



# CORNELL TECH



## **2020 Annual Security Report**

2 West Loop Road  
New York, NY 10044

Published October 2020  
Jeanne Clery Disclosure of Campus Security Policy  
and Campus Crime Statistics Act

## Contents

Introduction	3
Safety and Security at Cornell Tech	3
Preparation of the Annual Security Report	4
Annual Fire Safety Report	5
Reporting Crime and Requesting Assistance	5
Missing Students	7
Access Control and Building Security	7
Emergency Notifications	8
Campus Safety and Crime Prevention Outreach Programs	9
Alcohol and Drug Use	10
Weapons Prohibition on Campus	11
Sexual Violence	11
• Sexual Assault, Domestic Violence, Intimate Partner Violence, and Stalking	11
• Seeking Medical Help	14
• Reporting the Incident	14
• Adjudication of a Complaint under Policy 6.4	15
• Procedure for Formal Complaint Against Students	17
• Procedure for Formal Complaint Against Employees	18
• Privacy and Confidentiality	19
• Resources for Victims	20
• Prevention and Awareness Education	21
• Sexual Offender Notice	23
Reporting Hate Crimes and Bias Incidents	23
Campus Code and Grievance Procedures	24
• Office of the Judicial Administrator	24
• Sanctions & Remedies Under Campus Code of Conduct	25
• Grievance Procedures	26
Related University Policies	26
Crime Statistics	29

## Cornell Tech Introduction

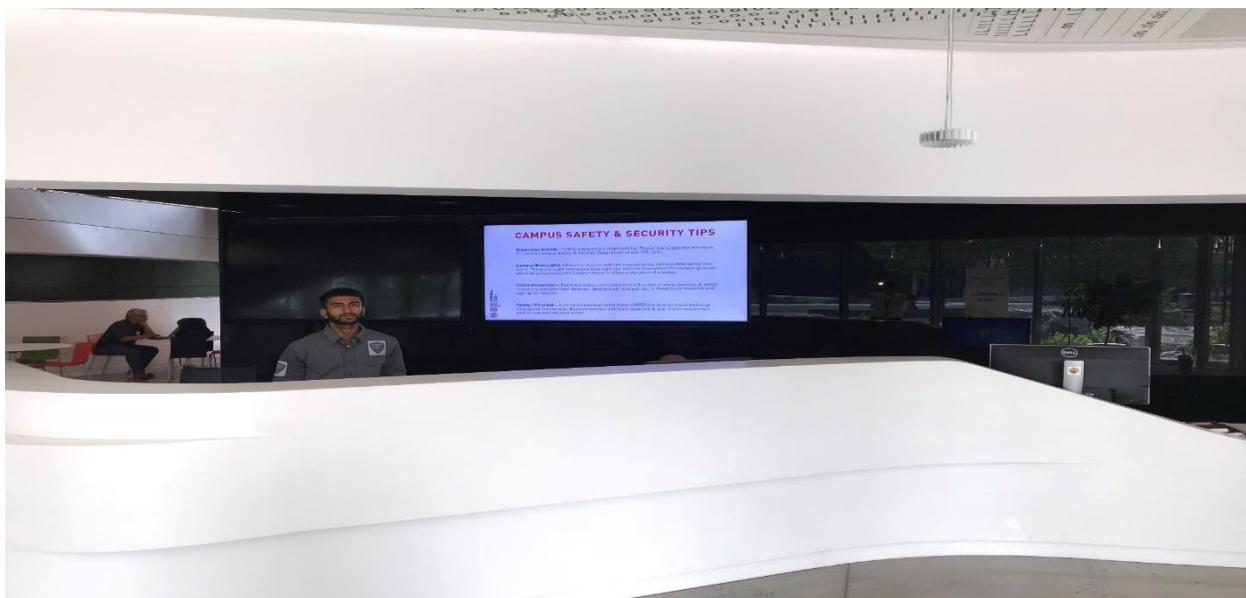
Cornell Tech produces pioneering leaders and technologies for the digital age. Cornell Tech brings together like-minded faculty, business leaders, tech entrepreneurs, and students in a catalytic environment to produce visionary ideas grounded in significant needs that will reinvent the way we live. It is also home to the Joan & Irwin Jacobs Technion-Cornell Institute, which embodies the academic partnership between the Technion-Israel Institute of Technology and Cornell University on the New York City campus.

Its temporary campus was operational at Google's Chelsea building since 2012, with growing world-class faculty, its Master's and Ph.D. students collaborated extensively with tech-oriented companies and organizations in pursuit of their own start-ups. From 2012 through August 2017, the Tech Campus was physically located on the 3<sup>rd</sup>, 8<sup>th</sup>, 12<sup>th</sup>, and 15<sup>th</sup> floors of the 111 Eighth Avenue building, outfitted with instructional spaces, a studio, meeting rooms, phone rooms, micro kitchens, reception, and open working areas.

Construction began in 2013 on Cornell Tech's permanent, sustainable 12-acre campus located on Roosevelt Island. The new campus officially opened in August 2017 when it welcomed students for the Fall 2017 academic semester. When fully completed, the campus will include 2 million square feet of state-of-the-art buildings, over 2 acres of open space, and will be home to more than 2,000 graduate students and nearly 280 faculty and staff.

Cornell Tech's Roosevelt Island campus is fully operational and currently located at 2 West Loop Road NY, NY 10044.

## Safety and Security at Cornell Tech



The safety of our students, faculty, staff, and visitors is of the utmost importance to us. The campus Safety & Security Department is staffed by Allied Universal Security under the purview of Cornell Tech's Assistant Director of Safety & Security who reports to Cornell Tech's Senior Director of Facilities Operations. All of whom work closely together to ensure the safety of the campus community. Cornell Tech security officers are duly licensed by the New York State Department of State, however they do not possess powers of arrest. Incidents of a criminal nature are immediately reported to and investigated by the New York Police Department (NYPD).

The Cornell Tech Safety & Security Department provides 24-hour security services. The dispatch office is staffed 24 hours per day, is located in the lobby of the Bloomberg Center, and can be reached at 646-971-3611. Additionally, roving security officers regularly patrol the interior and perimeter of the campus and all safety and security systems are inspected routinely on every shift. The Cornell Tech Campus is under the jurisdiction of both the Roosevelt Island Public Safety Department and the 114<sup>th</sup> Precinct of the New York City Police Department.

### **Preparation of the Annual Security Report**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act requires Colleges and Universities to:

- Publish an annual report every year by October 1 containing three years of campus crime statistics and certain campus security policy statements that are disseminated to the campus community and submitted to the U.S. Department of Education
- Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms
- Provide emergency notifications to the campus community when a significant threat or dangerous situation involving an immediate threat to the health and safety occurs
- Provide "timely warning" notices of those crimes that have occurred and pose an ongoing "threat to students and employees"

Compilation of information for the annual security report as well as criminal statistics data as required by the Act, was accomplished through the cooperative efforts of the New York City Police Department, the Roosevelt Island Public Safety Department, Cornell Tech Safety & Security officials and identified Campus Security Authorities. The Annual Security Report informs the Cornell Tech community about important safety procedures, policies concerning things such as sexual assault and violence, crime prevention programs, and campus crime statistics. The statistical crime information for this report was provided directly by the New York Police Department's 114<sup>th</sup> Precinct and identified Campus Security Authorities. Each member of the Cornell Tech Campus receives an annual email describing the report and providing the web address to obtain a copy: <https://security.tech.cornell.edu/>

Physical copies of the annual security report can be obtained at the Security Dispatch Office, located in the lobby of the Bloomberg Center and will be provided to anyone upon request. For more information, contact the Assistant Director of Safety & Security at (646) 971-3611. Prospective employees and students are afforded the same information at the time they obtain

an application for employment or admission. Any person may have access to the report and it is posted at: <https://security.tech.cornell.edu/>

Additionally, Cornell Tech maintains a daily crime log of any crimes reported to the campus Safety & Security Department that occur on campus or within its Clery Act mandated geographic area. A copy of this log is available to the public 24 hours a day at the Bloomberg Center security desk.

