

EOAA Annual Report

2021-2022

 COLUMBIA UNIVERSITY
Equal Opportunity and Affirmative Action

COLUMBIA UNIVERSITY
OFFICE OF EQUAL OPPORTUNITY & AFFIRMATIVE ACTION

2021-2022 ACADEMIC YEAR ANNUAL REPORT

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INTRODUCTION

The Office of Equal Opportunity and Affirmative Action (“EOAA”) is responsible for preventing discrimination and harassment and responding to and resolving reports of alleged misconduct. With offices on the Morningside and Columbia University Irving Medical Campuses, EOAA is here to help make Columbia University a world-class institution where our community members can thrive.

We do this by monitoring compliance with policies and laws that ensure equal opportunity for faculty, staff, and students; addressing University employees’ (including students acting in an employee capacity) and third-parties’ conduct; promoting best-practices in hiring; and serving as the University’s Compliance Office for Section 504 of the Rehabilitation Act and other equal opportunity, nondiscrimination, and affirmative action laws. The office is led by Vice Provost Jeri Henry and she reports directly to University Provost Mary C. Boyce.

This Annual Report provides information and data regarding the Office’s work during the 2021–2022 academic year. In particular, it covers information and data related to:

- The work of the Office to prevent and respond to discrimination, harassment, and gender-based misconduct;
- EOAA’s Investigative Process; and
- Reported incidents of discrimination, harassment, gender-based misconduct, and other allegations of EOAA policy violations.

The Annual Report offers the Columbia community clear information about the scope of EOAA’s work, including the type and number of allegations that come to EOAA.

This is the fifth year that the Office has published an Annual Report. Prior years’ reports can be found on [EOAA's website](#).

THE WORK OF EOAA

EOAA has overall responsibility for the [University's Non-Discrimination Statement](#) and EOAA Policies & Procedures. This includes the University’s Duty to Report and Duty to Act Policies, and [Policies on Romantic and Sexual Relationships](#). These policies will be referred to throughout the Annual Report as “EOAA Policies.”

EOAA's Prevention and Education Efforts

Training and Education

The Director of Training and Education leads EOAA’s prevention efforts. This work is focused on educating the Columbia community about EOAA policies and procedures and conduct that is expected and prohibited under University policies and laws prohibiting discrimination and

harassment. EOAA consults with departments, programs, and individuals across the University to prevent and respond to discrimination and harassment.

The Office conducts educational programs for faculty and staff throughout the University. EOAA is responsible for ensuring that all faculty and staff receive training in accordance with applicable federal, state, and local laws governing discrimination, harassment, and gender-based misconduct.

During the 2021-2022 academic year, EOAA developed and delivered programs for the University community about relevant laws, policies, and the mission of EOAA. Topics addressed included discrimination, sexual harassment, gender-based misconduct, mandatory reporting, relationship policies, and best practices for search committees in recruiting and retaining a diverse faculty and staff.

Our work this year continued successfully online. This included:

- Asynchronous programming delivered through Enterprise Learning Management (“ELM”);
- Live online group programs with students, faculty and staff via Zoom; and
- Live online individual one-on-one educational interventions with faculty and staff via Zoom.

In the 2021–2022 academic year, our asynchronous online programming delivered primarily through ELM reached 27,253 Columbia University personnel and contractors including faculty, staff, researchers, librarians, and undergraduate and graduate student workers. These trainings and briefings included the Faculty and Researchers Briefing, the Columbia Teaching and Research Assistant Guide, and the annual Anti-Sexual Harassment training in compliance with New York State and New York City law (“NYASH”).

EOAA conducted 64 live online programs and educational interventions that reached 2,506 faculty, staff, and students.

Affirmative Action

Our Affirmative Action work is led by EOAA’s Senior Associate Director. EOAA collaborates with departments and programs to achieve the University-wide goal of attracting and retaining a diverse faculty and staff across all our schools. We assist departments with creating hiring plans that acknowledge and account for organizational and structural bias, provide tools to search committees, including department demographic data and candidate pool availability, offer support for applicant evaluation and interview metrics, and work with departments to help build and develop candidate pipelines.

During fiscal year 2021-2022 there were 1,041 searches in Academic Search and Recruiting (ASR) and 160 searches in our prior applicant tracking system RAPS. This reflects an 11.7% increase over fiscal year 2021-2022. In this same time period, 19,719 applicants applied for full-time roles at Columbia University. That is a 37.5% increase in the number of applicants.

Did you know?

Departments and programs can easily request a training or workshop on our [website](#).

EOAA continues to provide web-based training, lunch and learns, and drop-in sessions for ASR users. We upgraded the Affirmative Action clearance process which now runs three times a day allowing for streamlined hiring, updated the EEO note to include an end date (when applicable) in addition to the fields which include the full name of the selectee, department, position title, position number, AA clearance date and selectee rank (when applicable). Collectively, these efforts create a more seamless process for departments and has significantly improved access for applicants.

