CORNELL UNIVERSITY POLICY LIBRARY

Prohibited Bias, Discrimination, Harassment, and Sexual and Related Misconduct

POLICY STATEMENT

Cornell University is committed to providing a safe, inclusive, and respectful learning, living, and working environment for its students, faculty, and staff members. To this end, through this policy, the university provides means to address bias, discrimination, harassment, and sexual and related misconduct.

REASON FOR POLICY

This policy furthers the university’s commitment to creating a learning, living, and working environment free of bias, discrimination, harassment, and sexual and related misconduct, and to meeting applicable legal requirements. Such applicable legal requirements include Title VII of the Civil Rights Act of 1964 (Title VII), Title IX of the Education Amendments of 1972 (Title IX), the Violence Against Women Reauthorization Act of 2013 (VAWA), the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the Clery Act), the New York State Education Law Article 129-B (NYS 129-B), the New York State Human Rights Law, and the Tompkins County Human Rights Law.

This policy, its accompanying procedures, and other mechanisms delineated in the policy set forth the university’s standards of conduct. They also set forth the university’s processes governing questions, concerns, and reports of bias, discrimination, harassment, and sexual and related misconduct, and investigations and resolutions of claims of prohibited conduct.

ENTITIES AFFECTED BY THIS POLICY

✓ Ithaca-based locations
✓ Cornell Tech campus
✓ Weill Cornell Medicine campuses, which will administer this policy under Weill Cornell Medicine procedures.
POLICY 6.4
Prohibited Bias, Discrimination, Harassment, and Sexual and Related Misconduct

WHO SHOULD READ THIS POLICY

- All members of the Cornell University community

MOST CURRENT VERSION OF THIS POLICY


ACCOMPANYING PROCEDURES

- **Where the respondent is a student** who is alleged to have committed dating violence, domestic violence, sexual assault, sexual exploitation, sexual and gender-based harassment, stalking, aiding prohibited conduct, attempting to commit prohibited conduct, retaliation, and violating an interim measure: [titleix.cornell.edu/procedure/](http://titleix.cornell.edu/procedure/)

- **Where the respondent is a faculty member** or a staff member who is alleged to have committed protected-status harassment, including sexual and gender-based harassment, dating violence, domestic violence, sexual assault, sexual exploitation, stalking, aiding prohibited conduct, attempting to commit prohibited conduct, violating an interim measure, and retaliation: [https://cpb-us-e1.wpmucdn.com/blogs.cornell.edu/dist/6/7016/files/2019/05/Procedures-for-Resolution-of-Reports-of-Prohibited-Discrimination-Against-Faculty-Under-Cornell-University-Policy-6.4-6.1.2019-3.pdf](https://cpb-us-e1.wpmucdn.com/blogs.cornell.edu/dist/6/7016/files/2019/05/Procedures-for-Resolution-of-Reports-of-Prohibited-Discrimination-Against-Faculty-Under-Cornell-University-Policy-6.4-6.1.2019-3.pdf)

- **Where the respondent is a staff member** who is alleged to have committed prohibited discrimination, and retaliation: [https://cpb-us-e1.wpmucdn.com/blogs.cornell.edu/dist/6/7016/files/2019/05/Procedures-for-Resolution-of-Reports-of-Prohibited-Discrimination-Against-Staff-Under-Cornell-University-Policy-6.4-6.1.2019-2.pdf](https://cpb-us-e1.wpmucdn.com/blogs.cornell.edu/dist/6/7016/files/2019/05/Procedures-for-Resolution-of-Reports-of-Prohibited-Discrimination-Against-Staff-Under-Cornell-University-Policy-6.4-6.1.2019-2.pdf)

◆ **Note:** A person against whom a report or formal complaint of prohibited conduct has been made is designated as the “respondent.” A person who is the subject of such a report or initiates a formal complaint of prohibited conduct is designated as the “complainant.”

◆ **Note:** For complaints against graduate or undergraduate teaching or research assistants arising out of performance of academic assignments, Policy 6.4 procedures governing faculty apply.
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RELATED RESOURCES

University Policies and Information
- University Policy 4.6, Standards of Ethical Conduct
- University Policy 4.7, Retention of University Records
- University Policy 4.9, Legal Defense and Indemnification
- University Policy 5.1, Responsible Use of Information Technology Resources
- University Policy 6.2.10, Establishment of College-Level Academic Employee Grievance Procedures
- University Policy 6.11.3, Employee Discipline (Excluding Academic and Bargaining-Unit Staff)
- University Policy 6.13, Disability Accommodation Process for Faculty and Staff
- University Policy 6.13.8, Religious Accommodation

Board of Trustees Policy on Equal Educational and Employment Opportunity
Board of Trustees Policy on Faculty Dismissal

Campus Code of Conduct
Code of Academic Integrity
Collective Bargaining Agreements for Represented Employees
Cornell University President’s Statement on Affirmative Action
Cornell University President’s Statement on Equal Education and Employment Opportunity

Executive Committee of the Board of Trustees Guidelines: March 13, 1975, amended March 13, 2002
Faculty Handbook
Graduate School Code of Legislation

Handbook for Teaching Assistants at Cornell
Human Resources Policy 6.11.4, Staff Complaint and Grievance Procedure
Open Doors, Open Hearts, and Open Minds: Cornell’s Statement on Diversity and Inclusiveness
Pay Transparency Policy Statement (PDF)
Sexual Harassment and Assault Response and Education (SHARE)
Student Disability Grievance Procedure
Student Employment Policies of the Office of Financial Aid and Student Employment

Office of Institutional Equity and Title IX
University Resolution 7 Regarding Campus Code of Conduct Compliance with Title IX and President’s Acceptance
University Resolution 7-20-11-12 and President’s Acceptance

External Documentation
- Age Discrimination in Employment Act of 1967
- Charter and Code of Tompkins County, Chapter 92
- Civil Rights Act of 1991
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**RELATED RESOURCES, continued**

Code of the City of Ithaca, Pt. II, Ch. 215, Human Rights Protection; Ch. 90, Art VIII, Sexual Harassment
Department of Education

Family Education Rights and Privacy Act (FERPA)

Genetic Information Nondiscrimination Act (GINA) of 2008 (effective November 21, 2009) New York City
Human Rights Law

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the Clery Act)

New York State Education Law Article 129-B (NYS 129-B)

New York State Human Rights Law

Title IX of the Education Amendments of 1972

Titles VI and VII of the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1991 Violence
Against Women Act

Violence Against Women Reauthorization Act of 2013 (VAWA)

**University Forms and Systems**

<table>
<thead>
<tr>
<th>Ithaca-Based Locations and Cornell Tech</th>
<th>Weill Cornell Medicine Campuses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-Emergency Bias Reporting Site</td>
<td>Hotline: Silent Witness Form</td>
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<tr>
<td>Hotline: Silent Witness Form</td>
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<tr>
<td>Report of Prohibited Conduct under Policy 6.4, including Sexual Harassment (PDF)</td>
<td></td>
</tr>
</tbody>
</table>
POLICY 6.4
Prohibited Bias, Discrimination, Harassment, and Sexual and Related Misconduct

CONTACTS – ITHACA-BASED LOCATIONS AND CORNELL TECH

Direct any general questions about this policy to your college or unit administrative office. If you have questions about specific issues, contact the following offices.