### **Annual Fire Safety Report**

The Annual Fire Safety Report includes fire statistics for each on-campus student housing facility, including fire protection system information and fire/evacuation drills conducted. The report also includes institutional policies, rules, and guidance documents concerning fire safety, such as procedures for student housing evacuation. You may obtain a copy of this report by contacting the Assistant Director of Safety & Security at 646-971-3611, by emailing [security@tech.cornell.edu](mailto:security@tech.cornell.edu) or by linking to [www.security.tech.cornell.edu](http://www.security.tech.cornell.edu).

### **Reporting Crime and Requesting Assistance**

Cornell Tech encourages all students, faculty, staff and other members of the Cornell Tech community, whether victim or witness, to promptly report any past crime, attempted crime, suspicious activity, or actual criminal activity for possible timely warning and annual statistical disclosure. If any such crime or activity occurs on campus or on the contiguous geographic perimeter of the campus, report it immediately to any member of the campus Safety & Security Department at 646-971-3611. If a telephone is not readily available, a request for assistance can be made utilizing one of the emergency blue lights located throughout the campus. A security team member will expeditiously respond to the condition reported, conduct a preliminary investigation, and make any necessary notifications to the local police precinct and to campus Safety & Security management. Additionally, non-emergency reports may be made confidentially at: [https://cm.maxient.com/reportingform.php?CornellUniv&layout\\_id=60](https://cm.maxient.com/reportingform.php?CornellUniv&layout_id=60)



Incidents of crime and other serious emergencies occurring on campus or on surrounding geographic areas which require **immediate assistance** should be reported directly to the NYPD by dialing 911. Reports to 911 may be made on a confidential basis. A 911 operator will ask the caller some routine questions such as name, address, call-back number, and the nature of the incident being reported. Callers should not hang up until the operator confirms that he or she has all the essential information. Information provided by the caller may be crucial to the safety of everyone involved. If callers believe they are in a hazardous situation and cannot remain on the call for a long period of time, they should inform the operator of this at the beginning of the call. The operator can then request the minimum amount of information needed to get help on the way, and can direct the caller to a safe place. At a minimum, the operator will need to know the caller's location and what happened, so the appropriate help can be sent quickly. As difficult as it can be in an emergency, callers should try to remain calm. It can be difficult to understand what a caller is saying for a variety of reasons, including language barriers and bad telephone connections.

Crimes in progress, as well as other emergencies, should be reported by following the below procedures:

**1. Call 911**

- Act quickly but calmly.
- Get to a safe place if possible
- Be prepared to describe:

**Nature of Incident**

- Fire: type and size of fire
- Medical: type of illness or injury and specific cause, if you know it
- Police: the crime or danger and descriptions of suspects, vehicles if any are involved, and the direction of their travel
- Chemical: chemicals involved, quantity, hazards, and injuries

**AND**

**Location of Incident**

- Building name
- Room or apartment number
- Street address
- Landmarks near location if outdoors
- Stay on the line. Answer all questions. Let the dispatcher hang up first. If disconnected, call back immediately.

**If reporting a non-emergency:**

- Do NOT call 911
- Contact Cornell Tech Safety and Security Department at 646-971-3611

Additionally, members of the Cornell Tech community should report criminal offenses or other security concerns to the Assistant Director of Safety & Security or the Senior Director of Facilities Operations for the purposes of disclosure in the Annual Security Report (see page 4) and for possible issuance of a timely warning (see page 9). Such information assists Cornell Tech with federally mandated reporting and notification requirements that help ensure the safety of the campus community.

### **Missing Students Who Reside in On-Campus Housing**

If a member of the Cornell Tech community has reason to believe that a student who resides in on-campus housing is missing, he or she should **immediately** notify the campus Safety & Security Department at (646) 971-3611. The campus Safety & Security Department will generate a missing person report and conduct a preliminary investigation.

After investigating the missing person report, should the campus Safety & Security Department determine that the student is missing, they will notify the New York City Police Department (NYPD) and the student's missing person contact within 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, they will also notify the student's parent or legal guardian within 24 hours after they have determined that the student has been missing.

In addition to registering a missing person contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by campus Safety & Security in the event the student is determined to be missing. If a student has identified such an individual, campus Safety & Security will notify that individual within 24 hours after the student is determined to be missing. Confidential contact information will be accessible only to campus officials and law enforcement, and will not be disclosed outside of a missing person investigation.

### **Access Control and Building Security**

Cornell Tech takes the responsibility for faculty, staff, and student safety, as well as the security of university physical space and the assets contained therein very seriously. An essential element of security is maintaining adequate control to ensure that university assets are accessed only by those authorized to do so. This necessitates the tracking of university key systems and access control devices, as well as the locations they access and the individuals to whom they are issued, as well as the use of alarm monitoring and video surveillance for security purposes. Responsibility for the management of proper access control rests with the Assistant Director of Safety & Security and Senior Director of Facilities Operations, who will, as necessary, delegate this responsibility to a specific entity within a unit. Issuance of access devices are systematic, need-based, and in accordance with University Policy 8.4 (Management of Keys and other Access Control Devices). The Director must determine the need for access device issuance, based upon job functions, research needs, and class requirements. Issuance of access devices are kept limited by design, as to not compromise the integrity of the facility, with consideration given to hours of work, work space, alternatives, frequency, urgency, and sensitivity. Individuals are prohibited from unauthorized possession or duplication of access devices to campus facilities; from disabling or

circumventing access devices; and from making changes to access without following the procedures set forth in Policy 8.4.

Access to the various facilities are controlled by security personnel located in the building lobbies or central dispatch office, under the jurisdiction of the campus Safety & Security Department. The campus Safety & Security Department receives safety information relevant to the campus from the NYPD and from the Roosevelt Island Public Safety Department. Cornell Tech maintains a closed building security system. Individuals with Cornell identification are permitted access, while unregistered visitors and guests must be announced. Additionally, access for deliveries, vendors, and contractors is coordinated through the Safety & Security Department.

### **On-Campus Residential Building**

The House at Cornell Tech provides a 24 hour building concierge which monitors access and screens visitors via the main lobby entrance. All other exterior entrances are locked at all times. Temporary exceptions are only permitted to accommodate authorized events, such as furniture deliveries. All exceptions must be approved by the resident manager or his/her designee. Purposely violating the security policies by propping open any secured or locked doors or modifying a latch may result in disciplinary action.

Use good judgment with respect to building access, don't put yourself or others at risk by offering strangers access to locked buildings. Roofs, ledges, and overhangs are off limits. Please do not attempt to climb the exteriors of buildings.

### **Emergency Notifications**

The Safety & Security Department provides emergency notifications to the campus community in the form of Timely Warnings and Emergency Mass Notifications via email, text messaging, and voice when a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees, including significant criminal incidents, occurs on campus or in an area surrounding campus that represents a continuing public safety threat. Decisions to disseminate a communication will be decided on a case-by-case basis, in light of all the facts surrounding the crime, and/or continuing danger and serious threat to the campus community.

Every Cornell Tech community member should be enrolled to receive emergency messages and designate emergency contacts. To do so:

- Students: go to <http://studentessentials.cornell.edu>. Under the Personal section of Student Essentials, select Emergency Mass Notification and enter your information.
- Employees: go to <http://workday.cornell.edu> and after logging into Workday from the home page, click on the icon "Important Links: Employees". Select Emergency Mass Notification and enter your information.

Additionally, campus community members may visit <https://security.tech.cornell.edu/> to enroll their cell phones to receive voice calls & text messaging via the TechAlert notification system.

## **Timely Warnings**

The purpose of timely warnings is to aid in the prevention of similar crimes by alerting the community about the incident and providing information on actions people can take to diminish their chances of being victimized.

In the event that a situation arises, either on or adjacent to the Cornell Tech campus, that, in the judgment of the Assistant Director of Safety & Security (or his/her designee), the Senior Director of Facilities Operations (or his/her designee), in consultation with the NYPD as appropriate, constitutes a serious or continuing threat to students and employees or the greater institution community, a campus-wide “timely warning” will be issued.

