



Cornell College

Sexual Misconduct Policy

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Policy Overview

Cornell College affirms the rights of its community members to live, study, and work in an environment free from all forms of sexual misconduct. As a community we are committed to maintaining a standard of conduct that creates an environment of trust, care, and respect. Our community prohibits sexual misconduct and treats violations of this policy as serious violations of the standards of conduct, and sexual misconduct will not be tolerated. The College will take direct action to prevent and correct such behavior consistent with Title IX regulations, VAWA regulations, federal law, state law, and campus policy. The College is also committed to providing education to prevent sexual misconduct for the Cornell community through [Health Promotions](#) and other educational programs and opportunities.

This policy sets forth Cornell College's obligations under the 2020 Title IX Regulations. This policy also includes Cornell College's obligations under the 2013 Clery Amendments and the 2022 reauthorization of the Violence Against Women Act (VAWA) pertaining to sexual assault, dating violence, domestic violence, and stalking.

The policy in place at the time of the alleged sexual misconduct is the policy and process that will be used to adjudicate that case. This policy is effective for any alleged sexual misconduct that took place after August 20, 2024. For sexual misconduct complaints that took place between August 14, 2020 and August 20, 2024, please view the [2020 Sexual Misconduct Policy](#). For sexual misconduct complaints that took place prior to August 14, 2020, please view the [2019 Sexual Misconduct Policy](#).

The Title IX Coordinator oversees Cornell College's handling of complaints, investigation, and resolution under this policy. You may also contact the Title IX Coordinator for information about resources, questions or concerns regarding this policy and procedures, and to file a report or complaint. Any person may report conduct prohibited by this policy to the Title IX Coordinator or to any Cornell employee. [Confidential employee information](#) can be found below.

Cornell's Title IX Coordinator is:

Samantha Hebel Perkins, Director of Equity and Compliance

SHebel@cornellcollege.edu

(319) 895-4234

Old Sem, 1st Floor

A complaint about the Title IX Coordinator may be made to the Dean of Students at dean_students@cornellcollege.edu, (319) 895-4234, or Old Sem, 1st floor.

Employees and non-Cornell individuals (e.g., contractors, volunteers, visitors) may additionally contact the Director of Human Resources for information about resources, questions or concerns regarding this policy and procedures, and to file a report or complaint.

Stefanie Bray, Director of Human Resources

sbray@cornellcollege.edu

(319) 895-4244

Old Sem, 1st Floor

Faculty members may additionally contact the Provost for information about resources, questions or concerns regarding this policy and procedures, and to file a report or complaint.

Ilene Crawford, Provost

icrawford@cornellcollege.edu

(319) 895-4210

Old Sem, 2nd Floor

Concerns about the Cornell College's application of this Policy and compliance with certain federal civil rights laws may also be addressed to:

Office for Civil Rights (OCR)

U.S. Department of Education

400 Maryland Avenue, SW

Washington, D.C. 20202-1100

Customer Service Hotline #: (800) 421-3481

Facsimile: (202) 453-6012

TDD#: (877) 521-2172

Email: OCR@ed.gov

Web: <http://www.ed.gov/ocr>

*Illinois, Indiana, Iowa, Minnesota, North Dakota, Wisconsin Office for Civil Rights
Chicago Office*

U.S. Department of Education

John C. Kluczynski Federal Building

230 S. Dearborn Street, 37th Floor

Chicago, IL 60604

Telephone: (312) 730-1560

Facsimile: (312) 730-1576

Email: OCR.Chicago@ed.gov

Complaints about the Title IX process involving employee-on-employee conduct may also be addressed to the [Equal Employment Opportunity Commission](#) (EEOC):

U.S. Equal Employment Opportunity Commission

131 M Street, NE

Washington, DC 20507

Phone: 1-800-669-4000

TTY: 1-800-669-6820

ASL Video Phone: 1-844-234-5122

Email: info@eeoc.gov

Milwaukee Area Office
Reuss Federal Plaza
310 West Wisconsin Avenue, Suite 500
Milwaukee, WI 53203
Phone: 414-662-3680
Fax: 414-297-4133
TTY: 1-800-669-6820
ASL Video Phone: 1-844-234-5122

Statement of Non-Discrimination

Cornell College affirms the right of its students, faculty, and staff to live, work, and study in an environment free from discrimination or harassment on the basis of a protected characteristic, including age, color, disability, gender, gender identity or expression, national origin, race, religion, creed, sexual orientation, genetic information, pregnancy, as well as any other characteristic protected by state, federal, or local law that applies to the College. Applicants for employment and enrollment also may not be discriminated against based on the above-listed protected characteristics.

Scope

This policy applies to all students, employees, and participants who experience prohibited sexual harassment in Cornell College's education programs or activities. This includes locations, events, or circumstances over which Cornell College exercised substantial control over both the Respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by Cornell College. Cornell College has other policies and procedures under [The Compass](#) and the [Employee Handbook](#) that may be applicable if the conduct does not meet the definition of prohibited sexual harassment under this policy or otherwise fall within the scope of this policy.

