



Student Assembly

Resolution 15: Institutional Transparency and Accountability in the University's Response to Sexual Assault

Abstract: This resolution responds to the University's handling of the 2024 Chi Phi sexual assault case and to the broader question of how Cornell communicates the outcomes of sexual misconduct proceedings. It calls on the University to exercise the disclosure discretion federal law already grants it, to publish aggregate outcome data and the mechanisms by which its offices coordinate with law enforcement, to strengthen protections for complainants during hearings, and to convene an undergraduate task force and a series of town halls with a deliverable by the end of the semester.

Authored by: Student Assembly

Endorsed by:

Type of Action: Recommendation

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Current Status: Adopted by the Assembly, Unanimous Consent, 10/01/2026

Whereas, a sexual assault was reported to have occurred at the Xi chapter house of the Chi Phi fraternity on October 19, 2024, and the University closed that chapter in 2024 and has kept it barred from campus since [1],

Whereas, in September 2026, a former Cornell student filed a civil lawsuit in New York State court naming the University, national and local Chi Phi organizations, seven current and former chapter members, and other parties [2],

Whereas, the Tompkins County District Attorney declined to file criminal charges in November 2024 and announced on September 28, 2026, that the office intends to present the case to a criminal grand jury [2],

Whereas, no individual involved in this matter has been criminally charged to date [2],

Whereas, the University stated on September 21, 2026 that the Cornell Office of Civil Rights and the Office of Student Conduct and Community Standards investigated and adjudicated the allegations, and cited federal privacy law as the reason it could not make a public statement regarding any individual disciplinary response [3],



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Whereas, the University stated on September 28, 2026 that temporary suspensions and other restrictive measures were used during the investigation, claimed that a “panel of trained faculty and staff” heard evidence over multiple days, that the hearing panel issued a range of sanctions which “included expulsions and suspensions,” and that no individual charged was offered the opportunity to write essays as a sole consequence of their involvement [1],

Whereas, press accounts of the sanctions imposed differ from the University’s characterization of them, and students have no way to reconcile the two accounts [1][2],

Whereas, student confidence in a disciplinary process depends on sufficient transparency to allow the campus community to understand how institutional policies are applied in practice,

Whereas, federal privacy law is narrower than the University’s public statements suggest, because 34 C.F.R. § 99.31(a)(14) and § 99.39 allow a postsecondary institution to disclose the final results of a disciplinary proceeding involving a crime of violence or a non-forcible sex offense when it has found the accused student responsible, and that disclosure may include the name of the student, the violation committed, and the sanction imposed [4][5],

Whereas, the regulation permits this disclosure rather than requiring it, so the University’s silence reflects institutional discretion rather than a legal prohibition, and no such disclosure is permitted for any accused student who was not found responsible [4][5],

Whereas, under 34 C.F.R. § 99.31(a)(13), an institution may disclose the final results of such a proceeding to the complainant regardless of whether the accused student was found responsible [4],

Whereas, the Clery Act goes further and requires that the complainant and the accused students be simultaneously informed in writing of the result of any disciplinary proceeding arising from an allegation of sexual assault, of the procedures for appeal, of any change to the result, and of when the result becomes final, and the Department of Education has held that an institution may not place conditions of any kind on a complainant’s access to that notification [10],

Whereas, aggregate, de-identified outcome data contains no personally identifiable information, and federal privacy law therefore does not restrict its release,

Whereas, whether a student is currently enrolled and whether a degree has been conferred are ordinarily treated as directory information under 34 C.F.R. §§ 99.3 and 99.37, which an institution may release without consent unless the student has asked that directory information be withheld [6],

Whereas, New York Education Law Article 129-B requires an institution to note on the transcript of a student found responsible for a crime of violence, as defined by the reporting



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requirements of the Clery Act, that the student was suspended or expelled after a finding of responsibility for a code of conduct violation; requires a notation that an accused student withdrew with conduct charges pending if that student leaves before the process concludes; and requires the institution to publish a policy on these notations and on appeals seeking their removal [7],