These timely warnings contain a brief description of the incident; the date, time, and location of the incident; and precautions to take; however, they will not provide details as found in a press release or news article. The amount and type of information presented in the warning will also vary depending on the circumstances of the crime. Warnings will be issued, unless issuing a warning will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Significant criminal incidents that might elicit a timely warning include, but are not limited to crimes of violence, Clery Act reportable crimes, or patterns of property crimes.

Anyone with information about criminal incidents that might warrant a timely warning should report the circumstances to the campus Safety & Security dispatch office at (646) 971-3611 and, in the case of an emergency, to the NYPD by calling 911.

## **Emergency Mass Notifications**

In the event that a situation arises, either on or adjacent to the Cornell Tech Campus, that, in the judgment of the Assistant Director of Safety & Security (or his/her designee), the Senior Director of Facilities Operations (or his/her designee) in consultation with the NYPD as appropriate, constitutes a significant emergency or dangerous situation involving an immediate threat to the health or safety of the campus community, an Emergency Mass Notification, or EMN, is written and distributed, **without delay**, to the entire Cornell Tech community via voice, email and text messaging . An emergency mass notification would not be distributed only if it could compromise efforts to contain the emergency.

Comprehensive tests are conducted annually for the voice, email, and text messaging systems, and an analysis is completed immediately after the test. Any deficiencies are identified and immediately remedied. Additional testing may be conducted subsequent to any repairs. The campus community is notified in advance of the tests.

## **Campus Safety and Crime Prevention Outreach Programs**

The Safety & Security Department regularly conducts scheduled building fire drills and evacuation drills, in accordance with NYC regulations, for the entire campus.

Cornell Tech Safety & Security offers these crime-prevention and public-safety outreach programs and services at no cost to any Cornell group or organization:

- **Personal Security** is directed at preventing crimes of violence. It includes personal safety tips and a demonstration of personal alarm systems.
- **Sexual Assault Awareness** discusses the law regarding sexual assaults; what is consent; how to change social norms; bystander intervention; the many options a victim/survivor has; and what resources are available on and off campus.
- **Fire Safety** discusses fire prevention and emergency procedures to follow in the event of a fire.
- **Violence in the Workplace** discusses types of violence, how to identify potentially violent behavior, how to prevent a violent situation, and how to react to one.
- **Identity Theft** discusses what identity theft is, how to avoid it, what to do if you become an identity-theft victim, and whom you need to report it to.
- **Active Shooter Awareness** teaches strategies for dealing with an active shooter on campus, before and after police arrive on the scene.

Contact the Assistant Director of Safety & Security at 646-971-3611, or the Senior Director of Facilities Operations at (646) 971-3660, or send an email to [security@tech.cornell.edu](mailto:security@tech.cornell.edu) to inquire about any of these programs, services, video resources and training materials.

### **Alcohol and Drugs**

Cornell University will assist members of the university community in understanding the risks associated with consuming alcohol and the need to prevent the harm that results from its misuse and abuse. The university's policy on Alcohol and Other Drugs includes general guidelines regarding alcohol and other drugs, procedures for holding events at which alcohol is served, information about harm, including health risks, that can result from drinking or drug use, a description of the applicable legal sanctions under state law for the unlawful possession or distribution of drugs and alcohol, and a list of campus resources, including counseling.

Cornell Health offers a wide variety of prevention, education, and referrals for treatment and support that are sensitive to the challenges university students face regarding alcohol and other drug use. Cornell Health provides services for students who want to learn more about their own use of alcohol and other drugs, reduce or eliminate use, or are worried about a friend or family member's use or dependency. To learn more, visit [health.cornell.edu](http://health.cornell.edu) [search "AOD problem"].

Any member of the Cornell community who is planning a university event with alcohol needs to be familiar with the requirements of the policy, available at [https://www.dfa.cornell.edu/sites/default/files/policy/vol4\\_8.pdf](https://www.dfa.cornell.edu/sites/default/files/policy/vol4_8.pdf). The unlawful manufacture, distribution, dispensation, possession, use, and/or sale of controlled substances or other illegal drugs is prohibited.

The university is committed to upholding local, state, and federal law; requiring proper

management of events where alcoholic beverages will be served; minimizing the misuse of alcoholic beverages; maintaining a drug-free workplace; and providing education about the risks associated with the use and abuse of alcohol and other drugs. In addition, the Cornell Campus Code of Conduct sets forth disciplinary procedures and sanctions for violations of the policy on Alcohol and Other Drugs. Possible sanctions range from an oral warning to dismissal. The code is available at <https://www.dfa.cornell.edu/policy/policies/campus-code-conduct>

### **Weapons Prohibition on Campus**

A campus is no place for a weapon. It is a crime in New York State to possess a rifle, a shotgun, a BB gun, an air gun, a spring gun, or other firearm in or on the buildings or grounds of any school, college, or university, even if you have a valid New York State firearm permit. On-duty members of law enforcement with official government credentials are exempted from this prohibition.

This prohibition includes possessing a firearm while dropping off or picking up someone on the campus or while just driving through the campus. It is also a crime to possess nunchakus, daggers, switchblades, locking butterfly knives, stun guns, and any other instruments deemed unlawful by section 265.01 of the New York State Penal Law.

Similarly, it is a violation of Cornell's Campus Code of Conduct to possess, carry, or use firearms—including ammunition or explosives—or other dangerous weapons, instruments, or substances in or on university premises.

### **Sexual Violence**

#### **Sexual Assault, Dating and Domestic Violence, and Stalking**

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, Cornell will not tolerate sexual and related misconduct. Through Cornell University Policy 6.4 (Interim), and the applicable procedures for students and employees, the university provides means to address bias, discrimination, harassment, and sexual and related misconduct, including sexual and sex/gender-based harassment, sexual assault, dating and domestic violence, stalking, and sexual exploitation. If you have experienced misconduct not covered by Policy 6.4 (Interim), you may pursue a complaint under the Campus Code of Conduct. See page 23 for more information on the Campus Code of Conduct.

In an ongoing effort to prevent sexual and related misconduct, the university provides education and prevention programs for the Cornell community, pursues all complaints of sexual and related misconduct, dispenses disciplinary action where appropriate, and provides complainants with information on pursuing criminal or other legal action. The university's compliance efforts are led by a team of Title IX professionals, who address all Title IX reports, including formal complaints of prohibited conduct, and take steps to identify and address any patterns or systemic problems that arise during the review of such reports. The contact information for the University Title IX Coordinator is available at [titleix.cornell.edu](http://titleix.cornell.edu). To view the entire policy on Prohibited Bias, Discrimination, Harassment, and Sexual and Related Misconduct, see Policy 6.4 (Interim) at [titleix.cornell.edu](http://titleix.cornell.edu).

## **Prohibited Student Conduct Under Policy 6.4**

Where the accused is a student, the applicable procedures and specific prohibited student conduct are set out in detail in the “Procedures for Resolution of Reports Against Students Under Cornell University Policy 6.4,” available at [titleix.cornell.edu](http://titleix.cornell.edu). Cornell prohibits students from engaging in: Dating and Domestic Violence, Sexual Assault, Sexual Exploitation, Sexual and Sex/Gender-Based Harassment, Stalking, Aiding Prohibited Conduct, Attempting Prohibited Conduct, Retaliation, and Violating a Supportive Measure and/or Temporary Suspension.

**Sexual assault** is (1) sexual intercourse or (2) sexual contact (3) without affirmative consent.

1. Sexual intercourse means any penetration, however slight, with any object or body part, as follows: (a) penetration of the vulva by a penis, object, tongue, or finger; (b) anal penetration by a penis, object, tongue, or finger; and (c) any contact, no matter how slight, between the mouth of one person and the genitalia of another person.
2. Sexual contact means intentional sexual touching, however slight, with any object or body part, whether directly or through clothing, as follows: (a) intentional touching of the lips, breasts, buttocks, groin, genitals, inner thigh, or anus or intentionally touching another with any of these body parts; (b) making another touch anyone or themselves with or on any of these body parts; and (c) intentional touching of another’s body part for the purpose of sexual gratification, arousal, humiliation, or degradation.
3. Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant’s sex, sexual orientation, gender identity, or gender expression.

