

## **Section I. Statement of Policy**

Columbia is committed to maintaining an environment that respects the dignity of all individuals. Accordingly, Columbia will not tolerate harassment or discrimination based on religion, race, sex, sexual orientation, gender identity or expression, national origin, age, disability or ethnicity by or of its students, faculty, or staff. This conduct may also be illegal under state, local, and federal law. To the extent practicable, Columbia will attempt to protect the Columbia community from harassment and/or discrimination by vendors, consultants, and other third parties who interact with the Columbia community. Columbia is promulgating this policy to reaffirm its opposition to harassment and discrimination and to emphasize that learning opportunities and employment opportunities must not be interfered with by such behavior.

**[Columbia's Student Sexual Misconduct Policy & Procedures governs Sexual Misconduct allegations made against a student by another student, College employee, or third party. For more information about the Student Sexual Misconduct Policy & Procedures and the College's Title IX resources, please visit [www.colum.edu/TitleIX](http://www.colum.edu/TitleIX)].**

No member of the Columbia community shall engage in discrimination or harassment in any program, activity, or place over which Columbia exercises control. It is expected that every member of our community will take responsibility for refraining from any form of discrimination or harassment, reporting any incident that is made known, cooperating in preventing such behavior, and assisting with corrective measures when, despite Columbia's serious commitment, these acts occur.

Recipients of discrimination or harassment often fear reprisals for reporting such conduct. To address this concern, Columbia will investigate any allegation of retaliation for reporting or assisting in the investigation of a complaint of any form of discrimination or harassment. Columbia will discipline those found to have engaged in retaliation.

The purpose of this policy is to:

- prevent harassment, discrimination, and sexual assault
- prohibit harassment, discrimination, and sexual assault
- encourage good faith complaints if such conduct has occurred
- provide multiple options for addressing and resolving complaints of harassment, discrimination, and sexual assault

Columbia will attempt to take prompt corrective action against any harassment or discrimination by or of its students, faculty, or staff. This policy is designed to encourage persons who believe that they have been harmed by discrimination or harassment to bring the conduct to the attention of appropriate individuals within Columbia so that the College can take prompt corrective action. All managers/supervisors are directed to implement the procedures

outlined in this policy.

All complaints will be taken seriously, and no one reporting harassment or discrimination will suffer retaliation or reprisal. Complaints or harassment and/or discrimination will be treated in confidence to the extent feasible, given the need to conduct a thorough investigation and to take corrective action. If it is determined through an appropriate and prompt investigation that harassment or discrimination has occurred, effective corrective action will be taken to stop the conduct and to attempt to ensure that it does not reoccur. Depending on the circumstances and the severity of the conduct, corrective action could range from an oral/written warning to dismissal or expulsion.

## **Section II. Responsibilities of Community Membership**

It is the responsibility of each Columbia community member to be knowledgeable about discrimination and harassment, its negative impact, and the means by which it can be effectively addressed. Every member has a role in the implementation of this policy. All members of the community who serve in a supervisory capacity, such as deans, managers, directors, chairs, and administrators are responsible for reporting all complaints of harassment or discrimination to the appropriate office as outlined below. A person who engages in discrimination or harassment must reform his or her behavior or be subject to disciplinary action up to and including termination or expulsion from Columbia. A person who witnesses or learns of any form of discrimination or harassment is expected to cooperate in Columbia's efforts to address this conduct.

## **Section III. Academic/Artistic Freedom**

Academic/artistic freedom protects the presentation and discussion of ideas and artistic works. It does not include demeaning or intimidating individuals because of a personal characteristic. As is stated in Columbia's Academic Freedom Policy, "The concept of academic/artistic freedom is accompanied by an equally demanding concept of academic/artistic responsibility," and this requires "responsible service, consistent with the faculty member's obligation to the College."