Higher Education Recruitment Consortium (HERC)

EOAA is also the home of Metro New York and Southern Connecticut [Higher Education Recruitment Consortium \(HERC\)](#). HERC is a nonprofit consortium committed to advancing diversity, equity, and inclusion in the higher education workforce. With over 700 colleges, universities, hospitals, research labs, government agencies, and related organizations, HERC works to ensure member institutions are sites of belonging, where all faculty and staff can thrive. HERC provides resources, networking, and outreach programs to attract, hire, and retain a diverse and qualified workforce.

HERC has 19 regional affiliates that facilitate collaboration among its member institutions in a specific geographic region. The [MNYSC Regional HERC](#) is composed of over 30 local colleges, universities, community colleges, research institutions and medical schools. The MNYSC HERC was formed in 2008 and, as the lead institution, Columbia serves as a hub for local institutions of higher education both public and private, large and small, research universities to community colleges to improve the diversity of faculty and staff within our community.

In 2021-2022, HERC continued to flex their strengths to meet changing job seeker needs. While their commitment to advancing diversity, equity, and inclusion in the higher education workforce grew stronger, the “Great Resignation” challenged their members to fast-track recruitment initiatives, retention programs, and policy changes to appeal to today’s higher ed job seeker. They leveraged their resources and research to produce practical, up-to-date programs and content that bolstered their members’ efforts to change and achieve their goals. Some highlighted publications to help create and support inclusive workplaces included the Diversity Recruitment Toolkit and 2022 HERC Job Seeker Survey Report for members, as well as the How to Apply for Higher Education Careers (Revised Edition) eBook for job seekers.

HERC remains focused on our collective responsibility to ensure that people from all backgrounds and perspectives can flourish in higher education. To learn more and access HERC publications, view HERC’s 2021-2022 Annual Report [here](#).

EOAA’s Response Efforts

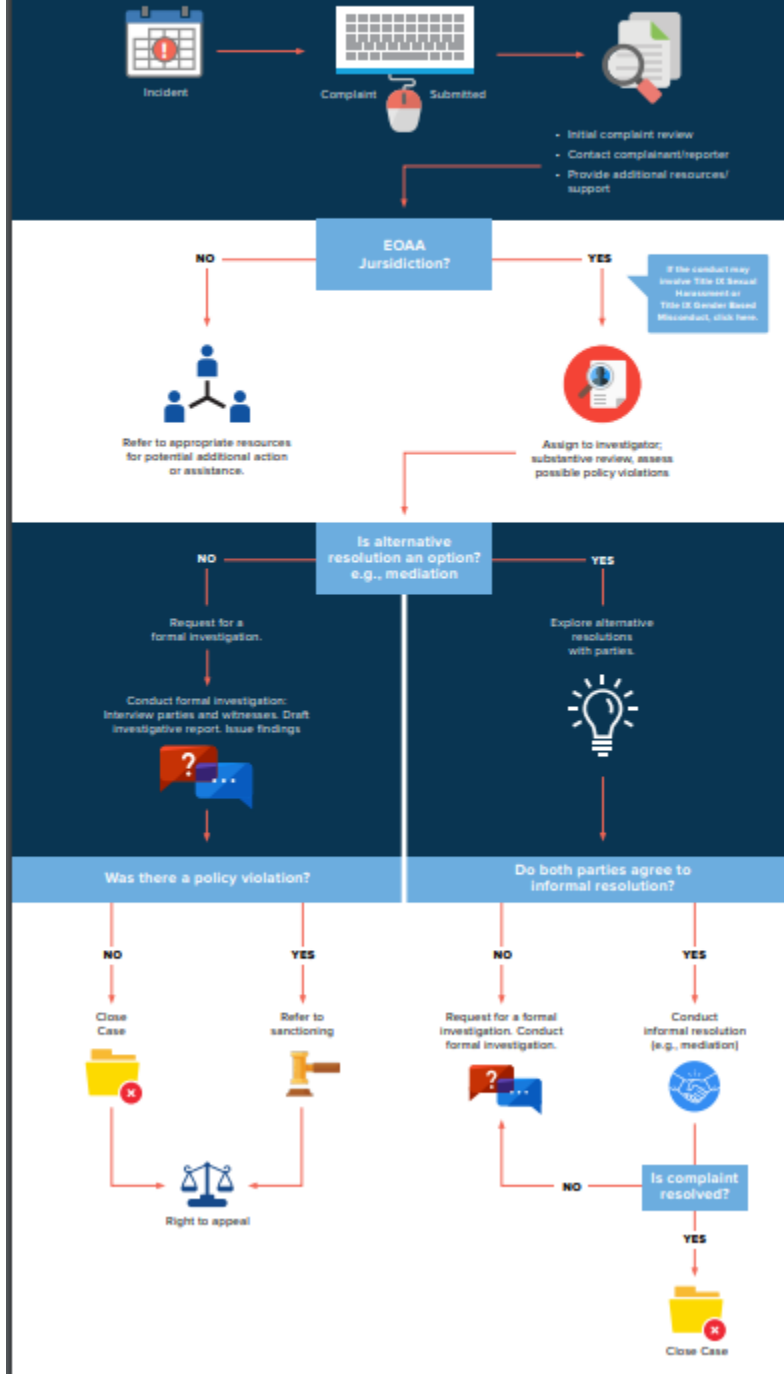
EOAA receives and responds to reports where the individual accused of alleged misconduct (the Respondent) is a member of the faculty, staff or is a third-party affiliate. Third-party affiliates include contracted workers, University vendors, alumni, field placement supervisors, and individuals or organizations with whom Columbia partners.

