of the University, he or she shall take all necessary steps to secure the cooperation of external authorities to bring about the end of the disruption. The President shall make public his or her decision to the fullest extent possible as soon as it is feasible. Nothing in the above shall be construed to limit the President's emergency authority to protect persons or property.

§445. Administrative and Judicial Personnel

- a. *Rules Administrator.* The Rules Administrator (or his/her designated Assistant Administrator) shall have primary responsibility for the administration of these Rules. He/She shall maintain and have custody of the records of proceedings under these Rules; shall prepare and serve notices and other documents required under these Rules; shall accept and investigate complaints, file charges, organize informal settlements, and present evidence in support of charges to the hearing panels. The Rules Administrator shall be appointed by the President after consultation with the Executive Committee of the University Senate, and shall serve at the pleasure of the President. The Rules Administrator shall be an individual appointed from the Office of the Executive Vice President for University Life. The Rules Administrator may appoint one or more Assistant Administrators, who may act in his or her stead. Persons otherwise concerned with the disciplinary procedures of a particular school or division may not be appointed as the Rules Administrator or an Assistant Administrator.

- b. *Delegate*. Delegates may be called upon to enforce these Rules by anyone subject to them, including faculty, students, and staff, or they may proceed to enforce them on their own initiative. A Delegate is obliged, upon the request of another Delegate, to assist that Delegate. The Rules Administrator shall be kept informed of all actions and charges undertaken by a Delegate.
- c. *University Judicial Board*. The University Judicial Board shall hear all charges of violations of these Rules. The Executive Committee of the University Senate shall at its first meeting each year appoint or fill vacancies in a University Judicial Board consisting of five members, one of whom shall be a student, one of whom shall be a faculty member, and one of whom shall be a staff member, as defined in Section 441i. Each of these three groups—students, faculty, and staff—is eligible for the two remaining seats, but none of the groups may occupy both of those seats, and thereby form a majority of the Board. The members shall be chosen after consultation with the three groups. The Executive Committee shall designate the chair of the Board, as well as an alternate chair, and shall also appoint a pool of alternate board members. Appointments to the board shall be for a term of three years, and shall be staggered to ensure continuity. The members of the University Judicial Board shall be persons from within the University, and no person otherwise concerned with disciplinary procedures may be appointed to the Board. Once confirmed by the Executive Committee, members of the University Judicial Board pool will be trained in the Rules of University Conduct and the precedents for adjudications and sanctions.
- d. *Appeals Board*. The Appeals Board shall hear all appeals from decisions or sanctions imposed by the University Judicial Board or, in cases of informal resolution, decisions or sanctions imposed by the Chair of the UJB, or by the Chair’s designee. The Appeals Board may overturn, affirm, or revise the decision, and it may overturn, affirm, or lessen the sanction. The Executive Committee of the University Senate shall at its first meeting each year appoint or fill vacancies in an Appeals Board consisting of three members, each of whom is a Dean of School or Division. The Executive Committee shall designate the chair of the board and shall make appointments to the board, which shall ordinarily be for a term of three years, so as to provide for staggered terms to ensure continuity in the board. The members of the Appeals Board shall be persons from within the University. Members of the Board will not be from the school of the respondent.
- e. *Additional judiciary boards or members*. The Executive Committee of the University Senate may appoint additional boards, or persons to a board, should the need arise. The Executive Committee may divide the original University Judicial Board, or the original Appeals Board, as equitably as possible to ensure maximum continuity of experience.

§446. Rights of the Respondent

In order to provide accessible, prompt, and fair methods of investigation and resolution of incidents of misconduct, the University has developed a process for investigation and adjudication of allegations of misconduct. Throughout this process, the respondent has the following rights:

- To respect, dignity, and sensitivity.

- To appropriate support from the University.
- To privacy to the extent possible consistent with applicable law, University policy, and the respondent's wishes.
- To information about the University's Rules of University Conduct.
- To the presence of an advisor throughout the process.
- To participate or to decline to participate in the investigation or hearing 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 documents during and following the investigation.
- To adequate time to prepare for a hearing.
- To introduce evidence into the record and call witnesses on one's own behalf.
- To request access to University documents or camera footage that can be used in one's defense.
- To an opportunity to challenge the Rules Administrator, members of the University Judicial Board, or members of the Appeals Board for a possible conflict of interest.
- To refrain from making self-incriminating statements.
- To appeal the decision made by a hearing panel and any sanctions.
- To notification, in writing, of a report of misconduct, any charge filed, any resolution of the case, any factual findings of the investigation, any explanation of findings of responsibility, and any imposed sanctions, including the outcome of any appeal.
- To understand that information collected in the process may be subpoenaed in criminal or civil proceedings.

Privacy

The University will reveal information about its investigations and adjudication of misconduct only to those who need to know the information in order to carry out their duties and responsibilities. It will inform all University personnel participating in an investigation, proceeding, or hearing that they are expected to maintain the privacy of the process and of the respondent.

Advisor(s)

The respondent may be accompanied to any meeting or hearing related to an incident of misconduct by the advisor(s) of his/her choice. Advisor(s) may support the respondent and provide advice about the investigation and disciplinary process. During meetings and hearings, the advisor(s) may talk quietly with the respondent or pass notes in a non-disruptive manner. The advisor may not intervene in a meeting or hearing or address the Rules Administrator or hearing panel, including by questioning witnesses or making objections. If a respondent desires to have an attorney serve as his or her advisor, the University will arrange for a volunteer attorney-advisor if the respondent so requests. Advisors may include but are not limited to family members, friends, counselors, therapists, clergy, attorneys, academic advisors, professors, and administrators.

Declining to Participate

A respondent may decline to participate in the investigative or adjudicative process. The University may continue the process without the respondent's participation. In most cases, a refusal to participate in the investigative process will preclude a respondent from participating before the hearing panel.

Time Frame

The University will seek to resolve every report of misconduct within approximately two (2) months of an incident, not counting any appeal. Generally, the time line will be as follows:

- Investigation begins within five (5) business days after an incident.
- Investigation completed within fifteen (15) business days after the investigation begins.
- Hearing (if any) held within fifteen (15) business days after the conclusion of the investigation.
- Notice of a decision for cause to reject a request from the respondent for an open hearing.
- Decision of the hearing panel issued within five (5) business days after the hearing.
- Notice of sanctions issued within five (5) business days after the decision of the hearing panel (or after the respondent accepts responsibility).
- Notice of appeal to the Appeals Board filed by the Rules Administrator and/or respondent within five (5) business days after the notice of decision or sanctions.
- Decision of the Appeals Board within ten (10) business days after notice of appeal received.
- Notice of appeal to the President filed by the Rules Administrator and/or respondent within five (5) business days after the decision of the appeal.
- Decision of the President within ten (10) business days after notice of appeal.

Each of these stages is explained in greater detail below. The hearing panel may extend any time frame for good cause, with a written explanation to the Rules Administrator and respondent.

Notice

The Rules Administrator will give the respondent a written explanation of his/her rights and options as soon as possible after an incident is reported. The University will also ensure that the respondent is updated throughout the investigative process, including with timely notice of meetings where the respondent may be present. More specifically, the respondent will be given the following written notices:

- Notice that a complaint was dismissed or that an investigation will proceed.
- Notice of a charge filed and any information that will be used in the hearing process.
- Notice of the date and time of any hearing and a list of hearing panel members.
- Notice of the hearing panel's decision of "responsible" or "not responsible." This notice will include an explanation of the University's appeals process.
- Notice of the sanctions imposed. This notice will include an explanation of the University's appeals process.

- Notice of whether an appeal has been filed.
- Notice of whether the decision, or sanctions, have been modified.
- Notice when the decision and sanctions become final.

Conflicts of Interest

The University requires any individual participating in the investigation, hearing process, sanctioning or appeal process to disclose to the University any potential or actual conflict of interest. If a respondent believes that any individual involved in the process has a conflict of interest, within three (3) business days of receiving notice of his/her participation the respondent may make a written request to the Rules Administrator that the individual not participate. Any request should include a description of the conflict. If the Rules Administrator determines that a conflict of interest exists, he/she will take steps to address the conflict in order to ensure an impartial process. A respondent who believes that the Rules Administrator has a conflict of interest must submit the written request to the Office of the Executive Vice President for University Life.

§447. Prehearing Procedures / Investigation

Filing Complaint(s)

Any member of the University who believes a violation of the Rules has been committed may file a written complaint, either on paper or electronically via U.S. mail, email, or online portal, with the Rules Administrator. The complaint shall state with particularity the person(s) involved, the nature of the offense, and the circumstances under which the offense may have been committed.

Complaint(s) Dismissed

If the Rules Administrator dismisses a complaint, he/she will notify the complainant and respondent in writing.

Investigation of Complaints

If an investigation proceeds, the Rules Administrator will notify the respondent in writing of the allegation(s). The Rules Administrator will conduct interviews and will gather pertinent information and documentation. The Rules Administrator will inform the Dean of the relevant school(s) that an investigation is commencing and will seek to coordinate any disciplinary proceedings. The University's process for responding to, investigating, and adjudicating allegations of misconduct will continue during any law enforcement proceeding. The University may need to temporarily delay an investigation while law enforcement is gathering evidence, but it will resume the investigation after it learns that law enforcement has completed its evidence-gathering and will generally not wait for the conclusion of any related civil or criminal proceeding.

The Rules Administrator will follow the protocols set forth below:

- Preserving Evidence. The Rules Administrator will direct the respondent, witnesses, and other interested individuals to preserve any relevant evidence.
- Character Witnesses. The Rules Administrator will not interview witnesses whose sole purpose is to provide character information.
- Prior Conduct Violations. The Rules Administrator will not consider the respondent's prior conduct violations, unless the respondent was previously found to be responsible, or the previous incident was substantially similar to the present allegation(s) and/or the information indicates a pattern of behavior by the respondent.

Informal Resolution

The Rules Administrator may seek to resolve certain cases through an informal process with the respondent. This type of informal resolution can take place during the investigation or after its conclusion. If these efforts are unsuccessful, the disciplinary process will continue.

Charge(s) Filed

If a charge is filed, the Rules Administrator will prepare a report detailing the relevant content from the interviews and the documentation gathered. The report will include the Rules Administrator's assessment and recommended findings of responsibility.