Sexual assault also can be nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Dating and Domestic Violence** is any intentional act or threatened act of violence against the complainant committed by (1) a person who is or has been in a social relationship of a romantic or intimate nature with the complainant; (2) a current or former spouse or intimate partner; (3) a person with whom the complainant shares a child; or (4) anyone who is protected from the respondent’s acts under the domestic or family violence laws of New York. Dating and domestic violence also includes behavior that seeks to establish power and control over the complainant by causing the complainant to fear violence to themselves or another person. Dating and domestic violence may take the form of harassment, property damage, intimidation, and violence or a threat of violence to one’s self (i.e., the respondent) or a third party. It may involve one act or an ongoing pattern of behavior.

**Stalking** is engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for their safety or the safety of others or (b) suffer substantial emotional distress.

## **Prohibited Employee Conduct Under Policy 6.4**

Where the accused is an employee (staff or faculty member), the applicable procedures and specific prohibited conduct are set out in detail in the “Procedures for Resolution of Reports Against Employees Under Cornell University Policy 6.4 (Title IX Prohibited Conduct)” and the “Procedures for Resolution of Reports Against Employees Under Cornell University Policy 6.4 (Non-Title IX Prohibited Conduct),” available at [titleix.cornell.edu](http://titleix.cornell.edu), which prohibit employees from engaging in: Prohibited Discrimination, Protected-Status Harassment (including Sexual Harassment and Sex/Gender-based Harassment), Sexual Violence and Misconduct, and Retaliation.

Sexual Violence is a broad term that refers to physical acts perpetrated without affirmative consent or when a person is incapable of giving affirmative consent (see definition above). This includes rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Sexual Misconduct is a broad term in Policy 6.4 (Interim) for unwelcome behavior of a sexual nature and is used in the procedures addressing non-Title IX prohibited conduct to include dating and domestic violence, sexual assault, stalking, and sexual exploitation.

## **New York State Law**

“Sexual offenses,” “family offenses,” and “stalking” are crimes in New York State.

New York State (“NYS”) does not specifically define sexual assault. However, sexual offenses (including rape and sexual abuse) are criminal offenses under New York State law. Under NY penal code, lack of consent to a sex act results from (a) forcible compulsion, (b) incapacity to consent, (c) no express or implied acquiescence, where the offense charged is sexual abuse or forcible touching, or (d) clear expression of non-consent, where the offense charged is rape. NYS state law states that a person is incapable of consent when he or she is (a) under the age of 17, (b) mentally disabled, (c) mentally incapacitated, (d) physically helpless, or (e) committed to the care of the state.

NYS does not specifically define domestic violence or dating violence. However, in NYS, “family offenses” are certain violations of the penal code, including but not limited to harassment, sexual abuse, stalking, and menacing, committed by a family member or intimate partner that have created a substantial risk of physical or emotional harm to a person or a person’s child.

Under NYS penal code, stalking is an intentional course of conduct, directed at a specific person, that causes fear for their health, safety or property, or the health, safety or property of their family or acquaintances; harm to the mental or emotional health of that person; or fear that their employment, business or career is threatened.

For more information, contact Cornell Police on the Ithaca campus at (607.255.1111) or Cornell Tech Safety & Security on the New York City campus at (646.971.3611). To review the NYS penal code go to [public.leginfo.state.ny.us](http://public.leginfo.state.ny.us).

### **Seeking Medical Help and Preserving Evidence**

If you are the victim of an act of sexual assault, dating and domestic violence, or stalking, you are encouraged to seek health care services such as those offered by local hospitals and Cornell Health on the Ithaca campus. You will benefit from being examined for physical injury and/or disease. You may also choose to discuss the risk of pregnancy.

If you require medical care after an assault has occurred and you are on the Ithaca campus, Cornell Health staff or the Cornell Police will arrange to transport you to Cornell Health (when open) or Cayuga Medical Center. Cornell Health staff members are available 24 hours a day to provide information to survivors of sexual assault at Cornell. The staff is bound by standards of confidentiality.

If you require medical care after an assault has occurred and you are on the Cornell Tech New York City campus, the Cornell Tech Safety & Security Department will arrange to have you transported to the nearest city hospital via NYC emergency medical services.

If you are considering a criminal action, seek medical care at a hospital as soon as possible. Do not bathe, shower, douche, or change your clothes before you go. If you do, you may inadvertently remove important evidence. The kind of evidence that supports a legal case against an assailant and may be helpful in obtaining an order of protection should be collected within 96 hours of an assault. Through the Sexual Assault Nurse Examiner (SANE) program at a local hospital, a registered nurse can conduct a special examination to collect evidence at the same time as you receive medical care. Keep additional evidence of sexual assault, dating and domestic violence, and stalking. Save emails, texts, voicemails, letters, notes, etc. Photograph anything of yours that the abuser damages and any injuries that the abuser causes. If there are any witnesses, ask them to document what they saw. Every piece of information you collect could help you should you decide to move forward with a criminal action and may be helpful in obtaining an order of protection.

### **Reporting the Incident**

If you have experienced sexual assault, dating and domestic violence, or stalking, you have the right to make a report to Cornell University Police, local law enforcement, and/or state police or choose not to report; to report the incident to Cornell; to be protected by Cornell from retaliation for reporting an incident; and to receive assistance and resources from Cornell. All reports will be taken seriously. If you report an incident, you may choose whether to file a complaint. Cornell Police on the Ithaca campus or Cornell Tech Safety & Security on the New York City campus can assist you in filing a criminal complaint and in obtaining and enforcing a court order of protection. The Title IX Coordinator can assist you with notifying law enforcement authorities and filing a complaint under Policy 6.4. Even if you are unsure about filing a complaint, consultation with the Title IX Coordinator can lead to actions being taken on your behalf, including supportive measures, such as assistance in changes to academic, living, transportation and working situations, and protective measures, such as no-contact orders.

**Reporting to the Police and Protective Orders.** You are encouraged to report to the Cornell Police on the Ithaca campus, Cornell Tech Safety & Security on the New York City campus, or a local law enforcement agency any incident of sexual assault, dating and domestic violence, or stalking. A report is an account or description of a specific incident. You may make a report without filing a criminal complaint.

You may do so by phone, Blue Light phone, in person, or in writing. Please tell the Cornell Police on the Ithaca campus or Cornell Tech Safety & Security on the New York City campus if you are safe and about any injuries you may have. You will need to explain where and when the incident took place and whether the assailant is known to you. You may request transportation to medical and/or psychological care. The Cornell Police on the Ithaca campus or Cornell Tech Safety & Security on the New York City campus offer assistance in notifying local law enforcement, if you so choose, and provide information on pursuing a criminal complaint or other legal action, such as an order of protection. In New York, Family Courts, criminal courts, and Supreme Courts can all issue orders of protection. The University will comply with and Cornell Police and Cornell Tech Safety & Security will enforce an order of protection, or similar lawful order issued by a criminal, civil, or tribal court.

**Reporting to Cornell.** You have the option of reporting the incident to the University by contacting the University Title IX Coordinator. The Title IX Coordinator has primary responsibility for receiving reports and processing complaints concerning prohibited conduct under Policy 6.4 (including sexual and gender-based harassment, sexual assault, dating and domestic violence, and stalking) by members of the Cornell community and non-Cornell community members, and can be contacted at 607.255.2242 or [titleix@cornell.edu](mailto:titleix@cornell.edu). You may also email a report to [titleix@cornell.edu](mailto:titleix@cornell.edu) or submit an online report at [biasconcerns.cornell.edu](http://biasconcerns.cornell.edu). The Title IX Coordinator can assist you in notifying law enforcement if you choose to do so.

#### **Adjudication of a Complaint under Policy 6.4**

If you so request, the University will promptly initiate a formal complaint process under Policy 6.4. Under Policy 6.4, the University Title IX Coordinator is responsible for accepting, processing, determining jurisdiction, and overseeing the investigation of formal complaints.