The Director of Investigations leads the response side of EOAA's work. In 2021-2022, the investigative team included four investigators and an administrative manager of investigations. The investigators serve as neutral fact-finders and facilitate informal resolutions. They conduct inquiries and formal investigations in order to assess possible violations of University policy when allegations of discrimination, harassment, gender-based misconduct, or other EOAA Policy violations are made. The Administrative Manager of Investigations conducts a majority of the initial intake and manages ongoing cases, ensures that incoming complaints receive prompt attention, and provides updates to Complainants and Respondents.

All investigators and other members of EOAA's team receive specialized training related to proper investigative methods and the subject matter under the purview of EOAA. Every year, the EOAA team receives training on relevant laws and regulations, including Title IX; investigative techniques; New York State's Enough is Enough law; and combatting bias in the investigative process.

EOAA uses two sets of procedures to adjudicate complaints: the [EOAA Discrimination & Harassment Procedures](#) and the [Interim Title IX Grievance Process](#). These infographics provide a detailed outline of how a case progresses through each process.

EOAA INVESTIGATIVE PROCESS



INTERIM TITLE IX GRIEVANCE PROCESS



COLOR KEY: ● Will Occur ● May Occur

EOAA Policy Violation Allegations and Resolutions

The data provided here are in the aggregate and are anonymous. This is to ensure that no information is disclosed that might, directly or indirectly, indicate the identity of any individual who comes to EOAA. It is essential that members of the Columbia community can report concerns or incidents with confidence that the University will not publicize their names or personal information.

Reports Alleging Policy Violations

In the 2021–2022 academic year, EOAA received a combined total of 426 allegations of discrimination, discriminatory harassment, and gender-based misconduct.

Every report received is first analyzed to determine whether or not it falls within EOAA’s jurisdiction. That is, could the conduct described in the report, if substantiated, constitute discrimination, harassment, or gender-based misconduct? Some reports include sufficient detail to make this initial determination while others require our Office to gather additional information to assess.

Many reports EOAA receives fall outside our jurisdiction. Typically, these reports raise a concern or complaint that does not implicate EOAA Policy. For example, a complaint may involve a dispute between two colleagues or abusive behavior that does not involve discrimination or harassment based on a person’s protected characteristic. EOAA typically refers these matters to Human Resources, a Department Chair or supervisor, Faculty Affairs, or general counsel’s office.

Where reports include multiple allegations and include some claims that fall under EOAA’s jurisdiction and some that do not, EOAA will retain jurisdiction of claims of discrimination, harassment, and gender-based misconduct and partner with other relevant offices to address the non-EOAA allegations.

A Note About Columbia’s Duty to Report & Duty to Act Policies

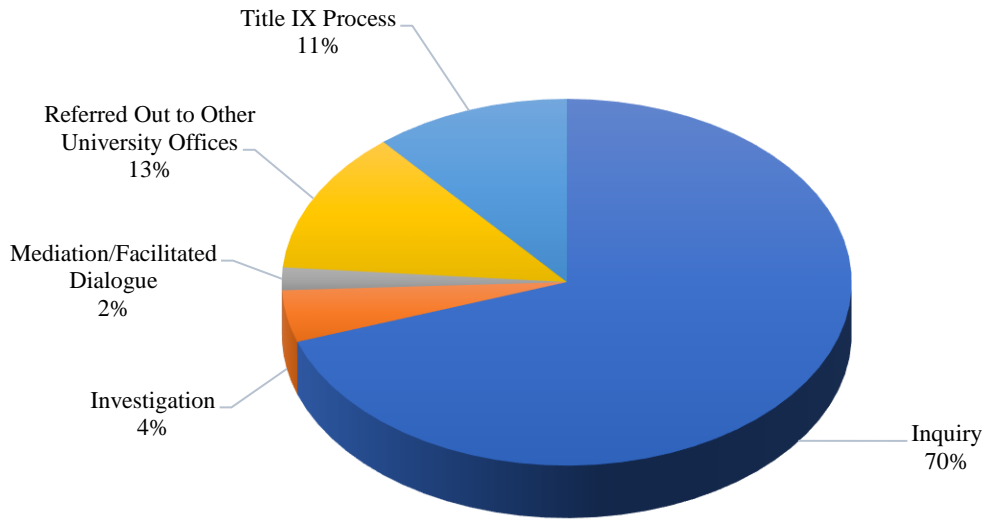
EOAA has continued to expand our educational efforts to ensure that faculty and staff understand their reporting obligations and that our entire community understands when, where, and how to report potential incidents of discrimination, harassment, and gender-based misconduct to our Office.

