

# Cornell University

## Student Assembly

### Student Assembly Meeting

#### AGENDA

**April 18, 2024**

**4:40 - 6:30 p.m.**

**Willard Straight Memorial Room**

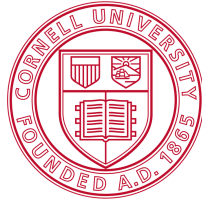
**ZOOM**

Meeting ID: 927 5625 4940 | Passcode: 411537

1. Call to Order
2. Reading of the Land Acknowledgment
3. Announcements
4. Open Microphone
5. Approval of the Minutes
6. Consent Calendar
7. Presentations
8. Reports
  1. [Office of Ethics Spring 2024 Report Executive Summary](#)
9. Business of the Day
10. Resolutions Calendar
  1. [Resolution 74: Implementing the Office of Ethics' Recommendation from the Spring 2024 Report](#)
11. Appointments and Vacancies Calendar
12. Adjournment

If you are in need of special accommodations, contact the Office of the Assemblies at [assembly@cornell.edu](mailto:assembly@cornell.edu) or Student Disability Services at (607) 254-4545 prior to the meeting.

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Cornell University  
Student Assembly

*Investigatory Report on Allegations Against Vice President of Finance  
Rocco DeLorenzo, Vice President of Internal Operations Clyde Lederman,  
President Patrick Kuehl, and Executive Vice President Claire Ting  
April 14<sup>th</sup>, 2024*

Student Assembly Office of Ethics  
02:002-004  
*Amended April 16<sup>th</sup>, 2024*

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# I

## *Background, Methodology, and Special Considerations*

On the night of March 21<sup>st</sup>, 2024, *The Cornell Daily Sun* published an article<sup>1</sup> concerning the contents of text and phone conversations between Rocco DeLorenzo, an Undesignated Representative At-Large and sitting Vice President of Finance, and former Student Assembly President Pedro Da Silveira. Utilizing these contents, *The Daily Sun* alleged that DeLorenzo and Da Silveira had engaged in coordinated efforts to protect Greek life interests within the Student Assembly, including plans to block resolutions critical of Greek life and women's health initiatives, while also maneuvering to influence the Spring 2023 elections and selection of student government leadership. Furthermore, the article alleged that Clyde Lederman, Undesignated Representative At-Large and Vice President of Internal Operations, and President Patrick Kuehl were both aware and, in part, complicit in these plans.

In the early morning of March 22<sup>nd</sup>, 2024, several members of the Student Assembly and the undergraduate community contacted the Student Assembly Office of Ethics for comment and instructions on the filing of ethics reports in response to the *Daily Sun's* article. The first Student Assembly email expressing concerns regarding the article's contents was received by the Student Assembly list server at 4:16 AM. By 9:03 AM, President Kuehl, via email, formally referred all matters regarding the article to the Student Assembly Office of Ethics, granting the Office the authority to initiate a preliminary investigation prior to the processes outlined in the Code of Ethics<sup>2</sup>.

Between 9:05 AM to 4:10 PM on March 22<sup>nd</sup>, 2024, several other concerns regarding the article and pieces of information were discussed within the Student Assembly and Office of Ethics as the Office worked to design and initiate its investigation. At 4:17 PM, the Student Assembly Office of Ethics formally announced a preliminary investigation and encouraged members of the Assembly and undergraduate community to provide any additional information or ethical concerns to the Office. Between March 22<sup>nd</sup> and March 25<sup>th</sup>, the Office of Ethics received 23 additional ethics reports and pieces of information. Among these new pieces of information was an article<sup>3</sup> published by *The Word*, the publication arm of *The Dispatch*. This article expanded on the premise of the *Daily Sun* article and alleged that Vice President Lederman, President Kuehl, and Vice President DeLorenzo had greater knowledge and/or involvement in a wide array of

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<sup>1</sup>Sofia Rubinson, and Kate Sanders. "Influential Student Assembly Member's Texts Expose Plans to Shield Greek Life, Block Women's Health Resolutions." *The Cornell Daily Sun – Independent Since 1880* (blog), March 21, 2024. <https://cornellsun.com/2024/03/21/influential-student-assembly-members-texts-expose-plans-to-shield-greek-life-block-womens-health-resolutions/>.

<sup>2</sup> Student Assembly Code of Ethics, Article 5, § A(a)(i); Lines 49-53

<sup>3</sup> Timo Isreb, Alis Fruehstorfer, and Julia Amiri. "EXCLUSIVE: Top Student Assembly Members Colluded to Rig Races for Student Assembly, Common Council ." *The Dispatch - Rebuilding Cornell from the Bottom Up*. (blog), March 22, 2024. <https://cudispatch.com/exclusive-top-student-assembly-members-colluded-to-rig-races-for-student-assembly-common-council/#io-budget>.

activities, including knowledge of Da Silveira’s Title IX allegations<sup>4</sup> prior to the end of the Spring 2023 Elections (DeLorenzo & Lederman), orchestrating the removal of former President Pedro Da Silveira, working to increase the influence of the Cornell Democrats and Cornell Interfraternity Council (“IFC”) (Lederman, DeLorenzo, & Kuehl) for personal gain (Lederman and DeLorenzo), and candidate fielding and disqualification for personal gain (Lederman). Following this article, a variety of ethical concerns were filed via the Office of Ethics pertaining to the contents of both articles and other matters not addressed in either. These included, in no order or affiliation, concerns regarding the determination of the Fall 2023 Byline Appropriations cycle, the influence of Cornell Democrats affiliated members of the Student Assembly, and the status of specific Student Assembly seats and offices.

On March 25<sup>th</sup>, 2024 at 6:05 PM, the Student Assembly Office of Ethics formally announced that it had voted to sustain its investigation, and defined it to encompass Vice President DeLorenzo, President Kuehl, Vice President Lederman, and any individuals currently or previously affiliated with either the Cornell Democrats or the Cornell Interfraternity Council from February 2023 onwards on allegations of “abuse of the SA brand by members, staff, and other parties to acquire additional benefits or privileges” and “engagement in unethical behaviors or practices in the Cornell community”. On March 27<sup>th</sup>, 2024, the submission of concerns regarding Executive Vice President (“EVP”) Claire Ting’s alleged involvement in the removal of President Pedro Da Silveira for direct political advantage, soliciting the help of ex-members of the Student Assembly in return for political favors, and leaking of Student Assembly communications prompted grounds for inclusion within the scope of the investigation. On March 28<sup>th</sup>, 2024, the Office of Ethics formally announced its decision to include Executive Vice President Ting as a focus of its investigation.

