

# Juilliard

<b>Title:</b>	Anti-Discrimination, Harassment and Hate/Bias Crime Policy
<b>Policy Owner:</b>	Camille Pajor, Director of Bias Response and Title IX Coordinator
<b>Contact Information:</b>	Room 230, Irene Diamond Building 1 (212) 799-5000, ext. 609 cpajor@juilliard.edu
<b>Applies to:</b>	All Juilliard faculty, staff and students, including College, Pre-College, MAP and Evening Division
<b>Effective Date:</b>	February 23, 2022

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## **1. Overview**

The Juilliard School strives to foster an academic and work environment in which all students and employees of the School community are treated fairly and equitably, one that is free from unlawful discrimination of any kind, including harassment and any other bias-related conduct, as defined in this policy (the “Policy”).

## **2. Using this Policy**

Juilliard students and employees can use this Policy to obtain information about resources and remedies available to individuals impacted by discrimination, harassment, and hate/bias crimes. The Policy details confidentiality considerations, prohibited behaviors, the informal and formal resolution process, and the prohibition of retaliation.

Students and employees may contact the Director of Bias Response, Associate Director of Bias Response, or a Bias Response Deputy (“Bias Response staff”) at any time with questions about this Policy, meeting or training requests, resources, and reports. Students and employees may also contact Bias Response staff concerning complaints alleging inappropriate behavior not covered by this Policy by Juilliard students, employees, or contractors. Bias response staff are available for consultation and appropriate referrals to School offices, such as the Provost’s Office, Human Resources, Student Conduct, and Student Health and Counseling Services, as well as off-campus services. Incidents may also be reported on the School’s [Report an Incident](#) webpage.

For union member employees, this Policy will be implemented consistent with all applicable provisions of any relevant collective bargaining agreements.

## **3. Scope of Policy**

When participating in any Juilliard program or activity, all Juilliard students, employees, and contractors are protected under and expected to comply with this Policy. When used in this Policy, “employee” refers to both faculty and staff members.

## **4. Notice of Non-Discrimination and Statement of Equal Opportunity**

The Juilliard School does not discriminate, or tolerate discrimination, on the basis of actual or perceived race, color, religion, creed, age, sex, national origin, alienage, ancestry, citizenship, sexual orientation, gender identity or expression, physical or mental disability, medical condition, predisposing genetic characteristics, pregnancy, familial status, marital status, partnership status, military status, status as a victim of domestic violence, status as a victim of sex offenses or stalking, unemployment status, arrest or conviction record, credit history, caregiver status, sexual and reproductive health decisions, or any other basis prohibited by local, state, or federal law.

## **5. Prohibited Conduct**

Any student, employee, vendor, or contractor of Juilliard who engages in bias-related conduct, including discrimination, or harassment, all as defined in this Policy, is subject to disciplinary or other appropriate action, up to and including dismissal from the School, termination of employment, or termination of a contractual relationship with the School. Any student, employee, vendor, or contractor who is charged with a hate/bias crime as defined under applicable state and federal law may also be subject appropriate sanction by Juilliard, in addition to any criminal consequences that may be imposed, regardless

of whether the hate/bias crime involves Juilliard personnel, occurs on or near the Juilliard campus, or involves a Juilliard program.

Allegations of sexual misconduct—including “Title IX Sexual Harassment” and “Other Sexual Misconduct” (including Non-Title IX Sexual Harassment) as defined in Juilliard’s [Sexual Misconduct Policy](#)—are addressed separately in the Sexual Misconduct Policy. Reports involving allegations that concern conduct prohibited under both the Sexual Misconduct Policy and this Policy will be handled consistent with the procedures laid out in the Sexual Misconduct Policy. In appropriate cases, the Title IX Coordinator and Bias Response staff may consult on any investigation or the disposition of any report.

Bias-related conduct is defined as subjecting an individual to hostile conduct that one could reasonably conclude is motivated in whole or substantial part by prejudice based on actual or perceived membership in a Protected Class, as defined above. Under this Policy, bias-related conduct is discrimination, harassment, or a hate/bias crime as defined below.