The respondent will have the opportunity to review a copy of the investigative report and any other information that will be used during the hearing process. The names and other identifying information of other individuals may be redacted from such materials.

Administrative Resolution

After the respondent has had an opportunity to review the investigative report and related material, the Rules Administrator will ask the respondent 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 proceed to the sanctioning stage, followed by any appeals. If the respondent declines responsibility, or chooses not to respond, the matter will proceed to the hearing stage. If the respondent selects not to respond, this shall not be considered to be an admission of responsibility.

§448. Hearing Process

Hearing Panel

If administrative resolution is not available, the Rules Administrator will submit the charge(s) to the University Judicial Board, which will determine whether the respondent is responsible or not responsible for a violation of the Rules. If the respondent is determined to be responsible, the University Judicial Board will provide the sanction based on their determination.

Written Submissions

Both the Rules Administrator and the respondent will have the opportunity to submit to the hearing panel written responses to the investigation report and other relevant information. The Rules Administrator and the respondent will have the opportunity to review any written, recorded, photographic, or digital submissions by the other. The hearing panel may set reasonable parameters for these written submissions. The hearing panel will review the investigation report and written submissions. The panel may determine that a hearing is not necessary when all panel members agree that the information in the investigation report and the written submissions (if any) is sufficient to make a determination (for example, where the respondent does not dispute relevant facts). If the panel decides that a hearing is not necessary, the panel will proceed directly to make a determination, including an explanation of why a hearing is not necessary.

Either the Rules Administrator or the respondent may submit to the hearing panel a request to consolidate, or sever, the hearings of this and other respondents.

Hearing Procedures

The University will, whenever possible, give the respondent at least five (5) business days' advance notice of the hearing. The hearing is a closed proceeding, meaning that the only individuals who may be present in the hearing room(s) during the proceeding are: the panel members, the Rules Administrator, the respondent, their respective advisors, witnesses (when called), and necessary University personnel. The Office of the Executive Vice President for University Life will work with other University personnel so that any individual whose presence is required may participate in the hearing.

A respondent may request in writing that a hearing be open to the public, and the request shall be granted unless the University Judicial Board decides to keep the hearing closed for cause. If the Board decides to keep the hearing closed, it must provide written notice to the respondent. In determining whether a hearing may be open to the public, they may consider: (1) the risk to public safety, including to witnesses who may be called, and (2) the deterrent or permissive effect on the campus community, including on particular individuals and organizations.

If a hearing is declared open, a dissenting member of the hearing panel can declare a conflict of interest and withdraw from consideration of the case.

In general, hearings will proceed as follows:

- Rules Administrator statement
- Respondent statement
- Questions to the Rules Administrator by the hearing panel
- Questions to the respondent by the hearing panel
- Witness testimony and questioning by the hearing panel

- Closing statement by Rules Administrator
- Closing statement by respondent

The panel may set reasonable time limits for any part of the hearing. The Rules Administrator and the respondent will have the opportunity to present witnesses and other information consistent with the Rules. The panel may determine the relevance of, place restrictions on, or exclude any witnesses or information. When the respondent is not able to be present for the hearing panel, arrangements will be made for participation via alternate means.

In cases where the respondent opts not to participate in the hearing, the panel may still hear from the Rules Administrator, but it may not draw an adverse inference from a respondent's refusal to participate.

Additional hearing rules include:

- Questioning. Only the panel may ask questions of the Rules Administrator, the respondent, and any witnesses. Both the Rules Administrator and the respondent will have the opportunity to suggest questions of the other and of witnesses by submitting suggested questions to the panel in writing. The panel may revise or not ask any or all submitted questions.
- Prior Conduct Violations. The hearing panel will not consider the respondent's prior conduct violations, unless the information is provided because: the respondent was previously found to be responsible, or the previous incident was substantially similar to the present allegation(s) and/or the information indicates a pattern of behavior by the respondent.
- Hearing Recording. If the hearing is closed, the University will keep an audio recording of the hearing for the use of the panel, for sanctioning, and for purposes of appeal. The Office of the President, the panelists, the University Judicial Board, the Rules Administrator, and the respondent may request a transcript of the recording. If the hearing is open, the verbatim record of the hearing must be a public record.
- Cell Phones and Recording Devices. Cell phones and recording devices may not be used in the hearing room(s) unless approved by the panel in writing in advance.

Panel Determinations / Standard of Proof

The panel will use "preponderance of the evidence" as the standard of proof to determine whether a violation of the Rules occurred. Preponderance of the evidence means that a panel must be convinced based on the information it considers that the respondent was more likely than not to have engaged in the conduct at issue in order to find the respondent responsible for violating the Rules.

The panel will find a respondent responsible, or not responsible, based on a majority vote. The panel will generally render a decision within five (5) business days after the conclusion of a hearing. The panel's decision will include an explanation of the basis for the decision.

If the panel finds the respondent responsible, the matter will proceed to the sanctioning

stage. The panel will transmit its determination to the Rules Administrator and the respondent. The transmission must include (1) the finding of the respondent as responsible or not responsible; and (2) the reasoning behind the finding.

§449. Sanctions and Other Remedies

How Sanctions Are Determined

Available sanctions will be consistent across all University departments and schools. Similar offenses may result in different sanctions where there are distinguishing facts and circumstances in the opinion of the University Judicial Board.

The University Judicial Board will impose sanctions that are:

- Fair and appropriate given the facts of the particular case.
- Consistent with the University's handling of similar cases.
- Adequate to protect the safety of the campus community.

In cases where the respondent accepts responsibility through an informal resolution, the sanctioning will be designated to the chair of the University Judicial Board (or his/her designee).

In determining what sanctions will protect the safety of the University community, the University Judicial Board will be advised by University Public Safety or other experts and will consider: (1) the nature of the violation (simple or serious); (2) the risk that the respondent may engage in additional substantially similar misconduct; (3) the deterrent or permissive effect of a particular sanction on the campus community, including on particular individuals and organizations aware of the offense (keeping in mind that a sanction must always be fair and appropriate for the particular case); and (4) the precedent established by the University Judicial Board in previous cases.

To ensure that sanctions imposed by the University Judicial Board are consistent with the University's handling of similar cases, the Rules Administrator will be responsible for providing members of the University Judicial Board with records of any similar past cases, with the names and any other identifying information of past respondents removed.

A respondent who is found responsible for a simple violation of these Rules is subject to the full range of sanctions with the exception of: Dismissal or restriction from University employment; Suspension; Expulsion; and Revocation of degree. For repeated simple violations of these Rules, the respondent is subject to the full range of sanctions with the exception of: Expulsion, and Revocation of degree. A respondent who is found responsible for a serious violation of these Rules is subject to the full range of sanctions.

No notation, letter, or other record may be placed into the file of any community member in connection with activities covered by these Rules, either temporarily or permanently, unless the respondent has been found responsible for a Rules of University Conduct

violation and has been sanctioned under these Rules.

The University Judicial Board will render a sanctioning decision within five (5) business days following the receipt of the panel's determination (or notification of a case where the respondent accepts responsibility). The sanctioning decision will be communicated in writing to the Rules Administrator and the respondent. The transmission must include (1) the finding of sanctions; and (2) the reasoning behind the imposition of sanctions.

List of Sanctions

The University may impose any one or more of the following sanctions on a respondent determined to have violated the Rules:

- Private reprimand/warning.
- Public reprimand/warning.
- Disciplinary probation.
- Restricting access to University facilities.
- Community service.
- Issuing a "no contact" order to the respondent or requiring that such an order remain in place (restricted to cases of bodily harm and threats of bodily harm).
- Dismissal or restriction from University employment.
- Removal from University housing.
- Suspension (limited time or indefinite).
- Expulsion.
- Revocation of degree.

In addition to any other sanction (except where the sanction is expulsion or revocation of a degree), the University may require any respondent determined to be responsible for a violation of the Rules to receive appropriate education and/or training related to the violation at issue. The University may also recommend counseling or other support services for the respondent.

Additional Responses

The University may also determine that additional measures are appropriate to respond to the effects of the incident on the University community. Additional responses for the benefit of the University community may include:

- Increased monitoring, supervision, or security at locations or activities where the misconduct occurred.
- Additional training and educational materials for faculty, students, and staff.
- Revision of these Rules.

§450. Appeals

Appeals Board

Either the Rules Administrator or the respondent may appeal the decision of the University

Judicial Board by submitting an appeal, in writing either by Registered U.S. mail or personal delivery, within five (5) business days after receiving the sanctioning notice. Appeals are decided by the Appeals Board. The three grounds for appeal are:

1. A procedural error affecting the determination or sanction;
2. New information that was not available at the time of the investigation or hearing and that may change the determination or sanction; and
3. Excessiveness of the sanction.

Disagreement with the finding or sanctions is not, by itself, grounds for appeals.

If either the Rules Administrator or the respondent submits an appeal, the non-appealing party will be notified of the appeal and the grounds of the appeal. The non-appealing party may submit a written response within five (5) business days after notice of an appeal.

If the Appeals Board concludes that a change is warranted, based on a majority vote, the Board may revise the determination, reconvene the panel for it to reconsider the determination, or return the matter for additional investigation. If both the Rules Administrator and the respondent appeal, the appeals will be considered together.

The Rules Administrator and the respondent will be notified in writing of the final decision, which will be rendered within ten (10) business days of the receipt of the written appeal.

The respondent, but not the Rules Administrator, may also appeal the sanction set by the University Judicial Board. The Appeals Board may affirm or reduce the sanction, but may not increase it.

Presidential Action

A final appeal may be made to the President for clemency or review, which the President may hear in his/her discretion.

§451. Records Disclosure

Disciplinary proceedings conducted by the University are subject to the Family Educational Records and Privacy Act (FERPA), a federal law governing the privacy of student information. FERPA generally limits disclosure of student information outside the University without the student's consent, but it does provide for release of student disciplinary information without a student's consent in certain circumstances.

A respondent who successfully requests an open hearing waives his or her rights under FERPA.

