

Cornell University
University Assembly

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Agenda

Codes and Judicial Committee
University Assembly
September 6th, 2017
4:30pm - 6:00pm
305 Day Hall

- I. Call to Order (Chair)**
 - i. Call to Order (2 minutes)
- II. Approval of Minutes (Chair)**
 - i. March 28, 2017 (2 minutes) ^[1]
 - ii. April 17, 2017 (2 minutes) ^[2]
 - iii. April 25, 2017 (2 minutes)
- III. Business of the Day**
 - i. Recap of AY 2016 – 2017 Committee actions and unfinished business (Chair) (20 minutes)
 - ii. For Discussion: UA Resolution X: Appointment of University Hearing Board and University Review Board Members for Academic Year 2017-2018 (15 minutes) ^[3]
 - iii. For Discussion: Permanent meeting time (15 minutes)
 - iv. Open Discussion (Facilitated by Chair) (30 minutes)
- IV. Adjournment**
 - i. Adjournment (2 minutes)

Attachments

1. CJC Meeting Minutes 3.28.2017
2. CJC Meeting Minutes 4.17.2017
3. UA Resolution X: Appointment of University Hearing Board and University Review Board Members for Academic Year 2017-2018 U.A.

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.



Minutes

Codes and Judicial Committee

University Assembly

March 28th, 2017

4:30pm – 6:00pm

316 Day Hall

I. Call to Order

- a. M. Battaglia called the meeting to order at 4:30 PM.
- b. Attendance
 - i. *Present:* M. Battaglia, N. Chovanec, G. Kaufman, D. Putnam, N. Rogers, T. Shapiro, K. Zoner
 - ii. *Absent:* E. Baptist, K. Fitch, R. Herz, C. Hodges, M. Horvath, R. Lieberwitz, L. Munguia, A. Olofin
 - iii. *Others present:* V. Bhaya, A. Loiben, M. McBride, E. Young

II. Approval of Minutes

- a. March 7, 2017
 - i. Minutes were approved by unanimous consent.

III. Business of the Day

- a. Recap of March 17, 2017 Working Session
 - i. M. Battaglia said the working session worked to clarify Campus Code violations with regard to transcript notations. He said the working session sorted offenses into three categories: those which would automatically result in a transcript notation, those which might result in a transcript notation, and those which were felt to merit further discussion.
- b. For Discussion: Request by Risk Management to clarify the definition of “student” in the Campus Code of Conduct
 - i. M. Battaglia said that the definition of student in the Campus Code is currently broad, but there are currently people who are students under the Code who are not actually students.
 - ii. J. Kruser said he thinks the direction of the Resolution X is correct, but that he wants a system that ensures that people who are not considered students under the Code end up with nothing.
 1. E. Young said that any program that operates on campus must be vetted through the Office of Risk Management and part of that process is checking to make sure that they have a code of conduct or behavioral expectations.
 - iii. E. Young said that TST Boces students are on campus almost every day. He said they have document that serves as their code of conduct. He said that the Summer College has a different code of conduct that works for them. He said they want to make sure that these programs have codes of

- conduct and that students are held to them, which frees up what the OJA does as well as helps clear up ambiguity regarding the Campus Code of Conduct
- iv. G. Kaufman said he thinks it is important that there should be some kind of oversight mechanism before removing students from the jurisdiction of the Campus Code of Conduct, since other programs may have unusual policies.
- c. For Discussion: Proposed Transcript Notation Policy
- i. J. Kruser said that the problem he sees with incorporating the Cleary Act in total is that the Cleary Act includes things that they said they do not want included in the resolution, like drug use and possession of firearms.
 - ii. M. McBride said the Code does not lay out what the sanction should be for violating certain offenses. He said he thinks they should not go beyond what the law requires them to do because it is a purely punitive law and that he thinks it is not the mission of the university. He said he also thinks that including judicial action changes the nature of a transcript.
 - 1. M. Battaglia said that transcript notations would aim to be a safety issue, not punitive. He said there are many offenses under the Code that are in the vein with what the law requires.
 - iii. N. Rogers said that he thought the CJC was aiming to make transcript notations a safety measure for the community, not a punitive measure.
 - iv. J. Kruser said that he is open to the possibility of safety issues not included in the Cleary Act and that he is not opposed to the CJC considering those issues. He said they should be aiming for no discretion and focusing on whether an act is dangerous or not.
 - v. G. Kaufman said that it is important to set the standard that they should only annotate for public safety issues. He said it is important for the UHRB to determine whether a violation is a public safety issue. He said it will be difficult to be proactive and predict what violations will be a public safety issue or not, because some other violations may give rise to public safety issues.
 - vi. M. Battaglia said that M. Horvath requests an appeals process not be included until a later date.
 - vii. N. Chovanec said he believes there should be an appeals process because people change over time.
- d. For Discussion: Reviewing returned Campus Code of Code Amendments from AY 2015 – 2016
- e. University Hearing and Review Boards (UHRB) update
- i. M. Battaglia said that UHRB applications should have gone live on Friday but that it is concerning that they have not.
 - ii. G. Kaufman said he has not received a notification that the UHRB Qualtrics survey has gone live and that is concerning because spring break is coming up soon, and undergrads may not have enough time to apply.

