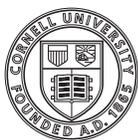


Filing a Complaint of Sexual Assault, Sexual Harassment, or Other Related Prohibited Conduct

This summary outlines procedures and resources for filing a complaint against a current employee (faculty or staff) at Cornell University for prohibited conduct under Policy 6.4, see [policy.cornell.edu/6.4](https://www.dfa.cornell.edu/sites/default/files/vol6_4.pdf) [https://www.dfa.cornell.edu/sites/default/files/vol6_4.pdf], including sexual assault and sexual harassment. The choice of whether or not you file a report (with either the University, local police, or both) is yours. Cornell University will not tolerate sexual assault, sexual harassment or other prohibited conduct under Policy 6.4 by or against students, staff, faculty, alumni or visitors. If you have experienced an incident of prohibited conduct, you have the option to file a formal complaint with the Workforce Policy and Labor Relations office (“WPLR”) pursuant to University Policy 6.4 or a criminal complaint with campus or local law enforcement. **If your complaint is against a currently registered student, contact the Title IX Coordinator at 607.255.2242.**

Frequently Asked Questions

- **Can I talk to someone without filing a complaint?** Yes. There are resources available to you for support, and it is entirely your decision whether you file a formal complaint with WPLR or a criminal complaint. For confidential support, you may contact the Faculty and Staff Assistance Program (607.255.2673; www.fsap.cornell.edu); the Victim Advocate (607.255.1212; victimadvocate@cornell.edu); the University Ombudsman (607.255.4321); CURW pastoral counseling (607.255.6002); or the Ithaca Advocacy Center’s 24/7 hotline (607.277.5000). You may also speak to your HR representative, a Discrimination and Harassment Advisor (<https://hr.cornell.edu/our-culture-diversity/diversity-inclusion/harassment-discrimination-and-bias-reporting/advisors>), or another trusted individual to hear your concerns, or send an email to titleix@cornell.edu or equalopportunity@cornell.edu. You will be given options and resources.
Note: Cornell staff, faculty, and student employees have a duty to consult with the appropriate university officials if they become aware of potential incidents of sexual misconduct involving students, including sexual harassment and sexual assault.
- **Can this be resolved without a formal complaint?** Members of the Cornell community have an option to resolve concerns of prohibited conduct, including sexual assault or harassment without a formal investigation by acting through WPLR and local human resources. They will work with the appropriate university officials to achieve a resolution.
Note: If the matter is resolved, no request for formal investigation may later be filed for the same incident, and no appeal may be taken if you change your mind about the outcome.
- **If I decide to file a formal complaint with the university against a current faculty or staff member, what should I do?** You may contact Laurie Johnston (607.255.6866; lmj6) or Shan Varma (607.255.0290; sv92) in WPLR if you wish to file a complaint. Laurie Johnston is the deputy Title IX coordinator for faculty and staff. Your options under Policy 6.4, including informal resolution or formal investigation will be reviewed, as well as your need for interim measures such as changing work locations or offices.
- **What does the formal complaint process require?** The process requires a written complaint describing the alleged act or acts, identification of the person or persons allegedly responsible (the “respondent”), and the date or approximate date on which the incident occurred. A complaint against faculty and staff, in most circumstances, must be filed within six (6) months of the incident. There are exceptions for incidents occurring between students and faculty in a supervisory relationship.
Note: Complaints against alumni, visitors, or those not part of the Cornell community should be directed to the Cornell University Police Department (CUPD), your supervisor or local human resources (HR) representative, or WPLR for appropriate university response.
- **I’m concerned about retaliation if I speak up.** Cornell University will not tolerate retaliation. All participants in an investigation are advised that retaliation against others involved in the process is prohibited. If you raise a concern and experience retaliation as a result, please report it to WPLR.
- **Do I have to face the accused person directly?** The complainant and respondent will be interviewed separately as part of the investigation and will not appear in the same room. However, it is possible that you may continue to see him/her on campus, in your office area, and/or in social settings. The university may impose protective interim measures as appropriate, including: no contact orders, change of place of employment or employment schedule, change of supervision, temporary suspension, etc.
- **Can I bring my attorney?** Your attorney, or any advisor or support person of your choice, can attend the investigative interview with you, as well as any related meetings, and offer advice to you throughout the process. Your advisor may not answer questions for you, make objections or pose questions to you or others.



- **How private will the complaint be?** Only those who need to be involved will be contacted. WPLR, and, when a faculty member is involved, the faculty co-investigator, will maintain privacy to the extent possible. The university will take reasonable measures to protect the testimony and records produced in the procedures under this policy. Note that privacy does not mean that the details of the complaint will be withheld from the respondent.
- **What are the possible outcomes of a formal complaint?** After an investigation, WPLR will determine whether there is sufficient evidence (a preponderance of evidence) that the respondent is responsible for a violation of Policy 6.4. Recommendations will be made in a report that is forwarded to the appropriate university official (the Dean of the respondent's college or VP of the respondent's business unit,) who determines the outcome based on the recommendations in the investigation report. If the investigation determines that a violation of Policy 6.4 likely occurred, there will be some form of remediation within the employment or educational context consistent with the severity of the incident. Both parties will receive copies of the report and will be allowed to provide comments to the Dean or VP before the outcome is finalized.
- **Can I appeal the outcome of the report?** If the investigation determines that the evidence cannot support your claim, or if you believe that the discipline or remedy is inadequate, you can appeal within 10 business days of the determination to:
 - (a) the vice president for human resources, or a designee, if the respondent is a member of academic or nonacademic staff (other than faculty), or
 - (b) the provost, or a designee, if the respondent is a member of the faculty
- **What if I decide I want to pursue a criminal complaint, in addition to or in place of a University complaint?** This is always an option whether or not you decide to file a complaint with the university. Both systems can be used. CUPD can assist you in notifying local law enforcement and provide information on pursuing criminal or other legal action. Reporting the incident to CUPD does not commit you to pressing charges. Contact CUPD at 607.255.1111.

Resources

Discuss Your Options

- Title IX Office 607.255.2242; titleIX.cornell.edu
- Workforce Policy and Labor Relations 607.255.0290; equalopportunity@cornell.edu
- Cornell Police (24/7) 607.255.1111; cupolice.cornell.edu

Confidential Support

- Ombudsman 607.255.4321; ombudsman.cornell.edu
- Cornell Victim Advocate 607.255.1212; victimadvocate@cornell.edu
- Faculty Staff Assistance Program (FSAP) 607.255.2673; fsap.cornell.edu
- The Advocacy Center of Tompkins County 607.277.5000 (24/7 community resource)
- Cornell United Religious Work (CURW) 607.255.4214; curw.cornell.edu

Additional Resources

- University Policy 6.4, Prohibited Discrimination, Protected-Status Harassment, Sexual Harassment, Sexual Assault and Violence policy.cornell.edu/6.4
- Sexual Harassment & Assault – Response & Education SHARE.cornell.edu
- Harassment and Discrimination hr.cornell.edu/diversity/reporting/harassment_discrimination.html

Required Training

Respect@Cornell: Addressing Sexual Violence and Sexual Harassment

Cornell requires faculty and staff to participate in an on-line training (Respect@Cornell: Addressing Sexual Violence and Sexual Harassment). This program provides information to faculty and staff on how to respond if they learn a member of our community has experienced any type of sexual assault/ violence, domestic violence, dating violence (also known as intimate partner violence) and stalking. For information about the program and instructions to access the course, please visit: <https://hr.cornell.edu/our-culture-diversity/diversity-inclusion/building-culture-respect>.