In considering what are appropriate statements or conduct, a faculty member should consider 1) whether the statements or conduct advance a valid educational objective related to the subject matter of the academic experience, and 2) whether they are made or occur in an academically appropriate manner as part of a valid educational objective. Similarly, while in the normal course of student-faculty exchange it may sometimes be of value to discuss or present a controversial matter or experience that has no direct relation to the immediate academic subject; nevertheless, the faculty member must also be cognizant that under Columbia's Academic Freedom Policy he or she may not have a right to discuss such a matter.

## **Section IV. Consensual Relations**

Under Columbia's Academic Freedom Policy, a faculty member is expected to adhere to his or her proper role as an intellectual or artistic guide and avoid any exploitation of his or her

students. Additionally, the Policy states that a faculty member has the responsibility to ensure that his or her evaluation of students reflects the true merit of each student. Because it may easily involve or appear to involve a conflict of interest, an amorous or sexual relationship between a faculty member and a student entails serious ethical concerns when the faculty member has professional responsibility for the student, such as when the student is in the faculty member's class.

Therefore, faculty members or other instructional staff shall not initiate, pursue, or be involved in any amorous or sexual relationship with any student whom they are in a position to evaluate or supervise by virtue of their teaching, research, or administrative responsibilities. Such a relationship is a violation of this policy, and consent by a student to such a relationship will not be a defense against a later sexual harassment charge by the student.

Likewise, a supervisor shall not initiate, pursue, or be involved in any amorous or sexual relationship with any subordinate employee. A supervisor will be prohibited from assessing, determining, or influencing another person's employment, performance progress or potential, entitlement to or eligibility for institutionally conferred rights, benefits, or opportunities with an individual with whom the supervisor has or has had an intimate relationship. Such a relationship is a violation of this policy, and consent by the subordinate employee to such a relationship will not be a defense against a later sexual harassment charge by the subordinate employee.

#### **Section V. Definition of Discrimination**

Discrimination is unequal favorable or unfavorable treatment of an individual based on race, national origin, ethnicity, sex, age, disability, religion or sexual orientation and gender identity or expression. It can include the failure to recognize the contributions of work in class; the failure to provide appropriate academic support; or inequities in salary, benefits, accommodations, office space, hiring, promotion; or appointment to college-wide committees and to administrative roles on the basis of the above outlined protected characteristics.

#### **Section V(A). Definition of Discriminatory Harassment**

Discriminatory harassment is physical conduct or other expressive behavior that has the purpose or effect of interfering with an individual's work or academic performance or creates an intimidating, hostile, or abusive environment and that is based upon the individual's characteristics of race, national origin, ethnicity, sex, age, disability, religion, or sexual orientation and gender identity or expression.

Discriminatory harassment includes but is not limited to invectives; threats; slurs; epithets; pranks; teasing; taunting; and other conduct or expressive behavior that tends to belittle, degrade, demean, deride, disparage, ridicule, or threaten a person on the basis of the foregoing characteristics. It is in the nature of a personal attack that injures a specific individual, as distinguished from the civil expression or discussion of an offensive idea.

Not all situations in which an individual is offended or uncomfortable will be violations of this policy. Personality clashes, clashes of beliefs or lifestyles alone will not be violations of this policy nor will conduct that reflects socially and academically acceptable comradeship.

### **Section V(B). Definitions of Sexual Harassment & Sexual Assault**

In compliance with Title IX of the Education Amendments of 1972 (Title IX), Columbia College Chicago prohibits sexual harassment, including sexual violence, and discrimination on the basis of sex in all educational programs and activities. Programs and activities under Title IX include: academic programs, admissions, athletics, recruitment, financial aid, housing and employment, amongst others.

Sexual harassment is one form of discriminatory harassment. It can occur between a man and a woman or persons of the same sex. Sexual harassment includes: unwelcome sexual advances, requests for sexual favors, or sexually oriented conduct when:

- (a) Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment or academic experience; or
- (b) An employment or academic decision affecting an employee or student is made based on that individual's acceptance or rejection of such conduct; or
- (c) A pattern of unwelcome verbal or physical conduct of a sexual nature is directed toward another that unreasonably interferes with that individual(s)' work or class performance or creates an intimidating, hostile, or abusive working or learning environment.

Examples of behavior that may constitute sexual harassment include, but are not limited to, the following: unwelcome verbal or physical advances of a sexual nature; requests or subtle pressure, overt or implied, for sexual favors; abusive or threatening behavior directed at a person; remarks, jokes, comments, or observations of a sexual nature that demean or offend individuals on the basis of their sex, provided, however, that such expressions will not be considered sexual harassment if uttered for a valid academic purpose; gestures or other nonverbal behavior of a sexual harassment if based upon a valid academic purpose; and display or distribution of offensive materials of a sexual nature, provided, however, that such expressions will not be considered sexual harassment if used for a valid academic purpose.

Criminal Sexual assault is an extreme form of sexual harassment and is a violation of this policy. Under Illinois law, a person commits Criminal Sexual Assault if “that person commits an act of sexual penetration and: (1) uses force or threat of force; (2) knows that the victim is unable to understand the nature of the act or is unable to give knowing consent; (3) is a family member of the victim, and the victim is under 18 years of age; or (4) is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim, and the victim is at least 13 years of age but under 18 years of age.” (720 ILCS 5/11-1.20(a)).

Columbia’s Student Sexual Misconduct Policy & Procedures governs Sexual Misconduct

allegations made against a student by another student, College employee, or third party. Additional information about the Student Sexual Misconduct Policy & Procedures and the College's Title IX resources is available at [www.colum.edu/titleIX](http://www.colum.edu/titleIX). In the event of a conflict between this Anti-Discrimination & Harassment Policy and the Student Sexual Misconduct Policy & Procedures, the Student Sexual Misconduct Policy & Procedures shall control.

**Section V(C). Reporting & Investigating Sexual Harassment; Recommendations For Victims of Sexual Assault**

To file a complaint of sexual harassment against a College employee or a third party (or for related inquiries), the College advises students to contact the Office of Campus Safety & Security at 312-369-1111 (available 24 hours a day, 7 days a week), or Janely Rivera (the Title IX Coordinator) at 312-369-6344 or by email at [jrivera@colum.edu](mailto:jrivera@colum.edu). However, students who are more comfortable reporting an incident to a different College employee (such as a professor, advisor, or counselor) or Department may do so. College employees and third parties may file a complaint of sexual harassment against a College employee or third party by contacting the Office of Campus Safety & Security at 312-369-1111, Janely Rivera (the Title IX Coordinator) at 312-369-6344 or by email at [jrivera@colum.edu](mailto:jrivera@colum.edu), or the Office of Human Resources at 312-369-8215 or by email at [humanresources@colum.edu](mailto:humanresources@colum.edu). The aforementioned offices are also available to answer any questions from employees or third parties regarding their rights and responsibilities under this Policy.

Any College employee who receives notice of incident of sexual harassment from a student, College employee, or third party, or otherwise observes or learns of such behavior shall promptly report all relevant facts to the Title IX Coordinator.

The College shall investigate all incidences of sexual harassment in a comprehensive manner that is consistent with its obligations under Title IX. Depending on the circumstances and the severity of the conduct, corrective action could range from an oral/written warning to dismissal or expulsion.

The Office of Student Relations, Office of Counseling Services, and Office of Residence Life are prepared to provide support services to students before, during, and after an investigation. Through the Employee Assistance Program (EAP), the College offers the following to employees: free confidential counseling, including 24-hour immediate telephone-based crisis intervention and stabilization services.

Victims of sexual harassment may elect to pursue a criminal complaint with the appropriate law enforcement agency, to pursue a complaint through the College, or to pursue both processes consecutively or concurrently. Regardless of the option chosen, the College shall investigate the matter as required by Title IX. The aforementioned steps in this section V(C) for reporting and investing sexual harassment supplement those procedures provided below in Section IX: Procedures for Addressing Discrimination & Harassment Complainants.

As always, an individual facing an emergency or other situation that likely poses an imminent

threat to his or her physical wellbeing should immediately call the police or Campus Safety & Security before taking other steps.

Specifically, the College encourages the following for victims of sexual assault or another violent offense:

- Get to a place of safety. Your first priority must be ensuring that you are free of any additional harm.
- Seek the necessary medical attention and report the incident by dialing 911 for Chicago Police and Emergency Medical Service as soon as possible.
- File a report with the Chicago Police; this helps ensure the below resources and is therefore highly recommended:
  - Eligibility for support services and medical reimbursement per the Crime Victim’s Compensation Law, if reported within 72 hours and victim fully cooperate with police law enforcement
  - An opportunity for collection of evidence which may be helpful in prosecution (if the victim chooses to pursue that route). It is recommended that you do not change clothes, bathe, shower, use the toilet or rinse out your mouth prior to medical examination.
  - Access to medical treatment for any injuries, treatment of sexually transmitted diseases or side effects from drug induced sexual assaults; in addition to access to free confidential counseling from counselors specifically trained in sexual assault crisis intervention.

**Section VI. Important Notification Numbers**

Resource	Contact Information	Phone Number
Chicago Police Department/ Emergency Medical Services		911
CCC Security Command Center	Emergency	312-369-1111
	Non-Emergency	312-369-3220
CCC Office of Campus Safety & Security	916 S. Wabash, Suite 505	312-369-6543 312-369-7729
CCC Office of Student Relations	623 S. Wabash, Suite 301	312-369-8595
CCC Counseling Services	731 Plymouth Court, Suite 112	312-369-8700
CCC Residence Life	731 Plymouth Suite 103	312-369-7803
Off Campus Resource	24/7 Sexual Assault Crisis Hotline	888-293-2080

### **Section VII. Sanctions**

A single violation of this policy may result in a disciplinary action, including termination or expulsion from Columbia. Sanctions may also include suspension (with or without pay in the case of faculty or staff), reprimand, reassignment, and/or mandatory education or counseling.

### **Section VIII. Retaliation**

It is a violation of this policy to retaliate in any way against someone who has complained about discrimination or discriminatory harassment, participated in any manner in proceedings under this policy, or opposed the alleged discrimination or discriminatory harassment. Retaliation subjects the retaliator to disciplinary sanctions.

Knowingly making false allegations of discrimination or discriminatory harassment or providing evidence with the knowledge that it is false is also a violation of Columbia's policy and will subject a person to disciplinary action up to and including termination or expulsion.

## **Section IX: PROCEDURES FOR ADDRESSING DISCRIMINATION AND HARASSMENT COMPLAINTS**

The following procedures are designed to provide flexibility in reporting for the person complaining of the discrimination or discriminatory harassment while balancing the interests of the accused party and Columbia's need to obtain the information necessary to resolve these issues in its community.

Any Columbia student, staff, faculty member, guest, or any other nonstudent or nonemployee who believes that he or she is being or has been subjected to discrimination or discriminatory harassment has informal and formal options, which are not exclusive of one another or mandatory. However, a person's selection of an option will affect Columbia's ability to respond to the discrimination or discriminatory harassment. In addition, the timeliness of reporting an incident is often critical to appropriate action and resolution. Columbia is committed to a prompt and thorough investigation and resolution when its procedures are used. Those persons responsible for consulting about, investigating, and resolving complaints of discrimination or discriminatory harassment will make reasonable efforts to protect the privacy of both the complainant and the respondent.

### **Section I. Procedures for Student Complainants**

#### **a. Informal Remedy**

Columbia encourages student subjected to discrimination or discriminatory harassment to talk directly with the alleged discriminator or harasser if the person subjected to discrimination or discriminatory harassment feels comfortable doing so. If direct communication is selected, the person should tell the alleged discriminator or harasser to stop his or her behavior as soon as the behavior occurs and make it clear that the behavior is unwelcome. The person then should share this information with the Office of Human Resources, Dean of Students' Office, a faculty member, the Residence Life staff, a counselor, an advisor, or any Columbia supervisor so the situation can be monitored.

#### **b. Formal Remedy**

A complaint of discrimination or discriminatory harassment can be made either orally or in writing to the Office of Human Resources, Dean of Students' Office, a faculty member, the Residence Life staff, a counselor, an advisor, or any Columbia supervisor. All members of the community who serve in a supervisory capacity, such as deans, managers, and chairs, are responsible for reporting all complaints of Sexual harassment involving a student complainant to the Title IX Coordinator and all other complaints of discrimination or discriminatory harassment involving a student complainant to the Office of Human Resources. A complainant is encouraged to make a written complaint as it may increase the College's ability to take appropriate action to stop the alleged discrimination or discriminatory harassment. A complaint should be as specific as possible, providing the

name of the injured party; the name of the alleged discriminator or harasser; a chronology of the events that constitute the behavior, detailing dates, places, and times; a description of the behavior; and the names of any witnesses to the behavior or persons with knowledge of the behavior.

Whether the complainant wishes to proceed with the investigation or not, a formal investigation of the complaint will be undertaken. The process is confidential to the extent possible and applies to the accused wrongdoer, the complainant, and witnesses. In the course of the investigation, however, absolute confidentiality cannot be guaranteed. Except as provided otherwise herein, if the alleged conduct appears to violate both this Anti-discrimination and Harassment Policy and another Columbia policy, such as the student code of conduct, this policy will take precedent over the competing policy.

However, any sanction to be imposed against a tenured faculty member shall be subject to the procedures outlined in the Statement of Policy on Academic Freedom, Faculty Status, Tenure, and Due Process.

## **Section II. Procedures for Faculty and Staff Complainants**

### **a. Informal Remedy**

Columbia encourages any employee or third party subjected to discrimination or discriminatory harassment to talk directly with the alleged discriminator or harasser if the person subjected to discrimination or discriminatory harassment feels comfortable doing so. If direct communication is selected, the person should tell the alleged discriminator or harasser to stop his or her behavior as soon as the behavior occurs and make it clear that the behavior is unwelcome. The person then should share this information with the Office of Human Resources or with anyone who serves in a supervisory capacity, such as a dean, manager, director, chair, or administrator, so that the situation can be monitored.

### **b. Formal Remedy**

A complaint of discrimination or discriminatory harassment can be made either orally or in writing to any Columbia supervisor. All members of the community who serve in a supervisory capacity, such as deans, managers, directors, chairs, and administrators, are responsible for reporting all complaints of discrimination or discriminatory harassment involving an employee complainant or a third-party complainant to the Office of Human Resources. A complaint of discrimination or discriminatory harassment can be made either orally or in writing. A complainant is encouraged to make a written complaint as it may increase the College's ability to take appropriate action to stop the alleged discrimination or discriminatory harassment. A complaint should be as specific as possible providing the name of the injured party; the name of the alleged discriminator or harasser; a chronology of the events that constitute the behavior, detailing dates, places, and times; a description of the behavior; and the names of any witnesses to the behavior or persons with knowledge of the behavior.

Whether the complainant wishes to proceed with the investigation or not, a formal investigation of the complaint will be undertaken. The process is confidential to the extent possible and applies to the accused wrongdoer, the complainant, and witnesses. In the course of the investigation, however, absolute confidentiality cannot be guaranteed. Except as provided otherwise herein, if the alleged conduct appears to violate both this Anti-discrimination and Harassment policy and another Columbia policy, such as the Statement of Policy on Academic Freedom, Faculty Status, Tenure, and Due Process, this policy will take precedent over the competing policy. However, any sanction to be imposed against a tenured faculty member shall be subject to the procedures of the Statement of Policy on Academic Freedom, Faculty Status, Tenure, and Due Process.

***The College reserves the right to modify or amend the Anti-Discrimination and Harassment Policy at any time.***