

Cornell University University Assembly

Cornell University Assembly

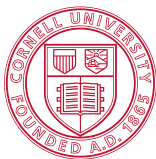
Agenda of the May 1, 2018 Meeting

4:30 PM – 6:00 PM

401 Physical Sciences Building

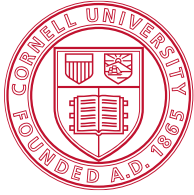
- I. Call to Order (Chair)
 - a. Call to Order (1 minute)
 - b. Welcome and Introduction (2 minutes)
 - c. Call for Late Additions to the Agenda (2 minutes)
- II. Business of the Day
 - a. Resolution 15: Opposing the Merger of the College of Human Ecology and the ILR School (J. Anderson) (5 minutes)
 - b. Resolution 16: Examining Cornell's Policies for Temporary Disability Parking to Ensure Financial Accessibility and Equal Access (M. Battaglia) (10 minutes)
 - c. Resolution 17: In Support of Cornell Employee Assembly Resolution #11: Promoting Staff Participation in Cornell Campus Climate Change Literacy Goals (M. Hatch) (5 minutes)
 - d. Resolution 18: Call for the Development of a Cornell Comprehensive Transportation Plan (M. Hatch) (5 minutes)
 - e. Resolution 19: Affirming Cornell's Commitment to Ethical Investments and Financial Transparency (C. Schott) (5 minutes)
 - f. Draft of Code Amendments (M. Battaglia) (5 minutes)
 - g. Draft of Appendix A Amendments of University Assembly Bylaws (M. Battaglia) (5 minutes)
 - h. Draft of Code Amendments: New Judicial Administrator Reappointment Procedures (M. Battaglia) (5 minutes)
- III. Late Additions to the Agenda (10 minutes)
- IV. Approval of the Minutes (Chair)
 - a. April 10, 2018 (2 minutes)
 - b. April 24, 2018 (2 minutes)
- V. Committee Reports
 - a. Executive Committee (E. Michel) (1 minute)
 - b. Codes and Judicial Committee (M. Battaglia) (2 minutes)
 - c. Campus Welfare Committee (J. Anderson) (2 minutes)
 - d. Campus Infrastructure Committee (C. Schott) (2 minutes)
- VI. Assembly Reports

If you are in need of special accommodations, contact Office of the Assemblies at (607) 255-3715 or Student Disability Services at (607) 254-4545 prior to the meeting.



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- a. Student Assembly (J. Kim) (2 minutes)
 - b. Graduate and Professional Student Assembly (E. Winarto) (2 minutes)
 - c. Employee Assembly (C. Wiggers) (2 minutes)
 - d. Faculty Senate (C. Van Loan) (2 minutes)
- VII. Liaison Reports
- a. Policy Advisory Group (E. Winarto) (2 minutes)
 - b. Transportation Task Force (K. Fitch) (2 minutes)
 - c. Council on Sexual Violence Prevention (K. Quinn) (2 minutes)
 - d. Student Health Benefits Advisory Council (J. Anderson) (2 minutes)
 - e. Campus Planning Committee (M. Hatch) (2 minutes)
- VIII. Adjournment (1 minute)



U.A. Resolution # 15

Opposing the Merger of the College of Human Ecology and the ILR School

April 24, 2018

Sponsored by: Joseph Anderson, Chair of the Campus Welfare Committee, University Assembly

On Behalf Of: Against The Merger Coalition

Whereas, the Committee on Organizational Structures in the Social Sciences submitted their final report on February 28, 2018;

Whereas, the final report included several recommendations on how to “Develop concrete models of potential organizational structures for the social sciences that might be put in place at Cornell.”;

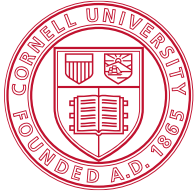
Whereas, one of the recommendations included in the final report was the potential combination of the College of Human Ecology and the ILR School;

Whereas, the College of Human Ecology and the ILR School both rank at the top of their respective fields,

Whereas, the College of Human Ecology and the ILR School have vastly different cultures and differ in size, which has caused each school to construct their own academic policies and programs that best serve their unique student populations;

Whereas, the committee was charged with considering (among other items) “the broad impacts of different organizational structures, including, for instance, how different organizational structures position us for success in recruiting faculty and students, external funding, and international scholarship.”

Whereas, the committee recognized that the “resulting college might not be a good fit for all units,” that “some might need to move elsewhere,” the merge has the “potential to harm the unique external identities of both units,” and that “both units have loyal alumni that may not support a new college.”



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34 **Whereas**, the committee further stated that “it was not evident what problems exist with the
35 existing structure that this is meant to cure”,

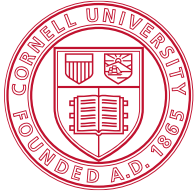
36
37 **Whereas**, the ILR faculty and the living former deans of the ILR School overwhelming
38 condemn the decision to merge,

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40 **Whereas**, the Trustees of the University have the ultimate responsibility for amending the
41 Bylaws of the University to create this new school; then

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43 **Be it therefore resolved**, the University Assembly supports the most highly rated
44 recommendation of the report, which is creating a Center for the Social Sciences colleges, but
45 opposes the recommendation for the merger of the College of Human Ecology and ILR School;

46
47 **Be it further resolved**, that the University Assembly encourages the President respect the will of
48 the faculty of the two colleges and formally state her opposition to the proposed merger;

49
50 **Be it finally resolved**, that a copy of this resolution be sent to the Chairman of the Board
51 of Trustees, the University President, the Alumni-Elected Trustees, the Community-Elected
52 Trustees, and the Provost.



U.A. Resolution # 16

Examining Cornell's Policies for Temporary Disability Parking to Ensure Financial Accessibility and Equal Access

April 24, 2018

**Sponsored by: Matthew Battaglia, Graduate and Professional; Chair, Codes & Judicial
Committee; Ekarina Winarto, Graduate and Professional; Member, University Assembly**

Whereas, the University Assembly (the “Assembly”) has the authority to examine matters which concern the welfare of a substantial segment of the campus community and may make recommendations thereon to the President or other appropriate officers of the university; and

Whereas, areas concerning transportation policy have historically been an area of focus for the Assembly and are explicitly listed in the Assembly’s Charter as areas the Assembly shall have authority in policy development in;¹ and

Whereas, ensuring equal access to disability accommodations is important to building an inclusive and caring community as well as complying with the spirit and letter of various local, state, and federal disability accessibility laws; and

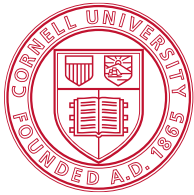
Whereas, the Assembly hosted Bridgette Brady; Director of Transportation Services, Helen Steh; Customer Service Manager; and Reed Huegerich; Senior Planner at its meeting of April 10, 2018; and

Whereas, at that meeting, the topic of temporary disability parking was discussed, and the Assembly was informed that students must pay the standard permit rate to access temporary disability parking on campus; and

Whereas, in that discussion, part of the justification provided was that these students were deriving additional “value” for the price paid as they were able to park in accessible spaces on central campus for the price of a student perimeter permit; and

Whereas, the Assembly is concerned with this logic as it conflates individuals who elect by their own volition to purchase parking with individuals who have a need for temporary disability

¹ University Assembly Charter; Article III, § 3.1: Authority in policy development



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parking through no fault of their own and who may not otherwise desire to purchase on-campus parking; and

Whereas, this policy does not make allowances for students on financial aid, from low socioeconomic backgrounds, or otherwise undergoing economic hardship; and

Whereas, students on financial aid, from low socioeconomic backgrounds, or undergoing economic hardship are already most likely to be negatively affected by sudden medical expenses which would be associated with a need for temporary disability parking; and

Whereas, in prior years the Assembly has been informed that it is the University's goal to discourage individuals from bringing automobiles on campus and that charging parking fees is included in this goal;² and

Whereas, while this resolution does not address the overall scope of that goal, the Assembly is concerned that parking fees designed to discourage parking on-campus are being utilized as the basis of setting a fee for temporary disability parking when the circumstances leading to a need for temporary disability parking are vastly different and almost never voluntary; and

Whereas, the Assembly has been informed from constituents that in some circumstances it is less expensive to pay for parking by the day in a regular university lot than to pay for a temporary disability permit; and

Whereas, this incongruence is concerning as it appears to penalize students financially for requiring temporary disability accommodation; and

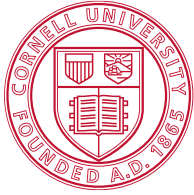
Whereas, students electing to park in non-accessible spaces or foregoing parking on-campus while temporarily disabled entirely due to financial constraints is a matter of concern to the Assembly; and

Whereas, students unable to access campus easily while temporarily disabled may inadvertently put themselves and others in harm's way by attempting to attend class regardless, or miss multiple classes entirely; and

Whereas, in subsequent conversations members of the Assembly learned that faculty and staff do not pay a fee for temporary disability parking of up to eight weeks; and

Whereas, the Assembly recognizes that this is likely subsidized by the University Benefit Pool but notes that all students must also pay a University Health Fee (the "Health Fee") to subsidize the cost of medical services on-campus; and

² Bridgette Brady Report to Assembly; November 17, 2015 University Assembly Meeting.