We want reporting to be simple. We do not expect reporters or Complainants to evaluate and investigate their allegations. That’s our role. And, as a result, many of the allegations we receive fall outside EOAA’s jurisdiction. That’s why we partner with other offices and departments to work together on the appropriate place and method for resolution. For example, an incident might be reported to EOAA, but require a performance improvement plan with Human Resources or simply a conversation with a supervisor to address the issue.

EOAA Case Management

Reports received by EOAA may be managed in one or more of several different ways. Often, an inquiry is sufficient to assess the facts and determine an appropriate outcome. For example, when a Respondent acknowledges that they engaged in the alleged conduct, there is no need to conduct a full investigation. In other cases, where the allegations, if true, would constitute a violation of Title IX, the case would be reviewed and adjudicated through the Interim Title IX Grievance Process.

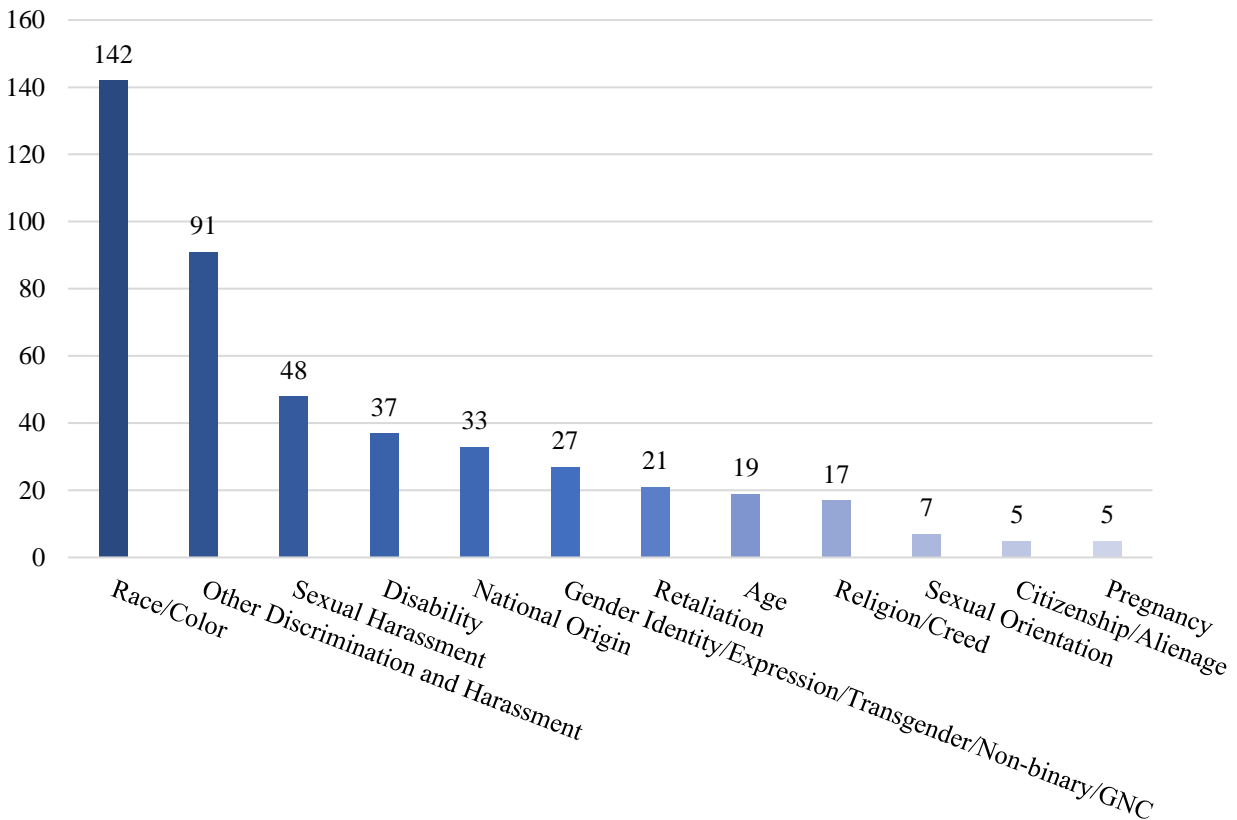
How are EOAA cases managed?



Discrimination and Harassment Allegations

EOAA counts each allegation of discrimination, harassment, and gender-based misconduct separately as reflected in the chart below (for example, if a single Complainant alleged that a Respondent discriminated on the basis of age, disability, and race, that is counted as three charges each in its individual category). This means that the total number of allegations is greater than the number of reports received.