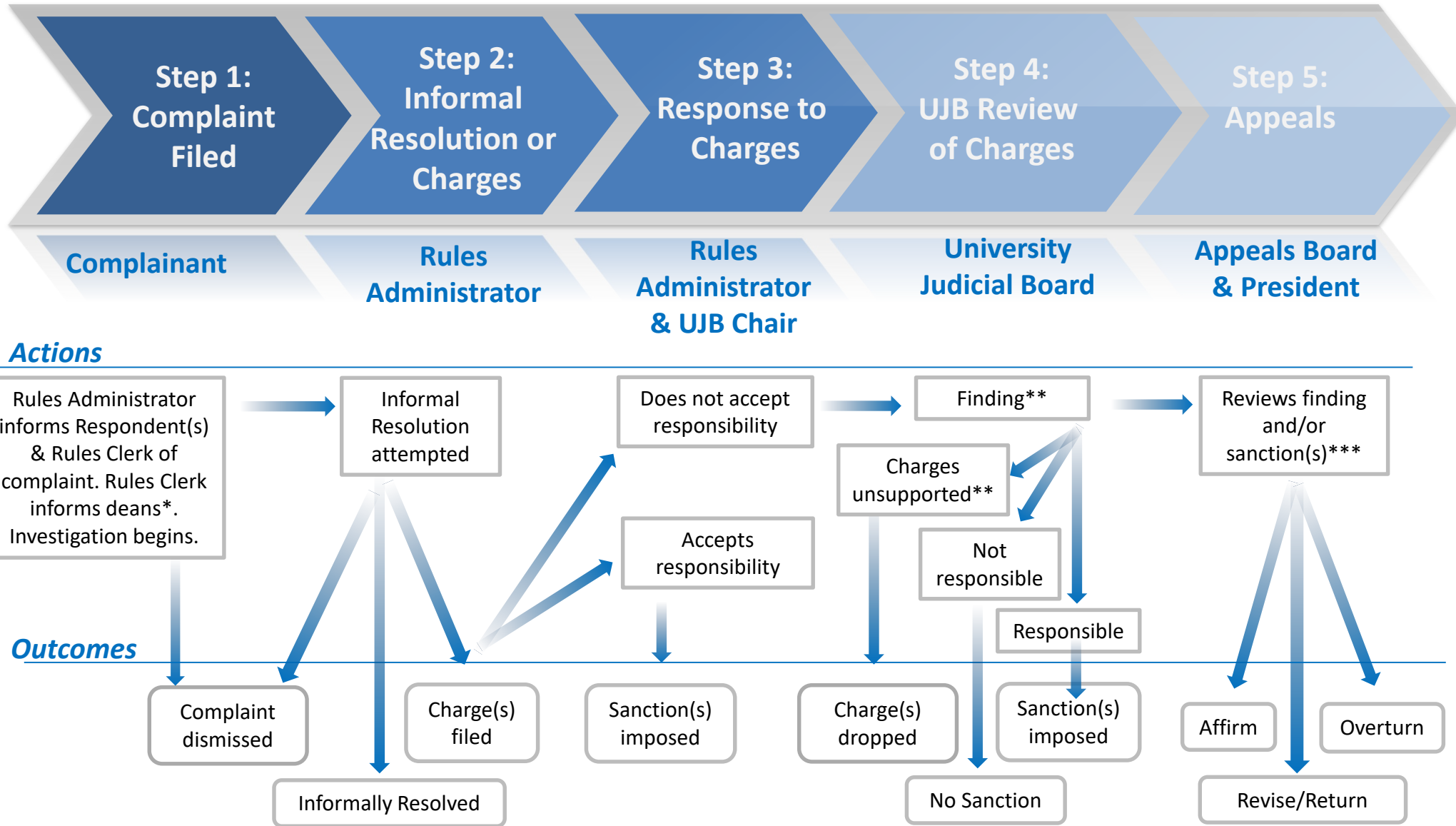
Any information gathered in the course of an investigation may be subpoenaed by law enforcement authorities as part of a parallel investigation into the same conduct, or required to be produced through other compulsory legal process.

§452. Committee on Rules of University Conduct

- a. The University Senate Committee on Rules of University Conduct shall prepare any material that will facilitate the functioning of the procedures.
- b. Persons otherwise connected with the disciplinary procedures shall be excluded from the University Senate Committee on Rules of University Conduct.
- c. All changes in these Rules shall be passed by the University Senate for approval and acceptance by the Trustees in accordance with the Statutes of the University.
- d. The University Senate Committee on Rules of University Conduct shall, at least every four years, facilitate a public discussion, engaging faculty, students, and staff, about whether revision of the Rules is merited.

Rules of University Conduct: Disciplinary Process

Prepared by the Rules Committee: Last reviewed Feb. 21, 2020



*Rules Clerk disseminates information to/from the Rules Administrator & panels.

** The UJB may dismiss (and RA may withdraw) a charge it determines is not supported by the record.

*** All Appeals Board decisions may be appealed to the President.

Guidelines for the Rules of University Conduct

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INTRODUCTION

AFFIRMATIVE STATEMENT

Every member of our community retains the right to demonstrate, to rally, to picket, to circulate petitions and distribute ideas, to partake in debates, to invite outsiders to participate, and to retain the freedom to express opinions on any subject whatsoever, even when such expression invites controversy and sharp scrutiny. We expect that members of our community will engage in public discussions that may confront convention. Free expression would mean little if it did not include the right to express what others might reject or loathe.

To learn more, we encourage you to review the Affirmative Statement in its entirety in [§440 OF THE RULES OF UNIVERSITY CONDUCT](#).

HISTORY OF THE RULES

The Rules of University Conduct (the Rules) date back to the Columbia University protests of 1968. Following those protests, the Columbia University Senate passed a referendum adopting the Rules and creating the Committee on Rules of University Conduct (the Committee). Any amendments to the Rules need the approval of not only the University Senate, but also the Trustees.

The Rules have three sections. The first section defines the limits on acceptable forms of protest by listing types of activities that are considered violations. The second section defines how demonstrations should be managed, creating positions for that purpose. The last section explains the disciplinary process.

In 2013, the Committee started examining our history, holding town halls, and obtaining input from our diverse community. After an arduous review, the Rules were revised in 2015. The Committee would like to highlight two particular changes to the Rules.

First, the revised Rules include an Affirmative Statement that emphasizes Columbia's commitment to the right of freedom of expression for every member of the University and our ability to openly demonstrate, rally, picket, and circulate petitions, while still protecting the rights of others and allowing the University to continue to function normally.

Second, the revised Rules, which apply University-wide, provide for one system that governs the disciplinary process and are designed to provide procedural due process protections for those accused of violating these Rules. Further, the Rules now provide greater clarity, choice, and predictability. The most significant revisions to the disciplinary process are changes that (a) streamline the adjudicatory procedure, (b) separate charging from sanctioning, and (c) establish an independent University Judicial Board as the hearing panel and sanctioning body for all respondents. Together, these revisions will result in a process that is more transparent, uniform, and consistent in application.

In accepting membership in Columbia University's community, we agree to be bound by, and to honor, the Rules.

COMMITTEE ON RULES OF UNIVERSITY CONDUCT

The Committee may from time to time facilitate a public discussion, engaging faculty, students, and staff, about whether revisions to the Rules are merited. The Committee shall also prepare any guidelines or materials that will facilitate implementation of the Rules.

PURPOSE OF THE GUIDELINES

These guidelines have been written by the Committee to assist the Rules Administrator, as well as the members of the University Judicial Board and Appeals Board, as they investigate and adjudicate alleged violations of the Rules. However, some of the principles outlined may also assist all members of our community to better understand the content of the Rules and how an alleged violation is handled. The guidelines provide insight into the Committee's rationale and *spell out* the investigation, hearing, and sanctioning process for matters in which individuals are accused of violating the Rules.

- To learn more, we encourage you to review the [Rules of University Conduct](#).

AMENDMENT TO THE GUIDELINES

The Rules Administrator, or members of the hearing panels, may submit a request to the Committee for revisions to the guidelines or other implementation materials. The Committee may also on its own initiative review the guidelines and implementation materials for potential revisions. As part of the review process, the Committee may, as appropriate, engage with the Rules Administrator, the University Judicial Board, the Appeals Board, the broader campus community, and the President regarding whether revisions are merited. Any revisions must be approved by the Committee.

QUESTIONS OF INTERPRETATION

During an ongoing case, questions of interpretation will be considered by the Chair(s) of the Rules Committee in consultation with the Chair of the Executive Committee. If individuals involved in a case (i.e., Respondents, Rules Administrator, UJB Members, or Appeals Board members) disagree on the interpretation provided, the matter will be referred to the Rules Committee for final comment. Questions of interpretation should be submitted to the Rules Clerk.

RULES ADMINISTRATOR

The Rules Administrator has primary responsibility for the administration of these Rules. He/she shall maintain records of proceedings under these Rules; shall prepare and serve notices and other documents required under these Rules; shall accept and investigate complaints, file charges, and present evidence in support of charges to the hearing panels.

RULES CLERK

The Rules Clerk will coordinate information sharing between the respondent, Rules Administrator, and University Judicial Board; in the event of an appeal, the Rules Clerk will also coordinate information sharing with the Appeals Board and Office of the President. The Rules Clerk will be appointed by the Chair of the Executive Committee. The Rules Clerk

may be contacted via email at RulesClerk@columbia.edu. Any submissions to/from the Rules Administrator, University Judicial Board, Appeals Board, or Office of the President must go through the Rules Clerk. Documents submitted through alternate means may be denied and returned to the sender.

UNIVERSITY JUDICIAL BOARD MEMBERSHIP

The University Judicial Board consists of five members, one of whom shall be a student, one of whom shall be a faculty member, and one of whom shall be a staff member, as defined in Section 441i.

The Executive Committee shall designate the chair of the board, as well as an alternate chair, and shall also appoint a pool of alternate board members. Appointments to the board shall ordinarily be for a term of three years, and shall be staggered to ensure continuity. The members of the University Judicial Board shall be persons from within the University, and no person otherwise concerned with disciplinary procedures may be appointed to the Board.

APPEALS BOARD MEMBERSHIP

The Appeals Board consists of three members, each of whom is a Dean of School or Division. The Executive Committee shall designate the chair of the board and shall make appointments to the board, which shall ordinarily be for a term of three years, so as to provide for staggered terms to ensure continuity. The members of the Appeals Board shall be persons from within the University.