"Students" include admitted students as well as students who may not be on-campus but are nonetheless considered an active or enrolled student at Cornell. "Employees" includes full-time and part-time faculty and staff employed on campus, as well as adjunct professors, distinguished lecturers, or visiting scholars, faculty, and instructors teaching or interacting with Cornell students and personnel.

Definitions of Prohibited Sexual Harassment ("Prohibited Sexual Harassment")

In accordance with its obligations under the Title IX Regulations of 2020, Clery and Violence Against Women Act (VAWA) regulations, and college policy, Cornell College prohibits the following conduct based on sex (including gender identity, gender expression, or sexual orientation):

1. **Quid Pro Quo Conduct.** An employee conditions the provision of an aid, benefit, or service of Cornell College on an individual's participation in unwelcome sexual conduct;
2. **Unwelcome Conduct.** Unwelcome conduct that is determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Cornell College's education program or activity; or
3. **Sexual assault.**

For the purpose of these definitions, a Sexual Act is defined as conduct between persons consisting of:

- Contact between the penis and the vulva, or between penises and vulvas;
- Contact between the penis and the anus;
- Contact between the mouth and the penis;
- Contact between the mouth and the vulva;
- Contact between the mouth and anus;
- Contact between anuses; or
- Contact involving any of the above or the buttocks or breasts.

Private body parts include all of the body parts specified above, including genitals, groin, breasts, and buttocks.

This category of prohibited conduct includes the following:

- a. **Sex Offenses**—Any sexual act directed against another person, without the affirmative consent of the victim including instances where the victim is incapable of giving affirmative consent.
- b. **Non-Consensual Penetration**—Actual or attempted penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the affirmative consent of the victim. This includes penetration forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving affirmative consent because of their temporary or permanent mental or physical incapacity.
- c. **Fondling**—The non-consensual touching of the private body parts of another person for the purpose of sexual gratification, without affirmative consent, whether forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving affirmative consent because of their youth or because of their temporary or permanent mental or physical incapacity.
- d. **Other Lawfully Prohibited Sexual Intercourse**—This category includes conduct constituting sexual assault that does not meet the definition of Non-Consensual Penetration or Fondling:
 - i. Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Iowa law, regardless of affirmative consent.
 - ii. Nonforcible sexual intercourse with a person who is under the statutory age of consent of 16 in Iowa, regardless of affirmative consent.

4. **Dating violence.** Violence committed by a person— (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship. (ii) The type of relationship. (iii) The frequency of interaction between the persons involved in the relationship. Emotional and psychological abuse do not constitute violence for the purposes of this definition.
5. **Domestic violence.** A felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the state of Iowa or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the state of Iowa. Emotional and psychological abuse do not constitute violence for the purposes of this definition.
6. **Stalking.** 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.
7. **Sexual Exploitation** is knowingly committing non-consensual abuse or exploitation of another person's sex (including gender identity, gender expression, and/or sexual orientation) for the purpose of sexual gratification, financial gain, personal benefit or advantage, or any other non-legitimate purpose that does not constitute sexual harassment as defined above. Examples include, but are not limited to:
 - a. Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the affirmative consent of the person being observed)
 - b. Invasion of sexual privacy (e.g., doxxing)
 - c. Knowingly making an unwelcome disclosure of (or threatening to disclose) an individual's sexual orientation, gender identity, or gender expression
 - d. Taking pictures, video, or audio recording of another in a sexual act, or in any other sexually related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity; or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent), including the making or posting of non-consensual pornography
 - e. Prostituting another person
 - f. Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually transmitted disease (STD) or infection (STI), without informing the other person of the virus, disease, or infection

- g. Causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to non-consensual sexual activity
- h. Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections (e.g., spoofing)
- i. Forcing a person to take an action against that person's will by threatening to show, post, and/or share information, video, audio, and/or an image that depicts the person's nudity and/or sexual activity
- j. Knowingly soliciting a minor for sexual activity
- k. Engaging in sex trafficking
- l. Knowingly creating, possessing, and/or disseminating child sexual abuse images or recordings
- m. Creating or disseminating synthetic media, including images, videos, and/or audio representations of individuals doing or saying sexually-related things that never happened, or placing identifiable real people in fictitious pornographic or nude situations without their consent (i.e., Deepfakes)
- n. Sexual exploitation may occur regardless of whether sexual activity takes place.

Definitions

Actual Knowledge means notice of a sexual misconduct complaint or allegations of a sexual misconduct complaint to Cornell College's Title IX Coordinator or any official of the College who has the authority to institute corrective measures on behalf of Cornell College.

Advisor means an individual who accompanies a party to a meeting or proceeding. Each party may select an advisor of their choosing who may be, but is not required to be, a lawyer. An advisor may speak with the party throughout the process but may not otherwise participate directly in the investigation. An advisor is required for each party during the hearing in which the Advisor executes questioning and cross-examination on behalf of their party. Generally, the advisor should not be a witness, as it may jeopardize the ability for the College to conduct an investigation to reach a resolution. If a party is not able to provide their own Advisor, the College will provide one at no cost. The College reserves the right to dismiss an advisor who is disruptive to the proceedings and/or does not abide by the [rules of decorum](#) for hearings. Each advisor will be asked to sign an affirmation that they understand their role in the process.