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Whereas, the Assembly believes it is reasonable to consider temporary disability parking as an outgrowth of medical services and thus related to the benefits and services covered under the Health Fee; and

Whereas, the Assembly was informed that the Health Fee was introduced to subsidize the cost of medical care and ensure that all students, regardless of socioeconomic status, had access to Gannett (now renamed Cornell Health) and necessary medical services on campus;³ and

Whereas, the Student Health Benefit Advisory Committee (“SHBAC”) is currently already investigating the feasibility of using the Health Fee to fund free rides for Cornell Health Appointments to and from locations on campus through a potential expansion of CU Lift; and

Whereas, the Assembly recognizes and supports the work done by the Office of Student Disability services which provides various services to students with disabilities and is currently able to provide bus passes, access to CU Lift, and other accommodations to students with temporary disabilities free of charge; and

Whereas, CU Lift, bus passes, and other accommodations are not always the optimal solution and the Assembly has been informed by constituents that CU Lift is currently frequently overburdened and generally not well suited for temporary disabilities due to the long processing time and documentation required; and

Whereas, in discussions with Transportation Services members of the Assembly were also informed that pregnant women in their third trimester are eligible for accessible parking but must pay a fee to access such parking; and

Whereas, this parking is not included in the free temporary disability parking currently afforded to faculty and staff; and

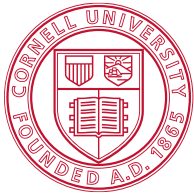
Whereas, pregnancy is recognized under the Americans with Disabilities Act and various state and local laws as a temporary disability when it interferes with an individual’s normal lifestyle;⁴ and

Whereas, the Assembly is deeply concerned that late-term pregnancy appears to be being treated differently from other temporarily disabilities for faculty and staff; and

Whereas, the U.S. Equal Employment Opportunity Commission (“EEOC” provides guidance stating “If a woman is temporarily unable to perform her job due to a medical condition related

³ Dr. Janet Corson-Rikert Report to Assembly; April 7, 2015 University Assembly Meeting.

⁴ Pregnancy Discrimination. (n.d.). Retrieved April 17, 2018, from <https://www.eeoc.gov/laws/types/pregnancy.cfm>



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to pregnancy or childbirth, the employer ... must treat her in the same way as it treats any other temporarily disabled employee”;⁵ and

Whereas, the Assembly believes that to build an inclusive campus we must take steps to accommodate all members of our community with disabilities including those with temporary disabilities equally regardless of their status at the university or economic standing; and

Whereas, the Assembly is concerned that we may be falling short of our legal and ethical obligations to accommodate those with temporary disabilities; and

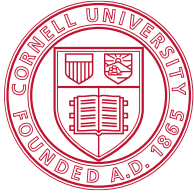
Whereas, the Assembly believes that intermittent use of accessible parking spaces by those with temporary disabilities will only incur minimal, if any, additional costs for the University; and

Whereas, the Assembly wishes to work cooperatively with the University Administration to address these concerns; therefore

Be it Resolved, that the Assembly requests the Office of Transportation Services take the following steps:

1. In situations where it would be less expensive for a student to pay by the day for parking during a temporary disability the University adjust the price of a temporary disability permit to match.
2. Include third-trimester accessible parking for pregnant faculty and staff within the scope of temporary disability parking such that it is treated no differently than other temporary disabilities and is included in the no-cost temporary disability parking currently available to faculty and staff.
3. Investigate the marginal cost to Cornell associated with providing temporary disability parking to students.
4. Examine the total number of community members (broken out by constituency: student, faculty, staff) who have needed temporary accessible parking permits for the 2015-2016, 2016-2017, and thus far in the 2017-2018 academic years.
5. With the marginal cost data, evaluate the feasibility of removing the fee for temporary disability parking for students entirely in line with current policy for faculty and staff.
6. Examine how the Student Health Fee and the Student Health Insurance Program might help account for the back-end cost of temporary disability parking, in collaboration with the SHBAC and Cornell Health (formerly Gannett).
7. Seek to remove or reduce the cost to students to access temporary disability parking.

⁵ Pregnancy Discrimination. (n.d.). Retrieved April 17, 2018, from <https://www.eeoc.gov/laws/types/pregnancy.cfm>



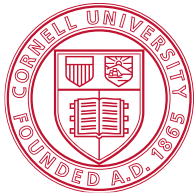
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147 **Further Resolved**, that Assembly requests the University Administration and Office of Student
148 and Campus Life examine the usage of Student Disability Services and ensure that it and its
149 appurtenant programs are adequately resourced; and

150
151 **Further Resolved**, that Assembly requests the Office of Transportation Services provide an
152 update on this matter to the Assembly during the Fall 2018 Semester including follow-up steps
153 taken; and

154
155 **Be it Finally Resolved**, that a copy of this resolution be sent to the Vice-President of
156 Infrastructure Properties and Planning, the Vice-President of Student and Campus Life, the
157 Director of Cornell Health (formerly Gannett), the Director of Transportation Services, the
158 Director of Student Disability Services, and other offices who may be necessary to ensure its
159 implementation.

No signature block is present until the resolution has been disposed of by the Assembly (Passed, Failed, Withdrawn, etc.) Then a block with the certifying member (customarily Chair/Vice-Chair) verifying the authenticity and vote tally of the resolution.



Cornell University
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U.A. Resolution # 17

**In Support of Cornell Employee Assembly Resolution
#11: Promoting Staff Participation in Cornell Campus
Climate Change Literacy Goals**

April 24, 2018

Sponsored by: Martin Hatch, Faculty; Member, Campus Infrastructure Committee

Whereas, the Cornell Employee Assembly adopted Resolution EA Resolution #11: Promoting Staff Participation in Cornell Campus Climate Change Literacy Goals (“EA R11”), on April 4, 2018 and conveyed said resolution to President Martha Pollack on April 17, 2018; and

Whereas, EA R11 “supports the University’s efforts to promote climate change literacy”; and

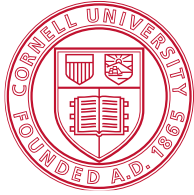
Whereas, EA R11 recognizes “the looming negative impacts of climate change” that “adversely affect the health and well-being” of members of the Cornell University community; and

Whereas, the University Assembly recognizes that EA R11 represents an important step to addresses this issue of unparalleled importance for all members of the Cornell University community; therefore

Be it Resolved, the University Assembly strongly supports the Employee Assembly Resolution 11; and

Be it further resolved, that University Assembly recognizes the importance of this resolution for the health and well-being of all members of the Cornell University community and is prepared to assist in the efforts to promote Climate Change Literacy Goals to the full extent of its abilities.

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U.A. Resolution # 18

**Call for the Development of a Cornell Comprehensive
Transportation Plan**

April 24, 2018

Sponsored by: Martin Hatch, Faculty; Member, Campus Infrastructure Committee

Whereas, the University Assembly (the “Assembly”) has the authority to examine matters which concern the welfare of a substantial segment of the campus community and may make recommendations thereon to the President or other appropriate officers of the university; and

Whereas, areas concerning transportation policy have historically been a focus for the Assembly and are explicitly listed in the Assembly’s Charter as areas the Assembly shall have authority over in policy development in;¹ and

Whereas the Assembly recognizes that the Cornell Employee Assembly’s Resolution #7: Advancing a Comprehensive Transportation Plan for the Ithaca Campus (“EA R7”) was passed unanimously by the EA on November 28, 2017 and requests action in an area that is of concern to the entire university community; and

Whereas EA R7 was conveyed to President Martha Pollack on November 29, 2017 and acknowledged on January 2, 2018; and

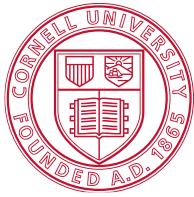
Whereas in her acknowledgment, President Pollack noted that “Given the many competing priorities for Cornell’s resources, we intend to pursue a focused transportation assessment that will support the work on North Campus^[2], inform our capital planning process, and optimize use of regional mass transit.”; and

Whereas, the Assembly hosted Bridgette Brady; Director of Transportation Services, Helen Steh; Customer Service Manager; and Reed Huegerich; Senior Planner at its meeting of April 10, 2018; and

Whereas, at that meeting the Assembly was informed of the value a comprehensive transportation plan could provide to the University; and

¹ University Assembly Charter; Article III, § 3.1: Authority in policy development

² Regarding the North Campus Residential Expansion (“NCRE”)



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Whereas transport (by automobile, bus, walking and bicycling) of members of the university community (defined as undergraduate students, graduate and professional students, employees, and faculty) to, from, and within the various components of the Ithaca/Tompkins County campus of Cornell University is essential to the fulfillment of the mission of the university; and

Whereas the numbers of persons, numbers and sizes of buildings, and geographic extent of the university has increased considerably over the past fifty years -- particularly in the last 15 years; and

Whereas the points of origin and destination for persons in the university community have increased concomitantly both in numbers and distances from the university, while the various options for and regulation of transport to, from, and on campus during that period have remained virtually the same or have decreased; and

Whereas studies, plans, and projects addressing the consequences of the above developments have been limited, relatively silo-ized and circumscribed (for example, bicycle availability, bike-ways, counts of parking spaces and use thereof, or transport assessments connected with limited areas of campus development, such as the NCRE and TWC studies); and

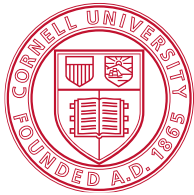
Whereas the Assembly recognizes the financial and logistical constraints faced by the University but believes that continuing a piecemeal analysis results in long-term inefficiency and leaves larger scale issues only partly addressed; and

Whereas to create a unified, comprehensive solution for student housing, in 2016, the University undertook a process to create a Student Housing Master Plan to “provide a near- and long-term strategy for student housing”;³ and

Whereas this plan enables Cornell to strategically address large scale issues and the Assembly believes a similar approach would be beneficial to address Cornell’s transportation needs, infrastructure, and strategy; and

Whereas, clear areas of concern have developed regarding the effects of lack of comprehensive transportation planning: increases in carbon emissions; increases in congestion; increases in threats to public safety; decreases in efficient modes of connection from point of origin to destination; inefficient use of parking infrastructure; all resulting increases in costs born by Cornell’s facilities, its environment, and its community members; and

