



Cornell University
University Assembly

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Minutes

Codes and Judicial Committee
University Assembly
September 12th, 2018
4:45pm – 6:00pm
Day Hall Room 163

I. Call to Order

- a. Call to Order
 - i. D. Barbaria called the meeting to order at 5:03pm.
- b. Roll Call
 - i. *Present:* D. Barbaria, M. Battaglia, M. Horvath, K. Kebbeh, C. Liang, R. Lieberwitz, A. Viswanathan, K. Zoner
 - ii. *Absent:* J. Anderson, L. Copman, R. Howarth, T. Onabajo, R. Parker
 - iii. *Others Present:* G. Giambattista, M. Lee

II. Introductions and Committee Overview

- a. Members went around the room to introduce themselves.

III. Approval of Minutes

- a. May 9, 2018
 - i. M. Battaglia motioned to table approval of the minutes until the next meeting when more members are present.
 1. Minutes **tabled** by unanimous consent.

IV. Business of the Day

- a. For Discussion: Conclusions of the CJC's Working Group on Hate Speech and Harassment
 - i. R. Lieberwitz said that she informed President Pollack on the Working Group's progress, and has received a positive response that the President looks forward to a report. R. Lieberwitz said that a draft report will be prepared very soon.
 - ii. M. Horvath asked if the University Assembly (UA) will be re-chartering the Working Group, as the Group's term has ended procedurally.
 1. D. Barbaria said that the Group is compiling the work completed

last academic year, and thus there will not be any more formal meetings.

2. M. Battaglia said that the Group's work is complete and that members will be going through the draft report. He commended the Working Group's efforts and noted that he does not see re-chartering as a necessary procedure.

b. For Discussion: AY 2017-2018 Resolution 24

- i. M. Battaglia said that he received positive feedback from the President, and that she hopes to work collaboratively and host discussions to understand where the Committee is at.
- ii. M. Horvath said that the Committee had passed four separate resolutions last year.
- iii. M. Battaglia said that the UA Executive Committee requested for "subparts" within the resolutions, for the Assembly to be able to decipher them more easily. He said that each subpart could on their own be accepted individually, but the President did not accept the resolution as a whole.
- iv. M. Horvath noted her frustration on the progress of the resolutions. She said that the Committee had purposefully grouped resolutions to increase likelihood of passing, and that it feels disingenuous that the work of the Committee was not conveyed or advocated for. She said that there is work that needs to be done for increased safety measures around the campus.
- v. M. Battaglia said that he held long conversations with the former leadership of the University Assembly (UA). He said that some of the changes have not been implemented for many years. He said that the President could not only accept the resolutions if presented as two items, but there was no single part where she would have accepted all points. He noted that it was not his intent to circumvent the will of the Committee, and that President Pollack is willing to engage in the process much earlier.
- vi. M. Horvath said that the resolutions were presented from the Committee to the UA. She added that she hopes that precautionary measures are taken by the UA in the future when resolutions are written from this Committee and presented to the UA.
- vii. D. Barbaria said that he is in favor of working towards that in the future. He added that it would be best if more UA executive members attend CJC meetings in the future.
- viii. R. Liberwitz asked about next steps in the procedure and what becomes of items that the President did not accept.
- ix. D. Barbaria said that there will be discussions on that issue both publicly and in Executive Session where matters of where the Committee is headed will be discussed. He said that none of the amendments have passed, and that the Committee will be addressing how to respond to the President's concerns.

c. For Discussion: Conclusions of President Pollack's Task Force on Campus Climate

- i. M. Battaglia summarized a number of recommendations that he had discussed in a meeting with President Pollack.
 1. M. Battaglia said that President Pollack recommended significantly simplifying the Code, as it is written in language that is opaque. He

added that Brown University's Code includes explanatory notes providing definitions on terms.

2. M. Battaglia said that one of the recommendations was to narrow the focus of the Code and have it only apply to students.
 3. M. Battaglia said that the President recommended simplifying the process for administration of the Code.
 4. M. Battaglia said that the President suggested clarifying what the Code does regarding language concerning student's compliance with official university duties.
 5. M. Battaglia said that the President recommended expanding the Code's treatment of harassment to mirror Policy 6.4. He said this includes placing Greek organizations under the Code or completely out of university jurisdiction, and rationalizing the various systems on campus based on Policy 6.4.
- ii. D. Barbaria referred to the "Make significant changes to the Campus Code of Conduct" initiative listed under the Diversity and Inclusion Initiatives page in the Office of the President's website. He said that his immediate thought is that the Committee needs more specific ideas from the President.
 - iii. M. Battaglia said that the Executive Session will allow for the Committee to candidly discuss concerns in private.
 - iv. M. Horvath motioned to move into Executive Session.
 1. Motion **approved** by unanimous consent.

V. Executive Session

a. Executive Session

- i. The Committee went into Executive Session to discuss matters regarding the Code of Conduct changes. Only voting members and the Chair of the University Assembly were permitted to remain for the discussion; the JA was asked to leave.

VI. Adjournment

a. Adjournment

- i. The meeting was adjourned at 6:05pm, following the Executive Session.

Respectfully submitted,
Dongyeon (Margaret) Lee
Codes and Judicial Committee Clerk