STUDENT GRIEVANCE PROCEDURES

I. University Guidelines

Columbia University is an academic community committed to fostering intellectual inquiry in a climate of academic freedom and integrity. Its members - students and faculty alike - are expected to uphold these principles and exhibit tolerance and respect for others.

The University Statutes and the general policies of the University describe the roles and responsibilities of faculty in their teaching and research. The rights, duties, and obligations of the faculty can be found in the Faculty Handbook at http://www.columbia.edu/cu/vpaa/fhb/main.html. Faculty have a right to expect freedom in the classroom to discuss their subjects and not to be penalized for their private opinions. Faculty do, however, have special obligations arising from their position in the academic community. Chapter 7 of the Faculty Handbook reads in pertinent parts:

The University’s commitment to the principle of academic freedom is defined in Section 70a of the University Statutes. That commitment assures officers of the freedom to determine the content of what they teach and the manner in which it is taught and the freedom to choose the subjects of their research and publish their results. It also guarantees that they will not be penalized for expressions of opinion or association in their private or civic capacity.

In conducting their classes, faculty should make every effort to be accurate and should show respect for the rights of others to hold opinions differing from their own. They should confine their classes to the subject matter covered by the courses and not use them to advocate any cause.

Due to the size and diverse nature of the University’s scholarly community, each school maintains its own processes for addressing a variety of student life issues, including students’ concerns about experiences in the classroom or with faculty at their school. Experience has shown that most student concerns are best resolved collaboratively at the school level, starting with the staff of the Student Affairs Office, as explained below in section III. The Ombuds Office is an additional and alternative source available to students to advise on various areas of redress and can mediate a dispute if both parties agree. Ombuds Officers do not have the authority to adjudicate any complaint. Further information on the Ombuds Office may be found in Appendix D below or at http://www.columbia.edu/cu/ombuds/.

The procedures in Section III of this document are part of a process to ensure that student concerns about experiences in the classroom or with faculty are addressed in an informed and appropriate manner. For all complaints except grade disputes, there is a provision for a final appeal to the University Provost.

II. Types of Grievances

The University and SIPA have established policies and procedures for various types of misconduct. A student’s first step is to determine which office to approach for consultation. In all cases, any Associate or Assistant Dean in the SIPA Student Affairs Office can provide guidance in that determination.

1. Discrimination and sexual harassment may be dealt with through the Office of Equal Opportunity and Affirmative Action, the Ombuds Office, the SIPA Student Affairs Office if the accused is a SIPA student, or the Department of Security if the situation may involve criminal activity. See the appendices below for an excerpt from the University’s policy statement on discrimination and harassment.

2. Sexual misconduct by a student may be dealt with through the Office on Sexual Misconduct Prevention and Education. See the appendices below for an excerpt from the University’s policy statement on sexual misconduct.

3. Professional misconduct or fraud in research on the part of a faculty member should be brought to the attention of the dean of the school according to the procedure outlined in Appendix D of The Faculty Handbook.

4. Professional misconduct or fraud in research or academic work on the part of students should be brought to the attention of the Associate Dean of Student Affairs at SIPA according to the procedures outlined in the Code of Academic and Professional Conduct. View the Code and related policies.

5. Grade disputes: Responsibility for the academic assessment of students resides with the faculty. Grievances relating to academic evaluation involving accusations of discrimination or sexual harassment should be referred to the Office of Equal Opportunity and Affirmative Action (see above). In other cases, SIPA will only act to ensure that the assessment was made impartially and according to procedures applicable to all students as published in the course syllabus. After attempting to resolve grade disputes informally, the Senior Assistant Dean for Curriculum and Instruction will conduct an initial investigation to determine whether there is a plausible case that the assessment was not made in an impartial manner or according to procedures established in the course syllabus. See Section III-A below for details.

6. Issues about the conduct of SIPA faculty: In fulfilling their instructional responsibilities, faculty of the School of International and Public Affairs are expected to treat students with civility and respect. Conduct that is subject to grievance procedures includes: failure to show appropriate respect in an instructional setting for the rights of others to hold opinions differing from their own; misuse of faculty authority in an instructional setting to pressure students to support a political or social cause; and conduct in the classroom or another instructional setting that adversely affects the learning environment. Students seeking a resolution for this type of grievance should follow the procedures in section III B below.