³ <http://scl.cornell.edu/about-us/housing-master-plan>



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71 **Whereas**, cognizant of these problems connected with transportation in the region, local
72 governments, not-for-profit organizations, and ad-hoc citizen groups in the
73 Ithaca/Tompkins County region have, over the course of the past 15 years, organized
74 working groups charged with proposing solutions to portions of the transportation
75 challenges in the region, yet there has been to date little participation by Cornell in the
76 comprehensive planning and coordination of the various modes of transport, or
77 collaboration with these groups in addressing these issues; and

78
79 **Whereas**, the costs of transportation born now by members of the Cornell community and the
80 costs to Cornell in work-time lost and environmental degradation, can be considerably
81 ameliorated in a well-planned transportation system for the region; and

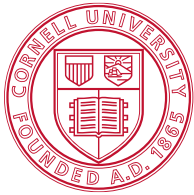
82
83 **Whereas**, a well-planned transportation system for the region will result in cost-savings to
84 Cornell and members of the Cornell community in these and other areas, that far out-
85 weigh the costs of the study itself; therefore

86
87 **Be it Resolved**, that President Martha Pollack direct the appropriate planning, safety, and
88 facilities sectors of the university, coordinating with local transportation planning,
89 facilities, and safety organizations and agencies engaged in transportation planning for
90 the region, beginning in Spring 2019, to advance a comprehensive transportation study
91 that will lead to the development of a Comprehensive Transportation Plan; and

92
93 **Resolved**, that this comprehensive plan incorporate the focused transportation assessment being
94 conducted as part of the North Campus Residential Expansion; and

95
96 **Be it Finally Resolved**, that the university allocate sufficient funds for that study; and to develop
97 the plan, and that the appropriate elements in the plan be integrated into the
98 comprehensive plan of the university.

No signature block is present until the resolution has been disposed of by the Assembly (Passed, Failed, Withdrawn, etc.) Then a block with the certifying member (customarily Chair/Vice-Chair) verifying the authenticity and vote tally of the resolution.



U.A. Resolution # 19

Affirming Cornell's Commitment to Ethical Investments and Financial Transparency

April 24, 2018

Sponsored by: Christopher Schott, Undergraduate; Chair, Campus Infrastructure
Committee

On Behalf Of: Zachary Schmetterer, Undergraduate; Parliamentarian, Student Assembly

Whereas, the University Assembly (the “Assembly”) has the authority to examine matters which concern the welfare of a substantial segment of the campus community and may make recommendations thereon to the President or other appropriate officers of the university; and

Whereas, a letter signed by 28 organizations was sent to President Pollack on October 16, 2017 regarding the university’s endowment holdings in the Baupost Group (“Baupost”), which owns \$911.6 million worth of Puerto Rican debt bonds; and

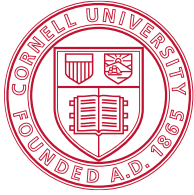
Whereas, Baupost has lobbied for the collection of these bonds through the PROMESA Act advisory board and the collection of such debt in a negotiated payback potentially puts Puerto Rico’s recovery from Hurricane Maria at risk; and

Whereas, Cornell has in the past made investments in distressed government debt through Baupost as well as through other entities without formal guidance principles from the Office of Investments;¹ and

Whereas, the Student Assembly passed a resolution calling for a divestment from Puerto Rican debt and greater transparency on February 22, 2018; and

Whereas, President Pollack rejected said resolution on March 30, 2018 on the grounds that 1) divestment from Puerto Rican debt did not meet the trustee’s standards for divestment and 2) current disclosure on tax statements is in accordance with legal requirements; and

Whereas, investing in distressed government debt necessitate a balance between seeking



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31 repayment from a bankrupt entity and reducing investor profits; and

32
33 **Whereas,** such investments are likely to generate less than maximal return for Cornell's
34 endowment due to their highly volatile payback period and unknown risk; and

35
36 **Whereas,** the Board of Trustee and the University President have fiduciary responsibilities to the
37 University to the care for the institution's short- and long-term financial health, as well as
38 ensure the preservation of its resources for future generations; and

39
40 **Whereas,** the Assembly appreciates the time and energy the Board of Trustee and the University
41 President put into improving Cornell and responding to the needs of the Campus
42 Community; and

43
44 **Whereas,** a culture of more transparent disclosure of investment partners and reports to relevant
45 campus entities for input and collaboration is likely to build trust, engage the community
46 in the budget planning process, and may produce healthier endowment returns by
47 increasing the amount of input; and

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49 **Whereas,** the Assembly wishes to work cooperatively with the University Administration to
50 address these concerns; and

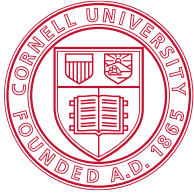
51
52 **Whereas,** the University Assembly passed Resolution #9 on 04/10/2018, reconstituting the
53 Budget Planning Committee to increase community involvement in the University's
54 budgeting process; and

55
56 **Whereas,** in informal discussions, Resolution #9 has received positive feedback from the
57 Provost's office; therefore

58
59 **Be it resolved,** that the Assembly requests that Cornell University makes a commitment to
60 ethical investing and operational transparency; and

61
62 **Be it further resolved,** that the University conduct a due diligence investigation of its holdings
63 with the Baupost Group and other investment partners for Puerto Rican debt and report
64 said findings confidentially to the UA Budget Planning Committee for further feedback;
65 and

66
67 **Be it further resolved,** that the University also makes a commitment to expanding this
68 collaboration by having relevant offices share information on investment partnerships in
69 terms of initial investment amount, fund name, and other strategic details confidentially
70 with the UA Budget Planning Committee to develop a working relationship to guide
71 investment strategy and policy; and



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- 73 **Be it further resolved,** the Cornell Board of Trustees' Investment Committee as well as the
74 Office of University Investments create distressed government debt investment
75 guidelines in collaboration with the UA Budget Planning Committee to effectively
76 review existing investments and partnerships as well as guide subsequent investments;
77 and
78
- 79 **Be it finally resolved,** such guidelines shall endeavor to prevent the university from investing in
80 exploitative creditor relationships, minimize return volatility, and ensure the sustainable
81 growth of Cornell's endowment.

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CJC Approved Amendments to the Campus Code of Conduct

Language to address to the suspension length, definition, and reporting date for organizations

Passed Language (Title Three, Art. III, Sec. D.4 (pg. 24, 2017).

4. Limitations Period

Any charge of a violation of this Code must be initiated by the filing of charges by the Judicial Administrator within one calendar year of the date of the alleged violation. Exceptions to this policy that extend the period beyond one year are:

- a. In cases where the charge involves fraud, the period shall be one calendar year from the alleged fraud or 60 calendar days from the filing of a complaint alleging fraud, whichever is longer, but in any event no more than three calendar years from the alleged fraud.
- b. In cases where the individual to be charged is absent from the University because of either (1) a leave of absence, (2) a termination of employment, or (3) a withdrawal as a student, a charge may be brought within one calendar year of the alleged violation or within 60 calendar days of his or her return to the jurisdiction of the University judicial system, whichever is later.
- c. In cases where the individual to be charged is facing public prosecution involving the same matters, a charge may be brought within 60 calendar days of the final disposition of such prosecution. Should it appear that the individual will leave the University before such time, the President or his or her designee may cause the individual's degree to be withheld for the period in which the Judicial Administrator may file charges.
- d. In cases where the Respondent is a University-Registered Organization the period shall be no more than three calendar years from the alleged violation.
- e.-d. The Judicial Administrator may request a Hearing Board Chair to extend any limitations period by up to an additional six calendar months, without required notice to any other person but upon a showing of special circumstances justifying such an extension, provided that the Judicial Administrator delivers such written request to a Hearing Board Chair prior to the expiration of that period.

(Title Three, Art. IV, Sec. A.1.c.6 (pg. 25, 2017).

(6) Suspension of all privileges for a stated period not to exceed ~~one year~~ **five years**.

Language to address to immediate suspension for non-compliance of sanctions

Passed Language (Title Three, Art. III, Sec. D.4 (pg. 24, 2017).

2. If an offender has not complied with the prescribed penalty or remedy within the specified time, the Judicial Administrator **shall may suspend the offender or issue a lesser penalty. In the event the JA elects to suspend, the JA shall** notify the University Registrar, Office of the Dean of Students, and other offices on a need-to-know basis that the individual or organization is suspended, and the suspension shall have immediate effect and continue until the offender has complied. For any violation of the terms of probation committed during the probationary period, the Judicial Administrator may impose on the offender additional penalties, including suspension or dismissal. The offender may request an appearance before the Judicial Administrator in order to show the fact of compliance, to contest the violation of probation, or to argue for a lesser penalty. The offender may petition the University Hearing Board in writing for a review of the penalty imposed by the Judicial Administrator for noncompliance or for violating probation.

None noted.

Language to address the role of non-matriculated minors

Passed Language (Title Two, Art. I, Sec. B.2 (pg. 10, 2017).

1. The term student shall be interpreted to mean any person, whether or not incidentally on the University payroll, who is currently registered with the University as:

- a. a degree candidate in any of Cornell's undergraduate or graduate divisions;
- b. a special student in the undergraduate divisions; or
- c. a non-degree-candidate in the graduate school.

2. The term student shall be interpreted to mean also persons not officially registered, and not faculty members or other University employees, if they are:

- a. currently enrolled in or taking classes at the University, with the exclusion of any individual enrolled in or taking classes at the University while still an elementary, middle, high school student, or foreign equivalent, so long as such individuals are subject to written behavioral expectations, policies or procedures;
- b. currently using University facilities or property, or the property of a University-related residential organization, in connection with academic activities, with the exclusion of any individual enrolled in or taking classes at the University while still an elementary, middle, high school student, or foreign equivalent, so long as such individuals are subject to written behavioral expectations, policies or procedures; or
- c. currently on leave of absence or under suspension from being a student of the University.