Whereas, the Title IX regulations currently in effect require a postsecondary institution to hold a live hearing at which each party's advisor, and never the party personally, asks questions, to provide an advisor free of charge to any party who does not have one, and to allow the entire hearing to proceed with the parties in separate rooms, at the request of either party, using technology that lets the decision-makers and the parties see and hear testimony as it is given [8],

Whereas, these protections depend on a student knowing to request them, and a complainant who is not told in advance that separate-room and remote participation are available may reasonably conclude that testifying in the presence of the accused is the only option,

Whereas, the 2025 Cornell Survey on Sexual Assault and Related Misconduct found that 35 percent of undergraduate women who responded reported experiencing nonconsensual sexual contact during their time at Cornell, compared to 23 percent in 2023, and that 20 percent of that contact occurred at fraternity chapter houses or annexes [11],

Whereas, the Presidential Task Force on Campus Sexual Assault issued its final report in March 2026, with recommendations addressing individual behavior, community culture, and institutional accountability [9],

Whereas, the University has stated that several task force recommendations have been implemented and that others are in development under a university implementation committee, and students have no published account of which recommendations are complete, which are pending, and on what timeline [1],

Whereas, Dean Martha Love, Co-Chair of the task force, said to the Cornell Daily Sun, "the charge was never for us to solve the problem," before the task force had even completed its work, demonstrating the inherent limitations of said task force [12].

Whereas, the civil complaint raises allegations of drug use inside a recognized fraternity chapter house, and the University has published no enforcement standard addressing how substance use and chapter oversight bear on student safety in Greek spaces,

Whereas, students learned the details of this matter from litigation filings and national media rather than from the University, and that sequence has damaged student trust in the institution responsible for their safety,



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Be it therefore resolved, the Student Assembly calls on the University to publish a plain-language explanation of its disclosure obligations that states, separately and specifically, which categories of information it is prohibited from releasing under the Family Educational Rights and Privacy Act, Title IX, and the Clery Act, and which categories it is permitted but not required to release, so that students can distinguish a legal constraint from an institutional choice,

Be it further resolved, the Student Assembly calls on the University either to exercise the discretion afforded by 34 C.F.R. § 99.31(a)(14) by disclosing the violation committed and the sanction imposed for any accused student found responsible in this matter, or to state publicly that it is declining to make a disclosure that federal law permits and to explain the basis for that decision, and further calls on the University to give weight to the complainant's stated wishes in any disclosure concerning this matter,

Be it further resolved, the Student Assembly calls on the University to publish the following aggregate information regarding this matter, none of which constitutes personally identifiable information:

- The number of accused students charged, the number found responsible, and the number found not responsible;
- The sanctions imposed, reported by category and by the number of accused students receiving each, including any expulsion, suspension with its duration, disciplinary probation, educational or reflective requirement, no-contact order, or campus restriction;
- Whether the transcript notations required by New York Education Law Article 129-B were applied, and confirmation that the University's policy on notations and appeals seeking their removal is published and publicly accessible; and
- The elapsed time between the initial report, the conclusion of the investigation, the hearing, and the final resolution of any appeal,

Be it further resolved, the Student Assembly calls on the University to state whether each accused student found responsible in this matter remains enrolled and whether any such student has been awarded a Cornell degree, including any degree conferred after the finding of responsibility, and, if the University withholds that information for any individual, to state whether it is doing so because that individual has asked that directory information be withheld,

Be it further resolved, the Student Assembly calls on Vice President for Student and Campus Life Ryan Lombardi, Vice President for University Relations Kyle Kimball, and Associate Vice President of Public Safety David Honan to attend, within 30 days of the passage of this resolution, a town hall open to all students and student press, at which questions are taken directly from students in attendance and are not screened or submitted in advance,



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Be it further resolved, the Student Assembly calls on the University to publish an annual report of aggregate outcomes for all sexual misconduct cases adjudicated through its conduct processes, including findings, sanctions by category, and case timelines, together with the sanctioning framework or rubric that guides the range of sanctions available for a given violation,