<table>
<thead>
<tr>
<th>Subject</th>
<th>Contact</th>
<th>Telephone</th>
<th>Email/Web Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy Clarification</td>
<td>• Bias Activity</td>
<td>Department of Inclusion and Workforce Diversity</td>
<td>(607) 255-3976</td>
</tr>
<tr>
<td></td>
<td>• Equal Opportunity in Any Educational Program Activity</td>
<td>Department of Inclusion and Workforce Diversity</td>
<td>(607) 255-3976</td>
</tr>
<tr>
<td></td>
<td>• Prohibited Conduct Committed by Staff or Faculty Members or Third Parties</td>
<td>Office of Institutional Equity and Title IX</td>
<td>(607) 255-2242</td>
</tr>
<tr>
<td></td>
<td>• Prohibited Conduct Committed by Students</td>
<td>Office of Institutional Equity and Title IX</td>
<td>(607) 255-2242</td>
</tr>
<tr>
<td></td>
<td>• Title IX</td>
<td>Office of Institutional Equity and Title IX</td>
<td>(607) 255-2242</td>
</tr>
<tr>
<td></td>
<td>Accessibility to Facilities on Campus: Faculty, Staff and Visitors</td>
<td>ADA Coordinator for Facilities</td>
<td>(607) 255-5150</td>
</tr>
<tr>
<td></td>
<td>Campus Code of Conduct</td>
<td>Judicial Administrator (JA)</td>
<td>(607) 255-4680</td>
</tr>
<tr>
<td></td>
<td>Community Resources, New York State</td>
<td>State Universities of New York (SUNY) maintains a list of regional and state-wide resources, including confidential and 24-hour resources. The list is found at <a href="http://www.suny.edu/violence-response/">www.suny.edu/violence-response/</a>. The resources are available to Cornell community members.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Community Resources, Tompkins County</td>
<td>Advocacy Center</td>
<td>24-Hour Hotline: (607) 277-5000 Office: (607) 277-3203</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sexual Abuse Nurse Examiner (SANE), Cayuga Medical Center</td>
<td>24-Hour Hotline: (607) 277-5000 Emergency Department: (607) 274-4011 TDD: (607) 274-4513</td>
</tr>
</tbody>
</table>
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CONTACTS, ITHACA-BASED LOCATIONS AND CORNELL TECH, continued

<table>
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<tr>
<th>Subject</th>
<th>Contact</th>
<th>Telephone</th>
<th>Email/Web Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Bias Activity</td>
<td>Department of Inclusion and Workforce Diversity</td>
<td>(607) 255-3976</td>
<td><a href="mailto:owl@cornell.edu">owl@cornell.edu</a> diversity.cornell.edu biasconcerns.cornell.edu (online report form)</td>
</tr>
<tr>
<td>• Criminal Activity</td>
<td>Cornell University Police Department (CUPD)</td>
<td>Emergencies: 911 Non-emergencies only: (607) 255-1111</td>
<td><a href="http://www.cupolice.cornell.edu">www.cupolice.cornell.edu</a></td>
</tr>
<tr>
<td>• Prohibited Conduct Committed by Staff or Faculty Members</td>
<td>Office of Institutional Equity and Title IX</td>
<td>(607) 255-2242</td>
<td><a href="mailto:equalopportunity@cornell.edu">equalopportunity@cornell.edu</a> biasconcerns.cornell.edu (online report form)</td>
</tr>
<tr>
<td>• Prohibited Conduct Committed by Students</td>
<td>Office of Institutional Equity and Title IX</td>
<td>(607) 255-2242</td>
<td><a href="mailto:titleix@cornell.edu">titleix@cornell.edu</a> titleix.cornell.edu biasconcerns.cornell.edu (online report form)</td>
</tr>
<tr>
<td>• Participation in Intercollegiate Athletics Title IX Claims</td>
<td>Associate Director of Athletics/Senior Woman Administrator</td>
<td>(607) 255-8283</td>
<td><a href="mailto:athletics@cornell.edu">athletics@cornell.edu</a></td>
</tr>
<tr>
<td>Counseling and Support</td>
<td>Cornell United Religious Work (CURW)</td>
<td>(607) 255-4214</td>
<td>dos.cornell.edu/cornell-united-religious-work</td>
</tr>
<tr>
<td>Counseling and Psychological Services (CAPS)</td>
<td>Business Hours: (607) 255-5208 24 Hours: (607) 255-5155</td>
<td>health.cornell.edu/services/counseling-psychiatry</td>
<td></td>
</tr>
<tr>
<td>Empathy, Assistance, and Referral Service (EARS)</td>
<td>(607) 255-3277 (255-EARS)</td>
<td>ears.dos.cornell.edu</td>
<td></td>
</tr>
<tr>
<td>Faculty and Staff Assistance Program (FSAP)</td>
<td>(607) 255-2673 (255-COPE)</td>
<td>fsap.cornell.edu</td>
<td></td>
</tr>
<tr>
<td>Lesbian, Gay, Bisexual, Transgender Resource Center</td>
<td>(607) 255-4406</td>
<td><a href="mailto:lgbtrc@cornell.edu">lgbtrc@cornell.edu</a> dos.cornell.edu/GBT-resource-center</td>
<td></td>
</tr>
<tr>
<td>Victim Advocate</td>
<td>(607) 255-1212</td>
<td><a href="mailto:victimadvocate@cornell.edu">victimadvocate@cornell.edu</a> health.cornell.edu/services/counseling-psychiatry</td>
<td></td>
</tr>
<tr>
<td>Women’s Resource Center</td>
<td>(607) 255-0015</td>
<td><a href="mailto:wrc@cornell.edu">wrc@cornell.edu</a> dos.cornell.edu/womens-resource-center</td>
<td></td>
</tr>
<tr>
<td>Disability Accommodation Requests from Faculty or Staff Members</td>
<td>Medical Leaves Administration</td>
<td>(607) 255-1216 (607) 255-1260</td>
<td>hr.cornell.edu/hr-policies/all-faculty-and-staff</td>
</tr>
<tr>
<td>Disability Accommodation Requests from Students</td>
<td>Student Disability Services (SDS)</td>
<td>(607) 254-4545</td>
<td><a href="mailto:sds_cu@cornell.edu">sds_cu@cornell.edu</a> sds.cornell.edu</td>
</tr>
<tr>
<td>Disability Accommodation for Applicants for Employment</td>
<td>Workforce Policy and Labor Relations (WPLR)</td>
<td>(607) 255-4652</td>
<td><a href="mailto:equalopportunity@cornell.edu">equalopportunity@cornell.edu</a> hr.cornell.edu/about-hr</td>
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</table>
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CONTACTS, ITHACA-BASED LOCATIONS AND CORNELL TECH, continued