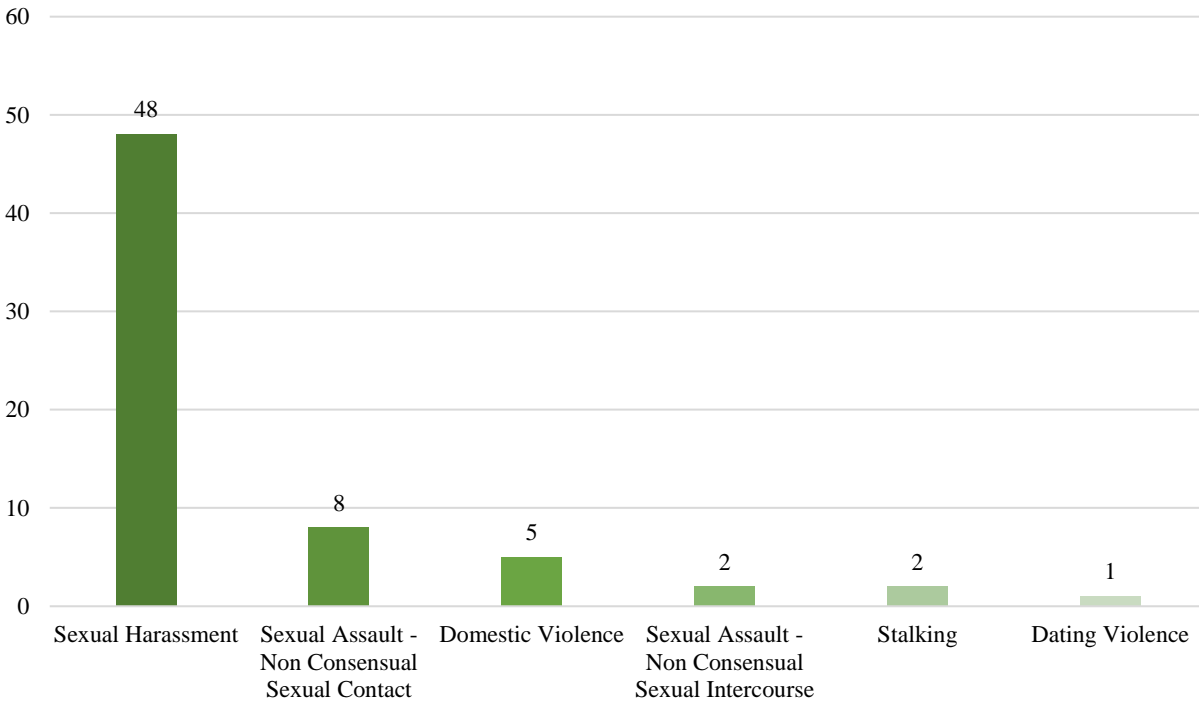
Discrimination and Harassment Allegations



In addition to sexual harassment, gender-based misconduct includes: sexual assault/intercourse; sexual assault/contact; domestic violence, dating violence, sexual exploitation, and stalking. In the 2021–2022 academic year, there were eighteen (18) allegations of gender-based misconduct (excluding sexual orientation, counted above) and forty-eight (48) allegations of sexual harassment made against faculty, staff, and third-party affiliates.¹ Excluding sexual harassment, there was a 49% decrease in reported allegations of gender-based misconduct compared to the 2020-2021 academic year and a 21% decrease in reported allegations of sexual harassment.

¹ For information about reports of gender-based misconduct involving student respondents, please see the Student Conduct and Community Standard’s Annual Report on Gender-Based Misconduct Prevention and Response, available on Columbia’s Sexual Respect website (<https://sexualrespect.columbia.edu/reports-and-research>).

Title IX & Gender-Based Misconduct Allegations



Case Resolution Time Frames

Seventy percent (70%) of all reports received by EOAA were reviewed and resolved within sixty (60) days of receipt of the allegation(s).² Seventy-five percent (75%) of Title IX and Gender-Based Misconduct cases were resolved within sixty (60) days and 81% were resolved within 120 days.

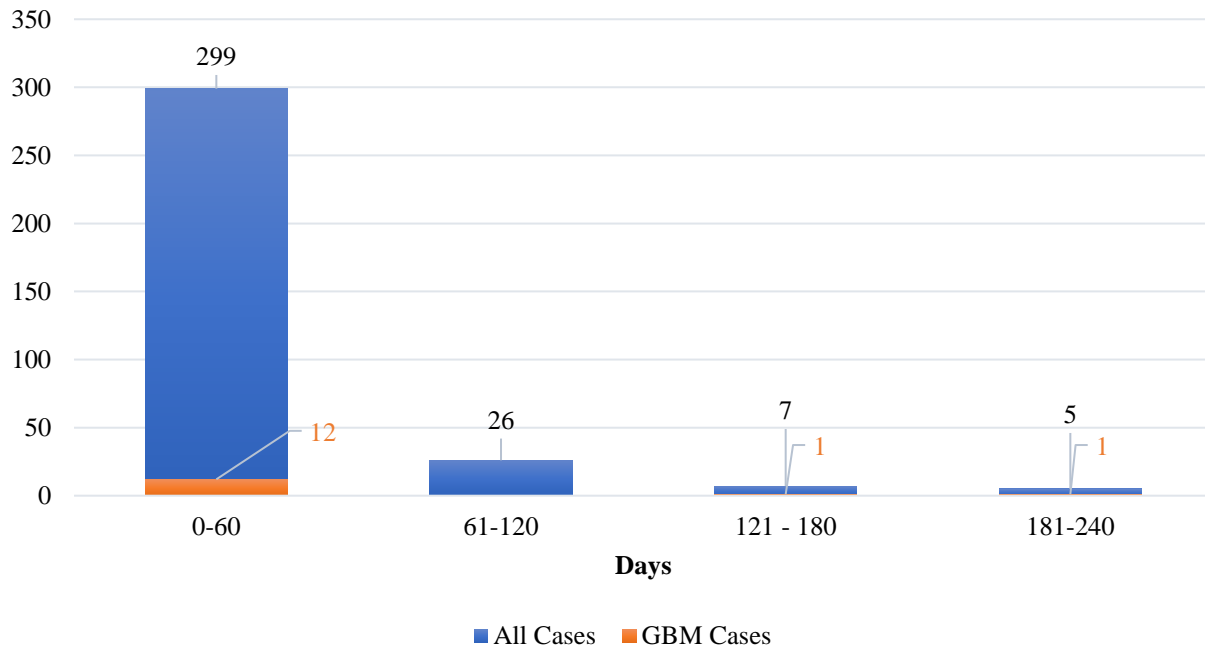
Several factors affect the time frame for resolving reports of discrimination and harassment, including:

- Allowing a Complainant time to determine whether they would like to pursue a complaint with EOAA;
- Working with a Complainant and Respondent on an informal resolution;
- Arranging for interim measures so that all involved individuals are in a safe learning and working environment before proceeding with an investigation;

² As of June 30, 2022, sixty-nine (69) cases were pending.

- Difficulty contacting parties or witnesses (particularly when reports are made prior to summer recess);
- Coordinating with parties' advisors;
- Amending complaints to include additional allegations;
- Large numbers of witnesses or voluminous evidence.

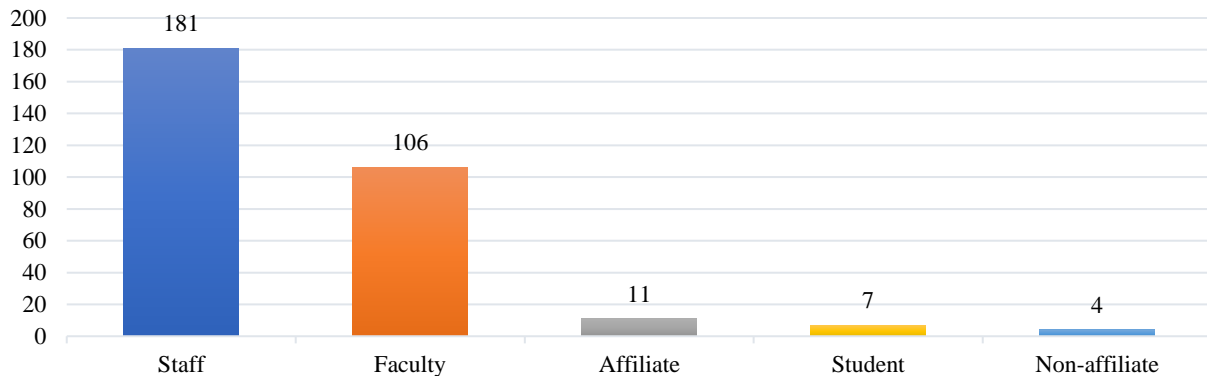
Case Resolution Timeframes



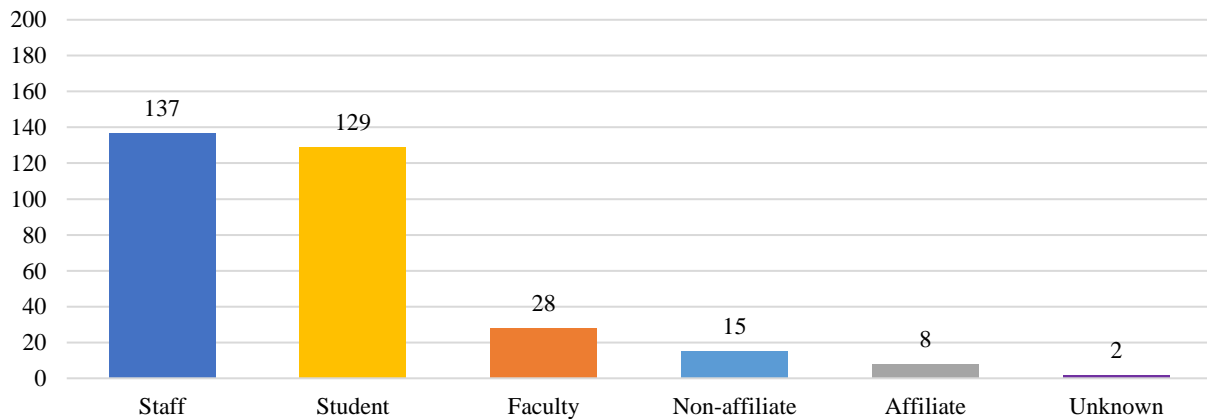
EOAA Reports by Status

The charts below include data that identify the status (faculty, staff, other affiliate,³ or non-affiliate⁴) of the Accused/Respondents and the status of Complainants/Reporters (students, staff, faculty, or other affiliate) in discrimination and harassment matters handled by EOAA. In some instances, there were multiple complainants for the same Respondent or multiple Respondents for the same complainant.