Be it further resolved, the Student Assembly calls on the University to release a written account of how this specific matter was handled by the Title IX function within the Cornell Office of Civil Rights, the Office of Student Conduct and Community Standards, Sorority and Fraternity Life, and the Cornell University Police Department, which shall state:

- The date the initial report was received, the office that received it, and the date on which each other office became involved;
- Whether and when the matter was referred to the Cornell University Police Department, who authorized or initiated the referral, what notice was provided to the complainant regarding the referral, and whether the complainant was given a choice about that referral;
- Whether and when the matter was referred to the Tompkins County District Attorney's Office, by whom, and what material accompanied that referral;
- What evidence gathered by the University or by the Cornell University Police Department was provided to the District Attorney's Office, what was withheld, and on what basis;
- Which office determined what federal privacy law permitted the University to disclose about this matter, and the basis for that determination; and
- How the decision to close the Xi chapter and bar it from campus was made, by whom, and under what standard,
- The date of each step in the process, specifically the initial report, the imposition of any interim suspension, the opening of the investigation, the issuance of the investigative report, the hearing, the determination, any appeal decision, and the date each sanction took effect,

Be it further resolved, the Student Assembly further calls on the University to publish, as a standing reference for all future cases, a single document describing how these offices coordinate, when and by whom a report is referred to law enforcement or to the District Attorney, whether a complainant may decline such a referral, and what a student can expect at each stage of the process,

Be it further resolved, the Student Assembly calls on the University to strengthen protections for complainants during the hearing process by:



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- Informing every complainant in writing, before the decision to proceed is made, that separate-room and remote participation are available at the request of either party, and that a trained advisor will be provided at no cost;
- Treating separate-room participation as the standing offer rather than an accommodation a student must know to request;
- Notifying every complainant of their right to receive the final results of the proceeding regardless of the outcome, consistent with 34 C.F.R. § 99.31(a)(13); and
- Reviewing, with student input, what additional protections are available within the constraints of the federal regulations currently in effect,

Be it further resolved, the Student Assembly calls on the University, through Sorority and Fraternity Life, to reinforce and publish, by the end of the current semester, its enforcement standard for drug and alcohol policy violations in recognized Greek organizations, including the specific violations that trigger chapter suspension and loss of recognition, the number and severity of violations required before each consequence applies, and the extent to which chapter leadership is held accountable, and to establish and publicize an anonymous mechanism through which students can report unsafe conditions in chapter houses, included drug and alcohol misuse and conduct that threatens student safety, such as sexual harassment, discrimination, or hazing,

Be it further resolved, the Student Assembly recommends that Sorority and Fraternity Life, in consultation with the Interfraternity Council, the Panhellenic Council, and the Multicultural Greek and Fraternal Council, develop a policy of random, unannounced safety and compliance checks of recognized chapter houses owned, leased, or otherwise subject to the University's recognition standards, with defined consequences for violations, and report a proposed policy to the Student Assembly,

Be it further resolved, the Student Assembly calls for the creation of an Undergraduate Task Force on Sexual Assault Prevention, composed of representatives of the Interfraternity Council, the Panhellenic Council, the Multicultural Greek and Fraternal Council, Sexual Assault Prevention and Support, and the Student Assembly, charged with reassessing current anti-sexual assault measures and producing a deliverable by the end of the semester that includes a detailed prevention plan and a set of institutional requests to the University, to be presented publicly at the second town hall described below. This council will examine and reassess consent education across Sorority and Fraternity Life programming, Interfraternity Council programming, and New Student Orientation, under the implementation committee for the Presidential Task Force on Campus Sexual Assault, with undergraduate participation in the review and published metrics to evaluate whether the training changes student behavior. After concluding, the Undergraduate Task Force on Sexual Assault Prevention shall convene a minimum of two town halls:



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- A first town hall at which students may voice their concerns and experiences, with confidential advocates present; and
- A second town hall at which the Task Force presents its deliverable, including the prevention plan and the institutional requests to the University,

Be it further resolved, the Student Assembly calls on the University to issue a public statement that sets out what prevention and response measures existed before this incident, what has changed since, what the process is now, and each step in its process that did not meet its own policies or timelines in this matter, accompanied by a published implementation status and timeline for each recommendation of the Presidential Task Force on Campus Sexual Assault,

