



Student Assembly

Code of Ethics

Cornell University Student Assembly

Effective [MONTH] [DAY], [YEAR]

PURPOSE AND SUSPENSION

- A. This Code of Ethics shall serve as rules governing internal operations and conduct of the Student Assembly Office of Ethics; all members and procedures of the Student Assembly shall adhere to this Code of Ethics.
- B. These rules shall remain in effect immediately upon adoption by the Student Assembly and shall be immutable until the end of the term; it shall be the responsibility at the beginning of each subsequent term for the Office of Ethics to solicit and propose, internally approve, and present amendments to the Student Assembly for adoption.
- C. Should thirty (30) days pass following the first regular meeting of a subsequent term of the Assembly without amendments to the Code of Ethics, these rules shall automatically be adopted by the Assembly.
- D. In the following order, these rules shall be superseded by the Charter and Bylaws in the event of a conflict.
- E. The Office of Ethics may not suspend these rules, nor may the voting membership of the Student Assembly.

MEMBERSHIP AND TRAINING

- A. The Office of Ethics shall consist of seven (7) members, who shall be tasked with carefully and fairly deciding all cases and controversies presented to them in the capacity of their roles and disqualifying themselves from participating in proceedings where their impartiality may be compromised.
- B. Members shall begin their term immediately upon confirmation by the Student Assembly following the formal vacancy of the seat they are filling, and upon signing a Non-Disclosure Agreement that all matters discussed within the capacity of the Office of Ethics shall be confidential.
- C. Recruitment of Office of Ethics members shall occur per Article VI, Section 6, Subsection B(c) of the Student Assembly Bylaws; Removal shall occur per Subsection B(ii)(3) of the same article and section of the bylaws.
- D. All Office of Ethics members shall undergo a training program consisting of the following elements (a) review of Robert's Rules of Order, Newly Revised, (b) review of the Student Assembly Charter, Bylaws, Standing Rules, Election Rules, and Code of Ethics, (c) review of significant internal policy resolutions from the past five (5) Assembly terms, and (d) a



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historical overview of the Student Assembly; the Director of Ethics shall design this training program.

ADMINISTRATION

- A. The Office of Ethics shall select from among themselves a member to serve as its chair ("Director"), who shall serve as the Director of the Office of Ethics of the Student Assembly upon confirmation from the Assembly.
- B. The Director shall preside over the Office of Ethics, report all orders, statements, and opinions to the Student Assembly, and hold the office to adhere to the Student Assembly Code of Ethics in all proceedings.
- C. Additional responsibilities of the Director are as follows:
 - a. Regularly schedule meetings of the Office of Ethics and prepare a detailed agenda;
 - b. Fairly assign work resulting from and leading to reviews and hearings amongst members;
 - c. Set and ensure the maintenance of the attendance policy of the Office of Ethics;
 - d. Establish, implement, and certify an intensive training program for all newly appointed members;
 - e. In consultation with the Office of Assemblies, the Office of Ethics shall maintain a detailed record of Office of Ethics proceedings and make accessible to all members any materials delivered to and produced by the Office;
 - f. Decide upon the retention of members into the following academic year's Office of Ethics before the end of the current term.
- D. The Director shall serve for one term, which may be renewed only with the simple majority consent of the Office of Ethics.
- E. The Director may only vote in the event of a tie.
- F. The Student Assembly may, upon a two-thirds (2/3) majority vote, remove the Director of the Office of Ethics; in the event of a removal, the members of the Student Assembly Office of Ethics shall internally elect from amongst themselves a different member to serve as Director.

MEETINGS AND ATTENDANCE

- A. All meetings of the Office of Ethics shall be chaired by the Director of Ethics.
- B. The Office of Ethics shall hold regular meetings biweekly, with the date, time, and location of this meeting being determined by all members of the Office before the second meeting of the Student Assembly's term; These meetings shall occur while the undergraduate colleges are in session.
- C. Special meetings, including but not limited to appeal reviews, hearings, preliminaries, and decisions, shall be scheduled at the discretion of the Director with a three (3) day notice delivered to all Office of Ethics members and relevant parties.