7. Issues about the conduct of faculty or students from other schools: If a grievance involving a member of the faculty appointed in a department or division of the university outside SIPA cannot be resolved informally, and if the grievant wishes to file a formal written grievance, it must be addressed to the appropriate dean, department chair, or vice president. SIPA’s Senior Assistant Dean for Curriculum and Instruction will advise the student with whom the grievance should be filed. Formal grievances filed against administrators and/or students of Schools or administrative units other than SIPA must be filed with the dean of that School or the Vice President to whom the administrator in question ultimately reports.

8. Conduct on the part of SIPA faculty or SIPA students not covered above: Students are encouraged to discuss problems, questions, and grievances with any Associate or Assistant Dean in the Student Affairs office. They may also discuss them with the University Ombuds officer, a neutral complaint-handler who seeks fair and equitable solutions to problems. Grievances may be brought
against individuals subject to the authority of the Dean, including administrators, faculty members, or fellow graduate students. If the grievance in question does not fall into the areas of responsibility of another university office, an Assistant Dean may advise the student on SIPA’s grievance procedures. If a resolution is not reached through informal procedures, a written grievance may be submitted. Both the informal and written grievance procedures are outlined below.

III. Procedures for SIPA Grievances

A. Procedures for Grade Disputes Involving SIPA Courses:

Informal Resolution

Any informal or formal inquiry or grievance about a grade must be initiated within one semester of the completion of the course. If possible, the student should discuss the matter with the responsible faculty member. If no resolution results from the conversation, students should consult with SIPA’s Senior Assistant Dean for Curriculum and Instruction. Every effort should be made to resolve the matter at an informal level without escalating the complaint to the status of a formal grievance. Discussions aimed at informal resolution remain confidential and generally should last for no more than 30 working days.

Formal Resolution

If no informal resolution occurs, the Senior Assistant Dean for Academic Affairs will conduct an initial investigation to determine whether there is a plausible case that the assessment was not made impartial or according to procedures established in the course syllabus. If the Director determines there is a plausible case, the student will be requested to compose a written statement documenting the misconduct causing the complaint, its adverse consequences, the informal efforts at resolution made to date, and a description of the remedy sought (see attached guidelines for a grievance). The written grievance should be submitted to the Senior Assistant Dean for Academic Affairs in a timely fashion, usually within 30 working days of the end of the semester in which the misconduct occurred.

Initial Review of the Grievance

After receiving the grievance, the Senior Assistant Dean for Curriculum and Instruction will convene a committee consisting of the director of the relevant degree or curricular program, one other full-time faculty member selected by the Senior Assistant Dean, and the elected student representatives of the SIPA Committee on Instruction. If one of these people is named in the grievance, has a conflict of interest, as determined by the Senior Assistant Dean, or is unable to participate because of other obligations, the Senior Assistant Dean will appoint a replacement. Faculty will be replaced with faculty, and students with students. If the Senior Assistant Dean is unable to serve on the committee for one of the preceding reasons, the Senior Associate Dean of Academic Affairs will replace them.

The Senior Assistant Dean chairs the meeting. The committee will independently interview the grievant and the faculty member in question. Each may select a faculty member, graduate student, or SIPA administrator to attend the meeting and serve as their advocate. The advocate may not pose questions or intervene in the proceedings but may consult with the grievant. If the grievant or faculty member chooses not to attend, they will be informed that the committee will proceed to a decision. The merits of the grievance are evaluated within the context of University and SIPA policy; a resolution is reached by a majority vote, and, when appropriate, a remedy is recommended. In the case of a tie vote, the Senior Assistant Dean will cast the deciding vote.

The Committee responds with a written decision in a timely fashion, within one week of the conclusion of the grievance hearing, unless there are extenuating circumstances. If the grievant or the faculty member wants to dispute the committee decision, they may appeal in writing to the Dean. This appeal must be submitted within thirty working days of the decision and should clearly indicate procedural or substantive grounds for the appeal. In the case of grade disputes, the Dean’s decision is final and cannot be appealed.