From March 26<sup>th</sup>, 2024 to April 9<sup>th</sup>, 2024, the Student Assembly Office of Ethics conducted extensive interviews with members of the Student Assembly and community members, obtained a wide variety of files, screenshots, and audio and video recordings, and convened numerous times to determine a timeline of events and draft appropriate recommendations<sup>5</sup>. This document presents the Student Assembly Office of Ethics’ analysis of all reported ethical concerns and related events allegedly conducted by Vice President Lederman, Vice President DeLorenzo, and President Kuehl prior to the start of the 2023-2024 term (II), during the 2023-2024 term (III), and ethical concerns and events allegedly conducted by Executive Vice President Claire Ting (IV) that pose conflict with Part V, § A(a)(ii-iii) of the Student Assembly Code of Ethics.

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<sup>4</sup> Da Silveira was “not found responsible” for sexual assault according to letter from the Office of Institutional Equity and Title IX.

<sup>5</sup> Due to the Student Assembly Office of Ethics’ strict adherence to Student Assembly Bylaws, Article VII, § 2; Lines 646-650, evidence files from the investigation are not permitted to be appended to Office of Ethics reports or shared with Student Assembly membership or the undergraduate community.

## **A**

To identify potential violations of the Student Assembly Code of Ethics and the Student Assembly Charter, Bylaws, Standing Rules, and any rules or regulations established pursuant to these governing documents, the Office of Ethics designed its investigation around 13 overarching investigatory questions with a cumulative 17 sub-components.

Due to the nature of the allegations and the need for balance between meticulous discernment and transparency, the Office of Ethics employed two standards of proof. The Office conscientiously employed investigative methods, including cross-referencing testimonies, analyzing corroborating evidence, and conducting comprehensive fact-checking procedures to ensure accuracy and integrity in its investigative findings. In determining the veracity of events, the Office applied the standard of preponderance of the evidence and the standard of clear and convincing evidence to ensure robust and substantiated conclusions. The analysis accompanying each rendition of facts and allegations utilizes clauses in the Student Assembly Charter, Bylaws, Standing Rules, and Code of Ethics, complemented by a historical analysis of the Student Assembly. Events that were unable to be completely dispelled or that are still held to be alleged are detailed as such.

## **B**

Throughout the investigatory process, the Office of Ethics evaluated its adherence to the ethical principles of fairness, accountability, integrity, and transparency per precedent.<sup>6</sup> To this aim, the Office conducted periodic evaluations of the methods used for gathering evidence, the impartiality of the investigative team, the consistency of procedures followed, the handling of sensitive information, and the process for communication of findings to relevant parties. During all interviews and requests for information, persons of interest were informed of the manner in which their information would be processed, granted the opportunity to ask questions regarding the investigation, the report, and their testimony both during and after encounters with committee members, and provided an avenue to share concerns related to both the contents and structure of the investigation. These evaluations were conducted to ensure that every aspect of the investigation was conducted in accordance with established ethical standards and to establish trust in the integrity of the process.

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<sup>6</sup> “Proposal for Resolving Governing Document Conflict and Establishing a Consistent Method for Presidential Succession in the Student Assembly”, *Office of Ethics, Cornell University Student Assembly*. (2023)

## II

### *A Review of Facts and Allegations Concerning Kuehl, Lederman, and DeLorenzo from September 2022 to May 2023*

#### A

Pedro Da Silveira, then-S.A. Vice President of Internal Operations and College of Engineering representative first became acquainted with Rocco DeLorenzo, then-Dyson School of Business Representative, upon his swearing into the Student Assembly on September 15<sup>th</sup>, 2022. At the following week's S.A. meeting, DeLorenzo was appointed Vice President of Finance by the voting membership, placing DeLorenzo on both the Executive Committee alongside Da Silveira and the Appropriations Committee (as Chairman). For most of the Fall 2022 term, DeLorenzo and Da Silveira maintained a cordial working relationship within the Assembly. DeLorenzo and Da Silveira occasionally collaborated on projects, including the Fall 2022/Spring 2023 "Off-Year" process. This developed into a close interpersonal relationship, with DeLorenzo and Da Silveira often speaking outside of regularly scheduled Student Assembly meetings via in-person, phone, and text communications to discuss matters related to their roles, personal lives, and campus issues.

At 5:05 PM during the December 1<sup>st</sup>, 2022 Student Assembly meeting, sponsors Sanvi Bhardwaj, then-College of Human Ecology Representative, Bahram Mehretu, then-Freshman Representative, and Amisha Chowdhury, then Student Advocate, presented Resolution 16 titled "Condemning Greek Life" to the Assembly<sup>7</sup>. Following a reading of the Resolution text by Bhardwaj, at 5:07 PM, Representative DeLorenzo expressed a concern, based on communication he had with the Interfraternity Council Advisor, that lines 9-10, which stated that "5 reported cases of drugging and 2 reports of sexual assault at Cornell University from November 3<sup>rd</sup> through 9<sup>th</sup>, all of which occurred at fraternity addresses", would interfere with the investigatory processes of the Office of Conduct and Community Standards (OSCCS) and the Office of Institutional Equity and Title IX (Title IX) and be grounds for disciplinary action. At 5:09 PM, Bhardwaj and DeLorenzo argued on the merits of DeLorenzo's argument due to the sharing of location information in the Cornell Daily Crime Log. To quell tensions, President Valeria Valencia announced her intent to make a ruling on whether lines 9-10 would remain in the resolution, where she decided that the Resolution would be able to be presented in its current form. Bhardwaj completed a reading of the resolution and the Assembly moved to enter debate. Throughout the meeting, DeLorenzo and the sponsors of the resolution continued to debate the merits of the resolution, with DeLorenzo, at 5:30 PM, mentioning that he was elected to the position of President of the Cornell IFC two days before the meeting. In response, Mehretu, upon asking for clarification, announced that DeLorenzo had a "clear conflict of interest" in speaking on the resolution that was against stipulations in the Bylaws of the Student

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<sup>7</sup> "Minutes of the December 1, 2022 Meeting." *Cornell University Student Assembly*.

Assembly<sup>8</sup>. For the remainder of the Assembly’s consideration of Resolution 16, DeLorenzo continued to actively argue against the language utilized both in the resolution and on the Assembly floor.