Affirmative consent means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that they have the affirmative consent of the other or others to engage in the sexual activity. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time.

- Lack of protest or resistance does not mean consent.
- Silence does not mean consent.

- The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

It shall not be a valid excuse that the Respondent believed that the Complainant affirmatively consented to the sexual activity if the Respondent knew or reasonably should have known that the Complainant was unable to consent to the sexual activity under any of the following circumstances:

- The Complainant was asleep or unconscious.
- The Complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the Complainant could not understand the fact, nature, or extent of the sexual activity.
- The Complainant was unable to communicate due to a mental or physical condition.

In addition, it shall not be a valid excuse to alleged lack of affirmative consent that the Respondent believed that the Complainant consented to the sexual activity under either of the following circumstances:

- The Respondent's belief in affirmative consent arose from the intoxication or recklessness of the Respondent.
- The Respondent did not take reasonable steps, in the circumstances known to the Respondent at the time, to ascertain whether the Complainant affirmatively consented.

Consent is evaluated from the perspective of what a reasonable person would conclude are mutually understandable words and/or actions.

Coercion means direct or implied threat of force, violence, danger, hardship, or retribution sufficient to persuade a reasonable person of ordinary susceptibility to perform an act which otherwise would not have been performed or acquiesce to an act to which one would not have submitted. Coercion can include sustained pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. A person's words or conduct cannot amount to coercion unless they wrongfully impair the other's freedom of will and ability to choose whether or not to engage in sexual activity. When someone makes it clear that they do not want to engage in sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment under this policy. A Complainant is usually the individual filing a complaint of a violation of Cornell policy.

Decision-maker means the individuals who make the determination of responsibility of a policy violation.

Formal Complaint means a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that Cornell College investigate the allegation of sexual harassment. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in the education program or activity of Cornell College with which the Formal Complaint is filed.

Grievance Process means the fact-finding process from the time of the filing of the Formal Complaint through the final determination of an appeal (if any).

Incapacitation: A person who is incapacitated cannot give valid consent to sexual contact. Incapacitation means the inability to understand the fact, nature, or extent of the sexual situation. Incapacitation may result from mental or physical disability, sleep, unconsciousness, involuntary physical restraint, or from the influence of drugs or alcohol. Where alcohol and/or other drugs (including prescription drugs) are involved, incapacitation is a state beyond drunkenness or intoxication. A person is not incapacitated merely because they have been drinking or using drugs. Where drugs and alcohol are involved, incapacitation is determined based on the facts and circumstances of the particular situation looking at whether the individual was able to understand the fact, nature, or extent of the sexual situation, whether the individual was able to communicate decisions regarding consent, non-consent, or the withdrawal of consent, and whether such condition was known or reasonably known to the Respondent, or a reasonable person in the Respondent's position. Use of drugs or alcohol by the Respondent is not a defense against allegations of sexual misconduct and does not diminish personal responsibility.

Investigator means the individual who collects statements and other evidence regarding a Formal Complaint of sexual misconduct and conducts the fact-finding portion of the grievance process.

Respondent means an individual who has been reported to have engaged in conduct that could constitute sexual harassment under this policy.

Supportive Measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to Cornell College's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or Cornell College's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. Supportive measures may also include written notification about available services both within the institution and the community and options for available assistance as required by the Clery Act. Supportive measures are not disciplinary measures.

Support Person means an individual chosen by the party to provide moral support. A support person is not required during the process and is different from the required advisor for a live hearing. A support person may not speak on behalf of the party.

Reporting Prohibited Sexual Harassment

1. **Notice of Allegations.** Cornell College has notice of allegations of Prohibited Sexual Harassment under this policy when such conduct is reported to the Title IX Coordinator or any official of Cornell College who has authority to institute corrective measures on behalf of Cornell College. However, all employees are required to report Prohibited Sexual Harassment, as defined and prohibited by this policy, to the Title IX Coordinator, excluding confidential reporters. Anyone may file a report about Prohibited Sexual Harassment by submitting a [Sexual Misconduct Report form](#), which may be completed anonymously or include identifying information. Please be aware that there may not be a way for College officials to identify and follow up on an anonymous report. If the individual who submitted an anonymous report later decides to identify themselves, they may do so by contacting the Title IX Coordinator.
2. **Response to a Report.** Upon a report of Prohibited Sexual Harassment, the Title IX Coordinator will promptly, generally five business days, contact the Complainant to discuss the availability of Supportive Measures, consider the Complainant's wishes with respect to Supportive Measures, inform the Complainant of the availability of Supportive Measures with or without the filing of a Formal Complaint, and explain to the Complainant the process for filing a Formal Complaint.
3. **Information Packet.** Upon a receipt of a report of sexual assault, dating violence, domestic violence or stalking, the Title IX Coordinator or designee shall provide an information packet that contains procedures to follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information in writing about—
 - a. The importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order;
 - b. How and to whom the alleged offense should be reported;
 - c. Options regarding law enforcement and campus authorities, including notification of the option to:
 - i. notify proper law enforcement authorities, including on-campus and local police;
 - ii. be assisted by campus authorities in voluntarily notifying law enforcement authorities; and
 - iii. decline to notify such authorities;
 - d. Where applicable, their rights and the institution's responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court;

- e. Information about appropriate and available services both at the institution and in the community including information about the availability of, and contact information for, on- and off-campus resources and services, and coordination with law enforcement, as appropriate; and
- f. Options for, available reasonably available assistance and accommodations and how to request them.