B. Procedures for Concerns about Faculty Conduct:

Students who feel that members of the SIPA faculty have violated their instructional responsibilities as outlined in Section II. 5. above may take the following steps (the procedure below also applies to complaints against instructional and administrative staff):

Informal Resolution

Students are encouraged to seek a resolution to their complaints about faculty misconduct by talking directly with the faculty member. If they feel uncomfortable handling the situation in this manner, they may ask for assistance from the SIPA Senior Associate Dean for Academic Affairs, who will assist students with complaints about faculty members and other academic personnel. If students have complaints about administrators, they should speak with the Chief Operating Officer of SIPA. The Senior Associate Dean for Academic Affairs or Chief Operating Officer tries to resolve any issue through informal meetings with the student and others, including faculty, as deemed appropriate. The Vice Dean for Academic Affairs will review the Senior Associate Dean’s or Chief Operating Officer’s recommendation and seek to resolve the student’s complaint informally. Students who are dissatisfied with the outcome may request a meeting with the Dean of SIPA.

Students may bring their concerns to the University’s Ombuds Officer, who serves as an informal, confidential resource for assisting members of the University with conflict resolution. The Ombuds Officer provides information, counseling, and referrals to appropriate University offices and will mediate conflicts if both parties agree. The Ombuds Officer does not have the authority to adjudicate disputes and does not participate in any formal University grievance proceedings.

Formal Resolution

Students may seek a grievance hearing if informal mediation fails. The grievance procedures students should follow will depend upon the school within which the faculty member is appointed and the nature of the alleged misconduct. If the faculty member holds an appointment in SIPA, the student will use the procedures described below. If the faculty member belongs to another school, students must use the procedure of that school. They may, however, ask for assistance from the SIPA Senior Associate Dean of Academic Affairs.

If the informal mediation mentioned above failed, the student should compose and submit a written statement documenting the grievance to the SIPA Vice Dean for Academic Affairs, including a description of the remedy sought. This should be done no later than 30 working days after the end of the semester in which the grievance occurred.

The Vice Dean will review the complaint to determine if a grievance hearing is warranted. If so, the Vice Dean will convene an ad hoc committee consisting of the SIPA Associate Dean for Student Affairs, a faculty member chosen by the Vice Dean, and one of the elected student representatives on the SIPA Committee on Instruction.
The faculty member is given the student’s letter of complaint and invited to submit a written response. The Committee reviews both statements and is given access to any other written documents relevant to the complaint. It will typically interview both the grievant and the faculty member and, at its discretion, ask others to provide testimony. Both the grievant and the faculty member involved in the case may be accompanied by a supporter of their choice from the Columbia community who, however, may not participate in the proceedings. The merits of the grievance are evaluated within the context of University and SIPA school policy.

The investigative committee serves in an advisory capacity to the Dean of SIPA. It is expected to complete its investigation in a timely manner and submit a written report to the Dean, who may accept or modify its findings and any recommendations it may have made to remedy the student’s complaint. The Dean will inform both the student and the faculty member of his decision in writing.

The committee ordinarily convenes within ten working days of receiving the complaint from the Vice Dean and ordinarily completes its investigation and sends the Dean its report within 30 working days of convening. Copies of the committee's written report should be sent to both the grievant and the faculty member. The report should state whether there is merit to the complaint and why. If the committee finds the complaint valid, it should also recommend remedies. The Dean typically issues their decision within 30 working days of receiving the committee’s report.

The Dean may discipline faculty members who are found to have committed professional misconduct. Any sanctions will be imposed in a manner consistent with the University’s policies and procedures on faculty discipline. In particular, if the Dean believes that the offense is sufficiently serious to merit dismissal, they can initiate the procedures in Section 75 of the University Statutes for terminating tenured appointments and nontenured appointments before the end of their stated term, for cause.

