

Originally Presented on:	12/03/2020
Type of Action:	Legislation
Status/Result:	New Business

1 S.A. Resolution #19

2 Maintaining the University Assembly's Jurisdiction Over the Code of Conduct

3
4 **Sponsored by:** Logan Kenney, UA, Evan Moy '21, Morgan Baker '23, Kayla Butler '24, Claire
5 Tempelman '24, Andrea Miramontes Serrano '24, Amari Lampert '24, Uchenna Chukwukere
6 '21, Valentina Xu '22, Lucas Smith '22, Dillon Andakat '21, Raquel Zohar '23, Kate Santacruz
7 '22, Lucy Contreras '21, Tomás Reuning '21, Valeria Valencia '23, Lucas Zumpano '21, Sonu
8 Kapoor '21, Samuel Zverev '21, Jenniviv Bansah '22, Mardiya Shardow '23, Anuli Ononye '22,
9 Bennett Sherr '21, Moriah Adeghe '21, Noah Watson '23

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11 **Whereas**, prior to 1970, regulation of student conduct was vested in the Faculty through its Faculty
12 Committee on Student Affairs, a committee that included two undergraduate students as voting
13 members, and

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15 **Whereas**, the Faculty has retained jurisdiction over Academic Integrity standards and adjudication,
16 and

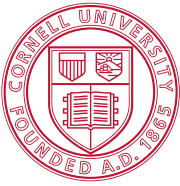
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18 **Whereas**, since 1970, the Henderson Law (NY Education Law Section 6430) requires the Board of
19 Trustees of each college in New York State to adopt Regulations for the Maintenance of Public
20 Order "and provide a program for the enforcement thereof." "Such rules shall govern the conduct
21 of students, faculty and other staff as well as visitors and other licensees and invitees on such
22 campuses and property. The penalties for violations of such rules shall be clearly set forth therein."
23 Ever since this law was enacted, the Cornell Board of Trustees has delegated this duty to the
24 University Senate and later the University Assembly (UA) subject only to the Board performing the
25 final enactment (as required by the statute,) and

26
27 **Whereas**, in 1970, the Board of Trustees acted with strong community support to delegate to the
28 University Senate (and later the UA, its successor) jurisdiction over a Campus Code of Conduct and
29 the campus judicial system. Most recently, the UA charter specifies this as, (1) "The Assembly may
30 examine, on its own initiative, ... common standards of conduct," and (2) "the Assembly shall be
31 allowed a period of at least one calendar month to review and respond to proposed changes of the
32 following policies: ... the Campus Code of Conduct," and

33
34 **Whereas**, the UA Bylaws established a Codes and Judicial Committee to consider changes to the
35 Code and the process for selection of the University Hearing Board and University Review Board.
36 The UA also participates in the selection of the Judicial Administrator to assure that office's
37 independence from the central administration, and

38
39 **Whereas**, the current draft of the Code removes jurisdiction from the UA and provides Code
40 jurisdiction will be handled by the Vice President of Student & Campus Life (VP SCL) or their
41 designee with consultation from other assemblies, and

42
43 **Whereas**, the current draft of the Code proposes that the Office of Student Conduct and
44 Community Standards (OSCCS) reports to the VP SCL directly, and



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46 **Whereas**, in the spirit of shared governance, the Code and Procedures should be reviewed and
47 amended by an independent body that represents the diverse and valuable perspectives of all
48 members of the University community to prevent bias and to ensure the Code has the full buy-in of
49 all University stakeholders.

50
51 **Be it therefore resolved**, the Administration, also providing Resolution 19 to the Board of
52 Trustees, re-affirms the UA's jurisdiction over the Codes and Procedures. The language in the
53 proposed Code of Conduct changes should shift jurisdiction from the VP SCL to the UA, with
54 consultation as periodical formal updates from the UA to the Student Assembly (SA) and Graduate
55 & Professional Student Assembly (GPSA), as well as all other amendments under consideration
56 being immediately sent to these bodies, whose recommendations and concerns will be seriously
57 considered by the CJC

58
59 **Be it further resolved**, the VP SCL or its designee may still propose amendments to either the
60 Codes or Procedures that shall be reviewed by the University Assembly,

61
62 **Be it further resolved**, any changes or amendments to the Code or Procedures will still be subject
63 to approval by the President of Cornell University and the Board of Trustees,

64
65
66 **Be it finally resolved**, the Code and Procedures remain independent documents reviewed by an
67 independent body, the UA, that does not oversee any office that makes decisions on student
68 responsibility.

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71 **Respectfully Submitted,**

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73 Evan Moy '21
74 *Arts and Sciences Representative, Student Assembly*

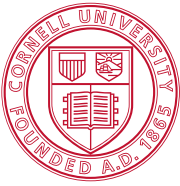
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76 Logan Kenney
77 *GPSA UA Representative, University Assembly*

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79 Morgan Baker '23
80 *Arts and Sciences Representative, Student Assembly*

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82 Kayla Butler '24
83 *Freshman Representative, Student Assembly*

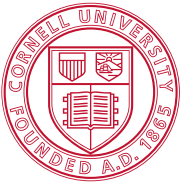
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85 Claire Tempelman '24
86 *Freshman Representative, Student Assembly*

87
88 Andrea Miramontes Serrano '24



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- 89 *Freshman Representative, Student Assembly*
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91 Amari Lampert '24
92 *Freshman Representative, Student Assembly*
93
94 Uchenna Chukwukere '21
95 *Undesignated At-Large Representative, Student Assembly*
96
97 Valentina Xu '22
98 *Undesignated At-Large Representative, Student Assembly*
99
100 Lucas Smith '22
101 *Undesignated At-Large Representative, Student Assembly*
102
103 Dillon Andakat '21
104 *Undesignated At-Large Representative, Student Assembly*
105
106 Raquel Zohar '23
107 *Students with Disabilities Representative At-Large, Student Assembly*
108
109 Kate Santacruz '22
110 *Transfer Representative, Student Assembly*
111
112 Lucy Contreras '21
113 *First Generation Student Representative At-Large, Student Assembly*
114
115 Tomás Reuning '21
116 *LGBTQIA+ Liaison At-Large, Student Assembly*
117
118 Valeria Valencia '23
119 *Minority Students Liaison At-Large, Student Assembly*
120
121 Lucas Zumpano '21
122 *School of Industrial and Labor Relations Representative, Student Assembly*
123
124 Sonu Kapoor '21
125 *College of Engineering Representative, Student Assembly*
126
127 Samuel Zverev '21
128 *College of Human Ecology Representative, Student Assembly*
129
130 Jenniviv Bansah '22
131 *School of Hotel Administration Representative, Student Assembly*
132



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- 133 Mardiya Shardow '23
134 *Dyson School of Business Representative, Student Assembly*
135
136 Anuli Ononye '22
137 *Ex-Officio Member – Student Advocate, Student Assembly*
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139 Bennett Sherr '21
140 *Ex-Officio Member – Undergraduate Representative to the University Assembly, Student Assembly*
141
142 Moriah Adeghe '21
143 *Ex-Officio Member – Director of Elections, Student Assembly*
144
145 Noah Watson '23
146 *Executive Vice President, Student Assembly*
147
148 *(Reviewed by: Communications Committee, 4-0-2, 12/05/2020)*
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