## **I. Discrimination**

Discrimination is defined as treating individuals less favorably because of their actual or perceived membership in a Protected Class. Discrimination includes conduct that is prohibited as illegal discrimination under New York or federal law.

Examples of discrimination include offering extra credit only to students of a certain race; denying a performance opportunity to a woman because she is pregnant; or grading a student more harshly because of the student’s gender identity.

## **II. Harassment**

Harassment is defined as subjecting an individual to unwelcome physical or verbal conduct based on actual or perceived membership in a Protected Class when:

- such conduct has the purpose or effect of unreasonably interfering with the individual’s work or educational performance;
- such conduct creates, or has the intention of creating, a hostile working, living and/or learning environment;
- such conduct alters the conditions of employment or education; or
- such conduct unreasonably interferes with or limits the ability of an individual to participate in or benefit from an educational program or activity.

Examples of harassment include mocking a student in class based on his or her ethnic status or using generally recognized racial slurs against a member of that race in studio lessons. A single incident may be sufficiently severe to

rise to the level of harassment. Consistent with the New York State Human Rights Law, conduct that a reasonable person would consider nothing more than “petty slights” and/or “trivial inconveniences” will not constitute harassment under this Policy. However, the School encourages all students and employees to conduct themselves in a professional manner that is respectful of other Juilliard community members.

### **III. Hate/bias Crime**

Hate/bias crime is a criminal act that is motivated by the perpetrator’s bias based on the victim’s actual or perceived membership in a Protected Class. Any hate or bias crime as defined under federal, state, or local law constitutes a hate/bias crime within the meaning of this Policy.

Hate/bias crimes include the following offenses that are motivated by bias: criminal homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property. As further illustration of hate/bias crimes, New York Penal Law (S 485.05) defines a hate crime as a specified offense committed by a person who either:

- intentionally selects the person against whom the offense is committed or intended to be committed in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct, or
- intentionally commits the act or acts constituting the offense in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct.

### **IV. Retaliation**

Retaliation is any act or attempt to seek retribution including, but not limited to, any form of intimidation, reprisal, harassment or intent to prevent or discourage participation in Juilliard’s reporting or report resolution procedure. Retaliation may include, but is not limited to, abuse or violence, coercion, threats, intimidation, other harassment, and slander or libel, and includes acts committed by a complaining party, an accused party, or a third party.

Retaliation can occur in subtle forms, such as taking away responsibilities, denying promotions or benefits, subjecting an individual to enhanced scrutiny or selective enforcement of rules, unfairly placing critical reports in files or refusing to file favorable comments, impugning a person’s character or reputation, or creating intolerable conditions in order to induce resignations or transfers.

No retaliatory action will be taken against any student or employee who in good faith complains of bias-related conduct and/or participates in good faith in the investigation of a report of bias-related conduct.

Any retaliation against a student or employee who makes a report in good faith under this Policy will result in disciplinary or other appropriate action against the retaliator, up to and including dismissal from the School, termination of employment, or termination of a contractual relationship with the School.

## **V. False Allegation**

A false allegation is a report or statement that is determined to be untrue or baseless based on investigation findings. A report determined to be false will subject the reporting individual to disciplinary or other appropriate action, up to and including dismissal from the School or termination of employment.

## **6. Freedom of Speech and Academic Freedom**

Juilliard has a dual responsibility to strive to create a campus community that is free from discrimination, harassment, and other bias-related conduct, and to protect freedom of speech, as well as academic and artistic freedom as described in Juilliard's [Statement on Academic and Artistic Freedom](#).

This Policy is intended to protect students and employees from bias-related conduct. It shall be enforced in a manner that is attentive to Juilliard's unique artistic and educational context, taking account of all relevant facts and circumstances concerning any reported allegations. It shall be implemented in a manner that recognizes student and employee freedom of speech and expression to the broadest extent possible under the law. It is not intended to prohibit speech or conduct that is legitimately related to course content, teaching methods, scholarship, or public commentary of an individual faculty member; the responsibilities of staff in the course of their employment; or the educational, political, artistic, or literary expression of students in classrooms and public forums.

At the same time, freedom of speech and academic freedom do not protect speech or expressive conduct that violates federal, state, or local nondiscrimination laws.