Cornell College's information packet for complainants of sexual assault, dating violence, domestic violence and stalking is available from the Title IX Coordinator.

4. **Implementation of Supportive Measures.** Cornell College shall treat parties equitably by offering Supportive Measures to the Complainant, and by following a grievance process that complies with this policy before the imposition of any disciplinary sanctions or other actions that are not Supportive Measures as against the Respondent. Cornell College will maintain as confidential any Supportive Measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of Cornell College to provide the Supportive Measures. The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures. The Title IX Coordinator should record and retain records regarding requests and provision of Supportive Measure in accordance with the requirements set out in "Record Keeping," below.
5. **Emergency removal.** Nothing in this part precludes Cornell College from removing a Respondent from Cornell College's education program or activity on an emergency basis, provided that Cornell College undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Prohibited Sexual Harassment justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal.
6. **Administrative Leave.** Cornell College reserves the right to place a non-student employee Respondent on administrative leave during the pendency of a grievance process.
7. **Amnesty for Student Code of Conduct Violations.** Sometimes, individuals are reluctant to come forward to report perceived violations of this policy out of fear that they may be charged with violations of other policies. To ensure that all perceived violations of this policy are reported so that those affected can receive the support and resources needed, Cornell College may choose not to charge students who report violations of this policy with violations of other policies. Individuals should be aware that the use of alcohol or drugs never makes them at fault for Prohibited Sexual Harassment committed against them, nor does it mitigate accountability for committing Prohibited Sexual Harassment against another person.

Procedures for Resolving Complaints of Prohibited Sexual Harassment

Upon notice of an allegation of Prohibited Sexual Harassment through any of the means outlined above, the Title IX Coordinator or designee will contact the Complainant, if one exists, to ensure that the concerns are addressed and to explore interim supportive measures, if necessary. The Title IX Coordinator or designee will review the options for filing a Formal Complaint and grievance process.

In some instances, College officials may have a duty to investigate an allegation of Prohibited Sexual Harassment in order to maintain the safety of the Cornell campus community. Situations in which such an investigation and/or conduct charges might proceed could include cases where multiple individuals have reported conduct involving the same Respondent or other conditions indicating a high risk to an individual and/or the campus. Complainants will be notified prior to action being taken.

Informal Resolution

Consistent with the requirements of this section, at any time prior to reaching a determination regarding responsibility, Cornell College may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that Cornell College:

- Provides to the parties a written notice disclosing:
 - The allegations,
 - The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the Formal Complaint, and
 - Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
- Obtains the parties' voluntary, written consent to the informal resolution process; and
- Does not offer or facilitate an informal resolution process to resolve allegations that an employee committed Prohibited Sexual Harassment against a student.
- Completes the informal resolution process within 60 days of receiving the Formal Complaint, unless unusual or complex circumstances exist.

Cornell College does not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of Formal Complaints of Prohibited Sexual Harassment under this policy. Cornell College shall not require the parties to participate in an informal resolution process and will not offer an informal resolution process unless a Formal Complaint is filed.

Formal Complaint and the Grievance Process

Filing a Formal Complaint

A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed for the Title IX Coordinator above. A “document filed by a Complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by Cornell College) that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint. Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or otherwise a party. A Formal Complaint shall trigger an investigation except as specified below. The Formal Complaint should include the date(s) of the alleged incident(s), the name of the Respondent, and should describe the circumstances of the incident(s), where known.

A. Dismissal of a Formal Complaint. Cornell College shall investigate the allegations in a Formal Complaint, except as follows:

- i. Mandatory Dismissal - Cornell College shall dismiss the Formal Complaint if the conduct alleged in the Formal Complaint
 - a. would not constitute Prohibited Sexual Harassment as defined by this policy, even if proved,
 - b. did not occur in Cornell College’s education program or activity,
 - c. or did not occur against a person in the United States.

This dismissal does not preclude action under another policy or procedure of Cornell College.

- ii. Discretionary Dismissal - Cornell College may dismiss the Formal Complaint or any allegations therein, if at any time during the investigation or hearing:
 - a. A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
 - b. The Respondent is no longer enrolled in or employed by Cornell College; or
 - c. Specific circumstances prevent Cornell College from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

Occurred prior to August 14, 2020, in which case, Cornell College’s [2019 Sexual Misconduct Policy](#) shall be used.

Cornell College may dismiss a Formal Complaint at any time in the process if it becomes known that one of the foregoing reasons for dismissal applies.

