

Minutes

University Assembly Codes and Judicial Committee

October 25, 2016

5:00pm – 6:00pm

316 Day Hall Board Room

- I. Call to Order
 - a. Call to Order
 - i. Meeting was called to order at 5:03 PM.
 - ii. Members introduced themselves.
 - b. *Present:* M. Battaglia, G. Giambattista, R. Herz, M. Horvath, G. Kaufman, M. McBride, L. Munguia, B. Murphy, A. Olofin, N. Rogers, T. Shapiro, K. Zoner
 - c. *Absent:* E. Baptist, N. Chovanec, K. Fitch, C. Hodges
 - d. *Others present:* V. Bhaya
- II. Business of the Day
 - a. Discussion regarding Cornell University Campus Code of Conduct Update Part 1: Updating University Hearing and Review Board Staffing Procedures
 - i. M. McBride said that this Resolution omits the Office of the Assemblies from soliciting applications for the UHRB.
 - ii. B. Murphy said that the main concern from the President was that the Resolution was passed without input from anyone impacted by it. He asked what the purpose of the change was.
 - 1. G. Kaufman said there was some confusion about what the role of the CJC and Office of Assemblies was in the UHRB staffing process. He said that the UA had to make a formal request to the Office of the Assemblies the previous academic year to gather information about applicants. He said that this resolution says the Office of the Assemblies provides logistical support to the CJC.
 - 2. M. Battaglia said the goal of the CJC last year was to increase the number of applicants and that when G. Kaufman reached out to the Office of the Assemblies to find out how many members were from each constituency, he was told that information was confidential. M. Battaglia said that this language clarifies that the CJC is the primary body but that the Office of the Assemblies is still the backbone of the process.
 - 3. B. Murphy said that another factor to consider is the impartiality/confidentiality of the applications. He said the Office can try its hardest to give fairness to this process.
 - 4. N. Rogers said the change in language is subtle and that he is not sure that it makes anything clearer. He said that he is not sure it achieves what it is supposed to achieve.
 - iii. The discussion was **tabled** to the next meeting.
 - b. Presentation from the Judicial Administrator on Amending the Code of Conduct regarding Transcript Notations

- i. M. Horvath said that she noticed that the longstanding practice of the Judicial Administrator's Office has been to notate transcripts if an individual is expelled/suspended and that this procedure is not actually in the Campus Code of Conduct.
 - ii. She said she wanted to make sure the Code was amended to reflect the practice in compliance with New York State laws but also in compliance with the campus.
 - iii. She said there is a part of the Code that says if there are 3 offenses of the Campus Code of Conduct, there may be a suspension or probation, but they lean towards probation.
 - iv. The JA's Office looks at financial, emotional, facilities, and physical risks when they look at the impact of sanctions.
 - v. M. Horvath said that the University has a robust medical leave and health leave policy. She said she is concerned that, by not notating transcripts, someone who has a gap on their transcript for a violation would have a similar transcript to someone who has a gap due to a medical leave.
- c. Discussion regarding Transcript Notations
 - i. M. Battaglia asked if transcript notations are too harsh for something like an alcohol violation since they remain for a long time. There are long-term effects. He also said if people do not have a transcript notation, it means they have a medical leave, so he does not want people to be singled out.
 - 1. M. Horvath said that even if people leave for other reasons like starting a small business, there will be no notation, so people will not necessarily be singled out.
 - ii. A. Olofin said that JCC has reservations about the fact that notations will be permanent on transcripts. He said he does not find the argument about leave of absences to be convincing because graduate schools always ask students why they have a gap on their transcript. He said that it should be up to the person doing the sanction to decide whether the notation is permanent or not.
 - iii. R. Herz said she agrees with the JCC that it should be up to the UHRB regarding whether they should annotate a transcript and whether they should leave it on permanently or not.
 - iv. M. Horvath said she understands that this is the punitive end of sanctioning. She said that under FERPA, anyone could have a disclosure statement so that students can explain their violation with their transcript. She said she is open about what expungement would look like.
 - v. M. Horvath said that she agrees with L. Munguia that transcript notations have a deterrent effect.
 - 1. A. Olofin said he agrees that it has a deterrent effect but it does not make it worth implementing this policy.

- vi. A. Olofin said he does not think any alcohol/drug substance violation should ever be permanently be notated, unless it involves the distribution or manufacturing of controlled substances.
 - vii. M. Horvath said she has never been at a university where they do not notate transcripts.
- d. Executive Session

III. Adjournment

- a. The meeting was adjourned at 6:00 P.M.

Respectfully submitted,

Vishal Bhaya
Assemblies Clerk