## **7. Confidentiality**

Juilliard is committed to protecting the privacy of all individuals involved in a report of potentially Prohibited Conduct.

## **Standards for Employees**

To the fullest extent practicable, information related to a report of Prohibited Conduct will be shared only with those who “need to know”: (1) to assist in the investigation and/or resolution of the report, or (2) to allow the School to comply with other requirements. Individuals who are involved in the review, investigation, or resolution of a report are trained to safeguard private information.

## **Standards for Involved Parties**

Any individual involved in the resolution process under this Policy is strongly encouraged to consider exercising discretion in sharing information learned during the resolution process to protect the privacy of the individuals involved, safeguard the integrity of the resolution process, and avoid the appearance of retaliation. However, individuals involved in the process are not prohibited from discussing the allegations under investigation.

Students and employees who wish to obtain confidential assistance without making a report to the School may do so by contacting any confidential resource listed in the Supportive Resources section of this Policy.

## **Requests for Confidentiality and No Action**

When Juilliard receives a report of Prohibited Conduct, but the reporting party requests that their identity remain confidential or that the School not pursue an investigation, the School must balance this request against its responsibility to provide a safe and non-discriminatory environment for all members of the Juilliard community. Juilliard will take all reasonable steps to investigate and respond to the report consistent with the reporting party’s request, but its ability to do so may be limited. If the School determines that it cannot maintain a reporting party’s confidentiality, the School will inform the reporting party as soon as practicable. Regardless of how a reporting party chooses to report potentially Prohibited Conduct, Juilliard will, when appropriate, make supportive measures available, including academic, housing, employment, and other appropriate accommodations.

## **8. Supportive Resources**

Free and confidential counseling and other support services for persons affected by bias-related conduct are listed below.

### **Confidential Campus Resources**

These resources will not share any personally identifiable information with other School employees without express permission unless doing so is necessary to address a serious and ongoing threat to the safety of individuals or the Juilliard community:

- [Juilliard Counseling Services](#) (for students)

- [Employee Assistance Program](#) (for employees)

## **Off-Campus Resources**

The majority of the resources below are free and confidential. Certain law enforcement resources may not be able to provide confidentiality. It is recommended that individuals inquire about confidentiality standards before disclosing personal information.

- [Crime Victim Assistance Program](#) (CVAP) implemented by Safe Horizon and NYPD (available citywide)
- [Crime Victims Treatment Center](#) (mental health and advocacy services and legal referrals)
- [NYC Office for the Prevention of Hate Crimes](#) (includes advocacy, mental health, and law enforcement resources)
- [NYC Well](#) (24/7 talk-text-chat)
- [Safe Horizon 24/7 Hotline](#): 1 (866) 689-4357

## **9. Supportive Measures**

Supportive measures are designed to preserve a party's access to Juilliard's education and employment programs and activities, protect safety, and prevent harassment during the reporting and resolution process. At any time during the reporting and resolution process, the School may institute supportive measures including, but not limited to, those listed below, if it is determined that circumstances require that such action be taken to protect the safety of Juilliard students and employees.

Examples of supportive measures include:

- No-contact directive
- Academic, housing, employment, and other appropriate accommodations
  - Ongoing academic accommodations must be requested through the [Office of Academic Support and Disability Services](#). Bias Response staff are available to assist students and employees with requesting academic accommodations.
- Leave
- Suspension or reassignment

## **10. Reporting Allegations of Bias-Related Conduct**

Any Juilliard student or employee who believes that they have been subjected to Prohibited Conduct by a student, employee, vendor, or contractor of the School, or who witnesses Prohibited Conduct, is encouraged to report the matter to the School.

Individuals may submit a report through the School's online [Bias Response Webform](#), which includes an option to report anonymously. Incidents of any nature may also be reported on the School's [Report an Incident](#) webpage.

Individuals may make a report directly to the Director of Bias Response, Associate Director of Bias Response, or any Bias Response Deputy whose contact information is listed below. These School officials may receive reports, provide information about resources, and discuss response options available under this Policy.

