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**NCLA Releases Case Video Showing How Cornell's Title IX Kangaroo Courts Ruin Lives**

*Dr. Mukund Vengalattore v. Cornell University and the U.S. Department of Education*



**Washington, DC (April 2, 2021)** – Last month, President Biden [issued](#) an [Executive Order](#) related to Title IX, but the order will do little to reduce gender discrimination in educational settings. The EO also directly attacks one of the most sacred protections that we have as citizens—the right to due process when accused of wrongdoing—by ordering the Department of Education to take steps to repeal a Title IX rule promulgated by Secretary Betsy DeVos in the prior administration. For the wrongly accused, President Biden’s Title IX order signals a return to the Obama-Biden national policy whereby the mere false allegation of sexual harassment or misconduct will suffice to destroy the educational opportunities and careers of accused students and professors alike.

One such professor is Dr. Mukund Vengalattore, pictured above, one of the nation’s leading experts in atomic, molecular, and optical physics, who taught at Cornell University in Ithaca, NY. He was on track for tenure when a graduate student who was dismissed from his lab for academic reasons retaliated by falsely accusing him of inappropriate sexual activity that simply never occurred. Cornell’s ensuing Title IX disciplinary process,

adopted in response to “Dear Colleague” letters and other guidance from the U.S. Department of Education, was biased, discriminatory, and fundamentally unfair. It deprived Dr. Vengalattore of the opportunity to cross-examine his accuser or provide witnesses in his defense. It also applied a very low standard of proof for a proceeding implicating such significant professional consequences—a mere preponderance of the evidence.

Today, the New Civil Liberties Alliance, a nonpartisan, nonprofit civil rights group, released a [video](#) about Dr. Vengalattore’s case against Cornell University and the U.S. Department of Education. The case is currently before the U.S. Court of Appeals for the Second Circuit, on appeal from the decision of the trial court, which dismissed the case on a flawed theory of Title IX without ruling on the substance of the deprivation of due process and other claims presented by Dr. Vengalattore. NCLA argues that the disciplinary proceedings against him themselves violated Title IX of the Education Amendments of 1972. By prevailing in this case, NCLA means to restore the due process guaranteed by the Bill of Rights to accused parties in campus Title IX hearings.

### **Excerpts from the video:**

“We’ve arrived at a time where university campuses investigate, adjudicate, and punish people on the basis of ambiguous Title IX accusations. And those accused of wrongdoing have lost their right to due process.”

— **Dr. Mukund Vengalattore, Plaintiff, *Vengalattore v. Cornell, et al.***

“Title IX has no application here. Title IX says nothing about disciplinary process. Title IX says nothing about what colleges should do when people are accused of misconduct. Title IX simply says that schools should not discriminate on the basis of sex. And unfortunately, what’s happening is colleges and universities have used these disciplinary proceedings as a way to discriminate.”

— **Caleb Kruckenberg, Litigation Counsel, NCLA**

“For some reason, these schools have made the determination that in Title IX proceedings, they’re not going to follow those very basic due process dictates. That’s what’s happened here. They violated our client’s constitutional rights. They had what I would call a ‘kangaroo-type’ proceeding, and our client has suffered immensely as a result of it.”

— **Harriet Hageman, Senior Litigation Counsel, NCLA**

“Cornell denied him any hearing. It denied him a right to cross-examine witnesses. It even denied him the right to present his own live witnesses. Instead, Cornell appointed a single individual as both the investigator and the jury, and the result was a totally unfair process.”

— **Richard Samp, Senior Litigation Counsel, NCLA**

**For more information about the case visit [here](#).**

### **ABOUT NCLA**

[NCLA](#) is a nonpartisan, nonprofit civil rights group founded by prominent legal scholar [Philip Hamburger](#) to protect constitutional freedoms from violations by the Administrative State. NCLA’s public-interest litigation and other pro bono advocacy strive to tame the unlawful power of state and federal agencies and to foster a new civil liberties movement that will help restore Americans’ fundamental rights.

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