Throughout the duration of the December 1<sup>st</sup>, 2022 meeting, Da Silveira maintained correspondence with DeLorenzo on the actions occurring on the floor. On the afternoon of December 2<sup>nd</sup>, 2022, Da Silveira contacted DeLorenzo to inquire about his well-being. Here, interviews and review of documented evidence confirm that DeLorenzo stated having had meetings with OSCCS, the Office of Assemblies, and Cornell Student and Campus Life concerning Resolution 16 and its impacts on the investigation. Evidence obtained by the Office of Ethics reflects that DeLorenzo also planned to meet with the Ombudsman to mediate discussion with Bhardwaj. Evidence gathered during the investigation additionally confirms Da Silveira and DeLorenzo mutually expressed fledgling interest in running for President of the Student Assembly in the following term and mutually participated in a discussion on the feasibility of building a “Greek life machine”<sup>9</sup> in response to the sharing of videos on the University of Alabama’s Theta Nu Epsilon (TNE)<sup>10</sup>.

The first undisputed interaction between the two after Winter Break was on February 4<sup>th</sup>, 2023 in passing. On February 5<sup>th</sup>, 2023, Da Silveira expressed interest in serving as DeLorenzo’s Executive Vice President. Evidence gathered during the investigation confirms that information regarding a “Greek life machine” was shared between DeLorenzo and Da Silveira in the early morning of February 9<sup>th</sup>, 2023, while discussing the upcoming Student Assembly meeting that evening, where DeLorenzo defined what the aims of such a “machine” would be in the next academic year, which included the suppression of both *controversial* and Greek life topics.

On February 11<sup>th</sup>, 2023, Da Silveira contacted Clyde Lederman, then a clerk working for the Office of the Assemblies, to discuss Da Silveira’s intent to run. Lederman and Da Silveira first became acquainted in the first few meetings of the 2022-2023 Student Assembly term, but no later than September 15<sup>th</sup>, 2022, via introduction through another voting member. Lederman and Da Silveira maintained a cordial working relationship within the Assembly, with Da Silveira often asking Lederman parliamentary procedure-based inquiries. Evidence gathered throughout the investigation and testimony confirms that between February 11<sup>th</sup> to May 3<sup>rd</sup>, 2023, Lederman and Da Silveira maintained correspondence outside of regularly scheduled Student Assembly meetings via phone and text on Da Silveira’s election plans and ideas for how Lederman could support them and Student Assembly resolutions. Testimony heard and evidence gathered by the Office confirm that Da Silveira shared with Lederman DeLorenzo’s alleged desire to, if both were successful in their respective Presidential and Executive Vice-Presidential campaigns, resign

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<sup>8</sup> Ibid.

<sup>9</sup> “Here, “Greek life machine” is utilized as a colloquialism, not a direct quotation of any evidence collected by the Office of Ethics.

<sup>10</sup> The mention of the University of Alabama’s Theta Nu Epsilon is intended to solely serve as context for the origin of the term, not as a metric or claim of comparison between the two “imagination



from the Student Assembly Presidency and pass the role onto Da Silveira. The Office of Ethics could not verify the existence of a conversation between DeLorenzo and Da Silveira regarding planned resignation before February 11<sup>th</sup>. In addition to this, evidence procured in the investigation confirms that Da Silveira and Lederman mutually discussed intent to strengthen Da Silveira's odds of securing the Presidency which included Lederman facilitating a link between the Democrats at Cornell University ("Cornell Democrats", "Cornell Dems") and the premise that the Cornell Democrats require representation in the Student Assembly for passing objectives related to TCAT and PILOT<sup>11</sup>.

On the evening of February 16<sup>th</sup>, 2023, DeLorenzo and Da Silveira met in the Okenshields Dining Room for dinner. There, Da Silveira and DeLorenzo discussed the logistics of a hypothetical resignation of the S.A. Presidency by DeLorenzo to allow Da Silveira to assume the presidency due to concerns of a high extracurricular workload expressed by DeLorenzo and further solidified intentions for DeLorenzo and Da Silveira to run together as President and Executive Vice President respectively. Here, testimony collected by the Office confirms that DeLorenzo and Da Silveira discussed the possibility of running together in opposition to Bhardwaj.

In the early morning of February 18<sup>th</sup>, 2023, testimony and evidence collected by the Office of Ethics confirm that Da Silveira and DeLorenzo mutually participated in a text conversation and subsequent phone call on a situation involving, in part, allegations against Da Silveira. Due to the nature of the medium, the Office of Ethics was unable to independently confirm the contents of this conversation. However, supplementary testimony and evidence collected during the investigation from the day in question support the claim. Further testimony indicates that DeLorenzo does not have full recollection of what was discussed during the phone call due to the early morning time, and suggests that the matter was treated as a one-off instance of a friend in distress. The Office of Ethics was not able to confirm the veracity of these claims. On February 20<sup>th</sup>, 2023, conversations collected by the Office of Ethics reflect that DeLorenzo and Da Silveira revisited the topic of allegations against Da Silveira, and the initial reference to filing a complaint with the Title IX Office or the Office of Student Conduct and Community Standards temporally entered the discourse. On Friday, February 23<sup>rd</sup>, 2023, Da Silveira contacted DeLorenzo to plan a meeting to further discuss DeLorenzo's hypothetical resignation alongside the possibility of Da Silveira instead running for S.A. President with DeLorenzo's support to garner support from Greek life-affiliated Cornellians. The record reflects that conversation on these two topics continued into the night of February 24<sup>th</sup> with intermissions throughout the day and that ultimately, Da Silveira and DeLorenzo retained their original electoral plans. On February 27<sup>th</sup>, 2023, a text conversation between Da Silveira and Lederman,

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<sup>11</sup> III, B covers all found facts regarding the Cornell Democrats, and Cornell Democrats-associated actors in relation with the Student Assembly

collected through the investigation, reflects that Lederman and Da Silveira had reached a consensus on a primary goal of beating Bhardwaj and Mehretu in the election.