PROHIBITED CONDUCT

The Committee affirms that the freedoms we enjoy are not boundless. The University reasonably regulates the time, place, and manner of certain forms of public expression. The right to demonstrate cannot come at the expense of the right of others to counter-demonstrate, to teach, or to engage in academic pursuits requiring uninterrupted attention. As is true of the larger community in which the University sits, the University must protect the rights of all to engage in their callings and express their own views.

The University may restrict expression that constitutes a genuine threat of harassment, that unjustifiably invades an individual's privacy, or that defames a specific individual. These forms of expression stand apart because they do little if anything to advance the University's truth-seeking function and they impair the ability of individuals at the University to participate in that function. The University has an obligation to assure members of its community that they can continue in their academic or professional pursuits, or employment, without fear for their personal security or other serious intrusions.

VIOLATIONS

The Rules define the limits on acceptable forms of protest. They do so by listing 20 types of activity that are considered violations and may include a broad range of behaviors that are related to, or resulting from, a demonstration such as a rally or picketing. None of the violations make any reference to the expression of opinion. They all concern actions that, for example, injure others or infringe upon the access of others to the University's resources and

programs. A violation of the Rules can occur separately from, or simultaneously with, another form of prohibited conduct.

To learn more, we encourage you to review the Violations in their entirety in [§443 OF THE RULES OF UNIVERSITY CONDUCT](#).

MANAGING EVENTS

The Rules define how demonstrations should be managed, creating positions for that purpose.

DELEGATE(S)

While the Rules Administrator has overall responsibility for administering the Rules, the Rules also designate Delegates as the front-line enforcers of the Rules. Delegates may be called upon to enforce these Rules by anyone subject to them, including faculty, students, and staff, or they may proceed to enforce them on their own initiative. The Rules Administrator shall be kept informed of all actions and charges undertaken by a Delegate.

SUMMONING A DELEGATE

If any member of the University community believes that participants in an assembly or other demonstration are violating the Rules, he or she should notify the appropriate Delegate(s) directly or by contacting the Rules Administrators and/or The Office of Public Safety. The Delegate(s) shall proceed to the site of the demonstration, identify themselves, and gather information (for possible transmission to the Rules Administrator), including the identities of any participants who the Delegate thinks are violating the Rules, and the facts surrounding the demonstration.

WARNING AND ADVICE

Properly identified Delegates might warn those parties whose actions they consider to be in violation of these Rules. However, a member of the University community may be charged with a violation of these Rules even if no prior warning has been given or perceived.

MEDIA CREDENTIALING

Fixed Time Period Student Media Credential: At the beginning of each academic year, student members of a media outlet – either (1) editorial staff of a University-recognized student media outlet (e.g., BWOG) or (2) established freelance journalists – may apply for a Student Media Credential. An application must be submitted for each correspondent during the designated time period. Applications will not be accepted at any other time of year. Applications may be found on the website for the University Senate.

Approval of an application is at the discretion of the Interschool Governing Board (IGB). If an application is denied, an applicant may submit a Request for Reconsideration and it must include additional information to the IGB.

The Student Media Credential must include: publication name (if applicable); correspondent name; UNI; photograph; date of issue (October 1, YEAR; December 1, YEAR; February 1, YEAR; May 1, YEAR), and date of expiration (May 31, YEAR). The expiration date may be extended (to August 31, YEAR) on proof of full-time enrollment in summer semester.

The purpose of the credential is merely to identify an individual as being a correspondent. The credential does not authorize access to an event, a secure area, or a high profile area.

The Student Media Credential is not transferrable and may be revoked at any time by the issuer. Reasons for revocation include, but are not limited to: using it to gain access to an event or space.

After each application season, a list of issued Student Media Credentials should be posted on the University Senate website, and provided to the Rules Administrator and the Office of Public Safety.

Impact of Media Credentialing: Persons issued Student Media Credentials are entitled to a presumption that the holder is acting in their role as a journalist and, therefore, are not in violation of the Rules of University Conduct. However, this presumption may be overcome with evidence that shows the person's behavior is not consistent with that of a journalist.

REPORTING AN ALLEGED VIOLATION

Any member of the University who believes a violation of the Rules has been committed may file a written complaint, either on paper or electronically via U.S. mail, email, or online portal, with the Rules Administrator. The complaint shall state with particularity the person(s) involved, the nature of the offense, and the circumstances under which the offense may have been committed.

The Rules Administrator may consider requests for anonymity made by a witness and, in compelling circumstances, may withhold the name of such person. Circumstances in which this request may be granted include a reasonably based fear of retribution, harassment, or any other inappropriate response to the disclosure of such individual's name.

An online submission form may be found on the website for the University Senate.

DISCIPLINARY PROCESS

The last section of the Rules explains the disciplinary process. The Revised Rules separate charging from sanctions. The Rules Administrator may investigate an alleged violation and may charge an individual with a violation of the Rules. If an individual accepts responsibility, the matter will proceed to the sanctioning stage with sanctions determined by the Chair of the UJB. If an individual does not accept responsibility, only the University Judicial Board may determine whether the actions of the accused were in violation of the Rules. If the panel finds the respondent responsible, the matter will proceed to the sanctioning stage by the UJB.

RIGHTS OF THE RESPONDENT

PRIVACY

The University will reveal information only to those who need to know the information in order to carry out their duties and responsibilities. It will inform all University personnel participating in an investigation, proceeding, or hearing that they are expected to maintain the privacy of the process and of the respondent. A respondent who successfully requests that a hearing be open may waive his/her rights to privacy.

ADVISORS

It is intended that the respondent will take the lead in responding to the charge(s). The respondent may be accompanied to any meeting or hearing related to an incident of misconduct by up to two advisors of his/her choice. It is not required that the same advisor(s) attend all meetings and hearings. During meetings and hearings, an advisor may talk quietly with the respondent or exchange messages in a non-disruptive manner. The advisor may not intervene in a meeting/hearing and may not address the Rules Administrator or hearing panel, including by questioning witnesses, making objections.

A respondent may identify and retain his/her own advisor or he/she may request information on potential volunteer advisors. The Rules Clerk may provide a list of volunteer advisors to the respondent. It is at the discretion of the respondent to decide who they want to contact and who they want to select. The respondent is not obligated to select a volunteer advisor from the list. The choice to have an advisor, if any, is at the discretion of the respondent, as is the selection of any specific advisor.

Advisors may include but are not limited to family members, friends, counselors, therapists, clergy, attorneys, academic advisors, professors, and administrators.

To learn more about the role of the advisor(s), we encourage you to review [§446 OF THE RULES OF UNIVERSITY CONDUCT](#).

SANCTIONS

The Revised Rules separate charging from sanctions. Only the UJB may issue a sanction, which includes a written warning, and it may do so only after a respondent has either accepted responsibility or has been found responsible. Any written warning, or other sanction(s), issued to a respondent by any other entity is considered to be outside the Rules process and, therefore, not valid. However,

TIME FRAME

The University will seek to resolve every report of misconduct within approximately two (2) months of an incident, not counting any appeal.

NOTICE

The Rules Administrator will give the respondent a written explanation of his/her rights and options as soon as possible after an incident is reported. The University will also ensure that the respondent is updated throughout the investigative process, including with timely notice of meetings where the respondent may be present.

CONFLICTS OF INTEREST

The University requires any individual participating in the investigation, hearing, sanctioning, or appeal process to disclose to the University any potential or actual conflict of interest.

When a charge has been filed, the Rules Administrator shall inform the Rules Clerk of the charge(s). The Rules Clerk will provide, in a timely manner, a Conflict of Interest Disclosure Survey to the Rules Administrator and to the members of the hearing panels. The Rules Clerk will also provide a survey to the respondent and the respondent should provide it to their advisor(s); the respondent should return any completed surveys to the Rules Clerk. The survey may include, for example, such questions as: Do you know the respondent? Have you ever made a public statement about the issue or the respondent's organization? Is there any reason you cannot be impartial in the matter?

If either the Rules Administrator or a respondent believes that any individual involved in the process has a conflict of interest, they have three (3) business days from receiving notice of his/her participation to make a written request that the individual not participate. The written request must include a description of the conflict and be submitted to the Rules Clerk.

A request may not be submitted after the conclusion of a case, if it is known prior to the conclusion.

The Rules Clerk will forward any requests and any affirmative survey answers to the Executive Committee of the University Senate and, if approved, the individual with a conflict will be replaced as follows:

1. The Chair of the UJB

The Chair of the UJB will be replaced by, if available, the Vice Chair of the UJB. If the Vice Chair is not available to serve, the Chair of the UJB will designate a new Chair, from either the UJB or the pool of alternates, for the respondent's case.

2. Other Members of the UJB

The Chair of the UJB will select a replacement from the pool of alternates for the respondent's case.

3. Chair of the Appeals Board

The Chair of the Appeals Board will be replaced by, if available, the Vice Chair. If the Vice Chair is not available to serve, the Chair will designate a new Chair, from either the sitting Appeals Board or the pool of alternates, for the respondent's case.

4. Members of the Appeals Board

The Chair of the Appeals Board will select a replacement, from the pool of alternates for the respondent's case.

5. The Rules Administrator

An Assistant Administrator will be appointed by the President after consultation with the Executive Committee of the University Senate and shall oversee the respondent's case.

To learn more, we encourage you to review the Rights of the Respondent listed in [§446 OF THE RULES OF UNIVERSITY CONDUCT](#).

INVESTIGATION PROCESS

The Rules Administrator is required to gather information in relation to a particular allegation and to carry out a thorough investigation of a complaint. If the Rules Administrator is away when a complaint is filed, the Rules Administrator may submit a request to appoint one or more Assistant Administrators who may act in his/her stead until he/she returns. The request should go to the President who will, in consultation with the Executive Committee of the University Senate, appoint an Assistant Administrator to serve until the Rules Administrator returns. If feasible, the Assistant Administrator must keep the Rules Administrator apprised of all aspects of the case until the Rules Administrator returns. Persons otherwise concerned with the disciplinary procedures of a particular school or division may not be appointed as the Rules Administrator or an Assistant Administrator.

PRIOR CONDUCT BY RESPONDENT

The Rules Administrator may consider the respondent's prior conduct if the respondent was previously found to be responsible, or the previous incident was substantially similar to the present allegation(s) and/or the information indicates a pattern of behavior by the respondent.