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- D. Attendance is required at scheduled meetings for all members, and the quorum for Office of Ethics meetings and voting shall be set at four (4) members; special meetings require the attendance of all 7 members except in the event of recusal or an excused absence.
- E. Members absent from an Office of Ethics meeting or proceeding shall be marked as an abstained vote; proxy voting is strictly forbidden.
- F. Any member who accrues more than three (3) unexcused absences during a semester shall be in jeopardy of removal from the Office of Ethics.

ETHICAL CONDUCT

- A. All members of the Office of Ethics shall be subject to this Code of Ethics; ethical conduct and decorum are expected from all members.
- B. In the event of a conflict of interest, members shall be required to recuse themselves from the applicable case; failure to recuse shall be an impeachable offense.
- C. The Director of the Office of Ethics shall, in accordance with the rules set for the Office of Ethics as defined in this document, exercise impartiality and refrain from speaking on the merits of a resolution outside of the scope of the Office.

RECEPTION OF ETHICAL CONCERNS

- A. Any member of the Cornell community seeking to report an ethical concern or controversy regarding any member of the Student Assembly or undergraduate representative to the University Assembly may convey their intent to the Office of Ethics through the submission of a concern form electronically via the Student Assembly website.
- B. An ethical concern or controversy shall comprise, but not be limited to the following:
 - a. Violations of the Student Assembly Oath of Office as written in the Section § 102. of the Standing Rules of the Student Assembly;
 - b. Usage of Student Assembly name, reputation, governing documents and resolutions, resources, or channels outside of the bounds of the individual's described role on the SA;
 - c. Improper or unauthorized use of Student Assembly name, reputation, governing documents and resolutions, resources, or channels for personal gain or advantage within the bounds of the Student Assembly to obtain special treatment, access to resources and opportunities, or favorable treatment;
 - d. Unethical behaviors or practices in the Cornell undergraduate community at large;
 - e. Outstanding and ongoing hearings or violation charges from the Office of Student Conduct and Community Standards, the Office of Institutional Equity and Title IX, or any similar university entity;
 - f. Failure to discharge or uphold the duties of a Student Assembly seat or office or comply with general and committee meeting attendance policies of the Student Assembly;



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- C. Forms must be submitted in full, and all relevant situational context, any references to Student Assembly governing documents, materials, actions, or procedures, and evidence must be included; incomplete ORs shall not be confirmed as received.
- D. Submissions may be filed within 180 business days following the date on which the alleged ethical violation occurred.

INVESTIGATION OF ETHICAL CONCERNS

- A. Ethical concern submissions may only be reviewed when a quorum of members is present.
- B. The Office of Ethics may, upon a majority vote, trigger an investigation into alleged ethical concerns upon reception of a complaint.
- C. Throughout the proceedings of an investigation, the Office may communicate with the complainant, the respondent, any witnesses, and/or other sources of information necessary to carry out their functions.
 - a. Upon a majority vote of the membership of the Office of Ethics, the Office may apply any procedures it may deem necessary including, but not limited to procedures utilized for opinion requests as outlined in this Code of Ethics.
- D. Following the collection of all required testimony, evidence, reports, and other applicable items, the Director of Ethics shall convey the Office's summary of events to the Executive Committee of the Student Assembly and the Office of the Assemblies, which shall decide upon the necessity and, subsequently, the form of mediation, resolution, disciplinary action, or alternative form of intervention.
 - a. In the event that an ethical concern involves an officer of the Student Assembly, pertains to an individual's actions within their office, or is of great interest to the student body, the Office may, by a majority vote, elect to submit its recommendations—including, but not limited to, the form of mediation, resolution, disciplinary action, or alternative form of intervention—arising from its investigation of an ethical concern, for adoption by a majority vote of the Student Assembly at its next scheduled meeting.