Language regarding removal of indefinite suspension

Passed Language (Title Three, Art. II, Sec. E.1.c (pg. 24, 2017).

Circumstances Requiring Hearing

~~c. The offender may petition in writing for readmission from indefinite suspension.~~

(Title Three, Art. IV, Sec. A.1.a.8 (pg. 34, 2017).

(8) Suspension from the University for a stated period not to exceed five years. ~~or indefinitely with the right to petition the University Hearing Board in writing at any time for readmission after the academic term following the academic term in which the suspension occurred. Such petition shall be submitted no later than April 1 if the petition is for readmission for the fall semester and by November 1 if the petition is for readmission for the spring semester. If the Judicial Administrator agrees with the petition of the accused, he or she may permit the readmission without the petition being considered by the University Hearing Board, after consulting with appropriate professional colleagues and receiving approval of a Hearing Board Chair. If the University Hearing Board denies the petition, the accused may not petition again until the next semester and, in any event, may not petition for readmission for the same semester denied by the University Hearing Board.~~ While on such suspension, the student may not obtain academic credit at Cornell or elsewhere toward the completion of a Cornell degree. [Add footnote reading “The Code previously allowed for indefinite suspension. While indefinite suspensions are no longer given, any student indefinitely suspended at the time of indefinite suspensions being removed shall continue to be indefinitely suspended and subject to the appeals provision in-place at the time of removal.”]

(Title Three, Art. IV, Sec. A.2.b (pg. 34, 2017).

b. Ordinarily, the penalty for a third violation by a student within a twelve-month period should be probation or suspension from the University for a stated ~~or indefinite~~ period and denial of academic credit for the term in which the suspension occurs. The penalty may be reduced if a lesser penalty would more appropriately serve the interests of justice and if, in addition, the offender expressly agrees not to engage in misconduct of specified kinds in the next twelve months. ~~In such a case of indefinite suspension, the offender may petition the University Hearing Board in writing for readmission, but no application for readmission for the academic term following the academic term in which the suspension occurred will be permitted~~

Language clarifying UHRB appointment procedures

Passed Language (Title Two, Art. IV, Sec. C.3 (pg. 14-15 2017)).

3. Members of the University Hearing Board and University Review Board pool shall serve terms of office as follows:

- a. All members shall be appointed for two-year staggered terms, except for students entering their final year of study, who shall be appointed for one-year terms.
- b. Terms of office shall begin June 1 of the year appointed. Any appointment to fill a vacancy or to address an emergency shall become effective immediately. Appointments made to fill a vacancy arising mid-term shall be granted the balance remaining of that term.
- c. Currently serving members may be appointed for additional terms if reconfirmed by the University Assembly after review by the Codes and Judicial Committee. Faculty members seeking renewal will be reviewed by the Codes and Judicial Committee who shall receive input from the Dean of the University Faculty prior to reconfirmation by the University Assembly.
- d. The Chair of the Hearing Board or Review Board shall have the authority to remove a member of the pool if the member is not honoring his/her commitment to the university to communicate promptly with the Chair or the Judicial Administrator's office, to participate in hearings, to arrive punctually, and otherwise to participate responsibly in this process.

Language adding discretion to No Contact Directive procedures

Passed Language (Title Three, Art. III, Sec. B.2 (pg. 19, 2017)).

- a. In cases involving allegations of harassment, abuse, assault, rape, or other menacing activity, the Judicial Administrator, after making a reasonable effort to meet with the accused if appropriate to do so, may issue a No-Contact Directive, binding upon all involved parties.
- b. The Judicial Administrator shall make available to the accused the exact terms of the No-Contact Directive, as soon as it is issued.
- c. In the event the Judicial Administrator is notified of a violation of the terms of the No-Contact Directive, the accused shall be provided with an opportunity to review the matter with the Judicial Administrator within two business days. If the Judicial Administrator determines, based upon the information available, that the No-Contact Directive has been violated, he or she may impose additional interim measures or suspend the accused temporarily, pending resolution of the underlying case.
- c. Such directives may be initially issued for a duration of up to 21 calendar days. Should the Judicial Administrator believe a No-Contact Directive remains necessary after that time, he or she may petition a University Hearing Board Chair to renew the directive for up to an additional 21 calendar days. Should the Chair choose to extend the directive, he or she may modify the directive's terms but may not supersede an active court order. Prior to a directive being renewed, the parties to the directive may submit written statements to the Chair for consideration. If additional renewals are requested by the Judicial Administrator, a different Hearing Board Chair shall review each additional request. Chairs may evaluate multiple renewal requests on the same case only if all other currently available Chairs have already reviewed an equal number of requests on that case.

Language increasing the judicial boards pool size and clarifying the application process

Passed Language (Title Two, Art. IV, Sec. C.1 (pg. 14-15 2017).

C. Pool of Board Members

1. The University Hearing Board and University Review Board pool shall comprise 75 members confirmed by the University Assembly: 35 students, 20 faculty members, and 20 nonfaculty employees.

a. Faculty members are nominated by the Dean of the Faculty for review by the Codes and Judicial Committee.

b. For students and nonfaculty employees, the Codes and Judicial Committee shall solicit written applications in consultation with the Office of the Assemblies which shall provide logistical support.

The Codes and Judicial Committee shall nominate candidates to the University Assembly for its confirmation no later than the last regular meeting of the outgoing University Assembly. The University Assembly Executive Committee may make emergency appointments on a temporary basis.

Language clarifying Hearing Board removal process

Passed Language (Title Two, Art. IV, Sec. C.3.c (pg. 15 2017).

c. Any Chair of the Hearing Board(s) or Review Board(s) shall have the authority to begin removal proceedings against a member of the pool if the member is not honoring his/her commitment to the university to communicate promptly with the Chair or the Judicial Administrator's office, to participate in hearings, to arrive punctually, and otherwise to participate responsibly in this process. Upon a Chair beginning removal proceedings, the Chair shall furnish to the Codes & Judicial Committee of the University Assembly the following:

1. The name of the board member.
2. A rationale for their removal from the boards.
3. Prior steps taken to attempt to resolve the relevant issue(s).
4. Indication that the board member received at least fourteen days' notice of a Chair's intent to seek removal.

Upon receipt of the information, the Codes & Judicial Committee may remove the board member by a two-thirds vote of its seated membership. The Codes & Judicial Committee may request additional information from a Chair or other parties as part of their deliberation. For instances involving faculty members, the Dean of the Faculty shall also be consulted.

Language concerning Hearing Board oversight

Passed Language (Title Two, Art. IV, Sec. C.5 (pg. 15 2017)).

5. Although the judicial boards decide cases and appeals when sitting in panels, the pool as a group, convened by the Administrative Chair, shall perform the following functions:

a. The judicial boards **in consultation with the Codes & Judicial Committee of the University Assembly** shall be responsible for establishing their own internal rules and procedures not specified elsewhere, and making them available through the Offices of the Judicial Administrator and the Judicial Codes Counselor.

(1) Such rules and procedures must not conflict or contradict provisions in this Code.

(2) Such rules and procedures must be published in the Cornell Chronicle before going into effect.

(3) Any changes in rules and procedures must be published in the Cornell Chronicle at least 30 calendar days before taking effect.

b. All changes to the judicial board's rules and procedures must be provided to the Codes & Judicial Committee of the University Assembly at least 14 calendar days prior to approval by the boards. The Codes and Judicial Committee may reject any proposed change by a majority vote of its seated membership.

c. The Codes & Judicial Committee of the University Assembly may choose to modify the judicial board's rules and procedures by a majority vote of its seated membership. Changes made by the Codes & Judicial Committee follow the same public notice procedures as apply to the judicial boards.

d. Upon request, the judicial boards shall report on their operations to the Codes and Judicial Committee of the University Assembly. **When a report is requested, the boards shall provide it in the manner requested within thirty days of receipt.**

Language addressing public hearing notice timeframe

Passed Language (Title Three, Art. III, Sec. E.3.b (pg. 28 2017)).

(7) All hearings shall be private unless (a) the accused notifies the Judicial Administrator, no later than **two three** business days **before after the scheduling of** the hearing, that he or she wishes a public hearing and (b) the Hearing Board Chair determines that a public hearing would not result in undue intimidation of the complainant, the victim, or the witnesses.

1 **UA Bylaws Appendix A: UHRB Staffing Procedure**

2
3 Per the Campus Code of Conduct, the University Assembly (the Assembly) is charged with
4 confirming members of the University Hearing and Review Boards. As the Assembly has an
5 interest in ensuring the integrity and clarity of the confirmation process, the Assembly shall
6 confirm members in accordance with the following procedures. If conflicts arise between this
7 document and the Campus Code of Conduct, the Campus Code of Conduct shall supersede.

8
9 Nothing herein shall be construed to constrain or modify the authority of the University
10 Assembly's Executive Committee to make temporary, emergency appointments when required.

