

# University Assembly

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## 1       **Resolution 1: Resolution Regarding Proposed** 2       **Student Code of Conduct Reform**

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

10      **Sponsored by:** David Bateman

11      **Reviewed by:** Campus Codes Committee (CCC), 12/10/2025, discussed and revised in the  
12      University Assembly on January 27, 2026 and March 17, 2026, and by the CCC on March 11,  
13      2026.

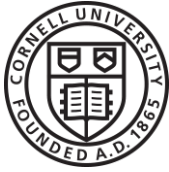
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14      **Whereas,** the December 2024 report of the Cornell Committee on Expressive Activity (CCEA)  
15      conveyed its “dismay ... that the normal disciplinary process often takes four to six months or  
16      longer to complete” during which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

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

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

29      **Whereas,** Chapter VIII Title A of the [Student Code of Conduct](#) Procedures allows temporary  
30      suspensions to be imposed only when “immediate action is necessary to protect the Complainant  
31      or the University community,” and stipulates that “since the underlying allegation of prohibited



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32 conduct has not yet been adjudicated on the merits, a Temporary Suspension may be imposed  
33 only when available less restrictive measures are reasonably deemed insufficient” to ensure this  
34 protection,

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

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

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

43 **Whereas**, the CPRC has recently proposed revisions to the Student Code, which are now open to  
44 community discussion before a final set of revisions are implemented,

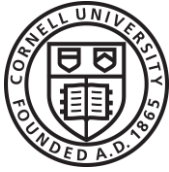
45 **Whereas**, the proposed revisions from the CPRC recognize the need for reforms to the  
46 temporary suspension process and provide a valuable foundation for further improvements,  
47 including a new appeal process and the requirement for reapplication at the beginning of a new  
48 semester; but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

51 **Whereas**, the proposed revisions from the CPRC do not suggest changes in the standard of proof  
52 required,

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

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

60 **Be it further resolved**, that in order for temporary or emergency suspensions to be limited to  
61 their intended use, and that the purpose of that use be protective rather than punitive, the code  
62 should be revised to: 1) limit the use of temporary or emergency suspensions; 2) to limit their  
63 application to 30 days, after which the suspension is lifted unless and until a finding of  
64 responsibility is made through an expedited hearing process or a review and reapplication of the



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65 temporary or emergency suspension by a panel independent of central administration, whose  
66 members will include faculty, students, and staff.

67 **Be it further resolved**, that in order to realize the Code’s requirement that temporary or  
68 emergency suspensions be “imposed only when available less restrictive measures are  
69 reasonably deemed insufficient,” reforms that would expand the options for less restrictive  
70 measures, including procedures for their use that reinforce the due process protections for  
71 students, should be adopted, and that the severity of such interim sanctions should be tailored to  
72 the level of process protections and evidence afforded students.

73 **Be it further resolved**, that in order to avoid any ambiguity about when temporary or emergency  
74 suspensions might be authorized, the reforms should include a clear and narrow description of  
75 situations meriting their use, and this description should be exhaustive.

76 **Be it further resolved**, reforms should be considered that would ensure alternative resolutions  
77 are truly voluntary rather than coerced, and that would expand the use of meaningful restorative  
78 justice approaches.

79 **Be it further resolved**, that reforms be considered that would increase faculty, student, staff  
80 participation and awareness of Student Code of Conduct proceedings, including the possibility of  
81 reforms equivalent to “jury duty”.

82 **Be it further resolved**, under no circumstances should the complainant or a subordinate officer  
83 of the complainant ever be allowed to serve as adjudicator of an appeal.

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

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

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91 Respectfully Submitted,

92 David Bateman

93 Campus Codes Committee