RECEPTION OF REQUESTS FOR OPINION

- A. Any Cornell University student seeking to (a) request opinion on a Student Assembly resolution, decision, procedure, or action on the grounds of accordance with the Student Assembly Charter, Bylaws, Standing Rules, and any rules or regulations established pursuant to these governing documents, (b) request opinion on a resolution aiming to fundamentally reform the Assembly, or (c) request opinion on a decision, action, or issue regarding the Student Assembly may convey their intent to the Office of Ethics through the submission of an appeal electronically via the Student Assembly website.
- B. Opinion request ("OR") forms must be submitted in full, and all relevant situational context, references to Student Assembly governing documents, materials, actions, or



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procedures, and evidence must be included; incomplete ORs shall not be confirmed as received.

C. ORs regarding (a) and (b) must be filed within forty (40) days of the publication or implementation of the resolution, decision, procedure, or action; ORs regarding (b) must be filed within three (3) days following a decision made by the Elections Committee.

D. The Office of Ethics shall verify the receipt of ORs within six (6) business days; if confirmation is not received, the individual (hereinafter referred to as “appellant”) may contact the Director via email to inquire about OR status.

1. Opinion Requests regarding (b) shall be set on an expedited schedule to be coordinated with the Director of Elections and the appellant.

APPROVAL OF OPINION REQUESTS

A. Opinion Requests may only be reviewed when a quorum of members is present.

B. The Office of Ethics may reject without review an OR in circumstances where (a) the Office has previously upheld the validity of the targeted Student Assembly resolution, decision, procedure, or action; if rejected, these ORs shall be rejected via an order dismissing the matter with prejudice.

C. Upon review and deliberation, an OR shall be accepted upon a simple majority vote of the Office’s membership.

D. Following acceptance, the Office shall determine whether the initial subject (“appellee”) named is the proper individual or group to respond; if the Office determines the appellee(s) is named improperly, the appellant shall be ordered to resubmit their OR within a timeframe determined by the Director; if an OR is not resubmitted by the set deadline, the case shall be dismissed without prejudice.

E. Proper appellee(s) shall be notified of the OR filing and will be sent all documents related to the case.

F. Appellees shall be ordered to submit a pleading electronically via the Student Assembly website by a deadline set by the Director; pleadings must include all relevant facts supporting their side and a request for the case to be considered based on the merits or through oral arguments.

G. Appellants shall be ordered to submit an addendum requesting the case to be considered in oral arguments or based on the merits by a deadline set by the Director.

H. All members shall be assigned to the case panel of inquiry upon approval of an OR; the Director shall serve as the chair throughout proceedings and shall only be able to vote in the event of a tie.

APPELLANTS AND APPELLEES



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- A. Parties shall be expected to read the Code of Ethics to understand the OR process and be compliant and communicative with the Office; noncompliance may lead to case dismissal or judgment on the merits by default.
- B. Parties shall refrain from filing excessive or frivolous motions or filings intended to cause harm, embarrassment, or annoyance; if filings are deemed vexatious by the Office shall be rejected.
- C. Parties may file motions for summary judgment or dismissal.
- D. Parties are prohibited from contacting members of the Office of Ethics regarding their case via conversations, text, social media, email, or phone outside of official channels; parties may not pressure members to meet regarding their role or decision in deliberation or engage in a threatening manner.