By the first week of March 2023, Da Silveira began to share with other Assembly representatives his intent to run for EVP with DeLorenzo's support. On March 10<sup>th</sup>, 2023, Da Silveira acquainted Patrick Kuehl, then Undesignated Representative at-large, with DeLorenzo to work on a resolution related to ambulance Cornell University Police Department regulations on driving students to the hospital. This was reportedly the first direct communication between DeLorenzo and Kuehl. Kuehl became a voting member of the Student Assembly on February 16<sup>th</sup>, 2023. Testimony reflects that by March 2<sup>nd</sup>, 2023, Kuehl and Da Silveira became formally acquainted and maintained a cordial working relationship. Between March 12<sup>th</sup> and March 16<sup>th</sup>, 2023, members of the S.A. close to Da Silveira and DeLorenzo were added to an iMessage group chat titled "The Machine (Theta Nu Epsilon)". The group chat was renamed to "TNE" on March 16<sup>th</sup>. Testimony and evidence collected through the investigation reflect that Da Silveira discussed, with DeLorenzo, the removal of Lederman from the group chat due to suspicions of not having Lederman's full support. Lederman was removed later that day.

On March 16<sup>th</sup>, 2023, the Student Assembly convened to discuss Resolution 29 titled "Amendments to Election Rules for Spring 2023", presented by then Director of Elections Rahul Verma<sup>12</sup>. At 5:04 PM, following the introduction of the resolution by Verma, Da Silveira introduced the idea of allowing the lifting of the Election Rules' prohibition on slating<sup>13</sup>. Testimony and evidence collected through the investigation confirm that Da Silveira was in contact with Lederman for the duration of the discussion on the resolution via text. The evidence reflects that at 5:28 PM, Lederman instructed Da Silveira, after allowing for one more representative to speak on the matter, to introduce an amendment to strike Article 1, § E(1) from the Election Rules. At 5:29, Da Silveira introduced a motion to strike Article 1, §§E(1-2) and to add, at the end of Article 1, §E(3), "without their explicit consent". Following this, evidence and testimony confirm that Lederman informed Da Silveira of his error and the need to only strike the language in Article 1, § E(1). Lederman additionally provided Da Silveira with the exact words to say to accomplish this goal. At 5:34 PM, the minutes reflect that Da Silveira withdrew his motion and did not speak for the remainder of the meeting. By 5:48 PM, the Student Assembly passed an amended form of the Elections Rules allowing for slating.

On the night of March 16<sup>th</sup>, 2023, testimony and evidence shared with the Office confirm that Da Silveira reached out to Kuehl to outline his understanding of slating plans. Specifically, Da Silveira shared that he intended to bring together candidates associated with the IFC and the Cornell Democrats and described "Progressives"<sup>14</sup> as the opposition to this block. Da Silveira

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<sup>12</sup> "Minutes of the March 16th, 2023 Meeting." *Cornell University Student Assembly*.

<sup>13</sup> "Slating" is the practice of candidates running in multi-seat elections choosing to associate with one another and campaign on a common platform.

<sup>14</sup> Here, the term "Progressives" is used within the context of the Assembly and was used synonymously with the names of the Resolution 16 sponsors—specifically Bhardwaj and Mehretu.

extended an invitation to Kuehl to join the block, which Kuehl accepted. Evidence reviewed by the Office confirms that on March 22<sup>nd</sup>, Kuehl contacted DeLorenzo informing him of having heard information about the election from Da Silveira and offering support to DeLorenzo. On the night of March 16<sup>th</sup>, Da Silveira discussed the building of a compromise consensus slate of Dems-backed candidates, members from Cornell IFC chapters, and personal picks of Da Silveira with Lederman, who agreed to create and maintain a spreadsheet list of candidates with Da Silveira to prevent overlap between Cornell Dems-backed candidates and those supported by Da Silveira. The evidence reviewed by the Office confirms that Lederman, in this conversation, revealed a personal incentive that working with these groups through Da Silveira would present for himself and another 2022-2023 SA representative planning to run for Ithaca Common Council. On March 17<sup>th</sup>, 2023, collected evidence corroborates testimony that Lederman informed Da Silveira of his alleged efforts to stop plans for collaborations between the Cornell Democrats and Cornell Progressives and to convince the Cornell Democrats to not endorse Bhardwaj. On March 18<sup>th</sup>, testimony and evidence reviewed by the Office confirm that DeLorenzo sent an email to IFC community through the IFC listserv advertising the upcoming Spring 2023 election. Evidence received by the Office during the investigation suggests that DeLorenzo, on March 22<sup>nd</sup>, 2023, at 12:02 AM had compiled a small list of “Student Assembly TNE Candidates” on a Google Sheets document and an Apple Notes document.

On March 19<sup>th</sup>, 2023, testimony and evidence reviewed by the Office confirmed that DeLorenzo and Da Silveira had a phone conversation. Due to the nature of the medium, the Office of Ethics was unable to independently confirm the contents of this conversation. However, evidence and testimony linked to the phone conversation suggest that DeLorenzo and Da Silveira discussed allegations related to sexual assault against Da Silveira, a definitive plan as to which one of them would run for the President position due to alleged conversations between Da Silveira and other representatives where Da Silveira expressed an interest in running, and whether the two should still run together in light of Da Silveira’s brewing controversies. Testimony and evidence corroborate that this conversation culminated in Da Silveira running for President with DeLorenzo as Executive Vice President. On the evening of March 19<sup>th</sup>, testimony and collected evidence reflect that Da Silveira contacted Lederman via text to discuss aspects of his conversation with DeLorenzo related to their switch in running for President/Executive Vice President; In these conversations, Da Silveira shared with Lederman, upon Lederman’s request, that his and DeLorenzo’s platform involved the removal of mentions of Greek life from all Student Assembly initiatives, resolutions, and statements.

On March 23<sup>rd</sup>, 2023, collected evidence and testimony reveal that Kuehl forwarded DeLorenzo texts Bhardwaj shared in the Cornell Democrats Slack group regarding the ILR race, sentiments towards Greek life and its members, and a candidate running in the ILR race’s alleged involvement in a fraternity’s cover-up of sexual abuse. These claims were found to be factually inaccurate as the unnamed candidate was not a member of the fraternity Bhardwaj referenced. Collected testimony suggests that DeLorenzo shared this information with the Office of Student

Conduct and Community Standards to arrange a conflict mediation meeting with Bhardwaj. The Office of Ethics was unable to independently verify whether this meeting took place.

On the afternoon of March 26<sup>th</sup>, 2023, testimony and evidence collected during the investigation confirmed that DeLorenzo and Da Silveira had a text conversation regarding the Cornell IFC endorsement, loyalty, and the allegations against Da Silveira. Collected evidence reflects that Da Silveira asked DeLorenzo to remain on Da Silveira's side, and that Da Silveira was actively working to dispel the allegations. In the evening of the same day, DeLorenzo contacted Da Silveira via text to inform him of his wariness towards Da Silveira's allegations but maintained their previously agreed electoral plans.