Either the student or the faculty member may appeal the decision of the Dean to the Provost. Findings of fact, remedies given to the student, and penalties imposed on the faculty member are all subject to appeal. A written appeal must be submitted to the Provost within 15 working days of the date of the letter informing them of the Dean’s decision. Typically, the Provost will take no longer than 30 working days to evaluate an appeal. The Provost usually confines their review to the written record but reserves the right to collect information in any manner that will help to make their decision on the appeal. The Provost will inform both the student and the faculty member of their decision in writing. If the Provost decides that the faculty member should be dismissed for cause, the case is subject to further review according to the procedures in Section 75 of the University Statutes, as noted above. Otherwise, the decision of the Provost is final and not subject to further appeal.

All aspects of an investigation of a student grievance are confidential. The proceedings of the grievance committee are not open to the public. Only the student grievant and the faculty member accused of misconduct receive copies of the decisions of the Dean and the Provost. Everyone who is involved with the investigation of a grievance is expected to respect the confidentiality of the process. Students who believe that they are able to demonstrate that the Dean did not ensure that proper procedures were followed in addressing their complaint about faculty misconduct in an instructional setting may petition the Provost to review the case. The Provost only reviews appeals of cases already decided by the Dean.

Appendices Related University-wide Procedures, Policies & Resources

A. Policy Statement on Discrimination and Harassment, Statement of Nondiscriminatory Policies, Discrimination Grievance Procedure, Policy on Sexual Harassment, and Romantic Relationship Advisory Statement (Excerpt FACETS)

Columbia University is committed to providing a working and learning environment free from discrimination and sexual harassment and to fostering a nurturing and vibrant community founded upon the fundamental dignity and worth of all of its members. Consistent with this commitment and with applicable federal, state, and local laws, it is the policy of the University not to tolerate discrimination or sexual harassment in any form and to provide faculty, students, administrators, and staff who feel that they are victims of either with mechanisms for seeking redress.

The University offers several options for those seeking the intervention of the office and individuals who are authorized to respond to their complaints. These include informal counseling, mediation, and a formal process for having their complaint reviewed.

All members of the University community are expected to adhere to the policy in this statement and to cooperate with the procedure it describes for responding to complaints of discrimination and sexual harassment. They are also encouraged to report any conduct they believe to be in violation of this policy. Management and supervisory personnel, in particular, are responsible for taking reasonable and necessary action to prevent discrimination and sexual harassment in the workplace and for responding promptly to any such claims.

After a formal investigation conducted according to the appropriate University procedure, individuals found to have engaged in discrimination or sexual harassment will be subject to discipline. The sanctions imposed can range up to and include termination of employment in the case of officers and staff or dismissal from the programs in which they are enrolled for students. Retaliation against anyone who files a complaint or participates in an investigation is prohibited and may be addressed in an independent claim.

Consensual, romantic relationships between faculty and other employees and students and between individuals who work together are generally not considered sexual harassment and are not prohibited by University policy. However, individuals should be aware that these relationships are susceptible to being characterized as non-consensual, and even coercive, if there is an inherent power differential between the parties, and can lead to complaints of sexual harassment. Individuals should refer to the University’s Romantic Relationship Advisory on the World Wide Web at http://eoaa.columbia.edu/student-policies.

Nothing in this policy shall abridge academic freedom or the University’s educational mission. Prohibitions against discrimination and sexual harassment do not extend to statements or written materials that are relevant and appropriately related to the subject matter of courses.

What to do if you feel you are the victim of discrimination or harassment: Students who feel they may have been harassed or discriminated against based on race, color, age, national origin, religion, gender, sexual
orientation, disability, veteran status, and related issues may consult or file a complaint with:

- the EO/AA Office if the accused is a University employee (faculty or staff) or student;
- the Ombuds Office;
- their own dean;
- the dean of the school of the accused if the accused is a student;
- the Department of Security if the situation may involve criminal activity.