11 A. The Codes and Judicial Committee of the University Assembly (the Committee)

- 12
13 a. The Committee is charged with nominating candidates to the University
14 Assembly through the form of a resolution before the last regular meeting of the
15 outgoing Assembly. Upon receipt of the nominations, the Assembly shall
16 consider the nominations in a manner similar to other resolutions as it sees
17 appropriate.
- 18 b. The Assembly interprets the Committee's nomination responsibility in the
19 Campus Code of Conduct to include its independent ability to determine and
20 enforce its own procedure for carrying out its nomination responsibility. This
21 discretion includes, but is not limited to, whether or not and how to:
- 22 i. Set the criteria by which the candidates are to be assessed
 - 23 ii. Decide the eligibility qualifications of students, staff, and faculty to apply,
24 subject to the requirements of the Campus Code of Conduct
 - 25 iii. Enter executive session to discuss the applications
 - 26 iv. Interview the applicants
 - 27 v. Redact the names of the applicants¹
 - 28 vi. Create and amend the content and format of all application materials
- 29 c. Any discretionary decisions taken by the Committee may be suspended and or
30 reversed by a majority vote of the Assembly.
- 31 d. Discretionary decisions taken by the Committee shall be abided by and respected
32 by other university offices involved in the application process.
- 33 e. The Committee is empowered to designate a subsection of its voting membership
34 as a primary selection committee. Should the committee choose to do so, the

¹ To ensure the integrity of the process, if names are redacted, the Chair of the Committee and
Chair of the Assembly shall maintain the un-redacted master list specifying which names
correspond to which applications. This list will be delivered to the chairs simultaneously with
the anonymized applications. No party or office may withhold information about the master list
or unredacted applications under any circumstances.

recommendations made by the subsection may advance directly to the floor of the Assembly as nominations after notification to the full Committee.

A. Timeline and Procedure

- a. The Chair of the Committee is responsible for determining the total number of nominations to be made by the Committee through reconciling the current roster on file with the Office of the Assemblies, Office of the Judicial Administrator, Hearing Board Administrative Chair, or successor entities. The expected number of appointments to be made is equal to the number of expiring seats. The Chair will report this number, the number of returning members indicating their desire to continue service, and the number of new appointments in writing to the Committee and the Assembly by the Assembly's first regularly scheduled meeting in March.
- b. Returning Member Appointments:
 - i. The Chair of the Committee will work with the Administrative Chair of the UHRB to contact, in writing, the members of the University Hearing and Review Boards currently holding expiring seats by the second Tuesday in February to offer to submit their name to Committee for reappointment to serve another term or part thereof, provided the member remains in good standing.
 - ii. Returning members must indicate their desire to continue their service by the last day of February.
 - iii. Upon hearing from those members who wish to continue, the Chair of the Committee will contact the Hearing and Review Board Chairs, the Office of the Judicial Administrator, and the Office of the Judicial Codes Counselor with the list of members seeking to renew their terms to determine if any reasons exist that an individual's term should not be renewed.
 - iv. The Chair of the Committee will also forward the list of all faculty members seeking renewal to the Dean of the University Faculty to receive input if any reasons exist that an individual's term should not be renewed.
 - v. The Committee shall notify the Assembly both in writing and at a regularly scheduled meeting of those UHRB members who wish to continue their service. Such notice shall be public.
 - vi. Upon receipt of a statement that a particular individual's term should not be renewed, the statement will be forwarded to the full Codes and Judicial Committee for review.
 1. The Committee will then vote to determine if the individual should be recommended for a term renewal.

74 2. The Committee is empowered to request information relevant to
75 determining the merit of any concern raised.

76 vii. All individuals who are recommended for additional terms will be listed
77 alongside the new members recommended by the Committee to the full
78 Assembly.

79 c. New Member Appointments:

80 i. The number of new member appointments is defined as the total number
81 of expiring seats less the number of continuing members.

82 d. Faculty Member Appointments:

83 i. Consistent with the Code, faculty candidates for the Boards shall be
84 nominated by the Dean of the Faculty. The Committee shall review
85 faculty nominations in a similar manner to applicants from other
86 constituencies. Faculty nominations received prior to the close of
87 applications for other constituencies shall be reviewed alongside other
88 received applications. The Committee may, at its discretion, consider
89 faculty nominations received outside the application period for other
90 constituencies as needed.

91 ii. The Committee is empowered to request additional information in their
92 evaluation of faculty nominees and may request they fill out an application
93 of the same or similar nature as other constituencies to aid the Committee
94 in evaluation.

95 e. Application Period:

96 i. All amendments to the application materials, including but not limited to
97 the content and format of the application questions, must be approved by
98 an affirmative vote of the Committee prior to the beginning of the
99 application period.

100 ii. By the third Monday of February, the Office of the Assemblies will
101 publish the draft application utilizing the questions approved by the Codes
102 and Judicial Committee. The Chair of the Committee will inspect the
103 application, may modify its appearance, ancillary text, and correct errors.
104 The Chair must approve the application prior to it being publicly
105 advertised or accepting applications. The Office of the Assemblies will
106 advertise the application alongside and in consultation with the
107 Committee.

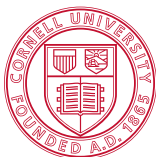
108 iii. Application materials will be publicly accessible and made open for
109 community application by the Office of the Assemblies no later than the
110 last Wednesday of February.

111 iv. Application materials shall be publicly accessible and accepting
112 applications for at least 10 calendar days, at the discretion of the
113 Committee.

- 114 v. During the application process, the Office of the Assemblies will provide
115 an update on the number of applicants, their constituency, and other
116 information related to the applications upon request of the Chair of the
117 Committee or majority vote of the Assembly. The Office of the
118 Assemblies shall also provide an update on the number of applicants and
119 their constituency when the application period is half over.
- 120 vi. The Office of the Assemblies will transmit the received applications to the
121 Committee in the manner and format of the Committee's choosing no later
122 than 3 business days after the application period has concluded.

123 f. Selection

- 124 i. The Committee shall strive to fill all anticipated vacancies on the boards
125 but is not required to do so should insufficient qualified candidates apply
126 or be nominated.
- 127 ii. The Committee may designate or rank an appropriate number of alternate
128 candidates sufficient to fill anticipated vacancies during the year at the
129 Committee's discretion. Such alternates will be approved by the
130 Committee and given to the Chair and Executive Vice Chair of the
131 Assembly and will be confirmed by additional resolution or emergency
132 authority should the need arise. Such alternate list will be treated
133 confidentially.
- 134 iii. At the start of each semester, the Chair of the Committee will reconcile the
135 UHRB membership roster on file with the Office of the Assemblies,
136 Office of the Judicial Administrator, Hearing Board Administrative Chair,
137 or successor entities. Should a need arise to seat additional members, the
138 Chair of the Committee shall contact individuals in order of their
139 appearance on the previously approved list verifying their continued
140 interest in serving. Upon verification, the Chair of the Committee shall
141 consult with the Executive Committee of the Assembly to determine if
142 emergency appointment is necessary prior to a formal resolution being
143 presented. Should the Executive Committee exercise its emergency
144 authority, the full Assembly must be notified at its next regularly
145 scheduled meeting and a resolution for formal confirmation must follow
146 within a reasonable timeframe.



Cornell University University Assembly

Cornell University Assembly

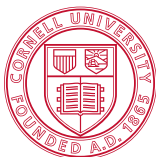
Minutes of the April 10, 2018 Meeting

4:30 PM – 6:00 PM

401 Physical Sciences Building

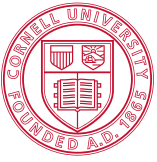
- I. Call to Order (Chair)
 - a. Call to Order (1 minute)
 - i. G. Kaufman called the meeting to order at 4:30pm
 - ii. *Present:* J. Anderson, M. Battaglia, R. Bensel, A. Cohn, M. de Roos, M. Hatch, R. Howarth, G. Kaufman, J. Kim, J. Kruser, E. Michel, C. Schott, C. Van Loan, C. Wiggers, E. Winarto
 - iii. *Absent:* L. Copman, K. Fitch, V. Guido, E. Leow, K. Quinn
 - iv. *Others Present:* Terrill Malone
 - b. Welcome and Introduction (2 minutes)
 - c. Call for Late Additions to the Agenda (2 minutes)
- II. Transportation and Delivery Services (B. Brady, H. Steh & R. Huegerich) (20 minutes)
 - a. B. Brady, H. Steh, and R. Huegerich gave a presentation of the current transportation plan. They spoke about: the parking supply at Cornell and relevant statistics and metrics, the 2008 Campus Master Plan, parking optimization goals, a campus-wide survey, and bike and pedestrian improvement efforts.
 - b. M. Battaglia asked about the achievement of objectives and how to ensure that parking is financially feasible and accessible.
 - c. R. Huegerich said that most accounts state that most people appreciate the work that has been done. He said that there are still areas with room for improvement.
 - d. H. Steh said that her office encourages all students with need to go the Student Disability Services Office for things regarding accessibility.
 - e. J. Kruser asked if there was any feedback acquired from bikers.
 - f. R. Huegerich said that, as of now, there is no formal report or survey, but there is a campus biking coordinator.
 - g. J. Kruser said that he hopes that the employees of Cornell are considered within this process and plan, especially when it comes to low-paid employees.
 - h. B. Brady said that Transportation and Delivery Services is a part of the Transportation Task Force, and that they are working to be inclusive.
 - i. A. Cohn asked about the distribution of accessible spaces with regard to graduate students.
 - j. J. Anderson asked about parking for move-in and move-out days.

If you are in need of special accommodations, contact Office of the Assemblies at (607) 255-3715 or Student Disability Services at (607) 254-4545 prior to the meeting.