Upon a dismissal required or permitted under this section, Cornell College will promptly send written notice of the dismissal and reason(s) therefore simultaneously to the parties. Cornell College may also refer the matter to the appropriate department for resolution under [The Compass](#) for students or [Employee Handbook](#) for employees.

- B. Consolidation of Formal Complaints.** Cornell College may consolidate Formal Complaints as to allegations of Prohibited Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Prohibited Sexual Harassment arise out of the same facts or circumstances. Where a grievance process involves more than one Complainant or more than one Respondent, references in this section to the singular “party,” “Complainant,” or “Respondent” include the plural, as applicable.

Notice of Charges

- A. Initial Notice of Charges.** Upon receipt of a Formal Complaint, within five business days and prior to commencing the investigation, Cornell College shall provide the following written notice to the parties who are known. This notice shall include:
- i. This policy (as a link or attachment).
 - ii. Notice of the allegations of Prohibited Sexual Harassment , including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting Prohibited Sexual Harassment , and the date and location of the alleged incident, if known.
 - iii. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
 - iv. Notification to the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney.
 - v. Notification to the parties that they may inspect and review evidence, as set forth in this policy.
 - vi. Any provision in Cornell’s code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.
 - vii. Cornell College’s standard of evidence – preponderance of the evidence – as outlined in this policy.
 - viii. A list of potential sanctions.
- B. Amended Notice of Charges.** If, in the course of an investigation, Cornell College decides to investigate allegations about the Complainant or Respondent that are not included in the initial notice of charge, Cornell College must provide notice of the additional allegations to the parties whose identities are known.

Principles for the Grievance Process

Under this grievance process, Cornell College shall:

- A. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on Cornell College and not on the parties, provided that Cornell College cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless Cornell College obtains that party's voluntary, written consent to do so for a grievance process under this section (if a party is not an "eligible student," as defined in 34 CFR 99.3, then Cornell College must obtain the voluntary, written consent of a "parent," as defined in 34 CFR 99.3).
- B. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
- C. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
- D. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the Complainant or Respondent in any meeting or grievance proceeding; however, Cornell College may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties. For the purposes of this policy, the role of the advisor is limited to the following: the advisor may attend any interview or meeting connected with the grievance process, but may not actively participate in interviews nor provide testimony or argument on behalf of the party. The advisor may attend the live hearing and may conduct cross-examination of the other party and any witness at the hearing; otherwise, the advisor may not actively participate in the hearing.
- E. Allow each party to be accompanied by a support person if they do not wish to have an advisor. Each party may be accompanied by only one other person unless there is good cause, such as a disability-related accommodation or union representative. An advisor is required for the live hearing as outlined in "Live Hearings Under the Grievance Process."
- F. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time, generally 10 business days, for the party to prepare to participate.

- G. Require an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence— and provide that credibility determinations may not be based on a person’s status as a Complainant, Respondent, or witness.
- H. Require that any individual designated as a Title IX Coordinator, investigator, decisionmaker, or any person to facilitate an informal resolution process, not have a conflict of interest or bias for or against complainants or respondents generally or an individual Complainant or Respondent. Cornell College may use internal personnel or external parties in the informal resolution process or the grievance process, provided that they meet this requirement.
- I. Include a presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
- J. Use the following standard of evidence to determine responsibility for allegations in a Formal Complaint of Prohibited Sexual Harassment: the preponderance of the evidence standard. The standard of evidence shall be the same for Formal Complaints against students as for Formal Complaints against faculty and staff.
- K. Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

Extensions of the Grievance Process

The Title IX Coordinator may grant or deny requests from either party to temporarily delay the grievance process or may issue the limited extension of time frames for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action.

Investigation of Formal Complaints

If not serving as the Investigator, the Title IX Coordinator will appoint an Investigator, who may be an employee or official of Cornell College or may be an external investigator with appropriate experience or expertise. All Prohibited Sexual Harassment investigations are conducted by officials who do not have a conflict of interest or actual bias for or against the Complainant or Respondent.

The parties will be provided with notice of the identity of the appointed Investigator, and will be informed that any objections to the service of the appointed Investigator on grounds of conflict of interest or a lack of impartiality should be submitted in writing to the Title IX Coordinator within three business days of notice of the appointment. The Title IX Coordinator will decide promptly whether the appointed Investigator will or will not continue to conduct the investigation. Any materials collected or notes prepared by the Investigator during the objection

period will be turned over to any replacement Investigator. The replacement Investigator will decide whether to use such materials or not.

The investigator will meet with parties and relevant witnesses to college statements and evidence. Determination of additional interviews and gathering of additional evidence from sources the investigator deems necessary to establish facts or credibility is at the discretion of the investigator. All investigative interviews are recorded.