Camille Pajor  
Director of Bias Response  
Room 230  
1 (212) 799-5000 ext. 609  
[cpajor@juilliard.edu](mailto:cpajor@juilliard.edu)

Employees and students can contact the Director of Bias Response, Associate Director of Bias Response, or Bias Response Staff to discuss reporting options available under this Policy.

Reports involving vendors or contractors will be resolved according to the procedures for reports against employees or according to an alternative process determined by the Director of Bias Response or a designee, depending upon the reported facts and circumstances.

Reports against more than one Juilliard student or employee (e.g., reports regarding discriminatory practices in a specific department or office or reports regarding harassment by a group of students) will be resolved utilizing the process outlined in this Policy, or an alternative process determined by the Director of Bias Response in collaboration with School leadership or an external advisor.

### **Bias Response Deputies**

**Note:** Bias Response Deputies are required to share all reports with the Director of Bias Response.

Reisha Williams  
Associate Director of Bias Response and Senior Deputy Title IX Coordinator  
Room 234a  
[rwilliams@juilliard.edu](mailto:rwilliams@juilliard.edu)

Katie Germana  
Director of Human Resources  
Room 231  
1 (212) 799-5000 ext. 355  
[kgermana@juilliard.edu](mailto:kgermana@juilliard.edu)

Dan Stokes  
Director of Disability Services  
Room 245  
1 (212) 799-5000 ext. 320  
[dstokes@juilliard.edu](mailto:dstokes@juilliard.edu)

Reports of hate/bias crimes may also be directed to:

- [Juilliard Public Safety](#): 1 (212) 496-4911
- Lincoln Center Security Central Command: 1 (212) 875-5520
- Rose Building 11th floor security desk: 1 (212) 875-5481
- In the case of a life-threatening emergency, call 911 and request immediate assistance.

**Social Media and Reporting.** While social media is an important communication tool, sharing information on social media is not considered making a report to the School. Reports under this Policy should be communicated directly to the School. All Juilliard report forms [can be found here](#).

Any updates concerning how to report hate/bias crimes will be disseminated to students and employees via email and posted on Juilliard's policies page.

## **11. Resolution Process**

### **Introduction**

This section describes the School's two resolution processes:

- (1) informal resolution and,
- (2) formal resolution.

### **Method of Resolution**

The School will seek to honor the resolution preference—informal or formal—of impacted reporting parties whenever possible. The Director of Bias Response reserves the right to pursue formal resolution when the alleged behavior presents a possible threat to the safety of individuals, the School community, or campus.

### **Threshold Determination**

Following the receipt of a report of bias-related conduct, the Director of Bias Response will make a threshold determination whether the facts as stated plausibly indicate a Policy violation. Juilliard may dismiss reports that do not allege facts that, if substantiated, would constitute a violation of the Policy. The Director of Bias Response will provide written notification to reporting parties, if identified, regarding the results of the threshold determination when a report is dismissed.

If the report indicates a potential violation of this Policy based on the threshold determination, the process will proceed to informal or formal resolution, as set out below. The Director of Bias Response may consult with other appropriate School officials, including the Office of the General Counsel, in deciding whether to proceed through the informal or formal process. Reports of hate/bias crimes that pose an immediate danger to the campus or employees and students of Juilliard may be referred immediately to the New York City Police Department or other appropriate law enforcement agencies.

The Director of Bias Response may make referrals to other School offices such as the Provost's Office, Human Resources, Student Affairs, and Student Health and Counseling Services, as well as off-campus support services. If the report indicates conduct that falls outside the scope of this Policy but, in the view of the Director of Bias Response, may run afoul of another School policy, the Director may make appropriate referrals to other School personnel.

### **Informal Resolution**

Informal resolution procedures are designed to address the reported behavior without disciplinary action. The School will seek to honor requests for using this method of resolution whenever possible, including requests for preserving anonymity. Students and employees will not be forced or pressured to participate in informal resolution procedures.

Informal resolutions vary from case to case and seek to stop, prevent, and remedy inappropriate behavior. Responses to reports may involve more than one informal resolution action.