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<th>Email/Web Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disability Accommodation for Visitors</td>
<td>Facilities and Campus Services</td>
<td>(607) 255-5150</td>
<td>biasconcerns.cornell.edu (online report form)</td>
</tr>
<tr>
<td>Discrimination and Harassment Advisors</td>
<td>Office of Institutional Equity and Title IX</td>
<td>(607) 255-2242</td>
<td><a href="mailto:equalopportunity@cornell.edu">equalopportunity@cornell.edu</a> hr.cornell.edu/our-culture-diversity/diversity-inclusion/harassment-discrimination-and-bias-reporting/advisors</td>
</tr>
<tr>
<td>Educational Programs and Resources</td>
<td>Cornell Interactive Theatre Ensemble (CITE)</td>
<td>(607) 254-2759</td>
<td>hr.cornell.edu/professional-development/training/cite</td>
</tr>
<tr>
<td></td>
<td>Cornell University Police Department (CUPD)</td>
<td>Emergencies: 911 Non-emergencies only: (607) 255-1111</td>
<td><a href="http://www.cupolice.cornell.edu">www.cupolice.cornell.edu</a></td>
</tr>
<tr>
<td></td>
<td>Department of Inclusion and Workforce Diversity</td>
<td>(607) 255-3976</td>
<td><a href="mailto:owdi@cornell.edu">owdi@cornell.edu</a> diversity.cornell.edu biasconcerns.cornell.edu (online report form)</td>
</tr>
<tr>
<td></td>
<td>Office of Institutional Equity and Title IX</td>
<td>(607) 255-2242</td>
<td><a href="mailto:titleix@cornell.edu">titleix@cornell.edu</a> titleix.cornell.edu biasconcerns.cornell.edu (online report form)</td>
</tr>
<tr>
<td></td>
<td>Skorton Center for Health Initiatives (Cornell Health)</td>
<td>(607) 255-4782</td>
<td>health.cornell.edu/initiatives/skorton-center</td>
</tr>
<tr>
<td>General Employee Relations/Workplace Concerns</td>
<td>Supervisor or local human resources representative</td>
<td>Unit-specific</td>
<td>hr.cornell.edu/find-your-hr-representative</td>
</tr>
<tr>
<td></td>
<td>Recruitment and Employment Center, Direct Service Units</td>
<td>(607) 254-8370</td>
<td><a href="mailto:mycareer@cornell.edu">mycareer@cornell.edu</a> hr.cornell.edu/about-hr</td>
</tr>
<tr>
<td></td>
<td>Workforce Policy and Labor Relations (WPLR)</td>
<td>(607) 255-4652</td>
<td>hr.cornell.edu/about-hr biasconcerns.cornell.edu (online report form)</td>
</tr>
<tr>
<td>Language Translation Services</td>
<td>Cornell Health</td>
<td>(607) 255-5155</td>
<td>health.cornell.edu/get-care/accessibility-language-services</td>
</tr>
<tr>
<td>Medical Assistance</td>
<td>Cornell Health</td>
<td>(607) 255-5155</td>
<td>health.cornell.edu</td>
</tr>
<tr>
<td>Police Services</td>
<td>Cornell University Police Department (CUPD)</td>
<td>Emergencies: 911 Non-emergencies only: (607) 255-1111</td>
<td><a href="http://www.cupolice.cornell.edu">www.cupolice.cornell.edu</a></td>
</tr>
<tr>
<td>Program Coordinator, Diversity and Inclusion Strategies</td>
<td>Department of Inclusion and Workforce Diversity</td>
<td>(607) 255-3976</td>
<td><a href="mailto:owdi@cornell.edu">owdi@cornell.edu</a> diversity.cornell.edu biasconcerns.cornell.edu (online report form)</td>
</tr>
<tr>
<td>Psychological or Emotional Support Services, Faculty and Staff Members</td>
<td>Cornell United Religious Work (CURW)</td>
<td>(607) 255-4214</td>
<td>dos.cornell.edu/cornell-united-religious-work</td>
</tr>
</tbody>
</table>
**POLICY 6.4**