On March 28<sup>th</sup>, 2023, testimony heard by the Office suggests that Da Silveira approached Kuehl about running for the Executive Vice Presidency to oppose then School of Industrial and Labor Relations Representative Claire Ting, who had expressed interest and begun collecting campaign signatures. At this time, testimony reflects that DeLorenzo had not yet reached the threshold of petition signatures required to register for the EVP race. Testimony heard by the Office reveals that Kuehl instead opted to run for S.A. President. Between March 29<sup>th</sup> to March 30<sup>th</sup>, 2023, evidence received by the Office confirms that DeLorenzo contacted the "TNE" iMessage group chat to discuss his lack of petition signatures and mobilize the group's participants to assist in gathering petition signatures. In the early morning of March 30<sup>th</sup>, 2023, Lederman contacted Da Silveira via phone. Due to the nature of the medium, the Office of Ethics was unable to independently confirm the contents of this conversation. Evidence collected through the investigation suggests that Lederman and Da Silveira's conversation covered, in part, changes to plans for the Spring 2023 election and the introduction of Kuehl as a candidate for the S.A. Presidential race against Bhardwaj and Da Silveira<sup>15</sup>. The record confirms that Kuehl's presidential run was mutually discussed by both Da Silveira and Lederman to be an obstacle to impede Bhardwaj from winning the election. Da Silveira and Lederman additionally discussed Da Silveira's ability to secure the Cornell IFC endorsement, notification of Lederman's parliamentary suggestions for allowing for positional switches between the President and EVP positions in the Assembly, and Da Silveira's intention to whip votes for Resolution 32, titled "A Technical Correction to the Spring 2023 Election Rules" that would allow all candidates the ability to "distribute promotional material, send electronic communications, campaign on behalf of, and speak for candidates in the President or Executive Vice President races"<sup>16</sup>. By the end of the March 30<sup>th</sup> Student Assembly Meeting, Resolution 32 was tabled indefinitely and Resolution 34, titled "Amending the Spring 2023 Election Rules" passed, reinstating the prohibition on candidate slating.

From April 1<sup>st</sup> to April 4<sup>th</sup>, the Office of Ethics was unable to definitively confirm any significant conversation between any mentioned party related to the scope of the investigation. However,

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<sup>15</sup> Lederman and Kuehl first became acquainted in the first week of March.

<sup>16</sup> A Technical Correction to the Spring 2023 Election Rules, 32, 2022-2023 S.A., Spring, (2023).

testimony collected by the Office notes that around the beginning of the month, DeLorenzo, Lederman, and Kuehl's opinions on Da Silveira began to decline.

On April 5<sup>th</sup>, testimony and evidence reviewed by the Office reflect that a text conversation occurred between DeLorenzo and Da Silveira on the subject of Title IX allegations in which Da Silveira informed DeLorenzo of new developments ensuring the safety of their respective campaigns due to Da Silveira's stated collection of evidence in his favor.

From April 6<sup>th</sup> to April 12<sup>th</sup>, the Office of Ethics was able to confirm that all parties mentioned remained in contact, however, the Office was unable to definitively confirm any significant conversation between any mentioned party related to the scope of the investigation.

Multiple testimonies and pieces of collected evidence confirm that sometime between April 13<sup>th</sup> and April 19<sup>th</sup>, Lederman and Da Silveira had at least one conversation concerning the validity of candidate signatures in the Spring 2023 election. Corroborating evidence confirms that by April 19<sup>th</sup>, Da Silveira had learned and retained a record of the names of these candidates in the College of Agriculture and Life Sciences ("CALs"), College of Engineering, College of Arts and Sciences ("A&S"), and Brooks School of Public Policy ("Brooks") races. On April 19<sup>th</sup>, 2023, the Student Assembly Elections Committee received an email from a candidate affiliated with the Cornell Democrats reporting invalid signatures of other candidates in the CALs representative race<sup>17</sup>.

## **B**

At the beginning of the Spring 2023 semester, Lederman assumed the role of Treasurer of the Cornell Democrats. This same semester, testimony received by the Office confirms that the Cornell Democrats Executive Board established a "Labor Committee" chaired by Suraj Parikh, the then Solidarity and Inclusion Chair of the Cornell Democrats. Parikh currently serves as Vice President of External Affairs and Minority Students Liaison At-Large within the Student Assembly. Originally focused on supporting student workers and pro-union initiatives, the committee's interest shifted to focusing on the upcoming S.A. Spring 2023 elections and the solicitation of candidates to run in a "pro-labor" slate. The Office was unable to confirm an exact date for the committee's focus shift. Lederman served as a member of the committee from its inception. Testimony collected through the investigation suggests that Labor Committee meetings were hosted at infrequent times throughout the semester, that a sizable amount of Cornell Democrats Executive Board members attended, and that committee membership was fluid. The evidence reviewed by the Office confirms that both Bhardwaj and Kuehl attended Cornell Democrats meetings in the month of March 2023 and had access to the organization's Slack communications.

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<sup>17</sup> The Elections Committee eventually pursued election signature validations through a different elections complaint filed by the Director of Elections, Rahul Verma, in early May.

Numerous testimonies corroborate claims that between February 11<sup>th</sup> and March 30<sup>th</sup>, 2023, members of the Cornell Labor Committee actively engaged in conversations regarding Student Assembly elections and slating regulations. The Office of Ethics did not find any evidence of discussions of slating or soliciting of candidates after March 30<sup>th</sup>, 2023.

On April 24<sup>th</sup>, 2023, numerous testimonies corroborate that candidates for the presidential and EVP race received an email from Lederman on behalf of the Cornell Democrats to interview for the organization's endorsement. The Cornell Democrats assigned each candidate a time slot and invited them to a room in Ives to answer questions on campus policy issues. Testimony from members familiar with the process attests that a panel of eight to ten members of the Cornell Democrats were involved in deliberations. In the days following, Lederman shared via Slack, and emailed to all candidates who had applied, the list of endorsed candidates, which included Kuehl for President, Ting and DeLorenzo for Executive Vice President, Lucia Balestrieri<sup>18</sup> for Womxn's Liaison, Adam Vinson<sup>18 above</sup> and Niles Hite<sup>18 above</sup> for CALS representative, Amy Wang<sup>18 above</sup> for Engineering Representative, and Suraj Parikh<sup>18 above</sup> and Jason Villarruel for Minority Liaison. These selections were shared on the Cornell Democrats Instagram account on April 29<sup>th</sup>, 2023.