ARGUMENTS

- A. Upon receipt of an OR and corresponding pleading, the Office of Ethics shall identify the primary issues and questions of the case and determine whether the case will proceed as a decision on the merits in oral arguments by a simple majority vote of the whole panel.
- B. If a case is slated for a decision on the merits, the appellant and appellee will cease to have an active role, and an opinion will be issued under panel deliberation and voting.
- C. If a case is slated for oral arguments, the Office will work with the appellant and appellee to schedule a date, time, and location for all subsequent arguments and meetings.
- D. The Office may, on a case-by-case basis, establish preliminary meetings for the purposes of explaining procedures, addressing minor issues, or encouraging settlement between the parties.
- E. Appellees and appellants may, if required for the construction of their arguments, request for the admission of witness or expert testimony, which shall be subject to approval from the Office.
- F. On a case-by-case basis, the Office of Ethics may call upon the Assembly Parliamentarian, Executive Archivist, and Office of the Assemblies for research, context, or clarification; this shall be limited to the oral argument phase except in "decision on the merits" cases, where this may occur during deliberations.
- G. Oral arguments shall follow the general procedure detailed below:
 - a. Call to Order
 - b. Introductions and Announcements
 - c. Appellant Arguments
 - d. Panel Questioning
 - e. Appellee Arguments
 - f. Panel Questioning
 - g. Closing Statements
 - h. Adjournment



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- H. Oral arguments shall be recorded and closed to the public; the Director shall have the right to deny admission to any party found to be disruptive.
- I. The maximum allotted for arguments shall be equal between both parties and determined by the Office; appellants and appellees may petition the Office for more time.
- J. The Office may conduct a hearing where the appellee is not present in cases if it has satisfied that a reasonable effort was made to notify the appellee of the charge and of the time and place of the hearing; the sending of a notification to the student's Cornell e-mail account at least 5 business days before the date of the hearing shall satisfy this requirement; in the absence of the appellant, the Office will hear the available information, weigh the facts, and render a judgment.
- K. Closing statements may be delivered orally or submitted in written form to the Office of Ethics via email within one (1) hour after adjournment.

DELIBERATIONS AND OPINIONS

- A. Following the adjournment of a hearing or decision to decide on the merits of a case, the Office will convene within three (3) days to deliberate and vote on the matter(s) addressed.
- B. Multiple filings submitted addressing the same resolutions, decisions, procedures, actions, and appellants may be deliberated and combined as one case.
- C. All members on the panel of inquiry are eligible to participate in voting and deliberation except in cases heard in oral arguments, where members not present in oral arguments must abstain.
- D. The standard for all cases shall be clear and convincing evidence, and the burden of proof shall rest with the appellant.
- E. Decision(s) shall be reached by a simple majority vote of the Office and must be supported in the form of an opinion; Office opinions shall reflect the majority opinion of the Office but must accurately represent the vote.

HANDLING OF OPINIONS AND ORDERS

- A. All orders, opinions, and other publications of the Office of Ethics shall be communicated in writing with the parties, the Student Assembly, the President of Cornell University, and the Office of Assemblies for dissemination.
- B. Once an opinion is issued, parties are prohibited from further contacting the Office unless substantive new evidence is introduced to initiate a new opinion request or constitute a potential ethical violation.
- C. Orders and recommendations contained in opinions written by the Office of Ethics shall be considered final upon release and shall be executed by the Officers of the Student Assembly.



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- 254 a. Orders may not override or conflict with the processes defined in the Charter or
255 Bylaws of the Student Assembly.
- 256 b. The Assembly may encourage reconsideration of a case by a two-thirds (2/3rds)
257 vote or a petition containing signatures from ten percent (10%) of the Cornell
258 undergraduate student body on the grounds of (a) availability of new
259 information/testimony, (b) new related resolutions, decisions, procedures, or
260 actions, or (c) allegations of improper conduct by individual Members.
- 261 c. In reconsideration, the Office of Ethics may either reaffirm its initial ruling or
262 initiate a new panel of inquiry and case proceedings; reaffirmed opinions may not
263 be encouraged for further reconsideration and shall be re-presented to the
264 Assembly.
- 265 D. A reconsidered opinion shall be presented to the Student Assembly and must receive simple
266 majority approval; if an order fails to receive simple majority approval from the voting
267 membership of the Student Assembly, it shall be tabled indefinitely.