The University's response to sexual assault, dating and domestic violence, or stalking, will be prompt, fair, and impartial from the initial response to a report to the final resolution of a formal complaint. It will be conducted in a manner that is consistent with the University's policies and is transparent; provides timely notice of meetings or proceedings at which either party may be present; and provides timely and equal access to both parties and appropriate officials to any information that will be used in the resolution of a formal complaint. The University will keep both parties informed of the complaint's status, as appropriate, including providing simultaneous notification, in writing, of the result of a disciplinary proceeding that arises from an allegation of sexual assault, dating and domestic violence, or stalking, the procedure for appeal, any change in the outcome, and when the outcome becomes final. Appropriately trained individuals— who receive annual training on sexual assault, dating and domestic violence, and stalking, and how to conduct such proceedings in a way that protects the safety of both parties and promotes

accountability, and who do not have a conflict of interest or bias for or against the complainant or the respondent—will conduct sexual assault, dating and domestic violence, and stalking proceedings.

**Standard of Evidence.** The standard of evidence under Policy 6.4 is a preponderance of the evidence (i.e., it is more likely than not that the respondent engaged in the prohibited conduct).

**Retaliation.** Cornell University prohibits retaliation. All who may be involved in a complaint are warned against retaliation, during an investigation. If you experience retaliation, report it to the University Title IX Coordinator.

**Supportive Measures.** The University offers a range of resources, support services, and measures to protect the safety and well-being of the complainant, the respondent, and the community and to promote an accessible educational environment. After receiving a report or pending resolution of a complaint, the university may put in place appropriate and reasonably available supportive measures, which are non-disciplinary and non-punitive, such as assistance in changes to academic, living, transportation and working situations, no-contact orders, security escorts, facilitated agreements to delete consensually-obtained nude or sensitive images, or restrictive orders. The University Title IX Coordinator is responsible for coordinating supportive measures.

**Temporary Suspension.** Once a formal complaint has been filed, a temporary suspension may be issued in extraordinary circumstances, where immediate action is necessary to protect the complainant or any other individual and supportive measures are deemed insufficient to protect the complainant or University community.

**Advisors.** The complainant and the respondent may seek the advice of an advisor of their choice and a support person of their choice. An advisor and support person may accompany the party to all meetings and proceedings, but may not interfere with meetings or proceedings. With limited exception for cross-examination by an advisor in Student Hearing Process A and in the Employee Hearing Process (under the Title IX Procedures), advisors and support persons may not speak on the party's behalf.

**Sanctions.** Disciplinary sanctions in matters against students may include measures similar in kind to supportive measures, appropriate educational steps (such as alcohol or drug education, reflection papers, counseling, or directed study), restrictions or loss of specified privileges at the University for a specified period of time, oral warnings, written reprimands, disciplinary probation for a stated period, suspension from the University for a stated period not to exceed five (5) years or indefinitely with the right to petition the Hearing Panel in writing at any time for readmission after the academic term following the academic term in which the suspension occurred, and dismissal from the University. Disciplinary sanctions in matters against employees may include measures similar in kind to supportive measures, appropriate educational steps (such as alcohol or drug education, counseling), restrictions or loss of specified privileges at the University for a specified period of time, oral warning, written discipline, disciplinary probation for a stated period, demotion, removal from administrative or other position held in addition to

primary position; salary reduction or other monetary penalty, unpaid suspension of employment, and termination of employment.

### **Procedure for Formal Complaint Against Students.**

A formal complaint against a student for sexual assault, dating and domestic violence, or stalking may be filed with the University Title IX Coordinator under Policy 6.4 at any time as long as the respondent is a student at the time of the complaint. The formal complaint procedure for students is comprised of an investigation, a hearing, and an appeal.

During the investigation, an appropriately trained investigator will gather information from the parties and other individuals who have relevant information, and gather relevant available evidentiary materials, including physical evidence, documents, communications between the parties, and other electronic records and media as appropriate. The parties will be interviewed separately and will not appear in the same room during the investigation. The parties will have the opportunity to review and comment on the information gathered by the investigator prior to the investigator submitting an investigative report and record to the Hearing Panel. Both parties will receive a copy of the investigator's report and record simultaneously. All individuals involved in the investigation will be treated with sensitivity and respect and the investigation will be completed as expeditiously as possible.

Findings of responsibility and determinations regarding sanctions and remedies are made through a hearing process conducted by a three-member Hearing Panel and a non-voting Hearing Chair. All efforts will be made to provide the hearing notice no later than seven business days prior to the hearing and to schedule the hearing as soon as practicable. The parties may submit written opening statements and requests for witnesses within five days of receiving the investigative report and record (which period may be extended for good cause). The parties may request questions to be asked of witnesses by the Hearing Panel and may make an oral closing argument. The parties will not appear in the same room during the hearing and may never directly address each other during the hearing. The Hearing Panel conducts all direct questioning. In Student Hearing Process A, the parties' advisors conduct cross-examination. In Student Hearing Process B, the parties submit written cross-examination. The Hearing Panel will issue a written decision as expeditiously as possible upon completion of deliberations.

The complainant and the respondent have equal rights to appeal the Hearing Panel's findings on responsibility and determinations regarding sanctions and remedies. Appeals must be submitted in writing within ten business days of receipt of the Hearing Panel decision (which period may be extended for good cause). All appeals will be heard by a three-member Appeal Panel that includes the Provost and the Vice President for Student and Campus Life, or their designees, as two permanent ex officio members and a member of the Hearing Panel pool as the third member. The Appeal Panel will establish a reasonable schedule for issuing a written decision, typically no later than thirty business days. This decision is final and not subject to further appeal.

At any time after a Formal Complaint has been filed and before a hearing commences, the parties may seek to resolve a report of prohibited conduct through Alternate Resolution, an

administrative process. Participation in Alternate Resolution is entirely voluntary; the Title IX Coordinator will neither pressure nor compel either party to participate in the process or to agree to any specific terms.

### **Procedure for Formal Complaints Against Employees.**

A formal complaint against an employee may be filed with the University Title IX Coordinator within three years of an incident of Title IX prohibited conduct or within one year of an incident of non-Title IX prohibited conduct, or in a case where the conduct alleged was committed over a period of time, from the date of the last act committed. The formal complaint procedure for an allegation of Title IX prohibited conduct is comprised of an investigation, a hearing, and an appeal. The formal complaint procedure for an allegation of non-Title IX prohibited conduct is comprised of an investigation, review by the dean/unit head, review and comment by the parties, determination by the dean/unit head, and an appeal.

During the investigation, appropriately trained investigators will gather information from the parties and other individuals who have relevant information, and gather relevant available evidentiary materials, including physical evidence, documents, communications between the parties, and other electronic records and media as appropriate. The parties will be interviewed separately and will not appear in the same room during the investigation. Both parties will receive a copy of the investigator's report and record simultaneously. All individuals involved in the investigation will be treated with sensitivity and respect and the investigation will be completed as expeditiously as possible.

For an allegation of Title IX prohibited conduct, the parties will have the opportunity to review and comment on the information gathered by the investigator prior to the investigator submitting an investigative report and record to the Hearing Panel. Findings of responsibility for Title IX prohibited conduct and related determinations regarding sanctions and remedies are made through a hearing process conducted by a three-member Hearing Panel and a non-voting Hearing Chair. All efforts will be made to provide the hearing notice no later than seven (7) business days prior to the hearing and to schedule the hearing as soon as practicable. The parties may submit written opening statements and requests for witnesses within five days of receiving the investigative report and record (which period may be extended for good cause). The parties may request questions to be asked of witnesses by the Hearing Panel and may make an oral closing argument. The parties will not appear in the same room during the hearing and may never directly address each other during the hearing. The Hearing Panel conducts all direct questioning. The parties' advisors conduct cross-examination. The Hearing Panel will issue a written decision as expeditiously as possible upon completion of deliberations.

The complainant and the respondent have equal rights to appeal the Hearing Panel's findings on responsibility and determinations regarding sanctions and remedies. Appeals must be submitted in writing within ten business days of receipt of the Hearing Panel decision (which period may be extended for good cause). All appeals will be heard by a three-member Appeal Panel. The Appeal Panel will establish a reasonable schedule for issuing a written decision, typically no later than thirty (30) business days. This decision is final and not subject to further appeal.