When investigating a Formal Complaint Cornell College shall, within 60 days of receiving the Formal Complaint, unless unusual or complex circumstances exist:

- A. Engage in fact-gathering of all relevant facts. Credibility resolutions and fact-finding shall be conducted in the live hearing phase of the grievance process.
- B. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a Formal Complaint, including the evidence upon which Cornell College does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. The timeline is outlined in “C.” below.
- C. Prior to completion of the investigative report, send to each party and the party’s advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 business days to submit a written response, which the investigator will consider prior to completion of the investigative report.
- D. Make all such evidence subject to the parties’ inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination; and
- E. Create an investigative report that fairly summarizes relevant evidence and, at least 10 business days prior to a hearing or other time of determination regarding responsibility, the Title IX Coordinator shall send to each party and the party’s advisor, if any, the investigative report in an electronic format, for their review and written response. Upon finalization of the investigative report and at least 10 business days prior to the live hearing, the Title IX Coordinator shall provide the investigative report to the decision-makers.

Live Hearings Under the Grievance Process

Requirement of a Live Hearing for Fact-Finding and Determining Responsibility

- A. Following the investigation, within 30 days of sending the final investigative report to the parties, unless unusual or complex circumstances exist, Cornell College shall conduct a

live hearing in front of the decision-makers who make up a Hearing Panel for the purposes of determining responsibility for allegations of Prohibited Sexual Harassment in the Formal Complaint. The decision-makers cannot be the same persons as the Title IX Coordinator or the investigator(s). A decision-maker may include internal employees or external third-parties contracted by Cornell College. The Title IX Coordinator will choose three Hearing Panel members from its pool of internal and external decision-makers to attend the hearing and make determinations. All potential Hearing Panel members will receive annual training as specified by this policy. The Title IX Coordinator will make the final decision whether to select an alternate upon a challenge from a party. The Title IX Coordinator will appoint a member of the Hearing Panel to be Chair of the Hearing Panel.

- B. The live hearing will be closed. The only individuals permitted to participate in the hearing are as follows: The Complainant and Respondent, the decision-makers, the advisor for each party, any witnesses (only while being questioned), the Title IX Coordinator or designee, and any individual providing authorized accommodations or assistive services.
- C. If a party does not have an advisor present at the live hearing, Cornell College shall provide, without fee or charge to that party, an advisor of Cornell College's choice, who may be, but is not required to be, an attorney, to conduct cross examination on behalf of that party. Cornell College is obligated to ensure each party has an advisor during the hearing, either of the party's or Cornell College's choice regardless of whether or not the party is present at the hearing. To ensure timely proceedings, a party shall alert the Title IX Coordinator as soon as practicable if the party will need an advisor.
- D. Live hearings may be conducted with all parties physically present in the same geographic location or, at Cornell College's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.
- E. At the request of either party, Cornell College shall provide for the live hearing to occur with the parties located in separate rooms with technology enabling the decision-makers and parties to simultaneously see and hear the party or the witness answering questions.
- F. Cornell College shall create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review. Any other recording is prohibited, and violations may result in discipline.
- G. Prior to the hearing, the Title IX Coordinator will provide, via email, deadlines for submitting and exchanging names of witnesses, evidence, and pre-hearing questions (The parties will also be permitted to submit questions during the live hearing). Participation in pre-hearing deadlines is required in order to facilitate the efficient and fair administration of the live hearing process.

Questioning at the Live Hearing

- A. At the live hearing, the decision-makers must permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility.
- B. Only relevant cross examination and other questions may be asked of a party or witness.
- C. Decision-makers also have the right to question a party or witness.
- D. Cross examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally, notwithstanding Cornell College's ability to otherwise restrict the extent to which advisors may participate in the proceedings.
- E. Before the Complainant, Respondent, or witness answers a cross-examination or other question, the Chair must first determine whether the question is relevant. The Chair must explain to the party proposing the questions any decision to exclude a question as not relevant.
- F. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Use of Witness Statements

- A. The decision-makers cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross examination or other questions.

Written Determination of the Decision-Makers

- A. The decision-makers shall issue a written determination regarding responsibility. The written determination will be sent to the parties via the Title IX Coordinator. A majority of the Hearing Panel members must find that a policy violation occurred for a finding of responsibility, and a majority of the Hearing Panel members must assent to the sanction(s) imposed, if any.
- B. To reach this determination, the decision-maker must apply the standard of evidence required by this policy, preponderance of the evidence. The written determination must include:

- a. Identification of the allegations potentially constituting sexual harassment as defined by this policy;
 - b. A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
 - c. Findings of fact supporting the determination;
 - d. Conclusions regarding the application of Cornell College's policy to the facts;
 - e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and whether remedies designed to restore or preserve equal access to Cornell College's education program or activity will be provided to the Complainant; and
 - f. The procedures and permissible bases for the Complainant and Respondent to appeal, as set forth in this policy.
- C. Cornell College shall provide the written determination to the parties simultaneously.
- D. The determination regarding responsibility becomes final either on the date that Cornell College provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

Appeals

Grounds

Within 10 business days of receiving the written determination, either party may appeal from a determination regarding responsibility, and from Cornell College's dismissal of a Formal Complaint or any allegations therein, on the following grounds:

Ground 1: Procedural irregularity that affected the outcome of the matter;

Ground 2: New evidence that was not reasonably available at the time of determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

Ground 3: The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

Appeals must be sent to the Title IX Coordinator in writing.

