



University Assembly

Resolution 1: Resolution Regarding Proposed Student Code of Conduct Reform

Abstract: This resolution addresses proposed changes to the student code of conduct, and communicates the sense of the University Assembly that revisions to the Code should provide greater protections for students in the use of temporary or emergency suspensions, greater independence of the process from central administration, and retain a clear and convincing standard of proof. The resolution is addressed to the President and the Code and Procedures Review Committee (CPRC), whose final recommendations will be submitted during a period of public comment.

Sponsored by: David Bateman

Reviewed by: Campus Codes Committee, 12/10/2025

Whereas, the December 2024 report of the Cornell Committee on Expressive Activity (CCEA) expressed “dismay ... that the normal disciplinary process often takes four to six months or longer to complete” during which time students subject to “interim suspension” are barred from campus before a full investigation and finding of fact,” as well as “concerns about temporary suspensions being used punitively” and “accounts of severe temporary suspensions being issued to students for non-violent conduct, without adequate due process”.

Whereas, the CCEA recommended narrowing when temporary suspensions are used, requiring evidence that forms the basis for such suspensions to be shared with the student as in the normal disciplinary process, considering hardships to suspended community members, and a process for reviewing appeals adjudication that is “conducted rapidly (within two to three days)” and “independent of the regular administrative apparatus for suspension”.

Whereas, the CCEA recommended that any use of temporary suspensions “remain protective rather than punitive,” and be “imposed only when they are required on their own merits” and never “threatened in the expectation that a student would agree to conditions to which they would otherwise not be subject”.

Whereas, Chapter VIII Title A of the [Student Code of Conduct](#) Procedures allows temporary suspensions to be imposed only when “immediate action is necessary to protect the Complainant or the University community,” and stipulates that “since the underlying allegation of prohibited conduct has not yet been adjudicated on the merits, a Temporary Suspension may be imposed



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31 only when available less restrictive measures are reasonably deemed insufficient” to ensure this
32 protection.

33 **Whereas**, testimony to the CCEA as well presentations to the Faculty Senate have suggested
34 several procedural irregularities in the use of temporary suspensions and alternative resolutions.

35 **Whereas**, the history of Cornell’s Code of Conduct and Student Code demonstrate a persistent
36 commitment that disciplinary proceedings should serve a primarily educational function, and so
37 should be independent as far as feasible from central administration.

38 **Whereas**, student participation in previous revisions to the Code of Conduct led to a firm
39 commitment to the “clear and convincing” standard of proof rather than the “preponderance of
40 the evidence,” so long as compatible with existing law.

41 **Whereas**, the CPRC has recently proposed revisions to the Student Code, which are now open to
42 community discussion before a final set of revisions are implement.

43 **Whereas**, the proposed revisions from the CPRC recognize the need for reforms to the
44 temporary suspension process and provide a valuable foundation for further improvements,
45 including a new appeal process and the requirement for reapplication at the beginning of a new
46 semester; but do not require resolution or reapplication in a sufficiently timely manner to prevent
47 their abuse, given the high stakes of suspension, nor establish an appeals body independent from
48 central administration.

49 **Whereas**, the proposed revisions from the CPRC do not suggest changes in the standard of proof
50 required.

51 **Be it therefore resolved**, that the Student Code of Conduct and Procedures should be revised to
52 ensure fairness and due process in administering the Code, including the restricted application of
53 “temporary suspension” or “emergency suspension” provisions, avoidance of delays, and
54 evenhandedness in enforcement measures.

55 **Be it further resolved**, that the independence of the application and enforcement of the Student
56 Code of Conduct from the influence of the central administration should be increased, especially
57 when the administration is the complainant.

58 **Be it further resolved**, that in order for temporary or emergency suspensions to be limited to
59 their intended use, and that the purpose of that use must be protective rather than punitive, the
60 code should be revised to: limit the use of temporary or emergency suspensions; to limit their
61 application to 30 days, after which the suspension is lifted unless and until a finding of
62 responsibility is made through an expedited hearing process or review and reapplication by a
63 panel independent of central administration, including faculty, students, and staff.



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64 **Be it further resolved**, that in order for the Code’s requirement that temporary suspensions be
65 “imposed only when available less restrictive measures are reasonably deemed insufficient” be
66 realized, reforms that would expand the options for less restrictive measures and develop
67 procedures for their use while reinforcing the due process protections for students should be
68 adopted, including tailoring the severity of interim sanctions to the level of process protections
69 and evidence afforded students.

70 Be it further resolved, that in order any ambiguity about when temporary suspensions might be
71 authorized, the reforms should include a clear and narrow description of situations meriting
72 temporary suspensions, that this description be exhaustive.

73 Be it further resolved, that the Code should reform use of alternative resolutions to ensure that
74 they are voluntary and to expand the use of meaningful restorative justice approaches.

75 **Be it further resolved**, that reforms be considered that would increase faculty, student, staff
76 participation and awareness of student code of conduct proceedings, including the possibility of
77 reforms equivalent to “jury duty.”

78 **Be it further resolved**, under no circumstances should the adjudicator of an appeal also be the
79 complainant.

80 **Be it further resolved**, that the “clear and convincing” standard be maintained, unless existing
81 law requires the use of a different standard; that any use of a lower standard for student
82 organizations should be discontinued or be accompanied by lowered sanctions.

83 **Be it finally resolved**, that these resolutions be forwarded to the President of the University and
84 to Code and Procedures Review Committee during the public comment period and incorporated
85 into the final recommendations.

86

87 Respectfully Submitted,

88 David Bateman

89 Campus Codes Committee