Accused/Respondent Discrimination & Harassment Cases



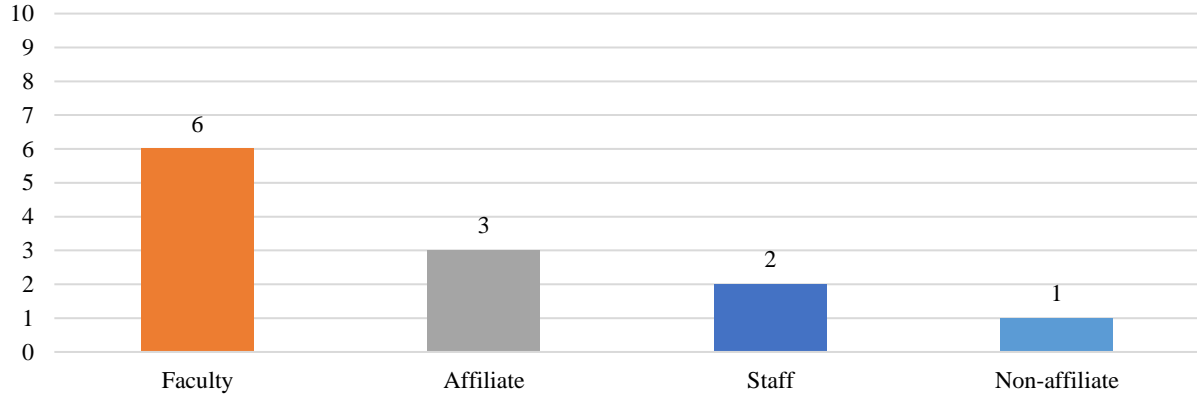
Complainant/Reporter Discrimination & Harassment Cases



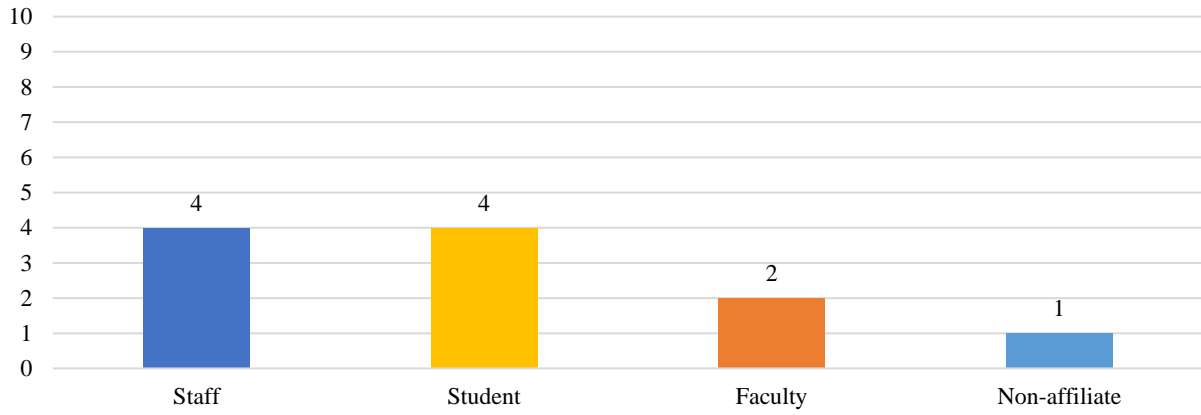
³ Other Affiliates are individuals who are contracted workers, University vendors, alumni, field placement supervisors, and organizations with whom Columbia partners to offer student internships.

⁴ Non-affiliates include campus visitors without a relationship to the University and individuals without any relationship to Columbia (e.g. an individual walking down Broadway).

Accused/Respondent
Title IX & Gender-Based Misconduct Cases



Complainant/Reporter
Title IX & Gender-Based Misconduct Cases



Romantic and Sexual Relationship Policies

The Romantic and Sexual Relationship Policies prohibit faculty, staff, and graduate students holding positions of authority from engaging in romantic or sexual relationships with anyone over whom they have academic authority or supervisory capacity. Each of the Policies can be found here: <https://eoaa.columbia.edu/content/romantic-and-sexual-relationships>