EXTERNAL INVESTIGATIONS

The University may need to temporarily delay an investigation while law enforcement is gathering evidence, but it will resume the investigation after it learns that law enforcement has completed its evidence gathering and will generally not wait for the conclusion of any related civil or criminal proceeding.

ONGOING ALLEGED VIOLATION OF THE RULES

In the event of an ongoing alleged violation of the Rules (e.g., protestors occupying University facilities or other sustained disruptions), the Rules Administrator may initiate the investigations process concurrently with the alleged ongoing violation, provided that other requirements set forth by the Rules and Guidelines are met.

If the alleged violation of the Rules has exceeded a period of five (5) business days from the initial date of the incident, the Rules Administrator, in his/her discretion, submit charges to the UJB for adjudication in accordance with the Rules and Guidelines. The UJB may consider the ongoing nature of the alleged violation to the Rules in its determination of responsibility and sanctions.

The Rules Administrator may bring additional charges, stemming from the ongoing conduct, where the nature of the alleged violation has become more serious.

Moreover, the Rules Committee has a strong preference for post-hoc adjudication of alleged violations. Thus, the initiation of charges by the Rules Administrator for an ongoing Rules

violation should only be used in rare circumstances.

INITIAL ASSESSMENT OF COMPLAINTS

The Rules Administrator must determine whether there is substance to a complaint that an individual has violated the Rules. If the Rules Administrator decides that there is no need for an investigation because the complaint is without merit, he/she may dismiss the complaint without further action. If after conducting an investigation, the Rules Administrator dismisses a complaint for being without merit, he/she will notify the complainant and the respondent in writing; no record will be maintained.

PLANNING AN INVESTIGATION

If an investigation proceeds, the Rules Administrator will notify the respondent, and the Rules Clerk, in writing of the allegation(s). The respondent should be informed that he/she may not attempt to discuss the matter with the complainant. If the respondent does, he/she may be charged with violations including under other codes such as violations of the Student Code of Conduct.

The Rules Administrator will conduct interviews and will gather pertinent information and documentation. The Rules Administrator will direct the respondent, witnesses, and other interested individuals to preserve any relevant evidence.

HOLD PLACED ON AN ACCOUNT

The Rules Administrator shall inform the Rules Clerk when an investigation commences (and/or a charge has been filed) against a respondent. The Rules Clerk will inform the Dean of the relevant school(s) that an investigation is commencing. At that point, the **Dean(s) may place a hold on a respondent's account**. The hold will remain in place until the investigation (or subsequent charge) is resolved. Having a Hold may prevent a respondent from receiving, for example, a diploma, transcripts, Academic Certifications, etc.

CONDUCTING INTERVIEWS

The Rules Administrator should interview any person identified who may be able to provide information relevant to the investigation, but he/she will not interview witnesses whose sole purpose is to provide character information.

All witnesses should be advised of a suitable meeting date and be given reasonable notice. The witness should be advised that the purpose of the meeting is to discuss in detail his/her account of a particular incident or allegation.

The Rules Administrator may have an assistant available to take detailed notes of the meeting for use with the investigation and, where appropriate, for use with drafting a witness statement.

During the meeting, the Rules Administrator should explain the context of the interview; advise for what purpose the meeting notes and subsequent statement may be used; explain how and when the interviewee may review the notes or statement; reiterate the importance of

confidentiality; and explain the next steps.

WITNESS STATEMENTS

Any notes taken during the investigation interviews may be typed and verified and signed by the witness. This is essential if a written witness statement is not prepared. Witnesses should be made aware that the investigatory notes are not verbatim and are instead a record of the discussion. Witnesses should be advised that if they wish to make any amendments to the written notes that these should be included in a separate document. If a witness statement is prepared, the witness must be given the opportunity to review the statement and sign to confirm if they accept it to be a true and accurate version of events.

DECLINING TO PARTICIPATE

Respondent Declines to Participate: A respondent may decline to participate in the investigation or adjudication process. The University may continue the process without the respondent's participation. In most cases, a refusal to participate in the investigation process will preclude a respondent from participating before the hearing panel.

Witness Declines to Participate: If a witness refuses to participate, where possible, the Rules Administrator may meet with the witness to find out the reasons why they do not wish to participate, to discuss the process which will be followed, and to provide reassurances of the support which will be available to the witness. The University may continue the process without a formal statement by the witness.

INFORMAL RESOLUTION

The Rules Administrator may seek to resolve certain cases through an informal process with the respondent. This type of informal resolution can take place during the investigation or after its conclusion but before a hearing has begun.

An informal resolution, like any negotiated settlement, must be made on consent of both parties. The Rules Administrator and respondent are co-equal in the negotiation of an informal resolution.

If the Rules Administrator offers the respondent an informal resolution, the respondent has five (5) business days to either accept or decline the offer; if a hearing has been scheduled, the deadline to respond to the offer is whichever date comes first (i.e., five business days from the offer or the date & time of the hearing).

The terms of the resolution may be in writing, if requested by the respondent. The resolution may not contain a sanction and will not be entered into the respondent's formal record. These requirements must be met to create a clear, unambiguous process in which all parties are fully informed of, understand, and mutually agree to the terms and consequences of the resolution.

If an attempt to resolve the matter informally is successful, the Rules Administrator shall inform the Rules Clerk of the result. If these efforts are unsuccessful, the Rules Administrator must either dismiss the complaint, file charges with the UJB, or if charges have already been filed continue on with the case.

PREPARING AN INVESTIGATION REPORT

If a charge is filed against the respondent, the Rules Administrator will prepare an Investigation Report, which will include a review of all relevant evidence gathered during the investigation. This may include, but is not limited to, notes from interviews, witness statements, copies of correspondence, photographs, transcripts of audio/video recordings, relevant policies and procedures, and evidence of custom and practice, etc.

The Rules Administrator should be mindful of document management issues ensuring that original documents are maintained as master file copies, and that information on the source of a document is noted appropriately. A sample Investigation Report may be found in the appendix of this guidance document.

When a charge has been filed, the Rules Administrator shall inform the Rules Clerk of the charge(s) and provide the complete Investigation Report. The Rules Clerk will coordinate information sharing with the respondent, Rules Administrator, and University Judicial Board.

RESPONDENT'S RESPONSE TO THE INVESTIGATION REPORT

After the respondent has had an opportunity to review the Investigation Report and related material, the Rules Administrator will ask the respondent 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 proceed to the sanctioning stage, followed by any appeals.

ADJUDICATION PROCESS

If the respondent declines responsibility, or chooses not to respond, the matter will proceed to the hearing stage. If the respondent selects not to respond, this shall not be considered to be an admission of responsibility.

The Rules Administrator will submit the charge(s) to the University Judicial Board (UJB). The UJB shall hear all charges of violations of these Rules and will determine whether the respondent is responsible or not responsible for a violation of the Rules. If the UJB dismisses a charge(s), the Rules Clerk will notify the Rules Administrator and the respondent.

PREPARING FOR THE HEARING

The Rules Administrator should inform the respondent of who will be on the hearing panels, including any substitutions, for the respondent's case.

File Review: In preparation for the hearing, the Rules Administrator and the respondent will have the opportunity to review any written, recorded, photographic, or digital submissions by the other. To schedule an appointment, the respondent should contact the Rules Administrator's office. The UJB may submit queries, via the Rules Clerk, to either the Rules Administrator or respondent.

Consulting an Advisor: The respondent may consult with his/her advisor(s) who may assist

the respondent with his/her preparation for the hearing. Although advisors can answer questions about the adjudication process and are able to provide guidance in regard to general preparation of submissions and for the hearing, the primary responsibility to prepare for the hearing belongs to the respondent. To learn more, we encourage you to review the Rights of the Respondent listed in [§446 OF THE RULES OF UNIVERSITY CONDUCT](#).

Written Submissions: The respondent may prepare a written statement for the hearing process; this statement must be completed by the respondent and should outline his/her perspective on the allegations and the incident as a whole. The respondent may also add pertinent documentation and information as evidence to his/her written submission or appendices to the written submission. The hearing panel may set reasonable parameters for these written submissions.

[DETERMINING THAT A HEARING IS NOT NECESSARY](#)

The UJB may determine that a hearing is not necessary when all panel members agree that the information in the Investigation Report and the written submissions (if any) is sufficient to make a determination (for example, where the respondent does not dispute relevant facts).

These scenarios help illustrate application of The Rules.

1. Respondent decides to accept responsibility and requests that the UJB proceed to the sanctioning stage. If the UJB grants the request and agrees to not hold a hearing, the panel will proceed directly to the sanctioning stage, including an explanation of why a hearing is not necessary.
2. Respondent does not dispute the relevant facts and requests that the UJB proceed directly to make a determination of responsibility. If the UJB grants the request and agrees to not hold a hearing, the panel will proceed directly to make a determination, including an explanation of why a hearing is not necessary.

[CONDUCTING A HEARING](#)

Respondent not able to be present for a hearing: When a respondent is not able to be present for a hearing, either in person or virtually, arrangements may be made for participation via alternate means and/or on an alternate date. The respondent must submit a request in writing to the Rules Clerk. The request must include a reason for the respondent not being able to attend the hearing. It is at the discretion of the Chair of the University Judicial Board to approve the request and to provide an alternate means for participation.

Request for Open Hearing: A respondent may request in writing to the University Judicial Board that a hearing be open to the public. Only the panel may determine whether to grant the request. The panel may consider: (1) the risk to public safety, including to witnesses who may be called, and (2) the effect on the campus community, including on particular individuals and organizations.

A respondent who successfully requests that a hearing be open may waive his/her rights to privacy. To learn more, we encourage you to review the Records Disclosure in its entirety in [§451 OF THE RULES OF UNIVERSITY CONDUCT](#).

Hearing Attendees: Unless a respondent successfully requests that a hearing be open, the hearing is a closed proceeding, meaning that the only individuals who may be present in the hearing room during the proceeding are: the panel members, the Rules Administrator, the respondent, their respective advisors, witnesses (when called), and necessary University personnel. While there is no dress code for the hearing, appropriate attire is recommended.

Calling Witnesses: Prior to the hearing, the Rules Administrator and Respondent will have an opportunity to submit a list of witnesses who they might call at the hearing. The list(s) will be shared with the other and with the UJB. At the hearing, the Rules Administrator and Respondent may call any person on the list(s). Witnesses may decline to participate and cannot be compelled to appear before the UJB.