For the disciplinary procedure applicable to discrimination and sexual harassment, please see the entire text of Appendix E in FACETS which is available on the web at www.columbia.edu/cu/facets. For information and a more comprehensive explanation of the University’s policies and procedures, or regarding discrimination or sexual harassment, contact:

Heather Parlier, Associate Provost for EOAA
Office of Equal Opportunity and Affirmative Action
103 Low Memorial Library
(212) 854-5918
hp2450@columbia.edu

B. Sexual Misconduct Policy and Disciplinary Procedure (Excerpt from FACETS)

On February 25, 2000, the University Senate adopted a Sexual Misconduct Policy and Disciplinary Procedure that can be used as an alternative to Dean’s Discipline. The Sexual Misconduct Policy applies to all students in all schools of the University.

The Disciplinary Procedure for Sexual Misconduct applies to these same students, with the exception of the Law School, but including the students of Teachers College and Barnard College. The policy prohibits sexual misconduct by any student. A comprehensive program to educate students, faculty, and administrators about the issue of sexual misconduct has also been developed. Copies of the policy and procedure are available from the Office of the Dean of Students of every school.

Policy on Sexual Misconduct

The University’s Policy on Sexual Misconduct requires that standards of sexual conduct be observed on campus, that violations of these standards be subject to discipline, and that resources and structures be sufficient to meet the physical and emotional needs of individuals who have experienced sexual misconduct. Columbia University’s policy defines sexual misconduct as non-consensual, intentional physical conduct of a sexual nature, such as unwelcome physical contact with a person’s genitals, buttocks or breasts. Lack of consent may be inferred from the use of force, threat, physical intimidation, or advantage gained by the victim’s mental or physical incapacity or impairment of which the perpetrator was aware or should have been aware.

What to do if you are the victim/survivor of sexual misconduct or assault:

- Please consider getting medical attention and contacting the NYPD;
- contact the Rape Crisis/Anti-Violence Support Center
- consult or file a complaint with the Office of Sexual Misconduct Prevention and Education if the accused is another student;
- consult or file a complaint with the dean of the accused if the accused is another student;

For the disciplinary procedure applicable to cases of sexual misconduct, please see the entire text of FACETS or contact:

Misumbo Byrd, Program Director
Office of Sexual Misconduct Prevention and Education
703 Lerner Hall, Mail Code 2617
(212) 854-1717
mb2068@columbia.edu

C. Statement on Professional Ethics and Faculty Obligations and Guidelines for Review of Professional Misconduct (Excerpt from the Faculty Handbook)

The Statement on Professional Ethics and Faculty Obligations and Guidelines for Review of Professional Misconduct was adopted by the University Senate on September 29, 1972, and revised by that body on April 18, 1986.

I. Teaching

The freedom traditionally accorded to members of the faculty to decide for themselves in large measure what they teach and how imposes a correlative obligation of responsible self-discipline. Every effort must therefore be made to be accurate, to be objective, to demonstrate appropriate restraint, and to show respect for the opinions of others. Faculty members may not enroll or refuse to enroll students on the basis of those students’ beliefs, or otherwise discriminate arbitrarily or capriciously among them. Evaluation of students and awards of grade and credit must be based on academic performance professionally judged, not on matters extraneous to that performance; grades and other evaluations shall be provided to the University promptly as required for each student, for each class. Faculty members shall meet their classes as announced and shall also make themselves regularly available to their students outside the classroom. When it is impossible to meet a class, alternative instruction shall be offered, and adequate notice given, such as to satisfy the students’ expectations and the faculty member’s contract with the University; this obligation can be met in various ways, and the method adopted should be endorsed by the department chairman or the dean. Exploitation of students or of junior colleagues for private advantage is to be avoided, and all significant assistance must be publicly acknowledged. Faculty members must respond conscientiously to requests from students or former students for references; the confidential nature of teacher-student relationships is to be respected.

II. Faculty Relationship

All members of the faculty share responsibility for the governance of the University and for the preservation of an atmosphere of scholarship and rational discourse. Faculty members may not use their positions to cause interference with personal security, property, or freedom of movement, expression, or assembly on campus. Faculty members should join in the broadest possible search for academic talent, and in the appointment or promotion of the best-qualified candidate, making every effort to be objective in their professional judgments of colleagues and potential colleagues. Faculty members must acknowledge indebtedness to other scholars. Senior faculty members should stand ready to counsel their junior colleagues and to give them due credit for any assistance given. When faculty members assume obligations outside the University, they should assess the amount and character of these obligations with due regard to their paramount responsibilities within the University.
faculty member speaks or acts as a private person outside the University, a special effort must be made to avoid giving the impression that he or she speaks or acts on behalf of the University.