Prohibited Bias, Discrimination, Harassment, and Sexual and Related Misconduct

### CONTACTS, ITHACA-BASED LOCATIONS AND CORNELL TECH, continued

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</thead>
<tbody>
<tr>
<td>Faculty Staff Assistance Program (FSAP)</td>
<td>Faculty Staff Assistance Program (FSAP)</td>
<td>(607) 255-COPE (255-2673)</td>
<td>fsap.cornell.edu</td>
</tr>
<tr>
<td>University Ombudsman</td>
<td>University Ombudsman</td>
<td>(607) 255-4321</td>
<td><a href="http://www.ombudsman.cornell.edu">www.ombudsman.cornell.edu</a></td>
</tr>
<tr>
<td>Counseling and Psychological Services</td>
<td>Counseling and Psychological Services</td>
<td>(607) 255-5208</td>
<td>health.cornell.edu/services/counseling-psychiatry</td>
</tr>
<tr>
<td>Dean of Students</td>
<td>Dean of Students</td>
<td>(607) 255-6839</td>
<td><a href="mailto:dean_of_students@cornell.edu">dean_of_students@cornell.edu</a> dos.cornell.edu</td>
</tr>
<tr>
<td>Empathy, Assistance and Referral Service (EARS)</td>
<td>Empathy, Assistance and Referral Service (EARS)</td>
<td>(607) 255-3277</td>
<td>ears.dos.cornell.edu</td>
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<td>University Ombudsman</td>
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<td>(607) 255-4321</td>
<td><a href="http://www.ombudsman.cornell.edu">www.ombudsman.cornell.edu</a></td>
</tr>
<tr>
<td>Victim Advocate</td>
<td>Victim Advocate</td>
<td>(607) 255-1212</td>
<td><a href="mailto:victimadvocate@cornell.edu">victimadvocate@cornell.edu</a> health.cornell.edu/services/victim-advocacy</td>
</tr>
<tr>
<td>Department chair or supervisor</td>
<td>Department chair or supervisor</td>
<td>Unit-specific</td>
<td></td>
</tr>
<tr>
<td>Workforce Policy and Labor Relations (WPLR)</td>
<td>Workforce Policy and Labor Relations (WPLR)</td>
<td>(607) 255-4652</td>
<td>hr.cornell.edu/about-hr hr.cornell.edu/hr-policies/all-faculty-and-staff biasconcerns.cornell.edu (online report form)</td>
</tr>
<tr>
<td>Dean of Faculty</td>
<td>Dean of Faculty</td>
<td>(607) 255-4843</td>
<td>theuniversityfaculty.cornell.edu</td>
</tr>
<tr>
<td>Cornell University Police Department (CUPD)</td>
<td>Cornell University Police Department (CUPD)</td>
<td></td>
<td><a href="http://www.cupolice.cornell.edu/campus-safety-security/">www.cupolice.cornell.edu/campus-safety-security/</a></td>
</tr>
<tr>
<td>Emergencies: 911 Non-emergencies only: (607) 255-1111</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office of Institutional Equity and Title IX</td>
<td>Office of Institutional Equity and Title IX</td>
<td>(607) 255-2242</td>
<td><a href="mailto:titleix@cornell.edu">titleix@cornell.edu</a> titleix.cornell.edu biasconcerns.cornell.edu (online report form)</td>
</tr>
<tr>
<td>Title IX Deputy Coordinators</td>
<td>Title IX Deputy Coordinators</td>
<td>For an up-to-date listing of Title IX Coordinator and Deputy Title IX Coordinators, go to titleix.cornell.edu/title-ix-coordinators/</td>
<td></td>
</tr>
<tr>
<td>Victim Advocate</td>
<td>Victim Advocate</td>
<td>(607) 255-1212</td>
<td><a href="mailto:victimadvocate@cornell.edu">victimadvocate@cornell.edu</a> health.cornell.edu/services/victim-advocacy</td>
</tr>
</tbody>
</table>
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DEFINITIONS

These definitions apply to terms as they are used in this policy.

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bias Activity</td>
<td>An action of mistreatment or incivility (verbal, physical, in written or digital form) taken by an alleged offender/s and motivated in whole or part by an actual or perceived aspect of diversity/identity of the harmed or impacted party. Identity may include, but is not limited to, ability, age, ancestry or ethnicity, color, creed, gender, gender identity or expression, immigration or citizenship status, marital status, national origin, neurodiversity, race, religion, religious practice, sexual orientation, socioeconomic status, or weight.</td>
</tr>
<tr>
<td>Complainant</td>
<td>A person who is the subject of a report or initiates a formal complaint of prohibited conduct under this policy. (Compare definition of Respondent.)</td>
</tr>
<tr>
<td>Equal Education and Employment Opportunity (EEEO) – Protected Status</td>
<td>Identities protected under federal, state, and local equal employment laws and regulations. These include race, ethnic or national origin, color, gender (including pregnancy), age, creed, religion, actual or perceived disability (including persons associated with such a person), ex-offender status, military or veteran status, sexual orientation, gender expression and identity, and an individual’s genetic information.</td>
</tr>
<tr>
<td>Faculty Member</td>
<td>A person who holds appointment to an academic title (as specified in the Bylaws of Cornell University, Article XVII).</td>
</tr>
<tr>
<td>Formal Complaint</td>
<td>A signed, written document from a complainant alleging specific prohibited conduct by a respondent and initiating the applicable resolution procedures under this policy, or a similar written document on behalf of the university, signed by a university official.</td>
</tr>
<tr>
<td>Investigation</td>
<td>A systematic inquiry into a formal complaint.</td>
</tr>
<tr>
<td>Preponderance of Evidence</td>
<td>The standard of proof required to make a finding of responsibility for prohibited conduct under this policy, defined as &quot;more likely than not&quot; that the respondent committed the alleged prohibited conduct.</td>
</tr>
<tr>
<td>Privacy</td>
<td>While not bounded by confidentiality, disclosure of information will be limited and personal information shared only as necessary.</td>
</tr>
<tr>
<td>Prohibited Conduct</td>
<td>Conduct that constitutes a violation of this policy. The university has designated different types of prohibited conduct as well as procedures that correspond best with the university’s different constituencies. Conduct that constitutes prohibited conduct is set forth and defined in the applicable procedures. Prohibited conduct will be investigated and adjudicated pursuant to the applicable procedures.</td>
</tr>
<tr>
<td>Respondent</td>
<td>A person against whom a report or formal complaint of prohibited conduct under this policy is made. (Compare definition of Complainant.)</td>
</tr>
<tr>
<td>Sanction</td>
<td>A disciplinary action imposed on an individual after a finding of responsibility. Sanctions are set forth in the applicable procedures.</td>
</tr>
</tbody>
</table>
### POLICY 6.4

**Prohibited Bias, Discrimination, Harassment, and Sexual and Related Misconduct**

#### DEFINITIONS, continued

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Sexual Misconduct</strong></td>
<td>A broad term encompassing any unwelcome behavior of a sexual nature designated as prohibited conduct by the applicable procedures under this policy.</td>
</tr>
<tr>
<td><strong>Sexual Violence</strong></td>
<td>A broad term that refers to physical acts perpetrated without affirmative consent. This includes rape, sexual abuse, sexual assault, sexual battery, and sexual coercion, as defined by the applicable procedures under this policy. Sexual violence is a type of sexual misconduct.</td>
</tr>
<tr>
<td><strong>Staff Member</strong></td>
<td>An employee of Cornell University who is not a faculty member.</td>
</tr>
<tr>
<td><strong>Student</strong></td>
<td>Any person, whether or not incidentally on the university payroll, who is currently registered with the university as a degree or non-degree-seeking candidate in any of Cornell University’s undergraduate or graduate divisions. Also any persons not officially registered, and not faculty members or other university employees, if they are:</td>
</tr>
<tr>
<td></td>
<td>• Currently enrolled in or taking classes at the university;</td>
</tr>
<tr>
<td></td>
<td>• Currently using university facilities or property, or the property of a university-related residential organization, in connection with academic activities; or</td>
</tr>
<tr>
<td></td>
<td>• Currently on leave of absence or under suspension from being a student of the university.</td>
</tr>
</tbody>
</table>
**POLICY 6.4**

Prohibited Bias, Discrimination, Harassment, and Sexual and Related Misconduct

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### RESPONSIBILITIES – ITHACA-BASED LOCATIONS AND CORNELL TECH

The major responsibilities each person or office listed below has in connection with this policy are as follows:

<table>
<thead>
<tr>
<th>Role</th>
<th>Responsibilities</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Committee on Academic Freedom and Professional Status of the Faculty</strong></td>
<td>Obtain training, as required, from Office of Institutional Equity and Title IX on how to recognize prohibited discrimination and protected-status harassment. Adjudicate cases in which an accused faculty member contests an investigation report on the grounds that the alleged behavior arose out of the nature of a subordinate-supervisory relationship with a student, or is protected by academic freedom. Examples of such a relationship include teaching, advising, research, and thesis or dissertation supervision.</td>
</tr>
<tr>
<td><strong>Complainant's Advisor</strong></td>
<td>Provide free assistance and representation within the campus disciplinary system to complainants under this policy's procedures for student respondents.</td>
</tr>
<tr>
<td><strong>Dean, Vice Provost, Vice President (or Equivalent Unit Head)</strong></td>
<td>Conduct reviews of investigative findings and recommendations, and determine and implement any corrective action, in accordance with the applicable procedures for faculty and staff members concerning prohibited discrimination.</td>
</tr>
<tr>
<td><strong>Department of Inclusion and Workforce Diversity</strong></td>
<td>Provide leadership to the Cornell community in the areas of equal opportunity, affirmative action, and diversity. Promote a learning, living, and working environment that is free from unlawful discrimination and harassment and complies with applicable federal, state, and local laws, university policies, and the university's Affirmative Action Program. Develop, implement, and evaluate various programs for faculty and staff members and students. Administer procedures related to alleged bias activity. Collect and track all reports of bias activity, including sexual and related misconduct, made by faculty and staff members, students, and visitors to the Office of Institutional Equity and Title IX Coordinator, Office of the Judicial Administrator, and other entities.</td>
</tr>
<tr>
<td><strong>Discrimination and Harassment Advisor</strong></td>
<td>Provide advice, suggestions, guidance, or act as a resource for individuals handling issues of discrimination, harassment, or bias, including explaining the definition of prohibited discrimination, protected-status harassment, or bias activity, and offer guidance on the appropriate recourse. Provide information about psychological counseling and support services available to faculty and staff members and students. Accompany and assist complainants during the investigation process, if requested by the complainant. Document reports of bias activity, including sexual and related misconduct, through the Reporting Bias system. See Related Resources. Work with the Office of Institutional Equity and Title IX.</td>
</tr>
</tbody>
</table>
POLICY 6.4
Prohibited Bias, Discrimination, Harassment, and Sexual and Related Misconduct

RESPONSIBILITIES, ITHACA-BASED LOCATIONS AND CORNELL TECH, continued

<table>
<thead>
<tr>
<th>Position</th>
<th>Responsibilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Faculty Co-Investigator</td>
<td>Appointed by the dean of the faculty, collaborate with the investigator in conducting the investigation and preparing the investigation report.</td>
</tr>
<tr>
<td>Investigator</td>
<td>Obtain appropriate training and conduct investigations as set forth in the applicable procedures, impartially, promptly, and confidentially. Note: The investigator is generally a staff member assigned to WPLR or the Office of Institutional Equity and Title IX. The investigator may, however, be another individual or entity designated by an appropriate university official to conduct investigations under this policy.</td>
</tr>
<tr>
<td>Judicial Codes Counselor</td>
<td>Provide free assistance and representation within the campus disciplinary system to those named as respondents under this policy and the Campus Code of Conduct and to students charged with violations of the Code of Academic Integrity.</td>
</tr>
<tr>
<td>Local Human Resources Representative</td>
<td>Obtain training from the Office of Institutional Equity and Title IX on how to recognize prohibited conduct. Refer complaints of prohibited conduct under this policy to the Office of Institutional Equity and Title IX.</td>
</tr>
<tr>
<td>Office of the Judicial Administrator</td>
<td>Enforce the Campus Code of Conduct. Note: The Judicial Administrator is a Deputy Title IX Coordinator and supports the Title IX Coordinator and director of institutional equity in discharging the responsibilities of the Title IX Coordinator in matters involving students.</td>
</tr>
<tr>
<td>Office of Institutional Equity and Title IX</td>
<td>Investigate allegations of sexual violence, sexual and related misconduct, and protected-class harassment against students, faculty, and staff. Enforce the university's non-discrimination obligations, handling complaints of prohibited discrimination against faculty and staff members, and resolving those complaints impartially, promptly, and confidentially through informal intervention, mediation, or formal investigation. Provide education and training programs on this policy to students, faculty members, and staff members. Provide training for members of the Committee on Academic Freedom and Professional Status of the Faculty, faculty co-investigators, and discrimination and harassment advisors, as necessary. Work with the appropriate deans and equivalent unit heads to distribute this policy to their directors, department heads, and chairs. Coordinate with the Department of Inclusion and Workforce Diversity, the judicial administrator, and other university offices, as appropriate.</td>
</tr>
<tr>
<td>President, University</td>
<td>Receive the investigation report in instances where a provost is named as a respondent in a complaint of prohibited conduct under this policy.</td>
</tr>
<tr>
<td>Provost, University</td>
<td>Decide appeals in accordance with applicable procedures.</td>
</tr>
<tr>
<td>Senior Woman Administrator</td>
<td>Receive questions and concerns about, and reports of, discrimination in participation in intercollegiate athletics.</td>
</tr>
</tbody>
</table>
POLICY 6.4
Prohibited Bias, Discrimination, Harassment, and Sexual and Related Misconduct

**RESPONSIBILITIES, ITHACA-BASED LOCATIONS AND CORNELL TECH, continued**

<table>
<thead>
<tr>
<th>Role</th>
<th>Responsibilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supervisor</td>
<td>Inform faculty and staff members and students under their direction or supervision of this policy. Notify the local human resources representative or, if not available, the Office of Institutional Equity and Title IX or the program coordinator for diversity and inclusion strategies, upon observing or receiving a report or complaint of prohibited conduct. Implement any corrective actions imposed if a determination of responsibility for prohibited conduct is made.</td>
</tr>
<tr>
<td>Title IX Coordinator</td>
<td>Oversee the university’s compliance with Title IX; its ongoing education and primary prevention efforts; its investigation, response, and resolution of all reports of sexual and related misconduct under this policy; and its efforts to eliminate prohibited conduct, prevent its recurrence, and remedy its effects. Be available to meet with any student, employee, or third party to discuss this policy or the accompanying procedures. <strong>Note:</strong> The university has also designated Deputy Title IX Coordinators to assist the Title IX Coordinator. The Title IX Coordinator and Deputy Title IX Coordinators can be contacted by telephone, email, or in person during regular office hours. See Contacts.</td>
</tr>
<tr>
<td>Title IX Coordinator, Deputy</td>
<td>Support the Title IX Coordinator in discharging the responsibilities of the Title IX Coordinator. See Contacts.</td>
</tr>
<tr>
<td>University Counsel</td>
<td>Provide legal counsel, as necessary, to the investigators and decision-makers during the investigation or resolution process.</td>
</tr>
<tr>
<td>University Ombudsman</td>
<td>Be a confidential resource for community members.</td>
</tr>
<tr>
<td>Vice President for Student and Campus Life</td>
<td>Conduct reviews of Interim Measures under the Procedures for Resolution of Reports Against Students Under Cornell University Policy 6.4 and decide appeals in accordance with the procedures.</td>
</tr>
</tbody>
</table>
POLICY 6.4
Prohibited Bias, Discrimination, Harassment, and Sexual and Related Misconduct