Cell phones and recording devices: Cell phones may not be used in the hearing room unless approved by the chairperson. Unauthorized recordings are not allowed. Approval to use recording devices during the hearing must be obtained in advance in writing from the chairperson of the UJB

To learn more, we encourage you to review the Hearing Process in its entirety in [§448 OF THE RULES OF UNIVERSITY CONDUCT](#).

DETERMINING RESPONSIBILITY

Following the investigation and review of the evidence in the case, a determination is rendered regarding whether the respondent is responsible for the violation(s). Each case is determined on the merits based on the facts of the case. Only the University Judicial Board may determine whether the actions of the accused were in violation of the Rules.

Standard of Proof: The panel will use “preponderance of the evidence” as the standard of proof to determine whether a violation of the Rules occurred. Preponderance of the evidence means that a panel must be convinced based on the information it considers that the respondent was more likely than not to have engaged in the conduct at issue. University policies are action-based; therefore, intent is not a factor when making a determination of responsibility. Intent may be considered when a sanction is issued.

The panel will find a respondent responsible, or not responsible, based on a majority vote. The panel will generally render a decision within five (5) business days after the conclusion of a hearing. The panel’s decision will include an explanation of the basis for the decision.

If the panel finds the respondent responsible, the matter will proceed to the sanctioning stage. The timing of the sanctioning stage, in relation to the hearing held to determine responsibility, is at the discretion of the UJB Chair.

DETERMINING SANCTIONS

If a respondent accepts responsibility, the sanctioning will be designated to the chairperson of the University Judicial Board (or his/her designee). The UJB Chair has the option to consult the UJB panel when determining sanctions to impose.

If the UJB finds a respondent responsible for a violation, the UJB will also render a sanctioning decision.

The UJB will impose sanctions that are: fair and appropriate given the facts of the particular case; consistent with the University's handling of similar cases; and adequate to protect the safety of the campus community. Similar offenses may result in different sanctions where there are distinguishing facts and circumstances in the opinion of the University Judicial Board.

The UJB may:

- call witnesses (from the list(s) of witness provided by the Rules Administrator and respondent) whose sole purpose is to provide character information;
- interview the Respondent regarding factors of intent; and
- may consider the respondent's prior conduct if the respondent was previously found to be responsible, or the previous incident was substantially similar to the present allegation(s) and/or the information indicates a pattern of behavior by the respondent.

The sanctioning decision will be communicated in writing to the Rules Clerk who will communicate with the Rules Administrator and the respondent. The transmission must include (1) the sanction(s); and (2) the reasoning behind the imposed sanction(s).

To learn more, we encourage you to review the Sanctions in their entirety, and how they are determined, in [§449 OF THE RULES OF UNIVERSITY CONDUCT](#).

[PREPARING A REPORT OF THE UJB'S DETERMINATION](#)

If a respondent accepted responsibility, the chairperson will transmit his/her sanctioning decision in writing to the Rules Administrator and the respondent. The transmission must include (1) the sanction(s), if any; and (2) the reasoning behind the imposed sanction(s). A sample UJB Chairperson Sanctions Form may be found in the appendix of this guidance document.

If the respondent's case was submitted to the UJB panel for consideration (with or without a hearing), the panel will transmit its determination to the Rules Administrator and the respondent. The transmission must include (1) the finding of the respondent as responsible or not responsible; and (2) the reasoning behind the finding. The transmission must also include (1) the sanction(s); and (2) the reasoning behind the imposed sanction(s). A sample UJB Findings & Sanctions Form may be found in the appendix of this guidance document.

The transmission may include the date of the decision, the decision-maker (e.g., UJB Chair, UJB), documents and information considered, and the right of appeal.

[APPEALS PROCESS](#)

An online appeal form may be found on the website for the University Senate. In addition to submitting the online Appeal Request Form, the appellant may submit a document up to five (5) single-spaced pages in length, using twelve (12) point Times New Roman font and one (1) inch margins. The appellant may also submit supporting documentation such as photos, video, email, and other relevant documents.

APPEAL FROM UJB TO THE APPEALS BOARD

The Appeals Board shall hear appeals from decisions or sanctions imposed by the University Judicial Board or by the Chairperson of the UJB. The Appeals Board may overturn, affirm, or revise the decision, and it may overturn, affirm, or lessen the sanction.

APPEAL FROM THE APPEALS BOARD TO THE PRESIDENT

A final appeal may be made to the President for clemency or review, which the President may hear in his/her discretion.

To learn more, we encourage you to review the Appeals information in [§450 OF THE RULES OF UNIVERSITY CONDUCT](#).

RECORDS

RECORD KEEPING & RETENTION

The Rules Administrator shall maintain and have custody of the records of proceedings under these Rules. The file must be stored securely to prevent unauthorized access, damage or alteration, and to maintain confidentiality.

Individuals Found Responsible: A central investigation file, which is a complete record of an investigation, will be maintained on respondents found to be responsible. A Rules violation file generally documents every step and contains: a description of the alleged violation, supporting documentation, written statements, notes of interviews, hearing transcripts, and official case-related correspondence.

The University will maintain the files and release information contained in those files with appropriate permission for seven years from the date of the incident. After the retention period, the files will no longer be reportable except in cases resulting in suspension or expulsion, which may be retained indefinitely.

Individuals Investigated for Potential Violations: The Rules Administrator may retain information about investigations, warnings (if any), and related interactions regarding individuals who have been investigated in connection with potential rules violations. The retention of this information (including the name and identifying information of the respondent) would be for the purpose of identifying and evaluating allegations of repeat offenses by the same individual under the Rules, as guided by Section 447. This identified information may be maintained for seven years from the date of the incident.

Further, to ensure that charges filed by the Rules Administrator and sanctions imposed by the University Judicial Board are consistent with the University's handling of similar cases, the Rules Administrator will maintain a record of violations and sanctions (and provide to members of the UJB a record of any similar past cases), with the names and any other identifying information of past respondents removed.

RECORDS DISCLOSURE

To learn more, we encourage you to review the Records Disclosure in its entirety in [§451 OF THE RULES OF UNIVERSITY CONDUCT](#).

Alleged Violation of the Rules

This form may be used by members of the Columbia Community to report an alleged violation of the Rules of University Conduct.

Please note that submissions using this form may not be reviewed outside of normal business hours. If there is immediate risk to health or safety, please contact Columbia Public Safety at (212) 854-5555.

If your concern involves an **allegation of Academic Misconduct**, please submit an online report to the Office of Student and Community Standards via this link:
https://publicdocs.maxient.com/reportingform.php?ColumbiaUniv&layout_id=4

If your concern involves an **allegation of Sexual or Gender-Based Misconduct**, please submit an online report via this link:
https://publicdocs.maxient.com/reportingform.php?ColumbiaUniv&layout_id=5

If your concern involves an **allegation of Hazing**, please submit an online report to the Hazing Prevention Team via this link:
https://publicdocs.maxient.com/reportingform.php?ColumbiaUniv&layout_id=49

* indicates a required field

Background Information

Nature of this report: Violation of Rules of University Conduct

* Your Full Name:

Your UNI:

Your Position/Title:

Your Department/School:

* Your Telephone Number:

* Your E-mail Address:

* Your Mailing Address:

* Date of incident:

Time of incident:

* Location of incident:

Please select a location ...

- 47 Claremont
- 503 West 121st Street
- 536 West 114th Street
- 542 West 114th Street
- 546 West 114th Street
- 548 West 113th Street
- 600 W 116TH

- 601 W 110TH
- 604 West 114th Street
- 606 West 114th Street
- 616 W 116TH
- 619-623 West 113th Street (SIC House)
- 620 W 116TH
- Alpha Chi Omega
- Alpha Delta Phi
- Beta Theta Pi
- Broadway Residence Hall
- Brooks Hall
- Carlton Arms
- Carman Hall
- Cathedral Gardens
- Delta Gamma
- Delta Sigma Phi
- Delta Sigma Theta
- East Campus
- Elliot Hall
- Fairholm (503 West 121st Street)
- Furnald Hall
- Harmony Hall
- Hartley Hall
- Hewitt Hall
- Hogan Hall
- Intercultural House
- Intercultural Resource Center
- John Jay Hall
- Kappa Alpha Theta
- Kappa Delta Rho
- Kings Crown
- Lambda Phi Epsilon
- Lenfest Hall
- McBain Hall
- Nussbaum (600 West 113th Street)
- Plimpton Hall
- Reid Hall
- River Hall
- Ruggles Hall
- Schapiro Hall
- Sigma Chi
- Sigma Delta Tau
- Sigma Nu
- Sigma Phi Epsilon
- Sulzberger Tower
- Wallach Hall

- Watt
- Wien Hall
- Woodbridge Hall
- Zeta Beta Tau
- 100 Morningside Drive
- 110 Morningside Drive
- 124 La Salle Street
- 130 Morningside Drive
- 150 Claremont Ave
- 18 West 108th Street
- 181 Claremont Ave
- 189 Claremont Ave
- 191 Claremont Ave
- 195 Claremont Ave
- 2852 Broadway
- 362 Riverside Drive
- 400 West 119th Street
- 405 West 118th Street
- 414 West 120th Street
- 419 West 119th Street
- 420 West 119th Street
- 421 West 118th Street
- 423 West 118th Street
- 434 West 120th Street
- 435 West 119th Street
- 456 Riverside Drive
- 500 Riverside Drive
- 500 West 122nd Street
- 501 West 121st Street
- 502 West 113th Street
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- 506 West 113th Street
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- 547 Riverside Drive
- 548 Riverside Drive
- 549 Riverside Drive
- 558 West 113th Street
- 560 Riverside Drive
- 600 West 114th Street
- 600 West 122nd Street
- 601 West 112th Street
- 601 West 113th Street
- 604 West 115th Street
- 61-63 West 108th Street
- 610 West 114th Street
- 74 West 108th Street
- 950 Columbus Ave
- Arbor (3260 Henry Hudson Parkway)
- Armstrong Hall
- Avery Hall
- Baker Field
- Barnard College
- Barnard
- Brinckerhoff
- Buell Hall
- Butler Hall
- Butler Library
- Cafe 212
- Casa Italiana
- Chandler Hall
- College Walk
- Columbia Alumni Center
- Computer Science