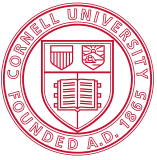
Cornell University University Assembly

- k. B. Brady said that, with losing 400 spaces, her team needs to look at days and events like that that may be affected.
 - l. M. Hatch asked about why there is not a report on transportation. He asked if there was any thought to alternative transportation to move people around the campus. He said that it is a major oversight that the University has not spent more time on crafting a more robust transportation plan for moving people around. He suggested that Transportation and Delivery Services focus on moving people around more efficiently.
 - m. R. Huegerich said that the Park Plus software will allow Transportation and Delivery Services to deal with hypothetical situations of shifting demand.
 - n. C. Van Loan asked if there was an item in the budget for Emeritus free parking.
 - o. B. Brady said that she is not sure, but that it is a part of a benefit package, and there is no information on the use of those permits.
 - p. M. Hatch asked if there was anything that the UA could do to support the work of Transportation and Delivery Services.
 - q. B. Brady said that the UA can help with disseminating the feedback that Transportation and Delivery Services' needs.
 - r. R. Bensele said that he likes Jeremy's point that that parking is a tax on the employees, so now there needs to be work on seeing how to reduce the overall tax on parking for permits and the impact of the tax on employees.
 - s. R. Huegerich said that there are ways that the burden of the tax can be reduced. He said that Transportation and Delivery Services is sensitive to the fact that the parking permit costs present a burden.
- III. Judicial Codes Counselor Appointment Confirmation (G. Kanter & M. Battaglia) (10 minutes)
- a. E. Michel said that, due to miscommunication, the JCC-elect was unable to make the appointment confirmation.
 - b. M. Battaglia motioned to table the appointment until the next meeting. There was no dissent. The appointment was **tabled**.
- IV. Approval of University Assembly 2018-2019 Calendar (Chair) (5 minutes)
- a. M. Battaglia asked if there are any deviations from the normal calendar.
 - i. G. Kaufman said no.
 - b. M. Battaglia motioned to approve the calendar. R. Howarth seconded.
 - i. There was no dissent. The calendar was **adopted**.
- V. Approval of the Minutes (Chair)
- a. February 13, 2018 (2 minutes)



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- i. M. Battaglia motioned to **amend** the minutes to correct the attendance record.
 - 1. M. Battaglia motioned to call the question. The motion was seconded. There was no dissent.
 - a. The amendment was **adopted**.
 - ii. J. Anderson motioned to approve the minutes. There was no dissent.
 - 1. The minutes were **approved** by unanimous consent.
 - b. February 27, 2018 (2 minutes)
 - i. M. Battaglia motioned to **amend** the minutes. There was a second.
 - 1. The amendment was **adopted** by unanimous consent.
 - ii. M. Battaglia motioned to approve the minutes. The motion was seconded.
 - 1. The minutes were **approved** by unanimous consent.
 - c. March 13, 2018 (2 minutes)
 - i. J. Kruser motioned to approve the minutes. M. Battaglia seconded the motion. There was no dissent. The minutes were **approved** by unanimous consent.
 - d. March 27, 2018 (2 minutes)
 - i. M. Battaglia motioned to approve the minutes. J. Kruser seconded the motion. There was no dissent. The minutes were **approved** by unanimous consent.
- VI. Introduction to coming Code changes (M. Battaglia) (5 minutes)
- a. M. Battaglia said that after receiving comments from the President's Office, the amendments to the Campus Code of Conduct have been moving along through the CJC. He said that the CJC is hoping to hold a public forum next week to solicit feedback and question. He said that he hopes that the changes come to the UA for a vote at the last meeting in May.
 - b. M. de Roos asked how the forum for the Hate Speech and Harassment Working Group went.
 - c. M. Battaglia said that he thinks that it went well, but the forum in question is for the other amendments to the Campus Code of Conduct.
- VII. Committee Reports
- a. Executive Committee (E. Michel) (1 minute)
 - i. No Updates
 - b. Codes and Judicial Committee (M. Battaglia) (2 minutes)

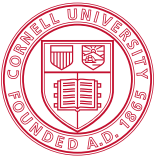


Cornell University University Assembly

- i. M. Battaglia said that the Hate Speech and Harassment Working Group is having two fora this week. He said that the UHRB applications have closed, and that the CJC is awaiting the applications.
 - ii. G. Kaufman asked if M. Battaglia emailed G. Giambattista, and if he did not, G. Kaufman said that M. Battaglia should email her.
 - 1. M. Battaglia said no, but that he would.
- c. Campus Welfare Committee (J. Anderson) (2 minutes)
 - i. No Updates
 - ii. L. Copman asked about the tobacco referendum.
 - iii. J. Anderson said that it did not take place because the Office of the Assemblies did not have the availability to support it with other current events. He also said that, after speaking with Cornell Health, the fact the e-cigarettes were not included was raised.
- d. Campus Infrastructure Committee (C. Schott) (2 minutes)
 - i. C. Schott mentioned the work on the of the assemblies and the resolutions in discussion relating to campus infrastructure.

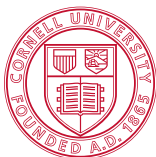
VIII. Business of the Day

- a. Resolution 9: Reinstating the Budget Planning Committee (J. Anderson) (5 minutes)
 - i. J. Anderson said that he wants to vote on this resolution today.
 - ii. M. Battaglia said that he noticed that, in the Bylaws, it says that committees must hold at least one open meeting per semester.
 - iii. G. Kaufman asked if that relates to standing committees or associated committees.
 - 1. M. Battaglia said that it is unclear.
 - iv. M. Battaglia motioned to **amend** line 83 in the Appendix to add “, but must hold at least one open meeting per semester.” at the end of the sentence. R. Howarth seconded.
 - 1. J. Anderson motioned to call the question. R. Howarth seconded the motion. There was no dissent.
 - a. The amendment was **adopted**.
 - v. J. Anderson motioned to call the question. M. Battaglia seconded the motion. There was no dissent.
 - 1. By a vote of 13-1-1, the resolution was **adopted**.
- b. Resolution 12: Increasing Access to Gender Neutral Bathrooms on Campus (C. Schott) (5 minutes)



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- i. I. Wallace, a representative from the Campus Infrastructure Committee, said that Cornell should be a leader in increasing access to gender neutral bathrooms.
- ii. C. Schott motioned to **amend** line 25 to read “**Be it further resolved**, that Willard Straight Hall enters a trial period in which all bathrooms on the fourth floor be designated all-gender, the Office of Campus and Student Life will administer a survey at the end of the period to gauge user experience;” J. Anderson seconded the amendment.
 1. J. Kruser asked if anyone has reached out to student and campus life about conducting a survey.
 - a. I. Wallace said no.
 - b. J. Kruser said that there should be contact with that group.
 2. J. Anderson asked about the content that would be sought from the survey.
 - a. I. Wallace said that the survey would gauge very strong positive or negative experiences and opinions.
 3. M. Hatch suggested that survey be much broader.
 4. J. Anderson said that he echoes C. Wiggers’ point.
 5. R. Benseal said that social practice is often different than what one would expect when one creates new policies.
 6. E. Winarto thanked I. Wallace for his clarification. She asked about the length of trial period.
 - a. I. Wallace said maybe a few months or the semester.
 7. By a vote of 6-4-6, the amendment was **adopted**.
- iii. J. Anderson said that, sense he senses that everyone is not sold on this resolution, he feels that it might be best to send this resolution back to the Campus Infrastructure Committee.
- iv. J. Kruser said that he supports J. Anderson’s point, and that he supports that resolution’s goal, but he said that the necessary work on the resolution has not been done, nor has there been contact.
- v. M. Battaglia motioned to refer the resolution back to the CIC. J. Anderson seconded the motion.
 1. M. Hatch motioned to call the question. There was a second. There was no dissent to the motion
 - a. The motion was **adopted** and the resolution was sent back to the CIC.

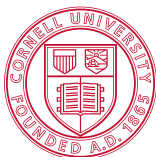


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- c. Resolution 14: Making Cornell's Economics program STEM-certified (C. Schott) (5 minutes)
 - i. C. Schott said that he has sent amendments to the body. He said that this resolution calls for an assessment of STEM CIP codes for the extension of professional training for international students. He said that he thinks that this would be useful for every single major. He said that this is just a technical change. He said that he has not been able to speak with every single dean and department yet. With that, a formal motion to **amend** the resolution was called. The motion was seconded.
 - ii. R. Howarth said that he appreciates the effort to broaden the resolution.
 - iii. M. Hatch asked about why this resolution is not in the EPC.
 - 1. C. Van Loan said that this may start the conversation.
 - iv. M. Battaglia asked about the feasibility of the application timeline.
 - 1. C. Schott said that that timeline for that application is just for the Economics program. He said that it is realistic to meet the deadlines.
 - v. M. Hatch motioned to call the question on the **amendment**. J. Anderson seconded the motion. There was no dissent. The amendment was **adopted** by unanimous consent.
 - vi. M. Battaglia motioned to call the question on the resolution. There was a second. There was no dissent to voting.
 - 1. By a vote of 15-0-1, the resolution was **adopted**.
 - vii. M. Hatch motioned to extend the meeting by 15 minutes. M. Battaglia seconded the motion. There was no dissent. The motion was **adopted** by unanimous consent. The meeting was extended by 15 minutes.