PRINCIPLES

Overview

The university is committed to preventing, responding to, and remedying the effects of bias, discrimination, harassment, and sexual and related misconduct. The university is also committed to providing prompt, fair, and impartial processes for all parties when such prohibited conduct is alleged. In tandem with this policy, to comply with applicable laws, and as a crucial part of its effort to prevent prohibited conduct, the university provides educational, preventative, and training programs for the Cornell community.

Process Privacy in Applicable Procedures Under this Policy

To ensure the integrity of this policy and its applicable procedures (see Procedures in this document), and to encourage parties and witnesses to participate in matters under this policy, the university recognizes that participants should be protected from unreasonable disclosure of their involvement in processes under any of the applicable procedures, and of any information they reveal during their participation. However, the university also recognizes that there are legal mandates that govern disclosure and afford participants certain rights to disclose information related to matters under this policy.

Accordingly, the university seeks to balance these competing interests by encouraging parties not to reveal any information they learn in the course of their participation in processes set forth in the applicable procedures, other than for the purpose of consulting with advisors and attorneys, and incidental to seeking support and advice from family, clergy, health professionals, and others playing a similar role. Parties are also encouraged to request that any advisors, attorneys, and support persons they consult keep information related to matters under this policy private.

Parties may choose whether to disclose or discuss with others the outcome of a complaint under this policy.

The university prohibits students from distributing documents obtained in the course of their participation in matters under this policy’s Procedures for Resolution of Reports Against Students, including, but not limited to, the complaint, interview transcripts, and the investigative record and report, other than for the purpose of consulting with an advisor; incidental to seeking support and advice from family, clergy, health professionals, and others playing a similar role; or as part of a civil, criminal, or administrative legal proceeding.

As appropriate, in a given case, a university official, such as the Title IX Coordinator, may issue an order restricting the parties from disclosing specific information. Members of the Cornell community who fail to follow an order of a university official...
POLICY 6.4
Prohibited Bias, Discrimination, Harassment, and Sexual and Related Misconduct

PRINCIPLES, continued

may be found to have violated Cornell University’s Campus Code of Conduct. Additionally, sharing private information in a manner that harms another individual may constitute retaliation prohibited under this policy. (Retaliation is defined in the applicable procedures and may result in disciplinary action.)

The university will provide other participants, such as witnesses and hearing and appeal panel members, with instructions about respecting and safeguarding private information. Such persons are obliged to comply with the university’s rules regarding privacy.

The university will take reasonable measures to protect the privacy of proceedings and records; however, the university cannot and does not guarantee that privacy will be maintained. Privacy does not mean that the university is constrained from divulging facts of proceedings in appropriate circumstances. Additionally, the university may publicly divulge details of an outcome if one of the parties discloses selective portions of the proceedings, or if the matter is involved in litigation.

Retaliation and Bad Faith Complaints

Local, state, and federal laws prohibit any form of retaliation against a person based on that person’s participation in any matters under this policy or that person’s opposition to protected-status discrimination or harassment. This policy also prohibits retaliation, as defined in the applicable procedures.

At the same time, an individual who believes that they are aggrieved because a complaint under this policy is malicious, knowingly false, or fundamentally frivolous, may invoke the Campus Code of Conduct or any applicable grievance procedure under this policy. A party who brings such a bad faith complaint may be found to have violated this policy’s prohibition against retaliation.
POLICY 6.4

Prohibited Bias, Discrimination, Harassment, and Sexual and Related Misconduct

**PROCEDURES – ITHACA-BASED LOCATIONS AND CORNELL TECH**

**Introduction**

There are several distinct procedures and other mechanisms for reporting, investigating, and resolving matters under this policy, with each process designed to correspond best with different types of conduct and the university’s different constituencies. (See the tables below.) In any given case, the applicable process depends upon both the conduct alleged and the respondent’s relationship with the university (student, faculty member, staff member, or third party).

◆ **Note:** A person against whom a report or formal complaint of prohibited conduct has been made is designated as the “respondent.” A person who is the subject of such a report or initiates a formal complaint of prohibited conduct is designated as the “complainant.”

Choose the set of procedures below that corresponds to the conduct and respondent (a) for which you have a question or concern, would like to make a report, or initiate a formal complaint, or (b) against whom such a report or formal complaint has been made.

*Procedures under this Policy (Arranged by Respondent)*

<table>
<thead>
<tr>
<th>Respondent</th>
<th>Prohibited Conduct</th>
<th>Procedure</th>
<th>Primary Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student</td>
<td>Where the respondent is a student who is alleged to have committed dating violence, domestic violence, sexual assault, sexual exploitation, sexual and gender-based harassment, stalking, aiding prohibited conduct, attempting to commit prohibited conduct, retaliation, or violating an interim measure.</td>
<td>&quot;Procedures for Resolution of Reports Against Students Under Cornell University Policy 6.4,&quot; available at titleix.cornell.edu/procedure/</td>
<td>University Title IX Coordinator and Director of Institutional Equity 150 Day Hall Ithaca, NY 14853 (607) 255-2242 <a href="mailto:titleix@cornell.edu">titleix@cornell.edu</a> biasconcerns.cornell.edu (online report form)</td>
</tr>
</tbody>
</table>
POLICY 6.4
Prohibited Bias, Discrimination, Harassment, and Sexual and Related Misconduct

