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Media Inquiries: [Joe Martyak](mailto:Joe.Martyak@ncla.org), 202-869-5208

NCLA Secures Trial in Ex-Professor's Case Against Cornell's Title IX Kangaroo Court

Dr. Mukund Vengalattore v. Cornell University

Washington, DC (September 10, 2024) – Today, the U.S. District Court for the Northern District of New York [denied](#) Cornell University's effort to avoid a trial in New Civil Liberties Alliance client Dr. Mukund Vengalattore's lawsuit alleging that Cornell's biased and faulty sexual misconduct investigation discriminated against him in violation of Title IX. Dr. Vengalattore was a tenure-track Cornell University physics professor in 2014 when a former graduate student sought to interfere with his tenure and made a false sexual misconduct allegation. Her claim launched an utterly biased and due-process deficient Title IX investigation that ruined his promising career. Cornell's scheme was driven in part by the university's Title IX office, which succumbed to pressure from the Department of Education (DOE) to rig its investigatory and adjudicatory processes against men accused of sexual misconduct. While the Court dismissed Dr. Vengalattore's claim that Cornell defamed him, it rejected the university's motion for summary judgement in the lawsuit. NCLA looks forward to arguing Dr. Vengalattore's Title IX claim before a jury and clearing his good name.

Dr. Vengalattore has consistently and specifically denied the suspiciously timed accusation of his former student. Nevertheless, Cornell found him guilty in a secret process that ignored procedural rights and protections specified in Cornell's applicable policies and deprived him of even the most fundamental notions of due process, including disregarding evidence to reach its preferred outcome against the full weight of the evidence. Dr. Vengalattore enlisted NCLA's help in taking Cornell to court for this injustice. The district court initially dismissed his Title IX claims, concluding the Title IX cause of action did not extend to faculty. The U.S. Court of Appeals for the Second Circuit reversed that ruling, with Judge José Cabranes observing in his concurrence: "insulated from review, it is no wonder that, in some cases, these procedures have been compared unfavorably to those of the infamous English Star Chamber."

Gender bias drove Cornell's misconduct in this process, as the university caved to DOE influence. Cornell has admitted that DOE's 2011 and 2014 guidance, including an infamous "Dear Colleague Letter", was an "instigating cause" for changing its sexual assault and harassment policies and significantly reducing the due process protections afforded the accused (most often, male) in favor of the accuser (most often, female). Courts have previously found that universities that followed the DOE guidance eviscerating commonsense procedural protections violated rather than complied with Title IX. In Dr. Vengalattore's case, Cornell changed or ignored multiple policies and procedures to placate DOE, ironically leading to the university's violating Title IX rather than complying with it.

NCLA released the following statements:

"On Dr. Vengalattore's behalf, we are pleased with the Court's finding that a rational jury could look at Cornell's multiple procedural irregularities and the pressure put on Cornell, including by the U.S. Department of Education,

to find that Cornell’s action against Dr. Vengalattore was at least partially motivated by gender bias. Universities and all entities must be aware that government agencies have their own agendas and their recommendations, even mandates, may not be consistent with law and should be critically evaluated. The Administrative State is not entitled, in courts or otherwise, to a presumption of being correct.”

— **Zhonette Brown, General Counsel and Senior Litigation Counsel, NCLA**

“The Court’s ruling sends a strong message not only to Cornell, but to universities and colleges across the country, that the brutish overreach of university administrators at the expense of due process and simple fairness will not be tolerated. We look forward to, at long last, vindicating Dr. Vengalattore’s rights and addressing Cornell’s ‘grotesque miscarriage of justice’ before a jury at trial.”

— **Casey Norman, Litigation Counsel, NCLA**

For more information visit the case page [here](#) or watch the case video [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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