Response to Appeals

As to all appeals, the Title IX Coordinator (or designee) shall:

- i. Notify the other party in writing immediately when an appeal is filed and implement appeal procedures equally for both parties;
- ii. Ensure that the decision-makers for the appeal are not the same persons as the decision-makers that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
- iii. Ensure that the decision-makers for the appeal comply with the standards set forth in this policy;
- iv. Give the non-appealing party an opportunity to submit a written statement in response to the appeal within 10 business days of receiving the appeal, which shall be transmitted within 2 business days to the Appeal decision-maker(s).

Decision on Appeal

Within 20 business days of receiving the appeal and the other party's response, the Appeal decision-makers shall issue a written decision describing the result of the appeal and the rationale for the result; and provide the written decision simultaneously to both parties. The written decision will be disseminated to the parties via the Title IX Coordinator. The Appeal decision-makers may deny the appeal or, if the appeal ground(s) has or have been met, may return the case to the initial decision-makers for reconsideration, or convene a new hearing. If a case is returned to the initial decision-makers, the Appeal decision-makers shall identify which aspects merit further review.

Remedies and Sanctions

Remedies must be designed to restore or preserve equal access to Cornell College's education program or activity. If the Hearing Panel determines a Respondent has violated this policy, the Hearing Panel will determine sanction(s) for a student Respondent, the Director of Human Resources will determine sanction(s) for a staff Respondent, and the Provost will determine sanction(s) for a faculty Respondent.

A student found responsible for a violation of this policy will be subject to sanction(s) regardless of whether legal proceedings involving the same incident are underway or anticipated. An employee found responsible for a violation of this policy will be subject to sanction(s) up to and including termination of employment. The sanction(s) will be based on the nature of the incident, any prior conduct violations, sanction(s) resulting from prior similar cases, and any other relevant facts. Information regarding prior violations will not be disclosed unless necessary following a finding of responsibility for a violation of this policy.

Possible sanctions and remedies that Cornell College may implement following any determination of responsibility include, but are not limited to:

- Corrective action plan
- Demotion of employment
- Disciplinary expulsion
- Disciplinary probation
- Disciplinary suspension
- Educational activity and reflection
- Leave of absence
- No contact orders
- Notation in Respondent's official student and/or personnel file of the fact of a violation and the sanction(s)
- Reduction in salary
- Referral to counseling or other support
- Restitution
- Restorative Action
- Restriction from campus
- Restriction from college housing and/or buildings
- Termination of employment
- Transfer of responsibilities
- Withdrawal of an awarded degree and/or privileges
- Written Warning

The Title IX Coordinator is responsible for effective implementation of any remedies.

Retaliation

No student, faculty or staff member may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right established by this policy or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.

Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or Formal Complaint of sexual harassment, for the purpose of interfering with any right under this Policy constitutes retaliation.

The exercise of rights protected under the First Amendment does not constitute retaliation prohibited under this section.

Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination:

- i. Retaliation alleged to have been committed by a student is a conduct code violation of the "Abuse, Harassment, Bullying, and Retaliation" policy in [*The Compass*](#).

- ii. Retaliation alleged to have been committed by an employee is a violation of the “Anti-Discrimination Policy” in the [Employee Handbook](#).

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy does not constitute retaliation prohibited under of this section, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

Confidentiality

Consistent with the requirements of this policy, Cornell College shall keep confidential the identity of any individual who has made a report or complaint of Prohibited Sexual Harassment, including any individual who has made a report or filed a Formal Complaint of Prohibited Sexual Harassment, any complainant, any individual who has been reported to be the perpetrator of Prohibited Sexual Harassment, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as otherwise permitted or required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder or to satisfy NCAA’s requirements. This means that Cornell College will protect the party’s privacy consistent with this Policy but may disclose information to those who have a legitimate need to know and in order to process complaints under this policy.

Confidentiality is not absolute, however. Where criminal conduct has occurred, or where the health and/or safety of others in the community may be in danger, it may be necessary for Cornell College to take appropriate steps to protect the safety of its students and employees, including the person who has reported the misconduct.

Counselors, medical providers, the Chaplain, and other designated individuals working at or on behalf of Cornell College are Confidential Resources. Please see the full list of confidential resources below. In most cases, Confidential Resources at Cornell College will not share the substance of any such communications or that such communications occurred without consent. Individuals who wish to talk about issues related to Prohibited Sexual Harassment confidentially, with the understanding that Cornell College will not take any action based on such confidential communications, are encouraged to contact one of these Confidential Resources.