Informal resolutions procedures may require the involvement of qualified trainers, mediators, or facilitators. At the discretion of the School, either Juilliard employees or external parties with appropriate expertise may serve as trainers, mediators, or facilitators. Bias Response staff are available for consultation, planning, debrief, and follow-up for all informal resolutions.

**Examples** of informal resolution procedures that may be direct or indirect include:

#### **(1) Training and Education**

- Training and education are prevention initiatives that provide vital information related to the reported behavior and can occur in an individual or group setting.
- Learning objectives are customized for educational needs related to reported behavior.

## **(2) Supportive Measures**

- Supportive measures are intended to protect all parties' safety, preserve Juilliard's educational environment, and deter bias-related conduct. See Section 7 of this Policy, *Supportive Measures*, for more information.

## **(3) Accommodations**

- Accommodations may pertain to academics, housing, employment, and other appropriate circumstances.
  - Ongoing academic accommodations must be requested through the [Office of Academic Support and Disability Services](#). Bias Response staff are available to assist students and employees with requesting academic accommodations.

## **(4) Shuttle Diplomacy**

- Shuttle diplomacy occurs when a neutral trained facilitator (free from any conflict of interest) seeks to reach an agreement between involved parties without the parties meeting.

## **(5) Mediation**

- During mediation, a neutral trained facilitator (free from any conflict of interest), coordinates a meeting between the involved parties to seek to reach a consensual resolution to the reported behavior.
- The Director of Bias Response or other designated School official will conduct a follow-up review after a reasonable period of time to assess if the resolution was successful or if further action needs to be taken.

## **(6) Direct Approach**

- Parties impacted by Prohibited Conduct may choose to address the matter with involved parties directly.
- Bias Response staff are available for consultation, planning, debrief, and follow-up.

## **Formal Resolution**

Formal resolutions may include disciplinary action ranging from a verbal warning up to and including dismissal from the School, termination of employment, or, in the case of a vendor or other contractor, termination of a contract. Formal resolution processes may include notice to all involved parties, evidence collection and investigation by the Director of Bias Response or designee, a hearing to determine responsibility, and disciplinary action.

For purposes of Formal Resolution a:

“Complainant” is a person who is alleged to be the person affected by the Prohibited Conduct.

“Respondent” is the person who has been reported to be the perpetrator of Prohibited Conduct.

“Witness” is an individual who has direct experience with or knowledge of events, issues, or circumstances related to the Prohibited Conduct.

If a Complainant chooses not to file a formal complaint or to withdraw a formal complaint once it has been filed, the Director of Bias Response has the discretion to move forward with the formal resolution process, including when a threat to the physical safety of individuals, the Juilliard community, or campus may be present. If a formal resolution process is selected, an investigation and adjudication process will occur as set out in this Policy.

Complainants, Respondents, and Witnesses may contact the Director of Bias Response, Associate Director of Bias Response, or a Bias Response Deputy at any time to ask questions regarding the process.

### **Notice of Allegations and Response**

If the formal resolution process is selected, the Director of Bias Response will provide notice in writing to the Complainant and Respondent that includes all relevant information, including but not limited to:

- a statement of the allegations against the Respondent and how those allegations may state a violation of the Policy, and an identification of any witnesses or documentary evidence of which the Director of Bias Responses is aware;
- a copy of this Policy;
- a statement that the Respondent is presumed not responsible for violating the Policy and that a determination regarding responsibility will be made at the end of the formal resolution process;
- notice that the parties may have an advisor of their choice (who may be, but is not required to be, an attorney) during the investigative process, including in any interviews;
- notice that knowingly making false statements or knowingly submitting false information during the resolution process is prohibited;
- notice that the parties should preserve any potentially relevant evidence in any format;
- the identity of the Investigator; and
- notice of how the parties may object to participation by the Investigator on the basis of a conflict of interest.

At any time after receiving such notice, the Respondent may elect to acknowledge stated violation(s) of this Policy and take responsibility for the alleged conduct (see Section VIII.F.4), or the Complainant may elect to withdraw the report and discontinue the formal resolution process.

## **Evidentiary Standard and Burden of Proof**

A Respondent will be found responsible for violating the Policy only when the preponderance of evidence supports such finding (i.e., it is more likely than not that the alleged behavior occurred).

