**Policy 6.4 - Resolution of Reports Against Studentsand Employees**

***Review of Dismissal of a Formal Complaint***



**Name[[1]](#footnote-1) of Individual Completing Form:**

**Date Submitted**:



***The complainant is not required to submit a request for review of a dismissal of a Formal Complaint.*** *A complainant who chooses to request this review must use this form and submit it electronically to the Office of Institutional Equity and Title IX (OIETIX) at* [*titleix@cornell.edu*](mailto:titleix@cornell.edu)*.*

*The Title IX Coordinator will make an initial determination as to whether Title IX applies to the Formal Complaint based on the alleged facts. (See Section 20 of these Procedures (“Determination of Hearing Process A or Hearing Process B and Whether Title IX Applies”).)*

*The Title IX Coordinator may dismiss[[2]](#footnote-2) a Formal Complaint and close a case where:*

* *there is no jurisdiction under these procedures; or*
* *the facts set forth in the Formal Complaint do not constitute prohibited conduct under these procedures; or*
* *the complainant fails or refuses to cooperate with the investigation such that the investigator is unable to investigate despite reasonable measures, including where the complainant cannot be located, the complainant fails or refuses to be available for interviews or meetings, or the complainant fails to provide necessary information; or*
* *the complainant notifies the Title IX Coordinator in writing that they would like to withdraw the Formal Complaint or any allegations therein, prior to resolution; or*
* *the respondent is no longer enrolled in the University; or*
* *specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.*

*Upon any dismissal, the Title IX Coordinator will promptly send written notice of the dismissal and the rationale for doing so simultaneously to the parties.*

*The complainant will be given an opportunity to seek review by a Hearing Panel. The complainant must commence the review within ten (10) business days by submitting a letter explaining why they think the dismissal is erroneous and including any written evidence in support of their position. The materials should be submitted to the Title IX Coordinator, who will forward them to the Hearing Panel and Hearing Chair (who provides guidance to the Hearing Panel but does not have a vote in a decision).*



[Insert Text]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Complainant’s Signature[[3]](#footnote-3)

1. You may use your initials or indicate “Complainant.” [↑](#footnote-ref-1)
2. Where appropriate, the Title IX Coordinator may dismiss a Formal Complaint prior to the Notice of Formal Complaint to both parties. [↑](#footnote-ref-2)
3. Signature may be electronic. [↑](#footnote-ref-3)