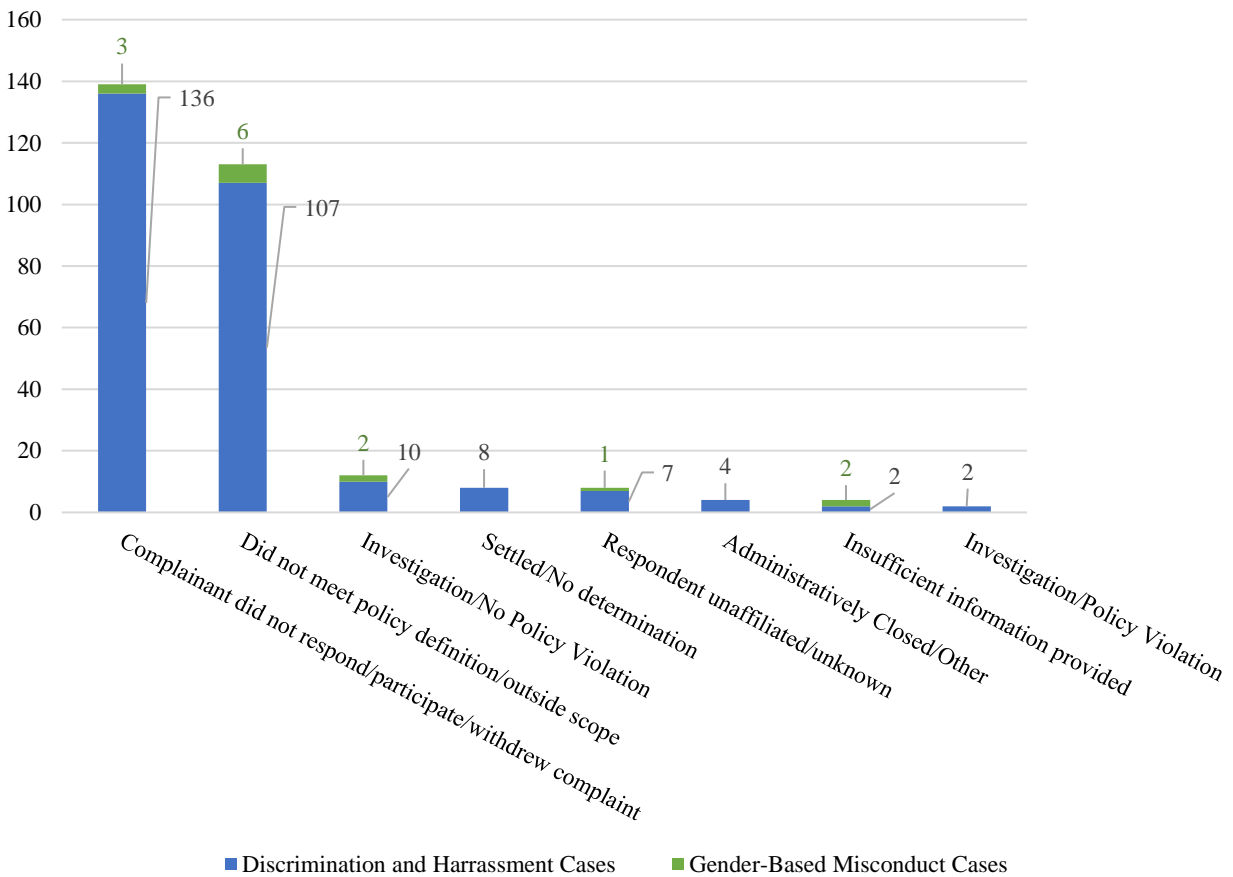
During the 2021–2022 academic year, EOAA received eight (8) reports of violations of Columbia’s Relationship Policies.

When the Office receives a report, we provide the student or employee over whom the Respondent has academic or supervisory authority an opportunity to share their perspective with EOAA regarding the relationship. The student or employee is not accused of violating the Policy. They are considered a complainant or a witness in the investigation of a potential Policy violation by the faculty member or other employee who holds authority.

EOAA Case Outcomes

There are nine ways an EOAA case can be closed or adjudicated.⁵ Complainants themselves are an essential driver in our process. EOAA closes a significant number of reports because the Complainant chose not to respond to EOAA, expressly declined to participate, or withdrew the complaint. EOAA does not compel Complainants to participate in any EOAA process. Cases that are settled between the parties through mediation or other agreement, may include the acknowledgement of a policy violation or no determination. When an Investigation is conducted, the case will close with a Respondent being found to have violated or not violated an EOAA policy. And finally, cases may be closed by EOAA if insufficient information was provided to allow EOAA to proceed with an inquiry or investigation, the allegation(s) did not meet EOAA’s policy definitions or was outside the scope of EOAA’s jurisdiction, the Respondent was unaffiliated with the University or unknown, or other reasons that resulted in administratively closing the case.

How Did the Complaint Close?



⁵ In 2021-2022, no cases were resolved as “Settled/Policy Violation.”

Sanctions & Discipline

When EOAA determines that a Respondent has violated EOAA Policy, EOAA communicates that finding to the Respondent's supervisor or to the appropriate sanctioning officer. EOAA does not serve as a sanctioning body, but works with the supervisor, Human Resources, the Department Chair and/or Faculty Affairs to identify appropriate sanctions or discipline. Sanctions are tailored to be 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, and reflect the seriousness of the conduct.

Discipline has included:

- Written Reprimand/Warning;
- Restricted or Revoked Access to University facilities or activities (including student activities and campus organizations);
- No-Contact Order;
- Change of Respondent's Job Duties;
- Loss of items used to aid in misconduct;
- Disciplinary Probation;
- Revocation of Honors/Awards;
- Prohibition from advising students or having students as research assistants for a defined period of time;
- Relocation of Respondent's workplace or University-provided residence;
- Demotion;
- Suspension;
- Termination;
- Educational intervention.

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 conduct occurred;
- Additional training and educational materials and opportunities for students and employees;
- Revision of University policies;
- Climate surveys.