- Dodge Fitness Center
- Dodge Hall
- Earl Hall
- East Campus Area
- Faculty House
- Fairchild Hall
- Fayerweather Hall
- Ferris Booth Commons
- Fiske
- Grace Dodge
- Greek Life
- Greene Annex
- Greene
- Hamilton Hall
- Hartley Hospitality Desk
- Havemeyer Extension
- Havemeyer Hall
- Horace Mann
- International Affairs
- Jewish Theological Seminary
- John Jay Dining Hall
- Journalism School
- Journalism
- JTS (Jewish Theological Seminary)
- Kent Hall
- Law School
- Lehman
- Lerner Hall
- Lerner Mail Room/Package Center
- Lerner Party Space
- Lewisohn Hall
- LLC Area
- Low Library
- Low Plaza
- Low Steps
- Macy
- Main
- Mathematics
- Millbank
- Miller Theatre
- On Campus - Classroom
- On Campus - Faculty/Staff Office
- On Campus - Other/Not Listed
- Mudd
- Nexus
- Northwest Corner Building

- Philosophy Hall
- President's House
- Russell
- Schapiro Building
- Schermerhorn Extension
- Schermerhorn Hall
- School of Social Work
- SIPA (School of International and Public Affairs)
- Social Work
- South Field
- Southfield Area
- St. Paul's Chapel
- Teachers College
- Teachers College - 517 West 121st Street
- Teachers College - Whittier Hall
- Teachers College - Grant Hall
- Teachers College - Bancroft Hall
- Teachers College - Sarasota Hall
- The Block Area
- Thompson
- Thorndike
- UAH (University Apartment Housing)
- Union Theological Seminary
- University Hall
- Uris Hall
- UTS (Union Theological Seminary)
- Warren Hall
- Watson Hall (612 West 115th Street)
- West Campus Area
- William and June Warren Hall
- Misc CUMC Campus Location
- Misc CUMC Campus Classroom
- Alumni Auditorium
- Armand Hammer Health Sciences Center (classrooms)
- Augustus C. Long Library
- Audubon BYC Building
- Bard Hall Medical Street Student Residence
- Bard Haven Towers
- Children's Hospital (North)
- Children's Hospital (South)/Sloane Hospital for Women
- College of Physicians and Surgeons
- CUMC University Bookstore
- Eye Institute Research Laboratories
- Future Audubon IV
- Future Audubon V
- Irving Cancer Research Center

- Mailman School of Public Health
- Mary Woodard Lasker Biomedical Research Building
- Morgan Stanley Children's Hospital Building
- New York City Department of Health/Mailman School of Public Health
- Radiotherapy Center
- Residence Administrative Building (154 Haven Avenue)
- Residence Building (106 Haven Avenue)
- Russ Berrie Medical Science Pavilion
- School of Nursing
- Georgian Residence
- Service Building
- The Edward S. Harkness Eye Institute
- The Harkness Pavilion
- The Herbert Irving Pavilion
- The Lawrence C. Kolb Research Building
- The Milstein Hospital Building
- The Neurological Institute of New York
- The New York State Psychiatric Institute
- The Pauline A. Hartford Memorial Chapel
- The Presbyterian Hospital Building
- Vanderbilt Clinic
- School of Dental and Oral Surgery
- William Black Medical Research Building
- Lamont-Doherty Earth Observatory
- Geoscience
- New Core Lab
- Buildings & Grounds
- Ocean Bottom Seismology
- Guesthouse 6
- Tree Ring Lab
- Rose Garden
- Lamont Hall
- Administration
- Cafeteria
- Monell Building: International Research Institute (IRI)
- Monell Building: Director's Office
- Oceanography
- Comer Geochemistry
- Paleo-Magnetics Lab
- Borehole Research Group
- Main Seismics Vault
- Instrumental Lab/Shipping & Receiving
- Marine & Polar Technology
- Geoinformatics
- Old Geochemistry
- Nevis Lab

- Grant's Tomb
- Electronically
- Morningside Park
- Riverside Park
- St. John's the Divine
- St. Luke's ER
- St. Luke's Hospital
- St. Luke's Pediatrics
- Off Campus - University Affiliated
- Off Campus - University Non-affiliated
- Off Campus - Other/Not Listed
- Unknown - Not Listed

Specific location:

Involved Parties

Please list the individual(s) involved *excluding yourself*, including as many of the listed fields as you can provide. **Please ensure that a correct UNI is provided.**

For student organization(s) and/or group(s), please enter the **organization name with no spaces** in the UNI field. (Example: Lambda Lambda Lambda would be entered as LambdaLambdaLambda)

For non-students/non-affiliates, please list an ID type and number or Drivers License number in the UNI field if available. (Example: NYS DL # 86-753-09)

If you want to confirm an individual's information, [Pre-authorized users may click here to lookup individuals](#)

Description / Narrative

Please provide a detailed description of the incident using specific concise, objective language (Who, what, where, when, why, and how).

Supporting Documentation

Photos, video, email, and other supporting documents may be attached below.

Maximum size of ? per file

Attachments require time to upload, so please be patient after you click to submit this report.

One last step ...

Help us prevent spam. Enter the letters and numbers as you see them in the block to the right. ***Capitalization does not matter but cookies must be enabled in your browser for this to work.***

<date>

Via E-Mail

<Respondent Name>

<Respondent UNI>

Re: Notice of Alleged Violation of the Rules of University Conduct

Dear <name>,

I have received a complaint from a member of the University that you engaged in conduct that may have violated the Rules of University Conduct (“the Rules”) by participating in a demonstration in <location> on <date>.

As the Rules Administrator, it is my responsibility to investigate this complaint. I would like to meet with you promptly to discuss this further.

At the meeting, you will be advised of the substance of the possible charges and given the opportunity to explain why you believe these charges should not be filed. If you wish, you may also discuss during our meeting an informal resolution of the complaint. Such a resolution would typically involve you accepting responsibility for violating the Rules.

I have scheduled a meeting for you to meet with me on <date> at <time> in my office in Philosophy Hall 208. I may ask a member of my staff to attend and you are allowed to bring up to two advisors with you. If you are unable to attend at that time, you must call my assistant, Don Harrison, no later than <time> on <date> to reschedule. (Mr. Harrison’s telephone number is: (212) 854-0411.) Failure either to attend the meeting or to reschedule it will leave me no choice but to move forward with my investigation without your input.

Based on my investigation of the complaint, I will determine whether any charges should be filed. If you decline responsibility for violating the Rules, or choose not to respond, the matter may proceed to a hearing stage. The University Judicial Board (the “UJB”) shall hear all charges of violations of the Rules and will determine whether you are responsible or not responsible and will determine sanctions. Alternatively, if you accept responsibility for violating the Rules, the matter will proceed to a sanctioning stage to be conducted by the Chair of the UJB.

You should be aware that if you engage in any activity that is impermissible under the Rules while this complaint is under review, it may be taken into account in the sanctions in this matter if you are found to be responsible.

To learn more, I encourage you to review the Rules of University Conduct found here:

<http://www.essential-policies.columbia.edu/university-regulations#/violations%20and%20sanctions> . A PDF copy of the Rules is also attached. You may also consult the website for the Rules of University Conduct at http://senate.columbia.edu/committeepages/rules_committee.html.

Sincerely yours,

Signature of the Rules Administrator

--

Print Name

Rules Administrator

**COLUMBIA UNIVERSITY
RULES OF UNIVERSITY CONDUCT**

CHARGES

Via E-mail

TO: <Respondent's Name>
<Respondent's UNI>

YOU ARE HEREBY CHARGED with violating Sections 443.a (1), 443.a (13), and 443.a (19) of the Rules of University Conduct (the "Rules") by participating in the events of the afternoon of <date> in the Boone Arledge Auditorium (the "Auditorium") that resulted in the disruption of the presentation by <name> and other representatives of <entity>.

Charge 1: You are charged with a violation of Section 443.a (1) by engaging in a protest on the stage of the Auditorium that placed others in danger of bodily harm.

Charge 2: You are charged with a violation of Section 443.a (13) by contributing to the interruption of a lecture that was a University function as defined in Section 441.c of the Rules.

Charge 3: You are charged with a violation of Section 443.a (19) by failing to disperse from an assembly upon order to do so.

You have the following options:

- (a) plead responsible and the matter will be submitted to the Chair of the University Judicial Board (the "UJB") for sanctioning; or
- (b) plead not responsible and the matter will be submitted to the UJB for a determination; or
- (c) if you fail to respond, or do not respond by the deadline, the matter will be submitted to the UJB for a determination.

DEADLINE FOR RESPONSE: <date>

Name:
Rules Administrator

Date: _____

Enclosure: Rules Administrator Investigation Report

RESPONSE:

Charge 1: () Responsible () Not Responsible
Charge 2: () Responsible () Not Responsible
Charge 3: () Responsible () Not Responsible

Signature of Respondent:

Date: _____

**RULES ADMINISTRATOR
INVESTIGATION REPORT**

Via E-mail

<p>Date(s) of Incident: _____ / _____ / _____</p> <p>Respondent's Name: _____</p> <p>Respondent's UNI: _____</p>

Charge(s): Rules §443 Violation #: _____

Comments: _____

Introduction

Describe the allegation/incident that has been investigated and the details of the respondent about whom the allegation was made.

Methodology

Describe the process of the investigation including, but not limited to: a list of the individuals interviewed, whether witness statements/notes from meetings were taken; evidence collected; and any other activities undertaken as part of the investigation.

Findings

Describe the facts and evidence presented, any inconsistencies found with explanations where applicable, any mitigating circumstances, and any issues identified. Indicate where relevant information (e.g., witness statements) may be found in the appendices.

Harm

Describe any hindrance to free speech or harm to person or property, including associated costs, if any.

Actions by the University

Describe any actions taken by the University as a result, including a justification for those actions.

Analysis / Recommendations

Describe the alleged violations (and specify if different from the alleged violations in the original complaint); the determination of whether to dismiss the complaint or charge the respondent; if a resolution and proceed to a hearing, and recommended sanctions

based on prior similar conduct.

Appendices

Describe the content of the appendices.

A copy of this form must be provided to the Respondent.