III. Research

A climate must be maintained at the University where creativity and productivity in research are promoted in an atmosphere of high ethical standards. It is essential that the integrity of research be maintained at all times, since long-standing, often irreversible damage can result from breach of academic commitment to truth in investigative activities. Misconduct in research is herein defined as gross lack of integrity in conducting basic or clinical investigations involving dishonesty, knowing misrepresentation of data, and/or violation of accepted standards.

Academic misconduct or fraud can destroy public trust in the academic community as a whole and in our own institution in particular; it can shatter individual careers; it can undermine sensitive relationships between investigators, students, and the public.

In modern collaborative research, the implications of academic misconduct or fraud go far beyond the individual; they also affect collaborators whose own work has been committed to objective search for truth. The specter of guilt by association may lurk in the background for many years to come. Therefore, joint authorship requires joint responsibility; each author claiming credit for the entire work must also be aware of joint discredit. Investigators in collaborative research projects each must make reasonable and periodic inquiry as to the integrity of and processes involved in gathering and evaluating data. It should be understood that overall responsibility for the integrity of collaborative research rests with the principal investigator. Senior investigators cannot be allowed to escape the consequences of the discovery of misconduct or fraud committed under their supervision.

Every member of the faculty has a duty to respond promptly to any well-founded suspicion of academic misconduct or fraud. Allegations must be made with caution; nevertheless, the results of long-standing misconduct or fraud are so devastating that potential irregularities must be brought promptly to the attention of the proper authorities. At the same time, the rights of those whose research procedures or results are in question from the standpoint of possible falsification or adulteration must be carefully protected while a careful and fair investigation is being carried out.

For the guidelines for the review of professional misconduct or fraud in research, please see the complete text of Appendix E of The Faculty Handbook which is available on the web at http://www.columbia.edu/cu/vpaa/fhb.

Note: These and other passages from the Faculty Handbook also inform policy regarding graduate students. Graduate students engaged in teaching and research are at all times expected to uphold the ethical standards that are here applied to the faculty.

D. The Ombuds Office

The Ombuds Officer is a neutral complaint-handler who seeks fair and equitable solutions to problems. The Ombuds Office serves the entire Columbia University community. In considering any given instance or concern, the rights of all parties that may be involved, along with the welfare of the University, are taken into account.

The Ombuds Office is a safe and confidential place to voice concerns. No formal permanent records of individual cases are kept, except anonymous aggregate statistical data on the categories of complaints or inquiries. The Ombuds Officer will not report the names of callers or visitors or the specific content of problems reported unless permission is granted, or in the very rare instance in which there is reasonable cause to believe that the safety of the caller or others may be endangered.

Except in emergencies, the Ombuds Officer does not take action or investigate an issue without the permission of the person who introduced the information to the Ombuds Office. The Ombuds Officer will listen, offer information about Columbia University policies and procedures, present a range of options for resolving a problem or help find ways to convey information while maintaining the confidentiality of the source.

The Ombuds Office may conduct an informal, impartial investigation or facilitate a resolution upon request. However, the Ombuds Officer does not arbitrate or adjudicate. The Ombuds Officer has no power to establish, change, or set aside any University rules or policies. However, the Ombuds Officer is a resource for administrators and, when appropriate, may make recommendations or propose general changes in existing practices to correct problem areas or stimulate discussion of issues affecting the University community.

The Ombuds Office supplements, but does not replace, the existing resources for conflict resolution and fair practice available at Columbia University. The Ombuds Office is independent of existing administrative structures and reports directly to the President of the University. Discussions with the Ombuds Officer are off-the-record and do not constitute formal notice to the University.

Marsha Wagner, Ombuds Officer
660 Schermerhorn Extension, Mail Code 5558, or
101 Bard Hall
(212) 854-1234; (212) 304-7026
wagner@columbia.edu