## **Investigation**

The investigation is a neutral fact-gathering process. During the investigation, the parties will have an equal opportunity to be heard, submit evidence, and identify witnesses who may have relevant information. A trained investigator (the “Investigator”) will conduct a prompt, thorough, fair, and impartial investigation. The School may continue an investigation without the participation of any party.

## **Investigator**

The Investigator, who may be an external party or a Juilliard employee, must be free from bias and conflict of interest.

The Investigator will seek to meet separately with the Complainant, the Respondent, and any Witnesses with relevant information. The Investigator will also gather other evidence and information directly related to the allegations, including, without limitation, electronic and other records of communications between the parties or witnesses (via voicemail, text message, email, and/or social media sites), photographs (including those stored on computers and smartphones), and medical records (subject to any required consent).

## **Other Investigative Steps**

The Investigator will contact any law enforcement agency that is conducting its own investigation to inform that agency that a School investigation is also in progress; to ascertain the status of the law enforcement investigation; and to determine the extent to which any evidence collected by law enforcement may be available to the School in its investigation. At the request of law enforcement, the Investigator may defer the School investigation temporarily while an external law enforcement agency is gathering evidence. The Investigator will promptly resume the School investigation following such a deferral.

## **Review of Investigation Report and Evidence File**

At the conclusion of the investigation, the Investigator will prepare a draft report based on the results of the investigation.

The parties will have ten (10) calendar days to review the Draft Investigation Report and to submit an optional written response, including any challenges to the relevance of evidence, to the Investigator. Any response submitted will become part of the file and will be made available to the other party. In the absence of good cause, information

discoverable through the exercise of due diligence that is not provided to the Investigator during the designated review and response period will be considered at the discretion of the Director of Bias Response in the determination of responsibility for a violation of the Policy.

### **Final Investigation Report**

In general, unless there are significant additional investigative steps requested by the parties or identified by the Investigator, within seven (7) calendar days after receipt and consideration of any additional comments, questions, and/or information submitted by the parties during the designated review and response period, the Investigator will prepare a Final Investigation Report, which will fairly summarize the investigation.

The Final Investigation Report will also include a recommendation as to whether there is sufficient evidence to support a finding of responsibility for a violation of the Policy.

The Investigator will deliver the Final Investigation Report to each party, in an electronic format or hard copy, at least ten (10) calendar days prior to a hearing or other time of determination regarding responsibility. The Investigator will notify both parties of their right to submit a written response regarding the Final Investigation Report.

### **Determination Regarding Responsibility**

As described above, determination of the Respondent's responsibility for the alleged Policy violation will be rendered using the preponderance of the evidence standard, based on a review of the investigation file and the Investigator's Final Investigation Report and recommendation. Determinations will be rendered as follows:

- In cases where the Respondent is a faculty member, by the Associate Provost;
- In cases where the Respondent is a staff member, by the Director of Human Resources;
- In cases where the Respondent is a student, by the Assistant Dean of Student Affairs , or a designee selected by the Dean of Student Development and agreed with the Director of Bias Response.

If the Associate Provost, Director of Human Resources, or Assistant Dean of Student Affairs has a conflict of interest, the Director of Bias Response, in consultation with appropriate School officials, will assign an appropriate designee to render this determination.

Written determinations will be sent simultaneously to all parties and will include:

1. identification of the allegations of Prohibited Conduct;
2. a description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, and methods used to gather other evidence;

3. findings of fact supporting the determination;
4. conclusions regarding the application of this Policy to the facts;
5. a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the Respondent, and whether the School will provide the Complainant with remedies designed to restore or preserve equal access to its education programs and/or activities; and
6. information about the procedures and permissible bases for the Complainant and Respondent to appeal.

## **Potential Sanctions**

The school personnel responsible for making the determination in any case will also determine what if any sanctions should be imposed. Any sanctions imposed will be based on the relevant facts and circumstances. Each party has a right to make an impact statement prior to the issuance of sanctions. Any sanction imposed will be fair, appropriate, and proportional; adequate to protect the safety of the Juilliard community; and reflective of the seriousness of the misconduct at issue.

