Frequently Asked Questions for Policy 6.4 Hearing and Appeal Panelists

What is Policy 6.4?

Cornell University Policy 6.4 provides a means to address bias, discrimination, harassment, and sexual and related misconduct, including gender-based harassment, sexual harassment, sexual assault, domestic and dating violence, stalking, and sexual exploitation. All members of the Cornell community have the right to file a complaint of sexual or related misconduct when they believe that a member of the Cornell community has engaged in prohibited conduct.

What are the 'Procedures for Resolution of Reports Against Students Under Cornell Policy 6.4',? 

When the accused party in a Policy 6.4 compliant is a student, the matter is resolved in accordance with the 'Procedures for Resolution of Reports Against Students Under Cornell Policy 6.4'. After receipt of a complaint and following a thorough and neutral investigation by the skilled investigators in the office of the Title IX Coordinator, all complaints are reviewed by a three-member hearing panel comprised of faculty and staff.

How many hearings were conducted during the 2017-2018 academic year?

During the 2017-2018 academic year the Office of Institutional Equity and Title IX convened eight hearing panels. As a result of an increase in reports resulting in formal complaints, it is expected that there will be a significantly higher need for hearing panel review during the 2018-2019 academic year.

What does serving on as a hearing panel entail?

Panel members receive a summary of facts that were uncovered during the investigation as well as all investigatory materials (e.g. interview transcripts, copies of texts and other communications). With the assistance of a non-voting Hearing Chair who is well-versed in Cornell’s processes, the panel uses these investigative materials to identify key witnesses to hear from and craft questions for the witnesses. The panel then conducts a hearing, makes a finding, and imposes sanctions if the respondent is found responsible.

Do I need expertise?

Hearing panel members needn’t have any pre-existing expertise. The Office of Institutional Equity and Title IX will provide initial and ongoing training for hearing panel members and the
Hearing Chair provides continuous support and guidance during each case.

How much time should I expect to spend on a case?

For any given case, panel members may be required to spend up to 20 or so hours preparing for the hearing by reading written materials, such as investigative reports and records. These records often contain transcripts of interviews of the parties and witnesses and other documents relevant to the investigation. Additional preparation includes a couple of 1-2-hour meetings with the other hearing panel members and the hearing chair to determine witnesses for the hearing and to draft examination questions for those witnesses and the parties. The hearings themselves typically take four to six hours, but sometimes extend to ten hours, and the deliberations might take several hours. Some hearings will be conducted during business hours and some in early evening hours or over the weekend, dependent on the availability of panel members and witnesses.

Is there a commitment?

In an effort to promote experience and continuity, panel members are asked to serve four-year terms with a possibility of renewal; there is no term limit Understanding that hearings involve a substantial commitment of time and often involve difficult content and, thus, panel members may limit their involvement to just one case per semester (although with the current number of faculty participants, this is not currently possible). Panel members may also decline panel requests on a case-by-case basis based upon their schedule or the facts of a given case, with the expectation that panel members will seek to accept panel assignments where feasible and within the number of assignments to which they have committed.

This sounds like an enormous commitment of time and energy. Why do it?

This is unquestionably a significant commitment, but this is an absolutely critical issue for the university to get right. Fair and equitable adjudication of these cases is essential to maximizing the educational opportunities for the students involved. In addition, having a robust and broadly trusted process is essential to creating an educational environment where students know that sexual misconduct will be not be tolerated. Serving on these panels directly contributes to these key goals and is one highly impactful way faculty members can help decrease the incidence of sexual misconduct and maximize educational opportunities for all Cornell students.

1 Panel members will not be required to fulfill the full term if academic or personal circumstances affect a panelists availability continue to serve.