IX. Assembly Reports

- a. Student Assembly (J. Kim) (2 minutes)
 - i. J. Kim said that he expects that the elections results will released soon. He said that President Pollack and VP for Student and Campus Life Lombardi will be at the meeting.
- b. Graduate and Professional Student Assembly (E. Winarto) (2 minutes)
 - i. E. Winarto said that the Graduate and Professional Student Trustee election is taking place, and voting is taking place next week. She said that, at the next meeting, the GPSA will be hearing a presentation on the Social Sciences by the committee sanctioned by the Provost.
- c. Employee Assembly (C. Wiggers) (2 minutes)

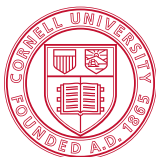


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- i. C. Schott said that President Pollack was in attendance. He said there were questions about sexual assault and harassment, retirement, federal policies and compensation for employees.
 - d. Faculty Senate (C. Van Loan) (2 minutes)
 - i. There were no updates.
- X. Liaison Reports
 - a. Policy Advisory Group (E. Winarto) (1 minute)
 - i. E. Winarto said that the group has not met.
 - b. Transportation Task Force (K. Fitch) (1 minute)
 - i. There were no updates.
 - c. Council on Sexual Violence Prevention (K. Quinn) (1 minute)
 - i. There were no updates.
 - d. Student Health Benefits Advisory Council (J. Anderson) (1 minute)
 - i. There were no updates.
 - e. Campus Planning Committee (M. Hatch) (1 minute)
 - i. M. Hatch said that McGraw hall will be renovated. He said that this fits well with the Budget and Planning Committee. He also mentioned the upcoming Biennial. He added that the University will address the issues of climate change and emerge as a leader.
 - ii. M. Battaglia asked about the University's deferred maintenance problem.
 - iii. M. Hatch said that that is another area for investigation.
 - iv. R. Benseal asked if McGraw Hall would be able to be saved.
 - v. M. Hatch said that the exterior will be saved, and that the interior will have considerable renovations. He said that the departments will be moved in the meantime.
- XI. Late Additions to the Agenda (2 minutes)
- XII. Adjournment (1 minute)
 - a. The meeting was adjourned at 6:07pm

Respectfully Submitted,

Terrill Malone
Clerk of the Assembly



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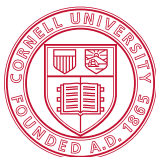
Cornell University Assembly

Minutes of the April 24, 2018 Meeting

4:30 PM – 6:00 PM

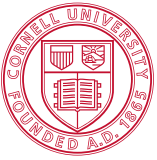
701 Clark Hall

- I. Call to Order (Chair)
 - a. Call to Order (1 minute)
 - b. G. Kaufman called the meeting to order at 4:34pm
 - i. *Present:* J. Anderson, M. Battaglia, R. Bense, A. Cohn, L. Copman, M. de Roos, V. Guido, M. Hatch, R. Howarth, G. Kaufman, J. Kim, E. Loew, E. Michel, E. Winarto
 - ii. *Absent:* K. Fitch, J. Kruser, K. Quinn, C. Schott, C. Van Loan, C. Wiggers
 - iii. *Others Present:* G. Giambattista, T. Malone
 - c. Welcome and Introduction (2 minutes)
 - d. Call for Late Additions to the Agenda (2 minutes)
 - i. M. Hatch asked about the 30-minute presentation and why it was scheduled for the beginning of this meeting when there are many resolutions on the agenda.
 - ii. G. Kaufman proposed having another meeting week to resolve the agenda items.
 - iii. M. Battaglia wanted to set aside time to discuss the UHRB applications. He said that he thinks that there should be another meeting.
 - iv. G. Kaufman said that, by unanimous consent, there is a meeting scheduled for next week.
- II. Committee on Structural Organization in the Social Sciences (J. Appleton & T. O'Donoghue) (30 minutes)
 - a. J. Appleton said that the review of the Social Sciences at Cornell began about two years ago. She discussed the three different committees sanctioned by the Provost. She discussed the metrics of the investment in the social sciences. She also discussed the Committee on Structural Organization in the Social Sciences, the goal and constraints of the committee, the report that the committee produced, and the evaluation of the ideas of the report.
 - b. T. O'Donoghue said that the ideas are skeletal, and that the committee would like feedback.



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- c. J. Anderson said that, given all the negative feedback on the idea of merging ILR and the College of Human Ecology, would the committee still consider that a top choice?
- d. T. O'Donoghue said that the committee has dissolved and that the action is left up to the Provost and the President.
- e. L. Copman asked if there was any thought on the linkages between the merging fields.
- f. J. Appleton said that the committee discussed the direction in which fields were headed. She said those conversations will go on with the committee regarding ideas. She said that that committee is soliciting feedback as well.
- g. R. Bense said the ILR and CHE merger is really unpopular with ILR, and he asked if it was still on the table, why, and who will decide on any action.
- h. J. Appleton said that the decision is left to the Provost and the President, and the idea will be taken off the table by the Provost if he chooses to do so.
- i. M. Battaglia said that there needs to work on clarity because people are gearing up to fight this merger.
- j. C. Schott said that he has been listening to different opinions and sentiments, and that he has specifically heard how the committee was composed of individuals from different units. He also said that a common sentiment was that there was not enough of evidence pointing to the success of a possible merger.
- k. A community member said that he thinks J. Appleton is underestimating the level of distrust that the community has for the University's administration. He said that he does not know why the idea is still on the table when there has been such loud opposition to a merger.
- l. J. Appleton said that she and T. O'Donoghue are hoping to hear about all of the other ideas. She said that they have only heard responses about the merger idea. She said that they welcome other suggestions and alternatives.
- m. T. O'Donoghue said that, according to the Provost, if one of the ideas does receive positive feedback, the next step would be to have a more formal study and assessment, not a decision.
- n. M. Hatch said that, the way to start is to contribute to discussions across colleges, not by merging them.
- o. A community member said that there are some other ideas that could potentially work, but that the problem is that the one idea is hugely unpopular and will keep being discussed. He said that after committing to 5 to 6 years to this institution and ILR in the PhD program, he received the report two-weeks later and has been

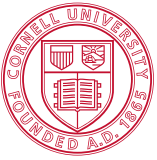


stressed and anxious over what his education and post-doctoral experience will look like.

- p. J. Appleton said that, partly, an idea would be massing the studies and professors of the Social Sciences that are present in the College of Business, the ILR School, Arts and Sciences, etc.

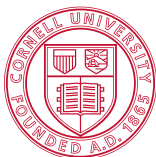
III. Judicial Codes Counselor Annual Report (K. Karr) (20 minutes)

- a. K. Karr discussed the JCC's Office and its purpose. She said the office is really busy and has been heavily utilized this past year. She said that the office is supported by the Office of the President. She said that she has been working on improving the institutional knowledge of her office. She said that she has seen most of the Academic Integrity Code.
- b. K. Karr discussed how some procedures have been misapplied, and that there are different procedural rights for different students, which leads to inequality. She discussed the UHRB and its training, and a possible revision to process of Academic Integrity. She also said that Policy 6.4 is inconsistent. She said that the JCC plays a different role under Policy 6.4 than under the Campus Code of Conduct. She said that it is unfair because some students can be timid, not understand English, etc. so that it why is important to have an advocate in the process.
- c. K. Karr said that she said that she would like to the applaud the current JA's approach to educational remedies. She, however, said that she doesn't think that the reporting by the office is educational. She said that this current JA has also done away with oral warnings. K. Karr said that she would be providing a more extensive report at a later time.
- d. M. Battaglia thanked K. Karr for her work. He said that he is looking at ways in which to pass a recommendation on to the faculty for review of the Academic Integrity Code. He asked about what the UA can do to help.
- e. K. Karr said that she has found the Office of the JCC has been placed in different processes that are not necessary, and so she would recommend getting rid of that.
- f. R. Bense said that K. Karr has been wonderful. He said that everything that she summarized, he supports, and that she should write it up, because it will have an audience.
- g. R. Howarth asked about the Academic Integrity Code and its possible variations because he said that he was not aware that it was as much of a problem.
- h. C. Schott said that the inequalities are shocking, and that he was unaware of this, but he asked what the SA could do to help.



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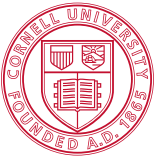
- i. K. Karr said that she does not know how the SA could help because she said that a lot of the issues arise from the policies.
 - j. L. Copman recommended that K. Karr give concrete, anonymous examples in her report to make it easier for people to understand.
 - k. K. Karr said that she could for the Campus Code of Conduct, and the Academic Integrity Code, but that she could not for Policy 6.4 cases.
 - l. M. Hatch said that there was discussion of certain parts of Policy 6.4 discussed at the Hate Speech and Harassment session. He said that he asked about the parts in which K. Karr said that the JA's Office is not operating to sufficiency.
 - m. K. Karr said, to clarify, the JA's Office works with the JCC well to allow advocacy for individuals.
 - n. M. de Roos asked about the hearing board for the Academic Integrity Code.
 - o. K. Karr said that each college/school has its own hearing board.
 - p. G. Kaufman said that, from his experience in working with K. Karr, she has been great.
- IV. Judicial Codes Counselor Appointment Confirmation (G. Kanter) (5 minutes)
- a. G. Kanter said that she is finishing up her first-year in the law school and that she is excited and hopes to do well in the role of the Judicial Codes Counselor.
 - b. M. Battaglia said that he has heard concerns about the process, but that he sees no reason that G. Kanter should not be confirmed.
 - c. M. Hatch motioned to approve G. Kanter as the next Judicial Codes Counselor. M. Battaglia seconded the motion.
 - i. By a vote of 14-0-1, the motion was **adopted** and G. Kanter was confirmed.
- V. Consensual Relationships Policy Vote (Chair) (10 minutes)
- a. M. Battaglia said that he is concerned because this process and policy does not work with the Campus Code of Conduct. He said that this is concerning because the 6.4 carveout is very narrow, but that this policy does not deal with the issues that are carved out. He said that this vote should not be conducted here, especially because it would be ceding power over the Campus Code of Conduct. He said that this is a Codes and Judicial Committee and Campus Code of Conduct matter.
 - b. M. Battaglia motioned to have the assembly express the sentiment that it believes that "The University Assembly strongly believes that these provisions belong in the Campus Code of Conduct and does not consent to a course of action that would see them outside the jurisdiction or adjudication of the Code. The Assembly believes this policy should be in the control of the University Community through the Code



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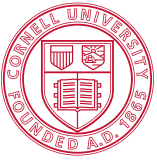
and not be an administratively driven policy outside the Code.” M. Hatch seconded the motion. There was continued discussion.