For an allegation of non-Title IX prohibited conduct, the investigator prepares an investigative report for the reviewing official who is the dean when the respondent is a faculty member and the unit head when the respondent is a staff member. The report includes findings and as applicable, recommended corrective actions, any sanctions for the respondent, and any non-punitive, preventative remedies for the complainant. The reviewing official, or their designee, provides the investigative report to the parties who have ten (10) business days to submit written comments. The reviewer then issues a final determination in writing, simultaneously, to the parties. The complainant may appeal to the Provost (for faculty) or the vice president and Chief Human Resources Officer (for staff). The respondent may appeal under the applicable grievance procedure. In certain matters involving students, a faculty respondent also has appeal rights to the Provost and/or Committee on Academic Freedom and Professional Status of the Faculty.

At any time after a Formal Complaint has been filed and before a hearing commences, the parties may seek to resolve a report of prohibited conduct through Alternate Resolution, an administrative process. Participation in Alternate Resolution is entirely voluntary; the Title IX Coordinator will neither pressure nor compel either party to participate in the process or to agree to any specific terms. Alternate Resolution is not available to resolve allegations that an employee engaged in Title IX prohibited conduct against a student.

### **Privacy and Confidentiality**

Privacy. Please see “Resources for Victims” below for information on Confidential Resources if you do not wish to report the incident to the University, but wish to seek confidential assistance and advice. All Cornell offices and employees, including the Title IX Coordinators, will maintain your privacy to the greatest extent possible. The information you provide to a non-confidential resource will be relayed only as necessary for the Title IX Coordinator to investigate and/or seek a resolution.

### **Complainant’s desire for confidentiality or decision not to pursue resolution under Policy 6.4.**

Upon receiving a report, the University strongly supports the complainant’s decision not to pursue resolution under Policy 6.4 and desire for anonymity. If the complainant decides not to pursue resolution under Policy 6.4, the University will honor the complainant’s wishes unless doing so would not adequately mitigate the risk of harm to the complainant or other members of the University community or doing so impacts the University’s ability to provide a safe and non-discriminatory environment for all members of the University community, including the complainant.

The Title IX Coordinator will evaluate requests not to pursue resolution under Policy 6.4 and for anonymity. Regardless of whether the complainant decides to pursue resolution under Policy 6.4, the Title IX Coordinator will assist the complainant with reasonably available supportive measure, which may include academic, housing, transportation, employment, and other assistance. These measures will vary depending on the nature of the reported prohibited conduct, whether the complainant is a student, faculty or staff member, and the wishes of the complainant regarding anonymity. The Title IX Coordinator will maintain as confidential any supportive measures provided to the complainant or respondent, when maintaining such confidentiality does not

impair the University's ability to provide the supportive measures.

**Privacy of Complaint Process.** 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.

The university encourages 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. If you are eighteen (18) years or older, no university office will contact your parents or other family members. Friends, faculty, coaches, supervisors, co-workers, etc. are not contacted either, unless they are witnesses or necessary to implement supportive measures or resolution. Parties may choose whether to disclose or discuss with others the outcome of a Policy 6.4 complaint. The University will complete publicly available recordkeeping, including Clery Act reporting and disclosures, without inclusion of personally identifying information about the victim.

### **Resources for Victims**

The university assists victims of sexual assault. In addition to health care and the complaint process, the university provides counseling and other support services for students, faculty, staff, and visitors who are victims of sexual assault. If you have experienced sexual assault, dating and domestic violence, or stalking, the University strongly encourages you to seek assistance. A number of resources are available to help:

For confidential support, seek assistance from:

- Cornell Health (medical and mental health providers, students only): 607.255.5155
- The Cornell Faculty and Staff Assistance Program (FSAP) (mental health providers, faculty and staff only): 607.255.2673
- The director of the Cornell Office of Spirituality and Meaning Making and the pastoral counselors of Cornell United Religious Work Chaplains (CURW): 607.255.6002
- The Cornell Victim Advocacy Program: 607.255.1212, [victimadvocate@cornell.edu](mailto:victimadvocate@cornell.edu)
- The professional staff of the Cornell Women's Resource Center (WRC): 607.255.0015, [wrc@cornell.edu](mailto:wrc@cornell.edu)
- The professional staff of the Cornell LGBT Resource Center: 607.254.4987, [lgbtrc@cornell.edu](mailto:lgbtrc@cornell.edu)
- The Cornell University Ombudsman: 607.255.4321
- The Advocacy Center of Tompkins County 24/7 hotline: 607.277.5000
- In NYC, the Crime Victims Treatment Center: 212-523-4728

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. Generally, these conversations are also legally privileged in the event of court proceeding. The director of the Office of Spirituality and Meaning Making, the Cornell Victim Advocates, the professional staff 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's Title IX Coordinator de-identified statistical or other information regarding prohibited conduct under Policy 6.4. 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 1.800.942.6906.

Cornell has identified certain offices and employee positions as Designated Reporters. See the List of Cornell Designated Reporters in Policy 6.4 (also available at [titleix.cornell.edu/reporting](http://titleix.cornell.edu/reporting)). The Designated Mandatory Reporters for Weill Cornell Medicine can be found in Weill Policy 206. When Designated Reporters become aware of an alleged incident of sexual harassment (which includes sexual assault, dating violence, domestic violence, and stalking) or other misconduct under this policy, that involves a student as either the complainant or respondent, they are always obligated to report information they have to the Title IX coordinator. In addition, 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 employee's working environment.

The university can also provide assistance with changing academic living, transportation, and working situations and obtaining protective measures, even if you choose not to file a formal complaint with the University or initiate a criminal proceeding, if you so request and such supportive measures are reasonably available. Such measures do not require a formal complaint.

The University will provide any student, faculty or staff member reporting incidents of sexual assault, dating and domestic violence, and stalking with written notification of their rights and options, including the options for assistance detailed above, and other services available for victims, both within the institution and in the community.

### **Prevention and Awareness Education**

Cornell is committed to providing sexual assault, dating and domestic violence, and stalking prevention and awareness education in order to foster a positive, respectful, and safe climate for all members of our community. The University's comprehensive educational programs and campaigns are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, informed by research or assessed for value, effectiveness or outcome, and consider environmental risk and protective factors as they occur on the individual, relationship, community, and societal levels. Primary prevention and awareness programs for incoming students and new employees include a statement that the University will not tolerate

sexual assault, dating and domestic violence, or stalking, and defines those terms and affirmative consent in reference to sexual activity; a description of safe and positive options for bystander intervention; and information on risk reduction.

The University's primary prevention and awareness programs for new students (first-year and transfer) include (1) the online *Understanding Title IX and Related University Policies* training, which provides information about the University's policies and options for reporting and resources and is to be completed prior to the start of classes, and (2) the *Cornell Community Essentials* program, which offers students an opportunity to learn about the intellectual and social communities on campus as well as the university's community standards, expectations, and the importance of treating each other with respect and ways to navigate life at Cornell, socialize, find balance, deal with setbacks, and take advantage of the multitude of campus resources. New undergraduate students are also required to complete an online interactive alcohol education course prior to arriving on campus.

Incoming graduate and professional students are required to complete Not Anymore for Graduate Students, an online sexual and gender-based harassment, sexual assault, dating and domestic violence, and stalking awareness and prevention educational program that provides options for bystander intervention and information on risk reduction. The program is customized with information about University policies and students' rights and resources. Ongoing graduate and professional student programming includes interactive seminars and presentations held throughout the year.

Cornell informs employees about Policy 6.4 and sexual and related misconduct prevention and response procedures through an online web course developed by Cornell. Since the fall of 2014, more than 7,400 new and existing faculty and staff have completed this training. Additionally, in April 2019 Cornell launched an online program that is compliant with New York State sexual harassment training requirements; since then 21,989 employees have completed this training. Cornell also offers in person programs and written materials for faculty and staff. Programs for faculty and staff address prevention and awareness of protected status discrimination and harassment, sexual assault, dating and domestic violence, and stalking emphasizing the requirements under the Title IX to refrain from acts of sexual discrimination, harassment, and violence and how to report such incidents to the appropriate Title IX Coordinators, get help, and prevent recurrences.