From May 1<sup>st</sup> to May 4<sup>th</sup>, testimony diverges on the support candidates received from the Cornell Democrats. While some claimed to receive support with quarter cards and tabling events between these dates, others allege no correspondence with the Cornell Democrats after the posting of candidates on Instagram. On May 2<sup>nd</sup>, 2023, and May 3<sup>rd</sup>, 2023, a tabling event was hosted in the Robert Purcell Community Center, outside of Bear Necessities with the Cornell Democrats tablecloth. Testimony and evidence reviewed by the Office confirm that on May 2<sup>nd</sup>, DeLorenzo, Kuehl, and Lederman were in attendance, while on the 3<sup>rd</sup>, they were joined by Wang and a notification was sent to a GroupMe chat. The Office of Ethics was unable to determine, based on the evidence and testimony provided, whether one or both tabling events were completely organized by the Cornell Democrats or advertised to all Cornell Democrats-endorsed candidates.

On May 9<sup>th</sup>, 2023, all Cornell Democrats-endorsed candidates, alongside then-Undesignated Representative at-large Ezugo Ononye and School of Industrial and Labor Relations Representative Casey Platkin were summoned to a classroom in Ives Hall an hour prior to the Student Assembly reorganizational meeting scheduled for 5:00 PM<sup>19</sup>

## C

On April 30<sup>th</sup>, the Cornell Interfraternity Council completed its Executive Board vote on nominations for the Spring 2023 elections. Testimony and collected evidence corroborate that

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<sup>18</sup> These candidates are voting members of the current 2023-2024 term of the Cornell University Student Assembly

<sup>19</sup> III, C covers all found facts from April 30<sup>th</sup> – May 9<sup>th</sup>

voting took place via GroupMe, and that candidates were presented by DeLorenzo with a few clauses describing their platform and characteristics. Here, Kuehl was described as level-headed, Da Silveira as less level-headed than Kuehl and the most *politician-like* candidate, and Bhardwaj was credited for her sponsor role in Resolution 16. By 6:00 PM, the nomination for President was given to Kuehl and DeLorenzo won the nomination for EVP. DeLorenzo did not participate in the voting.

May 1<sup>st</sup>, 2023 marked the beginning of the Spring 2023 voting period. Testimony and collected evidence reflect that DeLorenzo and Lederman formally became acquainted for the first time via text communication during this time.

By May 2<sup>nd</sup>, 2023, Lederman had become aware of sexual assault allegations and a Title IX investigation against Da Silveira. Evidence and testimony collected by the Office conflict on the exact time that Lederman gained knowledge of Da Silveira's sexual assault allegations, with some accounts contending that May 2<sup>nd</sup> was the first time Lederman heard of any allegations against Da Silveira, and others contending that Lederman first learned of allegations between March 1<sup>st</sup> and April 5<sup>th</sup>. The Office was unable to confirm an exact date for Lederman's knowledge nor decisively dispel either account. According to testimony and collected evidence, Lederman and DeLorenzo met in person to exchange known information. At a time unable to be determined by the Office, Kuehl was notified of the concerns against Da Silveira. Kuehl, Lederman, and DeLorenzo remained in private correspondence on this issue until May 9<sup>th</sup>, 2023 with testimony reflecting that the contents of their conversations included discussions of potential limitations in reporting from the Title IX office, fears of interrupting Title IX procedures or harming those who had submitted reports, and discussion of whether or not Da Silveira would win the S.A. presidency. Collected evidence corroborates these claims in part. Due to the nature of the medium, the Office of Ethics was unable to independently confirm the contents or quantity of these conversations. Testimony heard by the Office corroborates that Lederman, DeLorenzo, and Kuehl decided that something would be done about Da Silveira's allegations if he won the S.A. Presidency.

Towards the evening of May 2<sup>nd</sup>, Kuehl and DeLorenzo participated in a tabling event in the Robert Purcell Community Center on North Campus. Da Silveira was notified of this and, after deliberating for two days and consulting members of the Student Assembly, submitted a challenge to the Elections Committee on May 4<sup>th</sup>, 2023. On the morning of May 3<sup>rd</sup>, evidence collected by the Office of Ethics confirms that DeLorenzo contacted Da Silveira via text regarding Da Silveira's Title IX allegations and corroborates claims of an inconclusive resolution to the conversation.

On May 4<sup>th</sup>, 2023, the Student Assembly convened for its last meeting of the academic year at 4:52 PM<sup>20</sup>. Here, the Assembly considered Resolution 40, titled "Creating a Speaker of the

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<sup>20</sup> "Minutes of the May 4th, 2022 Meeting." *Cornell University Student Assembly*

Student Assembly” at 5:27 PM, which was presented by sponsors Michelle Song, then Vice President of Diversity, Equity, and Inclusion of the Student Assembly, Duncan Cady, then Chair of the University Assembly, and Lederman. One hour and twenty minutes into the discussion on Resolution 40, a moment of verbal conflict broke between Da Silveira, who had spoken in dissent of the resolution, contending that the resolution took away power from the S.A. President and expressing an interest in moving forward with the agenda, and Lederman who stated on the floor that the only reason Da Silveira was speaking against Resolution 40 was due to Lederman not securing Da Silveira the Cornell Democrats’ nomination and interpersonal reasons related to slating. Resolution 40 failed to pass by two-thirds majority and at 6:49 PM, the meeting was adjourned. Testimony reflects that after adjournment, Da Silveira, Kuehl, Ting, and other representatives walked to Collegetown Bagels to celebrate the last meeting of the year. There, testimony heard by the Office contends that Kuehl privately approached Da Silveira for his submission of an election challenge to the Elections Committee previously that day and on Da Silveira’s insistence to continue running in the Spring 2023 election despite Title IX allegations. Due to the nature of the medium, the Office of Ethics was unable to independently confirm the contents of this conversation. However, information retained by the Office of Ethics from the 2022-2023 term and collected evidence submitted through the investigation support this claim. On the night of May 4<sup>th</sup>, collected evidence confirms that DeLorenzo contacted Da Silveira via text and phone regarding Da Silveira’s election challenge against Kuehl, and DeLorenzo by extension. On May 5<sup>th</sup>, 2023, Da Silveira was removed from the “TNE” group chat by DeLorenzo.