Potential sanctions may include, but are not limited to, the following. In any given case, one or more of these sanctions may be imposed:

- Mandatory participation in individual or group training;
- Completion of other education (e.g., relevant reading, viewing, discussion, or writing activities);
- Providing community service;
- Restitution (e.g., payment for repair of property damage);
- A written warning placed in the Respondent's file;
- Reassignment of responsibilities;
- Reassignment of housing or adjustment of class scheduling;
- Probation;
- Suspension from an academic program or of employment; and/or
- Dismissal from the School, termination of employment, or termination of a contract.

## **Appeals**

Complainants and Respondents are entitled to appeal any determination of responsibility or the imposition of a sanction. A request in writing for appeal must be sent to the Director of Bias Response by the requesting party no more than seven (7) calendar days after receipt of the notice of the determination of responsibility or sanction. The request must specify the grounds for appeal. Grounds for an appeal are limited to:

- Procedural error: Appealing party alleges a procedural irregularity that affected the outcome of the matter.

- New evidence: Appealing party alleges that, subsequent to the determination, new evidence became available that could have had a material impact on the outcome of the matter.
- The Director of Bias Response, Investigator, the Assistant Dean of Student Affairs, the Associate Provost, or the Director of Human Resources had a conflict of interest or bias for or against complainants or respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.
- Severity of penalty: Appealing party alleges that the sanctions imposed are either too severe or too lenient in light of the violation or are inconsistent with the type of sanctions imposed on others who were found responsible for substantially similar violations of the Policy.

The Director of Bias Response will notify the other party of the appeal and provide them the opportunity to review it; that party will have seven (7) calendar days to submit a response.

The Appeals Panel for student respondents is a three-person panel, which shall include the Provost, the Dean of Student Development, and a third panelist appointed by the Director of Bias Response. The Appeals Panel for faculty respondents shall include the Provost and two other panelists appointed by the Director of Bias Response. The Appeals Panel for all other employees shall consist of three panelists appointed by the Director of Bias Response. The panel members will not include the Investigator or the person who reached the initial determination.

The Appeals Panel will make a decision based on a review of the investigation file, the Final Investigation Report and recommendation, and the written appeal submissions. The Appeals Panel's review will be limited to determining whether one of the grounds for appeal (specified above) has been satisfied. The Appeals Panel will not grant an appeal simply because it disagrees with the initial determination or sanction. The Appeals Panel decision will be made by majority vote. The decision on an appeal will be final and will be communicated to the Complainant and Respondent simultaneously in writing.

## **12. Other Available Procedures**

The procedures available under this Policy do not replace the right of a person affected by Prohibited Conduct to pursue other options or remedies available under the law. Instead of or in addition to using Juilliard's internal procedures, a student or employee has the right to file a report of discrimination or harassment with federal and state agencies that investigate discrimination charges. An external report should be filed directly with the appropriate agency. The agency also should be consulted concerning time deadlines for filing.

Internal inquiries concerning the Americans with Disabilities Act, the Rehabilitation Act, and related issues may be directed to:

Dan Stokes  
Director of Disability Services  
The Juilliard School  
60 Lincoln Center Plaza  
Room 245  
New York, NY 10023-6588  
(212) 799-5000, ext. 320  
dstokes@juilliard.edu

Internal inquiries concerning Title IX and related issues of sex discrimination may be directed to:

Camille Pajor  
Title IX Coordinator  
The Juilliard School  
60 Lincoln Center Plaza Room 230  
New York, NY 10023-6588  
(212) 799-5000, ext. 609  
cpajor@juilliard.edu

Inquiries may also be directed to:

Office for Civil Rights  
United States Department of Education 32 Old Slip, 26th Floor  
New York, NY 10005  
(646) 428-3800  
OCR.NewYork@ed.gov

U.S. Equal Employment Opportunity Commission New York District Office  
Broad Financial Center  
33 Whitehall St.  
New York, NY 10004  
(800) 669-4000  
info@eeoc.gov

Any other questions about this Policy should be addressed to Camille Pajor, Director of Bias Response and Title IX Coordinator, at [cpajor@juilliard.edu](mailto:cpajor@juilliard.edu).