Numerous additional educational programs and campaigns are conducted by Residential Programs, Dean of Students, Cornell Health, Cornell Police, the Office of Institutional Equity and Title IX, Human Resources, and other university units/departments throughout the academic year. Some examples include: the Community and Respect ("CORE") Residential Advisors program, which conducts ongoing prevention and awareness campaigns on moral and ethical awareness, including consent, by-stander intervention, holding peers accountable to their actions, and multicultural competence; peer education programs, such as Consent Ed and Cayuga's Watchers, that promote the value of being a caring community, educate students about risk reduction and positive options for bystander intervention, and primarily reach students in

Greek life, athletic teams and residence halls; annual training for all student-athletes covering sexual violence topics and resources at Cornell; programming sponsored by the LGBT and Women’s Resource Centers related to consent, healthy relationships and Cornell’s caring community; on-going training for student organizations on the potential consequences of high risk drinking and how to reduce risks; required training for all registered student organization officers to raise awareness about sexual assault, dating and domestic violence, and stalking and provide resources; training for residential staff on how to respond to a report of sexual violence; peer-led interactive trainings for students on topics including building healthier relationships, sex and values, self-esteem, substance abuse, and suicide prevention; the Cornell Social Consultant Program, a student sexual violence prevention initiative that aims to reduce sexual and intimate partner violence by creating a campus culture in which respect and positive relationships are the norm; university public health fellows who, among other responsibilities, facilitating sexual violence prevention and education outreach programs and guide the Greek Health and Wellness Initiative; and Intervene, a video and facilitated workshop demonstrating a variety of scenarios—sexual assault, sexual harassment, intimate partner abuse, hazing, an alcohol emergency, emotional distress, and bias—and showing how students can make a difference in each of them.

The University maintains a comprehensive website “SHARE-Sexual Harassment and Assault Response and Education,” [share.cornell.edu](http://share.cornell.edu), which provides resources and updated information for faculty, staff, students, visitors and the community at large covering: getting care, reporting options, helping a friend, getting involved, and learning more (including safe and positive options for bystander intervention and information to promote risk reduction). The Office of the Title IX Coordinator also maintains a website [titleix.cornell.edu](http://titleix.cornell.edu).

### **Sexual Offender Notice**

The state of New York requires sex offenders to register with the police in the jurisdiction in which they reside. The state makes this information available at [www.criminaljustice.ny.gov](http://www.criminaljustice.ny.gov)

### **Reporting Hate Crimes and Bias Incidents**

A hate crime is defined by New York State Penal Law Section 485 as any designated criminal offense or attempted criminal offense in which the perpetrator 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.

A bias incident—as defined by Cornell policy 6.4: Prohibited Discrimination, Protected-Status Harassment, Sexual Harassment, and Sexual Assault and Violence—is an action taken against a person or group of individuals that one could reasonably and prudently conclude is motivated, in whole or in part, by the alleged offender’s bias against an individual’s actual or perceived aspect of diversity, including age, ancestry or ethnicity, color, creed, disability, gender, gender identity or expression, height, immigration or citizenship status, marital status, national origin, race, religion, religious practice, sexual orientation, socioeconomic status, or weight.

## **Identifying and Reporting Bias Activity**

Cornell has established the Reporting Bias System in order to provide an avenue for the community to report such activity. Cornell utilizes its Reporting Bias System to track and address—on a case-by-case basis and depending on the unique information provided by a reporter—bias incidents in which the involved persons are known, unknown, or may not be readily identifiable. To facilitate the assessment of bias incidents and the appropriate follow up, reported incidents are routed to the Department of Inclusion and Workforce Diversity or the Bias Assessment & Review Team (BART)—the coordinating hub of a network of existing bias liaisons from across the university. Complaints of bias may be referred to the appropriate university agency—such as the Judicial Administrator or the Office of Institutional Equity and Title IX—or work collaboratively with campus partners to determine the best method of intervention to address bias complaints.

Anyone who directly witnesses, experiences, finds evidence of, or hears of bias activity on the Cornell campus—or in an area that impacts the Cornell community—should immediately report the incident online at <https://www.biasconcerns.cornell.edu>. If the bias activity constitutes a bias crime, as defined by federal, state, and local laws, the report will be shared with Cornell Police.

Information about the university's Reporting Bias System is available online at [diversity.cornell.edu](https://diversity.cornell.edu). You can also contact the Department of Diversity and Inclusion which is open from 8:30 a.m.—5:00 p.m., Monday through Friday at 150 Day Hall or call 607.255.3976. An annual report related to the Reporting Bias System is published at [diversity.cornell.edu](https://diversity.cornell.edu).

## **Campus Code and Grievance Procedures**

### **Office of the Judicial Administrator (OJA): Receiving, Investigating, and Pursuing Accusations of Violations of the Campus Code of Conduct (Code)**

Location: 120 Day Hall

Phone: 607-255-4680

The essential purpose of the Code is to protect and promote the University community's pursuit of its educational goals. These interests, with respect to the governing of community conduct, include the following: 1. the opportunity of all members of the University community to attain their educational objectives; 2. the generation and maintenance of an intellectual and educational atmosphere throughout the University community; and 3. the protection of the health, safety, welfare, property, and human rights of all members of the University community, and the safety, property, and reputational interests of the University itself. These general interests, of course, are also the subject matter of the public laws of the state and nation.

The Campus Code of Conduct is the University community's code, and hence is the responsibility of all community members. Everyone in the Cornell community—students, faculty, and other employees—is governed by the Code and is under the jurisdiction of the Code; the exception to this is for actions within a faculty or employee's day-to-day work, which are referred to the appropriate employment authority. The Code applies on any part of the Cornell campus, on any other property or facility used by Cornell for educational purposes, and on the property of any

University-related residential organization in the Ithaca or Geneva, New York areas. For conduct that poses a substantial threat to the University’s educational mission or property or to the health or safety of University community members, jurisdiction can be extended.

Potential violations of the Code are referred to the OJA, and any person—whether a Cornell community member or not—may report a possible violation of the Code to the OJA. The OJA receives, investigates, and pursues accusations of violations of the Code, or of any other regulations as the University Assembly or Board of Trustees may direct. The OJA operates independently of University administration in overseeing Cornell’s internal judicial process.

The Code prohibits misconduct, including, but not limited to: assault behavior; sexual misconduct (such as sexual assault or sexual harassment); violation of computer-use policies; possession of forged ID cards; underage possession of alcohol; and, possession of any drug (including marijuana, medical or otherwise). Note that cases of sexual misconduct, such as sexual assault or sexual harassment, are handled under the procedures of Cornell Policy 6.4, rather than the procedures of the Code. (See the section “Sexual Violence” on page 16 of this report.)

Generally, complainants can: decide to pursue a case or not; pursue remedies in civil or criminal courts off campus; attend any relevant proceeding; bring a friend or advisor unconnected to the case to any meeting; receive the free assistance of a victim’s advocate; request a no-contact directive in cases involving menacing activity; learn the outcome of cases in which they have filed a complaint; and, file an appeal. Respondents may: bring a friend or advisor who is unconnected to the case to any meetings; receive the free assistance of a Judicial Codes Counselor; question witnesses; confront accusers; present witnesses; submit evidence; request and appeal; and, remain silent. (See the section “Sexual Violence” on page 16 to better understand the procedures for allegations of sexual misconduct.)

Under the Code, cases may be resolved with no action, by a Summary Decision Agreement, or by an adjudicative body comprised of students, faculty, and non-faculty employees. Sanctions following a finding of responsibility may include: a combination of an oral warning or written reprimand, and appropriate educational steps, community work, a fine, restriction or loss of privileges, probation, suspension, or dismissal. Remedies following a finding of responsibility may include restitution or an order to perform or to cease and desist from stated actions.

To view the entire Campus Code of Conduct, go to:

<https://www.dfa.cornell.edu/policy/policies/campus-code-conduct>

### **Sanctions and Remedies under the Campus Code of Conduct**

The following sanctions may be imposed under the Code:

#### **Faculty Members and Other Employees**

- a. Oral warning, educational steps, community work, and fines/restitution, as provided for student offenders
- b. Written reprimand

- c. Suspension from University duties for a stated period not to exceed one month, with loss of salary but not with loss of other rights and privileges
- d. Dismissal from University employ, with termination of any contract or tenure

#### Students

- a. Oral warning or written reprimand
- b. Appropriate educational steps
- c. Community work
- d. Fine
- e. Restriction or loss of privileges
- f. Probation
- g. Suspension
- h. Dismissal

The following remedies may be imposed under the Code for any population under the jurisdiction of the Code: restitution or an order to perform or to cease and desist from stated actions.