On May 9<sup>th</sup>, the results of the Spring 2023 election were announced via text to candidates at approximately 1:06 PM before being shared on the Student Assembly website. At 1:49 PM, Da Silveira sent an email to all winners that a reorganizational meeting would be hosted at 5:00 PM to elect the 2023-2024 Student Assembly’s Executive Committee and swear in new representatives. Testimony heard by the Office states that Lederman, after results had been shared, contacted Da Silveira to discuss his actions as President of the Assembly, and notify him that the Cornell Democrats would be meeting to determine his Executive Committee, and that if Lederman was not appointed as Parliamentarian of the Student Assembly, Lederman would lead Dems-endorsed candidates to block Da Silveira’s pick for Vice President of Finance. This claim is supported in part by evidence submitted through the investigation. Due to the nature of the medium, the Office of Ethics was unable to independently confirm the contents of this conversation. Some accounts contend that this conversation was a ruse to distract Da Silveira while members-elect were being contacted separately. The Office of Ethics cannot confirm the veracity of this claim. Additional testimony heard by the Office corroborates that upon learning the election results, Lederman, DeLorenzo, and Kuehl discussed a plan for what should be done about Da Silveira’s Title IX allegations and his impending presidency. Lederman moved to solicit a letter from a friend of the individual who reported the assault. With this information solicited, Lederman and DeLorenzo moved to contact winning members to meet at Ives Hall, with all winning Cornell Democrats-endorsed candidates and two non-Dems affiliated winners, constituting ten of the nineteen newly elected formally voting members of the Assembly,



attending the meeting. According to testimony heard by the Office, Ting allegedly helped in the process of contacting candidates. By 4:32 PM, evidence and testimony reflect that a group chat titled “SA Reorg” had been made and included all invited representatives.

At the “pre”-reorganizational meeting in Ives Hall, testimony from multiple sources corroborates that Lederman and DeLorenzo informed the new representatives of Da Silveira’s Title IX allegations and separately shared Lederman’s letter and DeLorenzo’s texts with the group. Testimony and evidence support allegations that, at the meeting, Lederman wrote a Google document titled “Motions to Make” outlining a script for representatives to read and assigning parts to representatives. Additionally, evidence collected through the investigation validated claims that positions of the Executive Committee were planned and written on a chalkboard. As the meeting approached, testimony from multiple sources reflects that representatives were asked to disperse across the room and ensure they were on mute to minimize feedback. Most representatives stayed in one room while Ting, Ononye, and Platkin moved to a second room.

Testimony and submitted evidence from the “pre”-reorganizational meeting support claims that Lederman remained privy to conversations occurring while the Assembly entered executive session and instructed Ting, acting as Chair, on how to proceed with handling of Da Silveira’s removal. By the end of the meeting, Da Silveira had been removed as President of the Student Assembly and three of the four pre-planned selections for Executive Committee, Kuehl, DeLorenzo, and Parikh, had been elected to the positions of Vice President of Internal Operations, Finance, and External Affairs respectively.

## **D**

Between May 9<sup>th</sup> and May 18<sup>th</sup>, 2023, the “S.A. Presidential Succession Crisis” occurred. Information on this is recalled in the Office of Ethics’ Proposal for Resolving Governing Document Conflict and Establishing a Consistent Method for Presidential Succession in the Student Assembly. In reference to the investigation, the Office of Ethics found, through submitted evidence, that various documents signed by members of the Assembly during this time were either owned and/or penned in part by Lederman. These documents include the May 12<sup>th</sup>, 2023 “Dear Colleagues” letter signed by 8 representatives of the Student Assembly, May 12<sup>th</sup>, 2023 “Advisory Opinion on Student Assembly Presidential Succession” document, and the unreleased May 13<sup>th</sup>, 2023 “Request for a Special Meeting” document. Lederman is not signed on any aforementioned document.

### III

#### *Identification of Ethical Violations from § II Facts and Allegations*

##### A

All facts examined in § II were gathered to determine whether actions committed by Kuehl, DeLorenzo, or Lederman violated Part V, § A(a)(ii) of the Code of Ethics, which outlines “abuse of the SA brand by members, staff, and other parties to acquire additional benefits or privileges” as a violation of Student Assembly Ethics. Before analyzing how facts fit into question stems, the Office of Ethics first opted to define Part V, § A(a)(ii), which has remained undefined since its inclusion in Student Assembly documents dating back to 2017. Here, the Office of Ethics interpreted this violation, in this investigation, to be the improper or unauthorized use of Student Assembly name, reputation, resources, or channels for personal gain or advantage within the bounds of the Student Assembly to obtain special treatment, access to resources and opportunities, or favorable treatment.

For an ethical violation to be sustained, an investigatory question stem must be first supported by (a) at least a preponderance of the evidence and (b) in violation of Part V, § A(a)(ii) of the Code of Ethics. If supported by this standard of proof, recommendations related to preventative steps. For immediate action to be recommended against an individual, a question stem must be found to (a) be supported by clear and convincing evidence, and (b) in violation of Part V, § A(a)(ii) of the Code of Ethics. Where a violation of Part V, § A(a)(ii) was not found, a standard of proof was not provided. In instances where the Office voted to still produce a general ethics opinion, recommendations may still be proposed.

Figure 1: Ethical Violation Process, Condensed

Validity of Event Confirmed by Vote (Affirmative/Negative) → Assessment of a Potential Ethics Violation (No Violation Found/Violation of Part V, § A(a)(ii)) → Assessment of Level of Support by Vote (Preponderance/Clear-Convincing)

##### B

The facts and allegations examined in § II were gathered to answer the following investigatory questions:

1. Did DeLorenzo, Kuehl, and/or Lederman coordinate with Da Silveira, and/or one another, during the Spring 2023 election for the purposes of:
  - a. protecting Greek life?
  - b. blocking specific candidates or influences on the Student Assembly?
  - c. Lifting slating bans in the Spring 2023 election to benefit electoral ambitions?