PROCEDURES – ITHACA-BASED LOCATIONS AND CORNELL TECH, continued

<table>
<thead>
<tr>
<th>Respondent</th>
<th>Prohibited Conduct</th>
<th>Procedure</th>
<th>Primary Contact</th>
</tr>
</thead>
</table>
| Faculty Member      | Where the respondent is a faculty member who is alleged to have committed protected-status harassment, including sexual harassment; dating violence, domestic violence, sexual assault, sexual exploitation, stalking, aiding prohibited conduct, attempting to commit prohibited conduct, retaliation, or violating an interim measure. | "Procedures for Resolution of Reports Against Employees Under Cornell University Policy 6.4," available at [https://cpb-us-e1.wpmucdn.com/blogs.cornell.edu/dist/6/7016/files/2019/05/Procedures-for-Resolution-of-Reports-Against-Employees-Under-Cornell-University-Policy-6.4-6.1.2019-1.pdf](https://cpb-us-e1.wpmucdn.com/blogs.cornell.edu/dist/6/7016/files/2019/05/Procedures-for-Resolution-of-Reports-Against-Employees-Under-Cornell-University-Policy-6.4-6.1.2019-1.pdf) | University Title IX Coordinator and Director of Institutional Equity
150 Day Hall
Ithaca, NY 14853
(607) 255-2242
titleix@cornell.edu |
| Staff Member        | Where the respondent is a staff member who is alleged to have committed dating violence, domestic violence, sexual assault, sexual exploitation, sexual and gender-based harassment, stalking, aiding prohibited conduct, attempting to commit prohibited conduct, retaliation, or violating an interim measure. | "Procedures for Resolution of Reports Against Employees Under Cornell University Policy 6.4," available at [https://cpb-us-e1.wpmucdn.com/blogs.cornell.edu/dist/6/7016/files/2019/05/Procedures-for-Resolution-of-Reports-Against-Employees-Under-Cornell-University-Policy-6.4-6.1.2019-1.pdf](https://cpb-us-e1.wpmucdn.com/blogs.cornell.edu/dist/6/7016/files/2019/05/Procedures-for-Resolution-of-Reports-Against-Employees-Under-Cornell-University-Policy-6.4-6.1.2019-1.pdf) | University Title IX Coordinator and Director of Institutional Equity
150 Day Hall
Ithaca, NY 14853
(607) 255-2242
titleix@cornell.edu |

Other Processes (Arranged by Type of Conduct)

<table>
<thead>
<tr>
<th>Conduct</th>
<th>Procedure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acts by Third Parties</td>
<td>This policy does not cover misconduct committed by third parties – persons who are not current students, faculty, or staff members. Where the respondent is a third party alleged to have committed conduct prohibited under this policy, contact the Cornell University Police Department (CUPD) at (607) 255-1111 (or 911 for emergency assistance), the Office of Institutional Equity and Title IX (<a href="mailto:equalopportunity@cornell.edu">equalopportunity@cornell.edu</a>).</td>
</tr>
<tr>
<td>Acts Covered by the Campus Code of Conduct</td>
<td>The Campus Code of Conduct may govern misconduct by students, faculty members, or staff members that is not covered by this policy. Direct concerns regarding behavior covered by the Campus Code to the Office of the Judicial Administrator (JA) or the CUPD (607) 255-1111 (or 911 for emergency assistance).</td>
</tr>
</tbody>
</table>
POLICY 6.4
Prohibited Bias, Discrimination, Harassment, and Sexual and Related Misconduct

PROCEDURES – ITHACA-BASED LOCATIONS AND CORNELL TECH, continued

<table>
<thead>
<tr>
<th>Conduct</th>
<th>Procedure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bias</td>
<td>All community members may direct questions, concerns, or reports of bias, including acts of bigotry, harassment, or intimidation to the Department of Inclusion and Workforce Diversity (DIWD) at (607) 255-3976, TTY: (607) 255-7066, or <a href="mailto:owdi@cornell.edu">owdi@cornell.edu</a>. Individuals may file reports by using the online reporting form located at biasconcerns.cornell.edu or by emailing <a href="mailto:report_bias@cornell.edu">report_bias@cornell.edu</a>.</td>
</tr>
<tr>
<td>Discrimination in Intercollegiate Athletics Participation</td>
<td>Community members who have questions or concerns about, or wish to make reports of discrimination in participation in intercollegiate athletics under Title IX may submit inquiries or reports to the associate director of athletics/senior woman administrator at <a href="mailto:athletics@cornell.edu">athletics@cornell.edu</a> or <a href="mailto:TitleIX@cornell.edu">TitleIX@cornell.edu</a>.</td>
</tr>
<tr>
<td>Faculty Reappointment, Promotion, and Tenure</td>
<td>Complaints by faculty of unlawful discrimination in reappointment, promotion, and tenure are governed by appeal procedures set forth in the Faculty Handbook.</td>
</tr>
<tr>
<td>Filing a Complaint Externally</td>
<td>At any time, the complainant is free to file a charge externally, that is, by instituting formal proceedings before a local, state, or federal agency, or by filing a lawsuit.</td>
</tr>
</tbody>
</table>
| General Inquiries to External Agencies       | Questions or concerns about the university’s application of Title VII, Title IX, the New York State Human Rights Law, and the Tompkins County Human Rights Law may be addressed to the following:  
  - The United States Department of Education, Office for Civil Rights: OCR@ed.gov or (800) 421-3481  
  - The Equal Employment Opportunity Commission: info@eeoc.gov or (800) 669-4000  
  - New York State Division of Human Rights: InfoBinghamton@dhr.ny.gov or (888) 392-3644  
  - Tompkins County Office of Human Rights: (607) 277-4080 |
| Workplace Conduct                           | Questions, concerns, or reports regarding inappropriate workplace conduct that are not covered by this policy are considered general employee relations concerns and should be directed to one’s supervisor, local human resources representative, or the central Division of Human Resources. |
POLICY 6.4
Prohibited Bias, Discrimination, Harassment, and Sexual and Related Misconduct

REPORTING OPTIONS, SEEKING ADVICE, AND RESOURCES

Campus Reporting Options

The university encourages all members of the Cornell community who believe that they have experienced misconduct under this policy or become aware of alleged misconduct to report the incident immediately to the university through the appropriate reporting option listed in the tables in Procedures in this document.

Faculty and Staff Duty to Consult on Potential Sexual and Related Misconduct Involving Students

Cornell faculty and staff members, with the exception of important Confidential Resources for Support, discussed below, are required to consult with the Title IX Coordinator or a Deputy Title IX Coordinator when they become aware of an alleged incident of sexual and related misconduct under this policy, such as dating violence, domestic violence, and stalking, that involves a student as either the complainant or respondent. Thus, in cases of alleged sexual and related misconduct involving students, faculty and staff members may not make anonymous reports. Faculty and staff members should be prepared to share the name, date, time, location, and description of the incident (if known) with the Title IX Coordinator. Other than sharing such information with the Title IX Coordinator, faculty and staff members will maintain an individual’s privacy to the greatest extent possible.