- c. J. Anderson asked about where C. Van Loan was, and if he provided a reason for his absence.
 - i. G. Kaufman read a note from C. Van Loan.
- d. R. Benseal said that he supports M. Battaglia’s motion.
- e. L. Copman asked if the UA is actually allowed to vote on this.
- f. G. Kaufman said that the people on the UA can vote the way that they want. He said that he does not see why people have to sign.
- g. E. Loew said that he does not see the problem with voting, but that the vote should occur as it does normally.
- h. J. Anderson said that he thinks it would make more sense to send the votes and comments directly to President Pollack.
- i. G. Kaufman said that the UA can send it where the UA wants by email. He said, as a point of reference, President Pollack said that if there was not a policy by the deadline, that she would see that a policy is put in place.
- j. R. Howarth said that he got the impression that President Pollack would not be stepping on the UA’s toes with regard to the Campus Code of Conduct, and that he thinks the ballots should be sent to President Pollack.
- k. L. Copman recommended a resolution with “resolve” clauses.
- l. M. Hatch said that he supports L. Copman and said that he thinks that it should be sent to President Pollack. He said that this policy issue should remain with the Campus Code of Conduct.
- m. R. Benseal said that he thinks the UA should pass this resolution today for the Faculty Senate meeting tomorrow, in which a vote is to be conducted.
- n. E. Loew said that tomorrow, as a member of the Faculty Senate, he would be willing to stand up and state, on behalf of the UA, that the UA does not support the policy.
- o. G. Kaufman asked about who enforces Policy 6.4.
- p. M. Battaglia said that it is in the Faculty Handbook.
- q. M. Battaglia said that the GPSA does not adequately support master’s students and professional students. He said that, the broad nature of this policy makes it a Campus Code of Conduct issue.
- r. E. Winarto asked about how long it might take to get this language in the Campus Code of Conduct, because graduate students have really wanted this.
- s. J. Anderson said that he questions the imperative of CRPC to get language to the CJC.



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- t. M. Battaglia said that, in this case, the CRPC can be treated like other sub-committees. He said that, the key is that this language should be in the Campus Code of Conduct. He said that he is concerned because the University might get sued over it. He said that, if the CJC gets a good start next year, there can be language by the end of the next semester.
- u. D. Barbaria echoed what M. Battaglia said.
- v. R. Bensel said that he thinks that it is really important to not give way and set precedence on this type of process. He said that when the President discussed this, she used the word “usurp,” which is a very strong word, and that it is a recognition that it would be taking the UA’s authority.
- w. L. Copman asked if the UA should table this and then have a resolution next week.
- x. M. Hatch said that he wanted to suggest what L. Copman said. He said that there are problems with Policy 6.4, so he supports tabling this. He said that this is an undermining of the governance systems on campus. He said that the other question is the immediacy of this policy. He said that, maybe the resolution could serve as a stop-gap to allow for the concerns of this policy to be voiced.
- y. E. Michel motioned to extend the meeting by 30-miniutes. There was no dissent. The motion was **adopted** by unanimous consent.
- z. E. Winarto said that graduate students have been waiting on this for three-years, and asked, why this discussion and debate was going at this point.
- aa. M. Battaglia said that he agrees, and that this is poor timing, but, he said that when he brought it up to CPRC members, it was constantly ignored. He said that he would ask that this language gets voted on today for the Faulty vote tomorrow. He said that this should be a community-controlled policy.
- bb. E. Loew said that the college has jurisdiction over the faculty of that college. He said that he has not seen how any of these cases might be parceled out to send violations of individuals to their respective jurisdictions.
- cc. Manisha Munasinghe, a community member, and a member of the GPSA, said that, regardless of what the UA does, the Faculty will vote tomorrow, and everything will be sent to President Pollack to make a decision.
- dd. A. Cohn said that these concerns should have been brought up months ago, and that it is not fair to be having this debate now.
- ee. J. Anderson said that there have been concerns regarding this process, but that he does not see it slowing down.
- ff. G. Kaufman said that this discussion has become circular, so he requests that there be some action.



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gg. G. Kaufman motioned to table the proposed resolution and language. A. Cohn seconded the motion.

i. By a vote of 9-4-1, the motion was **tabled** until the next meeting.

hh. M. Battaglia motioned to move to resolution 19 because of the presence of the guest speakers. There was a second. There was no dissent. The motion was **adopted**.

VI. Business of the Day

a. Resolution 12: Increasing Access to Gender Neutral Bathrooms on Campus (C. Schott) (5 minutes)

i. The resolution was **tabled** to the next meeting.

b. Resolution 15: Opposing the Merger of the College of Human Ecology and the ILR School (J. Anderson) (5 minutes)

i. J. Anderson said that most people do not think the merger is a good idea. He said that he wants this resolution to serve the purpose of taking the merger off the table.

ii. J. Anderson motioned to table. There was no dissent. The resolution was **tabled** by unanimous consent.

c. Resolution 16: Examining Cornell's Policies for Temporary Disability Parking to Ensure Financial Accessibility and Equal Access (M. Battaglia) (5 minutes)

i. M. Hatch motioned to table the resolution. The motion was seconded.

1. By a vote of 7-6-0, the resolution was **tabled**.

d. Resolution 17: In Support of Cornell Employee Assembly Resolution #11: Promoting Staff Participation in Cornell Campus Climate Change Literacy Goals (M. Hatch) (5 minutes)

i. M. Hatch said that this resolution is simple affirmation of a previous initiative.

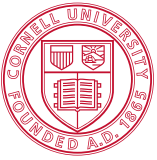
ii. E. Michel motioned to table the resolution until the next meeting. There was no dissent. The resolution was **tabled**.

e. Resolution 18: Call for the Development of a Cornell Comprehensive Transportation Plan (M. Hatch) (5 minutes)

i. M. Hatch said that this resolution has been long-coming, and it benefits everyone, but it has been rejected because of a lack of resources. He said that he suggests passing it.

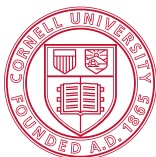
ii. M. Battaglia motioned to table the resolution. There was no dissent. The motion was **tabled** until the next meeting.

f. Resolution 19: Affirming Cornell's Commitment to Ethical Investments and Financial Transparency (C. Schott) (5 minutes)



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- i. A community member said that a similar resolution was passed in the Student Assembly but was rejected by the President. He said that this is acting on the recent adoption of the resolution of reinstating the Budget Planning Committee. He discussed investments and the responsibility of the University.
- ii. Another community member discussed Cornell Alumnus Seth Klarman's investment in the debt of Puerto Rico. He said that Cornell's involvement in the investment of the debt is harmful to Puerto Rico.
- iii. J. Anderson said that the intent of the Budget Planning Committee is not to look at investments, and the committee is not currently staffed. He said that he sees a mismatch in the clauses of the resolution.
- iv. M. Battaglia said that the Budget Planning Committee is the only committee that has such high-level confidentiality, so that committee seems correct to deal with this issue.
- v. R. Benseal asked what should be done about the Puerto Rican debt that Cornell owns.
- vi. A community member said that divesting would mean selling the debt holdings on the open market. He said that the debt should not be a part of Cornell's portfolio.
- vii. L. Copman suggested making amendments to the resolutions to make it specific. She said that this conversation has been ongoing for a long time.
- g. Draft of Code Amendments (M. Battaglia) (5 minutes)
 - i. M. Battaglia briefly touched on the 10 amendments to the Campus Code of Conduct. He said that he would not like for these amendments to be rejected because of lack of community comment, so he encouraged everyone to take them back to their constituent assemblies.
- h. Draft of Appendix A Amendments of University Assembly Bylaws (M. Battaglia) (5 minutes)
 - i. M. Battaglia said that, for the past few years, the CJC has had to fight with the Office of the Assemblies. He said, to avoid that, this resolution serves to codify a process for UHRB application reviewing and provide clarity on the role of the Office of the Assemblies. He said that he sat down with G. Giambattista to find a timeline, but that it was pushed back three-weeks by her. He said that he wants to avoid this in the future.



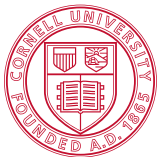
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- ii. M. Hatch said that he suggests taking more forceful action. He said there could be someone that could go to Joel Malina's office, and even the Office of the President.
- iii. E. Loew said that the Office of the Assemblies serves the UA, and they must be reminded of that.
- iv. There was a motion to table this resolution. The motion was seconded. The resolution was **tabled** until the next meeting.
- i. Draft of Code Amendments: New Judicial Administrator Reappointment Procedures (M. Battaglia) (5 minutes)
 - i. M. Battaglia said that the CJC and administration have proposed changes to the appointment/reappointment procedures of the Judicial Administrator.
 - ii. M. Battaglia said that he has requested that the Office of the Assemblies give the appropriate information regarding the UHRB application decoding.
 - iii. M. Battaglia motioned to "Motion for the Office of Assemblies to send the key and resumes to the CJC within 24 hours of receiving this motion so the Committee can effectively complete their work in nominating UHRB members." The motion was seconded
 - 1. By a vote of 11-0-2, the motion was **adopted**.
 - iv. M. Battaglia requested that the Chair of the Assembly inform C. Van Loan that UA members would like this policy to be in the Campus Code of Conduct.
 - v. M. Hatch motioned to extend the meeting by 15 minutes. There was no dissent. The motion was **adopted**, and the meeting was extended by 15 minutes by unanimous consent.
 - vi. G. Giambattista said that she welcomes opportunities to discuss the process with members of the UA. She said that some of the comments made regarding the Office of the Assemblies during the previous discussion were disparaging. She said that the Office of the Assemblies is present to support the assemblies, and that the OA serves to preserve the process and the formal records of the assemblies. She encouraged anyone with questions or concerns to reach out to her.

VII. Adjournment (1 minute)

- a. The assembly lost quorum at 6:46pm

Respectfully Submitted,



Cornell University University Assembly

Terrill Malone
Clerk of the Assembly

If you are in need of special accommodations, contact Office of the Assemblies at (607) 255-3715 or Student Disability Services at (607) 254-4545 prior to the meeting.