Cornell College Confidential Resources

- Anna Butz, Associate Registrar (Old Sem)
- Cindy Turley, Coordinator of Academic Advising and Support (Old Sem)
- Hannah Ganzel, Coordinator of Disability Services (Thomas Commons)
- Karen Mohwinkle, Clinic Coordinator (Ebersole Health and Wellbeing Center)
- Karla Steffens, Counselor (Ebersole Health and Wellbeing Center)
- Marcia Sisk, Director of the Health and Wellbeing Center (Ebersole Health and Wellbeing Center)
- Melea White, Chaplain (Old Sem)

- Miriam McConnell, Counselor (Ebersole Health and Wellbeing Center)

Off-Campus Confidential Resources

- Riverview Center, 888-557-0310
- Waypoint, 800-208-0388

Confidential resources may, however, have an obligation to disclose otherwise-privileged information where they perceive an immediate and/or serious threat to a person and/or property. This is a limited exception to the privileged nature of communications with Confidential Resources. Reports or records maintained by Cornell College (including Counseling Service records), and other confidential, non-privileged records may, however, be subject to a subpoena if civil or criminal charges are filed in court.

Emergency Assistance and Police Reporting

Individuals who may have experienced sexual harassment may utilize the following resources for emergency assistance, collecting physical evidence, and police reporting.

Cornell College Campus Safety, 319-895-4299
 Mount-Vernon Lisbon Police Department, 319-895-6141 or 911
[Riverview Center](tel:888-557-0310) (888-557-0310)
[Iowa Coalition Against Sexual Assault](tel:1-800-770-1650) (1-800-770-1650)

The Title IX Coordinator, Dean of Students, Provost, and/or Director of Human Resources can assist a Complainant with reporting to police. A Complainant may choose, at any time, to pursue an external complaint through the criminal and/or civil court system. These legal processes are separate from the Cornell College's process and are outside the control or authority of the College. While the College has no control over any police investigation and legal processes that may follow, the College will continue to work with Complainants to provide support throughout the process.

Medical help can be important to identify and treat any physical injuries, gather evidence should the person want to report the crime, and to protect from sexually transmitted infections and/or pregnancy. Individuals have up to 72 hours after an assault to take prophylactic medication to prevent some sexually transmitted infections and up to 120 hours to prevent pregnancy (if a concern). The physical evidence of an assault is most effectively collected within the first 24-48 hours of the assault, but some evidence may be collected for up to 72 hours. The exam and subsequent medical treatment are free to individuals who have been victimized. Evidence collection does not require or necessitate filing police charges.

Riverview Center will provide transportation for individuals needing to complete a SANE exam and will stay at the hospital with the individual as support throughout the process.

Training

The Title IX Coordinator, investigators, decision-makers, and any person who facilitates an informal resolution process (whether internal or external) shall receive training on the definitions of Prohibited Sexual Harassment, the scope of Cornell College's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. These individuals shall receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking.

In addition to receiving training on the above, decision-makers shall receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant. Investigators shall also receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process will not rely on sex stereotypes and will promote impartial investigations and adjudications of Formal Complaints of Prohibited Sexual Harassment.

2024-2025 training materials can be access through the following sites:

- Title IX Coordinator and Investigator attended [Fredrikson's Title IX Training](#)
- Decision-maker training provided by [D. Stafford & Associates](#)

2023-2024 training materials can be accessed through the following sites:

- Title IX Coordinator attended [ATIXA Gender Equity Foundations for Higher Education](#)
- Deputy Title IX Coordinator and Informal Resolution facilitators attended [ATIXA Sex Based Harassment Foundations for Higher Education](#)
- Investigators attended [ATIXA Civil Rights Investigator Two training](#)
- Decision-maker training provided by [D. Stafford & Associates](#)

2022-2023 training materials can be accessed through the following sites:

- Title IX Coordinator attended [ATIXA Coordinator Two training](#)
- Deputy Coordinator and Informal Resolution facilitators attended [ATIXA Coordinator One training](#)
- Investigators attended [ATIXA Civil Rights Investigator One training](#)
- Decision-maker training provided by [D. Stafford & Associates](#)

2020-2022 training materials can be accessed through TrainEd solutions. TrainEd solutions provides a webpage where you submit your name and email to access the training materials:

- [Title IX Coordinator and Informal Resolution facilitator](#)
- [Investigators](#)
- [Decision-makers](#)

Recordkeeping

Cornell College shall maintain for a period of seven years records of:

1. Each investigation including any determination regarding responsibility for Prohibited Sexual Harassment and any audio or audiovisual recording or transcript required under this policy, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to Cornell College's education programs or activities;
2. Any appeal and the result therefrom;
3. Any informal resolution and the result therefrom; and
4. All materials used to train Title IX Coordinators, investigators, decisionmakers, and any person who facilitates an informal resolution process. Cornell College shall make these training materials publicly available on its website (see "[Training](#)" above).
5. Records of any actions, including any Supportive Measures, taken in response to a report or Formal Complaint of sexual harassment. In each instance, Cornell College will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to Cornell College's education program or activity. If Cornell College does not provide a complainant with Supportive Measures, then Cornell College must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit Cornell College in the future from providing additional explanations or detailing additional measures taken.

Compliance

Compliance with these provisions does not constitute a violation of section 444 of the General Education Provisions Act (*20 U.S.C. 1232g*), commonly known as the Family Educational Rights and Privacy Act of 1974 ([FERPA](#)).

Effective Date; Revisions

This policy is effective as of August 14, 2020.

Revised August 20, 2024.