When the Title IX Coordinator or a Deputy Title IX Coordinator receives a report of prohibited sexual or related misconduct, they will contact the complainant, if known, or another individual reporting the prohibited conduct to offer support services, including assistance with academic, housing, transportation, employment, and other reasonable and available accommodations. The individual will also be advised of the option to pursue a formal complaint, if such an option is available.

Supervisor Duty to Respond to Sexual and Related Misconduct in the Workplace

All Cornell supervisors and managers understand that sexual harassment is considered a form of employee misconduct. Cornell will enforce sanctions against individuals engaging in sexual harassment and against supervisory and managerial personnel who knowingly allow such behavior to continue. Accordingly, supervisory and managerial personnel must take all reasonable actions to report and respond immediately to any reports or observations of sexual harassment that may impact an
POLICY 6.4
Prohibited Bias, Discrimination, Harassment, and Sexual and Related Misconduct

Reporting Options, Seeking Advice, and Resources, continued

Reporting to Law Enforcement
All individuals are urged to report immediately to law enforcement any conduct that may constitute a crime. An individual who believes they have experienced sexual or related misconduct prohibited under this policy may choose to report to the university and/or to law enforcement. An individual may pursue either, both, or neither of these options. Reports to the university and law enforcement may be made simultaneously. To make a report to law enforcement, contact one of the following:

- 911 (for emergencies)
- Cornell University Police Department: (607) 255-1111
- Ithaca Police Department: (607) 272-9933
- New York State Police dedicated 24-hour hotline to report a sexual assault, dating violence, domestic violence, and stalking on campus: (844) 845-7269

Anonymous Reporting
With the exception of faculty and staff members who have a duty to consult, as discussed above, any individual who believes that they have experienced misconduct or becomes aware of alleged misconduct may make an anonymous report by using the online reporting form located at biasconcerns.cornell.edu.

Confidential Resources for Support
The university offers a number of confidential resources for individuals who are unsure whether to report misconduct or who seek counseling or other emotional support in addition to, or without, making a report to the university. For confidential support, one can seek assistance from the following:

- Cornell Health (medical and mental health providers, students only): (607) 255-5155
- The Faculty and Staff Assistance Program (FSAP) (mental health providers, faculty and staff only): (607) 255-2673
- Cornell United Religious Work Chaplains (CURW) (pastoral counseling): (607) 255-6002
- The Ithaca Advocacy Center’s 24/7 hotline: (607) 277-5000
- The Cornell Victim Advocate: (607) 255-1212, victimadvocate@cornell.edu
POLICY 6.4

Prohibited Bias, Discrimination, Harassment, and Sexual and Related Misconduct

REPORTING OPTIONS, SEEKING ADVICE, AND RESOURCES, continued

- The Director of the Women’s Resource Center (WRC): (607) 255-0015, wrc@cornell.edu
- The Director of the LGBT Resource Center: (607) 254-4987, lgbtrc@cornell.edu
- The University Ombudsman: (607) 255-4321

Conversations with the university’s “confidential resources” are kept strictly confidential and, except in rare circumstances, will not be shared without explicit permission, as explained below:

- Cornell Health, FSAP, and CURW will not share with the university’s Title IX Coordinator or any other university officials any information disclosed to them in the course of providing medical and/or mental health services or pastoral counseling. These conversations may also be legally privileged in the event of a court proceeding.
- The victim advocate, directors of the WRC and LGBT Resource Center, and the ombudsman will not convey any personally identifiable information to the university Title IX Coordinator or any other university officials; however, they may share with the university Title IX Coordinator de-identified statistical or other information regarding prohibited conduct under this policy.
- The Advocacy Center is independent of Cornell and has no duty to consult with the university.

For confidential support resources other than those listed above, call the New York State Domestic and Sexual Violence hotline at (800) 942-6906.

Cornell’s Sexual Harassment and Assault Response and Education (SHARE) website (share.cornell.edu) provides information to the Cornell community about sexual and related misconduct, and offers information about the SHARE partners who provide services, support, reporting options, education, and advocacy.

Even those university officials who cannot guarantee confidentiality will maintain a person’s privacy to the greatest extent possible. When the information pertains to sexual or related misconduct, the information provided to a non-confidential resource will be relayed to the Title IX Coordinator or Deputy Title IX Coordinator only as necessary for the Title IX Coordinator to investigate and seek resolution.
POLICY 6.4
Prohibited Bias, Discrimination, Harassment, and Sexual and Related Misconduct

SPECIAL PROVISIONS FOR STUDENTS

Amnesty for Alcohol and Drug Use

◆ Note: The Amnesty for Alcohol or Drug Use is set forth in New York State Educational Law Article 129-B.

The health and safety of every student at the university is of utmost importance. The university recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that prohibited conduct under these procedures occurs may be hesitant to report incidents due to fear of potential consequences for their own conduct. The university strongly encourages students to report such prohibited conduct. A student bystander or complainant acting in good faith who discloses any incident of prohibited conduct under these procedures to a Cornell official or to law enforcement shall not be subject to action under the university’s Campus Code of Conduct for violation of alcohol and/or drug use occurring at or near the time of the commission of the prohibited conduct. While no disciplinary action will be taken, Cornell reserves the right to take steps necessary to address health and safety concerns for the individual and the community, as well as the right to report truthfully to licensing bodies.

New York State Student Bill of Rights

◆ Note: The Student Bill of Rights is set forth in New York State Educational Law Article 129-B.

All students have the right to:

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, sexual assault, sexual exploitation, and stalking treated seriously;
3. Make a decision about whether or not to disclose a crime or prohibited conduct and participate in the university process and/or criminal justice process free from pressure by Cornell University;
4. Participate in a process that is fair and impartial and that provides adequate notice and a meaningful opportunity to be heard;
5. Be treated with dignity and to receive from the university courteous, fair, and respectful health care and counseling services, where available;
6. Be free from any suggestion that the reporting individual is at fault when these crimes and prohibited conduct are committed, or should have acted in a different manner to avoid such crimes or prohibited conduct;
7. Describe the incident to as few university representatives as practicable and not be required to repeat unnecessarily a description of the incident;
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SPECIAL PROVISIONS FOR STUDENTS, continued

8. Be protected from retaliation by the university, any student, the respondent, and/or their friends, family and acquaintances within the jurisdiction of Cornell University;

9. Access to at least one level of appeal of a determination;

10. Be accompanied by an advisor of their choice who may assist and advise a complainant or respondent throughout the university process including during all meetings and hearings related to such process; and

11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or Cornell University process.
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