Be it further resolved, the Student Assembly affirms its support for survivors of sexual violence in this community, recognizes that confidential support is available through the SHARE Office, Cornell Health, and Victim Advocacy services independent of any reporting decision, and states that no student should be required to participate in a public process in order to receive support,

Be it finally resolved, copies of this resolution shall be sent to the President of the University, the Provost, the Vice President for Student and Campus Life, the Dean of Students, the Cornell Office of Civil Rights, the Office of Student Conduct and Community Standards, Sorority and Fraternity Life, the implementation committee for the Presidential Task Force on Campus Sexual Assault, the University Assembly, and the Graduate and Professional Student Assembly.

Respectfully Submitted,

Eeshaan Chaudhuri '27

President, *Student Assembly*

Saanya Agarwal '27

Women's Issues Representative, *Student Assembly*



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References

- [1] Cornell University, "District Attorney's investigation of 2024 sexual assault allegations," statement of Vice President Kyle Kimball, Sept. 28, 2026.
<https://statements.cornell.edu/2026/20260928-da-investigation.cfm>
- [2] ABC News, "District attorney reopens case of alleged Cornell University 'gang rape,'" Sept. 28, 2026.
<https://abcnews.com/US/district-attorney-reopens-case-alleged-cornell-university-gang/s-tory?id=136806149>
- [3] The Cornell Daily Sun, "University Releases Statement on Alleged Gang Rape at Chi Phi," Sept. 2026.
<https://www.cornellsun.com/article/2026/09/university-releases-statement-on-alleged-gan-g-rape-at-chi-phi>
- [4] 34 C.F.R. § 99.31(a)(13)–(14), disclosure of final results of disciplinary proceedings without prior consent.
<https://www.ecfr.gov/current/title-34/subtitle-A/part-99/subpart-D/section-99.31>
- [5] 34 C.F.R. § 99.39, definitions governing disclosure of final results (name, violation committed, sanction imposed).
<https://www.ecfr.gov/current/title-34/subtitle-A/part-99/subpart-D/section-99.39>
- [6] 34 C.F.R. §§ 99.3 and 99.37, definition and release of directory information, which may include enrollment status, dates of attendance, and degrees conferred, subject to a student's request to withhold it.
- [7] New York Education Law Article 129-B ("Enough is Enough"), § 6444, transcript notation requirements.
https://www.health.ny.gov/prevention/sexual_violence/docs/regulations.pdf
- [8] 34 C.F.R. § 106.45(b)(6)(i), 2020 Title IX Final Rule, live hearing, cross-examination by advisors, provision of an advisor at no cost, and separate-room participation at the request of either party. The 2024 Title IX Rule was vacated by federal court order on January 9, 2025, and the 2020 Rule is the operative regulation.
- [9] Presidential Task Force on Campus Sexual Assault, Final Report, March 10, 2026.
<https://provost.cornell.edu/initiatives/task-force-sa/tfsa-final-report-2026.pdf>
- [10] 34 C.F.R. § 668.46(k), Clery Act procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, including simultaneous written notification to both parties of the result, appeal procedures, any



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change to the result, and when the result becomes final.

<https://www.ecfr.gov/current/title-34/subtitle-B/chapter-VI/part-668/subpart-D/section-668.46>

[11] Cornell University, *2025 Survey of Sexual Assault and Related Misconduct, Overview of Results*, October 2025, p. 15.

https://bpb-us-e1.wpmucdn.com/blogs.cornell.edu/dist/5/7756/files/2025/10/2025-SARM-Survey-report_508.pdf

[12] The Cornell Daily Sun, “‘The Charge Was Never for Us to Solve the Problem’: Sexual Assault Task Force Co-Chairs Speak on Holistic Health Approach, Delayed Progress,” Dec. 2025.

<https://www.cornellsun.com/article/2025/12/the-charge-was-never-for-us-solve-the-problem-sexual-assault-task-force-co-chairs-speak-on-holistic-health-approach-delayed-progress>