Signature of the Rules Administrator:

Date:

Print Name: _____

CONFLICT OF INTEREST DISCLOSURE SURVEY

Via E-mail

<p>Date(s) of Incident: _____ / _____ / _____</p> <p>Respondent's Name: _____</p> <p>Respondent's UNI: _____</p>

Do you know the respondent? Yes / No

If yes, provide additional information:

Have you ever made a public statement about the issue or the respondent's organization? Yes / No

If yes, provide additional information:

Is there any reason you cannot be impartial in this case? Yes / No

If yes, provide additional information:

Is there anything else that would affect, or could potentially affect, your ability to be impartial in this matter, e.g., a relationship with a witness, advisor, or other person involved in the matter? Yes / No

If yes, provide additional information:

Signature:

Date:

Print Name: _____

Via E-mail

**UJB CHAIRPERSON
SANCTION FORM**

<p>Date(s) of Incident: _____ / _____ / _____</p> <p>Respondent's Name: _____</p> <p>Respondent's UNI: _____</p> <p>Deadline to Appeal: _____ / _____ / _____</p>

Respondent accepted responsibility for:

Rules §443 Violation # _____

Comments: _____

SANCTION(S) TO BE IMPOSED:

RATIONALE FOR SANCTION(S):

RIGHT TO APPEAL:

An online submission form may be found on the website for the University Senate. To learn more, we encourage you to review the Appeals information in [§450 OF THE RULES OF UNIVERSITY CONDUCT](#).

This document is considered a student educational record under Columbia University policy and is subject to the Family Educational Rights and Privacy Act ("FERPA")

A copy of this form must be provided to the Respondent.

Signature of the UJB Chairperson:

Date of Decision:

Print Name:

LEGAL NOTICE

This document (including any attachments) contains confidential information which may be legally privileged. You are hereby notified that any disclosure, copying, or distribution of it, or the taking of any action based on its content, is strictly prohibited.

If you received this document in error, please immediately notify the sender and destroy the document from your system. Thank you.

Via E-mail

**UJB PANEL
FINDING & SANCTION FORM**

<p>Date(s) of Hearing / Decision: _____ / _____ / _____</p> <p>The following decision(s) were rendered after deliberation for:</p> <p>Respondent's Name: _____</p> <p>Respondent's UNI: _____</p> <p>Deadline to Appeal: _____ / _____ / _____</p>
--

Charge 1: Rules §443 Violation # _____

Finding: () Responsible () Not Responsible () Charge Dismissed

Comments: _____

Charge 2: Rules §443 Violation # _____

Finding: () Responsible () Not Responsible () Charge Dismissed

Comments: _____

FACTS (evidence upon which decisions were rendered):

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

RATIONALE FOR SANCTION(S):

RIGHT TO APPEAL:

An online submission form may be found on the website for the University Senate. To learn more, we encourage you to review the Appeals information in [§450 OF THE RULES OF UNIVERSITY CONDUCT](#).

This document is considered a student educational record under Columbia University policy and is subject to the Family Educational Rights and Privacy Act ("FERPA")

A copy of this form must be provided to the Respondent.

Signature of hearing panel members present for hearing:

(1) _____	(2) _____
(3) _____	(4) _____
(5) _____	Date of Decision: _____

LEGAL NOTICE

This document (including any attachments) contains confidential information which may be legally privileged. You are hereby notified that any disclosure, copying, or distribution of it, or the taking of any action based on its content, is strictly prohibited.

If you received this document in error, please immediately notify the sender and destroy the document from your system. Thank you.

Appeal Request Form

An individual found responsible for violating the Rules of University Conduct has the right to request an appeal of the decision and the resulting sanction(s) **within the time frame indicated in the disciplinary outcome letter.**

An individual found responsible by, or sanctioned by, the University Judicial Board for a violation of the Rules of University Conduct has the right to request an appeal of the decision and/or the resulting sanction(s) within the timeframe indicated in the disciplinary decision form.

The Appeals Board shall hear all appeals from decisions or sanctions imposed by the University Judicial Board or by the Chairperson of the UJB. The Appeals Board may overturn, affirm, or revise the decision, and it may overturn, affirm, or lessen the sanction.

A final appeal may be made to the President for clemency or review, which the President may hear in his/her discretion.

Please note that requests that are received after the specified deadline and/or requests that do not meet the criteria/ground(s) for appeal may not be considered.

Regardless of the outcome of an appeal, the individual will be notified of the decision in writing.

Case Information

* Type of Appeal:

From the UJB to the Appeals Board

From the Appeals Board to the President

* Appellant Information:

Respondent

Rules Administrator

* Full Name:

* UNI:

* Position/Title:

* Department/School:

* Telephone Number:

* E-mail Address:

* Mailing Address:

Appeal Information

* Ground(s) for Appeal:

I have new information, unavailable at the time of the hearing

I have concerns with the process that may affect the outcome of the decision

I believe the sanction is too severe

* Appeal Text:

If choosing to upload a Word document or PDF of your request, please note this in the text box below. *In addition to submitting the online Appeal Request Form, the appellant may submit a Word document or PDF up to five (5) single-spaced pages in length, using twelve (12) point Times New Roman font and one (1) inch margins. The appellant may also submit supporting documentation such as photos, video, email, and other relevant documents.*

[TEXT BOX]

Supporting Documentation

Photos, video, email, and other supporting documents may be attached below.

Maximum size of ? per file

Attachments require time to upload, so please be patient after you click to submit this report.

One last step ...

Help us prevent spam. Enter the letters and numbers as you see them in the block to the right. ***Capitalization does not matter but cookies must be enabled in your browser for this to work.***

**APPEAL BOARD
DECISION FORM**

<p>Respondent's Name: _____</p> <p>Respondent's UNI: _____</p> <p>Deadline to Appeal: _____ / _____ / _____</p>
--

Respondent appealed decision from: () UJB Chairperson () UJB Panel

Comments: _____

Finding: () Affirmed () Overturned () Revised () Not appealed

Comments: _____

Sanction: () Affirmed () Overturned () Lessened () Not appealed

Comments: _____

RATIONALE:

RIGHT TO APPEAL:
An online submission form may be found on the website for the University Senate. To learn more, we encourage you to review the Appeals information in [§450 OF THE RULES OF UNIVERSITY CONDUCT](#).

This document is considered a student educational record under Columbia University policy and is subject to the Family Educational Rights and Privacy Act ("FERPA")

A copy of this form must be provided to the Respondent.

Signature of hearing panel members present for hearing:

(1) _____ (2) _____
(Chairperson)

(3) _____ Date of Decision: _____

Columbia University
Application for Student Media Credential:
Editorial Staff of a Student Media Outlet

<p>Student Media Outlet Name: _____</p> <p>Director / Editor-in-Chief Name: _____</p> <p>Director / Editor-in-Chief UNI / E-Mail: _____</p>
--

*A student media outlet may apply for a Student Media Credential, valid until May 31 following the end of that academic year. Credential requests for editorial staff of a University-recognized news media outlet must be submitted by the Director / Editor-in-Chief of the news outlet. Please include all requests for credentials on the ONE application. The Editor-in-Chief should submit the request as the "**Contact**" with all editorial staff they assign as Editorial Staff.*

Key Dates

Applications in the Fall Semester may be submitted until 11:59 p.m. on September 30 and until 11:59 p.m. on November 30. Applications in the Spring Semester may be submitted until 11:59 p.m. on January 30 and until 11:59 p.m. on April 30. Applications will not be accepted at any other time.

Photograph

Submit a passport size photo (no larger than 100 dpi--passport size) of each "Editorial Staff" member with the application.

Supporting Documentation

Applicants must submit two or more of the following: articles, commentaries, books, photographs, videos, films or audios published or broadcast; applicants may also submit an original letter of assignment. Personal web pages and personal blogs will not be accepted.

Submit Application to:

Submit the application via email to the Office of the University Senate at senate@columbia.edu. Include in the subject line: "Application for Student Media Credential:" and the name of the media outlet.

Request for Reconsideration

If an application is denied, you may submit a Request for Reconsideration with additional information to the email address above for the application.

Credential Pick Up

The Director / Editor-in-Chief will be notified by email when the credentials are available for pick up from the University Senate Office (406 Low Library) Monday-Friday from 9 a.m. to 5 p.m. The credential(s) may not be picked up by anyone else.

University Recognized Student Media Outlet Name & Editor-in-Chief Information:

Organization:

Director / Editor-in-Chief:

Editor UNI:

Editor E-mail Address:

Editor Mailing Address:

Editor Telephone:

Staffer Contact Information

First Name:

Last Name:

UNI:

E-mail Address:

Mailing Address:

Telephone:

Department/School:

Staffer Contact Information

First Name:

Last Name:

UNI:

E-mail Address:

Mailing Address:

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Department/School:

Staffer Contact Information

First Name:

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E-mail Address:



Mailing Address:
Telephone:
Department/School:

END OF DOCUMENT

**Columbia University
Application for Student Media Credential:
Freelance Journalist**

Freelance Journalist Name: _____

Freelance Journalist UNI: _____

Key Dates

Applications in the Fall Semester may be submitted until 11:59 p.m. on September 30 and until 11:59 p.m. on November 30. Applications in the Spring Semester may be submitted until 11:59 p.m. on January 30 and until 11:59 p.m. on April 30. Applications will not be accepted at any other time.

Photograph

Submit a passport size photo (no larger than 100 dpi--passport size) with the application.

Supporting Documentation

Applicants must submit two or more of the following: articles, commentaries, books, photographs, videos, films or audios published or broadcast; applicants may also submit an original letter of assignment. Personal web pages and personal blogs will not be accepted.

Submit Application to:

Submit the application via email to the Office of the University Senate at senate@columbia.edu. Include in the subject line: "Application for Student Media Credential."

Request for Reconsideration

If an application is denied, you may submit a Request for Reconsideration with additional information to the email address above for the application.

Credential Pick Up

If approved for a credential, the Freelance Journalist will be notified by email when the credential is available for pick up from the University Senate Office (406 Low Library) Monday-Friday from 9 a.m. to 5 p.m. The credential may not be picked up by anyone else.

Student Freelance Journalist Information:

First Name:

Last Name:

UNI:

E-mail Address:

Mailing Address:

Telephone:

Department/School: