

Policy Number	604.003
Policy Title	COLUMBIA INTERNATIONAL UNIVERSITY TITLE IX / SEXUAL MISCONDUCT, DATING VIOLENCE, AND STALKING POLICY
Responsible Officer	Provost
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Summary	This policy is in FRPSOLDQFH WR WKH IHGHUDO JRYHUQPHQ institutions receiving Title IV funds must ensure that no student suffers a deprivation of her or his access to educational opportunities on the basis of sex.
Definitions	See in Document Body
Approving Body	The Academic Council; The Administrative Council
Approval Date	03.04.2016; 10.02.2017 (Academic); 10.09.2017 (Admin); 09.28.2018 (Academic); 09.21.2018 (Admin); 08.13.2021 (Academic) § G P L Q
Last Revision	05.20.2021
Re-evaluation Date	Pending ongoing government policy guidance

educational and work environment free from sex discrimination and to fostering a community that promotes prompt reporting of all types of Sexual Harassment and also timely and fair resolution of Sexual Harassment complaints. To that HQG WKH 8QLYHUVLW\ KDV DGRSWHG WKH JRYHUQPHQW¶V EURDG GHILQLWL types of misconduct on the basis of sex:

1. Any instance of quid pro quo harassment by a university employee;
2. Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectionably offensive that it denies a person equal educational access;
3. Any instance of sexual assault (as defined by the Clery Act);
 - a. Rape
 - b. Fondling
 - c. Incest
 - d. Statutory Rape
4. Any instance of harassment as defined in the Violence Against Women Reauthorization Act of 2013 (VAWA):
 - a. Sexual Violence
 - b. Domestic Violence
 - c. Dating Violence
 - d. Stalking

The University promptly will respond, even in the absence of a formal complaint, under Title IX when the University has

Changes in academic, professional and/or living situations, if possible and necessary;
The right to name fact and expert witnesses and present material evidence to the Title IX Investigator that would assist in the investigation, though s/he may not present character witnesses;
To discuss the allegations and gather and present relevant evidence on his/her own;
The right to obtain assistance from an advocate of their choice to aid in the preparation of a statement to be given to the Title IX investigator and to be present (in a non-speaking support role) during any meeting associated with the hearing process;
Knowledge of the nature and source of the evidence used in the hearing process;
Access to services from the counseling, health center or other campus service groups;
Voluntary residence hall relocation, when available and if applicable;

Emergency Removal from Campus:

The Title IX Coordinator, in consultation with appropriate administrative leadership, may remove a Respondent from an educational program or activity of CIU on an emergency basis prior to the beginning of the Grievance Process. The removal may be imposed in an instance where the alleged action of the Respondent may pose a physical threat to a member of the CIU community or to the Respondent him

- 12) Prior to the completion of the report, both the Complainant and the Respondent will have equal opportunity to inspect and review any evidence obtained that is directly related to the allegations.
- 13) Both parties will have ten (10) days to submit a written response to the Title IX Coordinator and the investigator.
- 14) The Title IX Investigator must consider the written responses from the Complainant and/or Respondent before completing the investigation report keeping records of any information redacted from the initial report and the rationale IRU GRLQJ VR ,W LV DW WKH LQYHVWLJDWRU¶V GLVFUHWLRQ ZKHWKHU D other party.
- 15) Once the investigation report is received from the Title IX Investigator, the Title IX Coordinator will convene a live hearing composed of three CIU faculty and/or staff members who have received training on their role and responsibility in deciding whether a violation of this Policy has occurred. (See § Live Hearing)
- 16) The Respondent may, at any time prior to hearing, accept responsibility for any or all allegations stated in the formal complaint and receive administratively imposed disciplinary sanctions without a formal hearing. The Respondent and WKH & RPSODLQDQW ZLOO EH LQIRUPHG RI WKH VDQFWRU 7KH SUHVXPS

- Required counseling or coaching
- Required training or education
- Restrictions on campus access
- No trespass order
- No-contact directive
- Loss of privileges
- Loss of title and/or honors
- Loss of oversight, teaching, or supervisory responsibility
- Probation
- Demotion
- Decrease in pay
- Revocation of offer (employment or admissions)
- Disciplinary suspension
- Suspension without pay
- Expulsion/dismissal
- Revocation of tenure
- Termination of employment.

Potential remedies to a victim might include but are not limited to:

- Free counseling
- Course-related adjustments
- Modifications of work or class schedules
- Campus escort service
- Mutual restrictions on contact between the parties
- Changes in work or housing locations
- Leave of absence
- Increased campus security
- Honoring an order of protection or no contact
- Other changes to academic, living, dining, transportation, and work situations.

Clear and Convincing Standard:

The Clear and Convincing Standard used in this policy means that the evidence presented in support of the alleged Title IX violation is substantially more likely to be true than untrue, substantially greater than a likelihood of fifty percent (50%).

Directly Related Evidence:

Directly Related Evidence refers to any evidence gathered that has direct relevance to the allegations presented. CIU will use the plain and ordinary meaning of these terms to establish relevance. The evidence may consist of documents (text messages, emails, social media posts, photos, videos, etc.), other items (police reports, security footage, wifi access point records, etc.), or party and witness interviews. If interviews are recorded a transcript will be made available with any unrelated statements redacted from the transcript. If no recording is made, a summary of directly related evidence will be

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Live Hearing:

Unless both parties give written consent to an alternate resolution process (see § below), the grievance process will move to a live hearing. The Title IX Coordinator will have appointed three CIU faculty or staff to serve as decision-makers during the live hearing process. Provisions during the live hearing include:

The live hearing may also be conducted via an electronic meeting format (such as Zoom or MS Teams) at either
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Each party will be permitted to have an advisor with them throughout the hearing. The advisor may be anyone not directly vested in the matters at hand. The advisor may be, but is not required to be, an attorney.

If one party is unable to find an advisor, CIU will provide one at no cost to the party.

Either party is permitted to bring an additional person in to the hearing if that person is necessary per disability accommodations or for interpreting a foreign language. A written statement of this need is required in advance.

Failure to answer one question constitutes a failure to submit to cross-examination unless the question is not directly relevant to the cross-examination underway (for example, it may be a procedural question asked by a party, or an unrelated question asked by a member of the panel).

Parties are discouraged from conferring with their advisor during cross-examination as this may be seen as inappropriate coaching by the advisor and may diminish credibility.

The Title IX Investigator may not be called as a witness

Brief opening and closing statements by the advisors are permissible

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Alternate Resolution Process:

The Title IX Coordinator may offer to both parties the opportunity for an alternate, informal resolution. If agreeable, both parties must agree in writing to the process. Informal resolution may only be offered after a formal complaint has been

Appeals:

Appeals will be offered to both parties should either disagree with the decision of the Hearing Board.

No sanctions will be issued until the appeal process is completed or the time to appeal has expired (5 business days).

Both parties will be notified in writing when an appeal is filed.

The Appeal officer is different than the Title IX Coordinator, investigator, or decision-maker at the hearing.

There may be no bias or conflict of interest.