1. M. Battaglia said he shares the same concerns and will meet with the Office of the Assemblies to clarify that the application has gone live.

IV. Adjournment

- a. The meeting was adjourned at 6:02PM.

Respectfully submitted,

Vishal Bhaya
Assemblies Clerk



Cornell University
Codes and Judicial Committee

Minutes
Codes and Judicial Committee
University Assembly
April 17th, 2017
4:30pm – 6:00pm
Claudy Casual Conference Room

I. Call to Order

- a. M. Battaglia called the meeting to order at 4:38pm.
- b. Attendance:
 - i. *Present:* M. Battaglia, R. Herz, G. Kaufman, D. Putnam, L. Munguia, N. Rogers, T. Shapiro
 - i. *Absent:* E. Baptist, N. Chovanec, K. Fitch, C. Hodges, M. Horvath, R. Lieberwitz, A. Olofin, K. Zoner
 - ii. *Others present:* None

II. Approval of Minutes

- a. February 16, 2017
 - i. Minutes were approved by unanimous consent.
- b. March 28, 2017
 - i. Approval of Minutes were tabled to next meeting.

III. Business of the Day

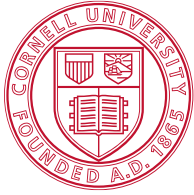
- a. Recap of progress with Transcript Notations, the definition of “student,” and the Faculty Senate meeting
 - i. M. Battaglia said he has been working with J. Kruser’s comments as well as the Office of Judicial Administrator’s comments to try to update the Transcript Notations document. He said an updated draft will be circulated within the coming weeks.
 - ii. M. Battaglia said he has been working with E. Young on the definition of “student” under the Campus Code. He said that they are preparing several draft documents with other programs’ policies so members can view them.
 - iii. M. Battaglia said that the Faculty Senate had a discussion about procedures followed by the Judicial Administrator because an individual leaked confidential information publicly; there would be a public hearing on Wednesday.
- b. Applicant evaluation for the University Hearing and Review Boards
 - i. Members entered an Executive session to evaluate UHRB applications.

IV. Adjournment

- a. The meeting was adjourned at 6:01PM.

Respectfully submitted,

Vishal Bhaya
Assemblies Clerk



U.A. Resolution #X

Appointment of University Hearing Board and University Review Board Members for Academic Year 2017-2018

September 6, 2017

1 **Sponsored by: Matthew Battaglia, Graduate and Professional; Chair, Codes & Judicial**
2 **Committee**

3
4 **On Behalf Of: The 2016 – 2017 UA Codes & Judicial Committee (M. Battaglia, N.**
5 **Chovanec, R. Herz, C. Hodges, J. Kruser, R. Lieberwitz, L. Munguia, D. Putnam, N.**
6 **Rogers, T. Shapiro, K. Zoner)**

7
8 **Whereas,** the 2016 – 2017 Codes and Judicial Committee received and reviewed applications for
9 service on the University Hearing and University Review Boards (UHRB) from students and
10 employees and made recommendations on appointments; and

11
12 **Whereas,** with a larger than anticipated turnover on the UHRB the Executive Committee of the
13 University Assembly authorized the appointment of individuals on a temporary basis to the
14 UHRB when insufficient numbers of regular appointees were available; and

15
16 **Whereas,** the students temporarily appointed were formally vetted and recommended by the
17 Codes and Judicial Committee during the 2016 – 2017 academic year; and

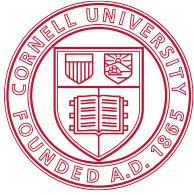
18
19 **Whereas,** the staff temporarily appointed were members of the UHRB during 2016-2017 year
20 who wished to continue their service; and

21
22 **Whereas,** the faculty temporarily appointed were formally nominated by the Dean of the
23 University Faculty during the 2016 – 2017 academic year; and

24
25 **Whereas,** all individuals appointed to serve on the University Hearing and Review Boards must
26 be confirmed by the University Assembly; therefore

27
28 **Be it Resolved,** the following student members are appointed to the UHRB for a term beginning
29 retroactively June 1, 2017 lasting until their graduation from the University or May 31, 2019,
30 whichever is sooner:

31
32 Austin Boyle
33 Zoe Kohl



Cornell University University Assembly

34
35 **Resolved**, the following current employee member of the UHRB is reappointed for a two-year
36 term beginning retroactively June 1, 2017 lasting until May 31, 2019 or their separation from the
37 University, whichever is sooner:

38
39 Adidi Etim-Hunting

40
41 **Resolved**, the following faculty member is appointed to the UHRB for a two-year term
42 beginning retroactively from June 1, 2017 lasting until May 31, 2019 or their separation from the
43 University, whichever is sooner:

44
45 Michelle Cox

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.