#### Grievance Procedures

The University has formal grievance procedures that apply to disputes, charges, and complaints between and among academic and non-academic employees and undergraduate and graduate students. The nature of the issue and the parties involved determine which procedures and University offices are used. Here are suggested initial sources of information on grievances:

- Academic Employee Grievances: *[dfa.cornell.edu/treasurer/policyoffice/policies/volumes/humanresources/grievance.cfm](https://dfa.cornell.edu/treasurer/policyoffice/policies/volumes/humanresources/grievance.cfm)*
- Nonacademic Employee Grievances: *[ombudsman.cornell.edu; hr.cornell.edu/policies/nonacademic/grievance.html](https://ombudsman.cornell.edu/hr.cornell.edu/policies/nonacademic/grievance.html)*
- Prohibited Discrimination, Protected Status (including Sexual) Harassment, and Bias Activity: *[dfa.cornell.edu/treasurer/policyoffice/policies/volumes/humanresources/prohibited.cfm](https://dfa.cornell.edu/treasurer/policyoffice/policies/volumes/humanresources/prohibited.cfm)*
- Grade or Course Grievance: *[ombudsman.cornell.edu](https://ombudsman.cornell.edu)*
- Graduate Student Grievance: *[gradschool.cornell.edu/policies/grievances-and-complaints](https://gradschool.cornell.edu/policies/grievances-and-complaints)*

#### Related University Policies

To view Cornell University's library of policies and more on the services provided by the University Policy Office (UPO), visit the UPO website at

<https://www.dfa.cornell.edu/policy>

The following is an overview of selected policies. Please consult the actual policy or the administering office for details regarding each policy.

**Code of Academic Integrity:** <http://cuinfo.cornell.edu/aic.cfm>

### **Alcohol and Other Drugs**

The university's policy on Alcohol and Other Drugs includes general guidelines regarding alcohol and other drugs, procedures for holding events at which alcohol is served, information about the harm that can result from drinking or drug use, and a list of campus resources. Any member of the Cornell community who is planning a university event with alcohol needs to be familiar with the requirements of the policy, which is available at [dfa.cornell.edu/sites/default/files/policy/vol4\\_8.pdf](https://dfa.cornell.edu/sites/default/files/policy/vol4_8.pdf).

In addition, the Cornell Campus Code of Conduct sets forth disciplinary procedures and sanctions for violations of the policy on Alcohol and Other Drugs. The code is available at [dfa.cornell.edu/sites/default/files/policy/CCC.pdf](https://dfa.cornell.edu/sites/default/files/policy/CCC.pdf)

To reduce concerns about judicial consequences in alcohol-related medical emergencies, the university has established a Good Samaritan Protocol, which is available at [health.cornell.edu/resources/health-topics/alcohol-other-drugs/good-sam](https://health.cornell.edu/resources/health-topics/alcohol-other-drugs/good-sam)

### **Campus Code of Conduct**

Cornell's basic prescription for community conduct is divided into five sections. The full text is available at [dfa.cornell.edu/sites/default/files/policy/CCC.pdf](https://dfa.cornell.edu/sites/default/files/policy/CCC.pdf).

### **Access to Student Records**

See University Policy 4.5, Access to Student Information, at [dfa.cornell.edu/sites/default/files/vol4\\_5.pdf](https://dfa.cornell.edu/sites/default/files/vol4_5.pdf).

### **Disability Information**

For individuals with disabilities or mobility changes: [cornell.edu/disability](https://cornell.edu/disability)

### **Equal Opportunity**

[hr.cornell.edu/diversity/eeee](https://hr.cornell.edu/diversity/eeee)

Related university policies include 6.6.13, Flexibility in the Workplace; 6.9, Time Away from Work; 6.13, Disability Accommodation; and 6.13.8, Religious Accommodation. These policies are in the Human Resources volume at <https://hr.cornell.edu/hr-policies>

### **Health and Safety Policy**

[dfa.cornell.edu/sites/default/files/policy/vol8\\_6\\_0.pdf](https://dfa.cornell.edu/sites/default/files/policy/vol8_6_0.pdf)

### **Inclement Weather Policy**

[dfa.cornell.edu/sites/default/files/policy/vol8\\_2.pdf](https://dfa.cornell.edu/sites/default/files/policy/vol8_2.pdf)

### **Keys and Other Access Control Devices**

[dfa.cornell.edu/sites/default/files/policy/vol8\\_4.pdf](https://dfa.cornell.edu/sites/default/files/policy/vol8_4.pdf)

**Prohibited Discrimination, Protected-Status Harassment, Sexual Harassment, and Sexual Assault and Violence**

*[dfa.cornell.edu/sites/default/files/vol6\\_4.pdf](https://dfa.cornell.edu/sites/default/files/vol6_4.pdf)*

**Responsible Use of Information Technology Resources**

*[dfa.cornell.edu/sites/default/files/vol5\\_1.pdf](https://dfa.cornell.edu/sites/default/files/vol5_1.pdf)*

**Standards of Ethical Conduct**

*[dfa.cornell.edu/sites/default/files/policy/vol4\\_6.pdf](https://dfa.cornell.edu/sites/default/files/policy/vol4_6.pdf)*

**Smoking**

*[dfa.cornell.edu/sites/default/files/policy/vol8\\_7.pdf](https://dfa.cornell.edu/sites/default/files/policy/vol8_7.pdf)*

**Voluntary Leaves of Absence for Students**

*[dfa.cornell.edu/sites/default/files/policy/vol7\\_1\\_0.pdf](https://dfa.cornell.edu/sites/default/files/policy/vol7_1_0.pdf)*

**Cornell Tech  
Clery Crime Statistics for 2 West Loop Rd. NY NY 10044**

(Includes crimes reported by Campus Security Authorities and other Law Enforcement agencies)  
Reported in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime  
Statistics Act  
Calendar years **2017, 2018, and 2019**

Crime Classification	On Campus: including Residential Facilities			Residential Facilities Only			Public Property			Non-Campus Building or Property		
	2017	2018	2019	2017	2018	2019	2017	2018	2019	2017	2018	2019
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter By Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	1	0	0	1	0	0	0	0	1	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	1	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0

VAWA Offenses												
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	1	0	0	0	0	0	0	0	0	0

**Definitions of all reportable offenses and Clery Act geography can be found at**  
<http://www.cupolice.cornell.edu/campus-watch/crime-definitions>

**Arrests / Disciplinary Referrals**

Offense Type	On Campus: including Residential Facilities			Residential Facilities Only			Public Property			Non-Campus Building or Property		
	2017	2018	2019	2017	2018	2019	2017	2018	2019	2017	2018	2019
<b>Liquor Law Violations</b>												
Referral	0	0	0	0	0	0	0	0	0	0	0	0
Arrest	0	0	0	0	0	0	0	0	0	0	0	0
<b>Drug Law Violations</b>												
Referral	0	3	0	0	3	0	0	0	0	0	0	0
Arrest	0	0	0	0	0	0	0	0	0	0	0	0
<b>Weapons Possession</b>												
Referral	0	0	0	0	0	0	0	0	0	0	0	0
Arrest	0	0	0	0	0	0	0	0	0	0	0	0

\*\*NOTE: An additional case of sexual assault was made in 2019 for which no specific Clery Act offense (rape, fondling, incest, statutory rape) was provided or could otherwise be identified: 1 on-campus residential unknown type Sexual Assault; This report is not included in the 2019 statistics detailed above because it does not fall within a defined Clery Act crime category.

**Hate Crimes:**

**2019:** There were no hate crimes.

**2018:** There were no hate crimes.

**2017:** There were no hate crimes.

**Unfounded Crimes:**

**2019:** There were no unfounded crimes.

**2018:** There were no unfounded crimes.

**2017:** There were no unfounded crimes.