- d. Soliciting and/or compiling candidates to run together in a slate or loosely associated group?
2. Did DeLorenzo, Kuehl, and/or Lederman:
    - a. Possess awareness of Da Silveira’s Title IX proceedings or related allegations before the conclusion of the Spring 2023 election?
    - b. Utilize knowledge of Title IX proceedings or related allegations for political or personal reasons during the 2023-2024 term of the Student Assembly?
  3. Did DeLorenzo, Kuehl, and/or Lederman actively mobilize Cornell Democrats-endorsed candidates to form a coalition to address concerns about Da Silveira before the May 9<sup>th</sup> Student Assembly alongside other planning items?
  4. Did Lederman utilize unofficial channels, prior to official voting membership in the Assembly, to:
    - a. Influence representative opinions, actions, and amendments on resolutions presented in the Student Assembly?
    - b. Assemble and influence members of the Student Assembly during executive session during the May 9<sup>th</sup> re-organizational meeting?

In deliberations, the Office of Ethics chose to abstain from Question 2(b), as intention was unable to be ascertained from any testimony or evidence submitted to the Office of Ethics Below, each investigatory question is answered in the format established in Figure 1.

In evaluating the issues posed in Question 1, the Office of Ethics broke the question down into constituent parts. For the Office to answer in the affirmative for any party, the evidence must prove that the individual (a) was directly privy to relevant knowledge and (b) engaging in actions or communications with Da Silveira or one another that actively advance the subject matter of the question.

**Question 1a:** *Did DeLorenzo, Kuehl, and/or Lederman coordinate with Da Silveira, and/or one another, during the Spring 2023 election for the purposes of protecting Greek life?*

**Office of Ethics Determination:** Affirmative for DeLorenzo and Lederman, No Ethical Violation Found

In 1(a), these criteria translate into whether an individual was (a) directly privy, or told in explicit terms, of an effort to advance an agenda surrounding protecting Greek life, primarily through the suppression of information related to Greek life and or considered to be “controversial” within that context, and (b) contributing in the form of documents, ideas, actions or other (1) tangible contribution and/or (2) creative contribution documented through a tangible medium that further such agenda. Evidence received and reviewed by the Office of Ethics found **DeLorenzo** and **Lederman** to have satisfied this criteria in a vote of 3-0-2.

In a review of DeLorenzo, tangible evidence reviewed by the Office reflects text conversations and photographic evidence between him and Da Silveira confirming their conversations as an origin point for efforts to protect Greek life interests on the Student Assembly and actions falling under different subcategories of Question 1 that advanced an agenda of protecting Greek life. These include, but are not limited to, the defining of what “suppression of information related to Greek life” and or considered to be “controversial” could feasibly entail, the creation of group chats themed around the agenda, and the proliferation of the idea itself.

In a review of Lederman, the Office found that Lederman was “privy, or told in explicit terms, of an effort to advance an agenda surrounding protecting Greek life” when Da Silveira outlined his understanding of DeLorenzo’s interests and plans as wanting to scrub mentions of the Cornell IFC and Greek life from all aspects of the Student Assembly on March 19<sup>th</sup>, 2023. His subsequent conversations and actions, including directly pitching changes to the Assembly’s Election Rules to allow for slating during the March 16<sup>th</sup>, 2023.

**Question 1b:** *Did DeLorenzo, Kuehl, and/or Lederman coordinate with Da Silveira, and/or one another, during the Spring 2023 election for the purposes of blocking specific candidates or influence on the Student Assembly?*

**Office of Ethics Determination:** Affirmative for DeLorenzo, Kuehl, and Lederman; No Ethical Violation Found

In 1(b), these criteria translate into whether an individual was (a) directly privy to knowledge informing them in explicit terms of an agenda to oppose candidates based on ideological or personal standpoints and (b) actively choosing to affiliate with such an agenda. Evidence received and reviewed by the Office found **Kuehl, Lederman, and DeLorenzo** to have satisfied these criteria in a vote of 3-0-2. Evidence reflected in the record show instances of Kuehl, Lederman, and DeLorenzo being informed of such an agenda on March 16<sup>th</sup>, February 27<sup>th</sup>, and February 16<sup>th</sup> respectively. All three individuals acted in the affirmative to directly join or offer support to these plans, as reflected in the record. An affirmative response to this question was ultimately decided to not be a violation of Part V, § A(a)(ii) of the Code of Ethics (3-0-2).

In 1(c - d), these criteria translate into whether an individual was (a) directly privy to knowledge informing them in explicit terms of efforts to (1) remove slating rules for the Spring 2023 election or (2) solicit candidates to participate in a slate or loosely-affiliated electoral group and (b) contributing in the form of documents, ideas, actions or other (1) tangible contribution and/or (2) creative contribution documented through a tangible medium that further such agenda(s). Evidence received and reviewed by the Office found (3-0-2) **Lederman**, to a clear and convincing standard, to have satisfied these criteria for Question 1(c) and **DeLorenzo** to have satisfied these criteria for Question 1(d) (3-0-2).

**Question 1c:** *Did DeLorenzo, Kuehl, and/or Lederman coordinate with Da Silveira, and/or one another, during the Spring 2023 election for the purposes of lifting slating bans in the Spring 2023 election to benefit electoral ambitions?*

**Office of Ethics Determination:** Affirmative for Lederman; Violation of Part V, § A(a)(ii) of the Code of Ethics; Clear and Convincing Standard of Evidence Met

The Office of Ethics found a fulfillment of Question 1(c) criteria to constitute a violation of Part V, § A(a)(ii) of the Code of Ethics. As reflected in the record, Lederman instructed Da Silveira on when, how, and with what language to propose a resolution to remove restrictions on slating during Assembly discussion on March 16th, 2023. By the end of this meeting, the Student Assembly had passed an amended form of the Elections Rules allowing for slating. Here, the Office of Ethics noted an ethics violation due to the nature of Lederman's position within the Office of the Assemblies at that time. The Clerks of the Assemblies are entrusted with accurate representation of every Assembly's notes and, in at least recent Assembly history, have been attributed with an absence of comment or involvement on the floor of the Assembly. However, as Student Assembly provisions allow for community member engagement at all Assembly meetings open to the public, a Clerk is, to the Office of Ethics' current knowledge, not explicitly forbidden from providing opinion and commentary on the floor. While community member involvement is strongly encouraged by the Assembly to the same degree as involvement from representatives, a core of such involvement rests in transparency. As reflected in the Assembly's meeting minutes, Zoom and audio recordings, and historic preservation of such records, knowledge of the source of each comment made on the Assembly is vital for maintaining transparency and accountability within the Student Assembly. From this perspective, the Office of Ethics views Lederman's instruction of Da Silveira to make comments on the floor of the Assembly at his request in his capacity as a Clerk of the Assemblies as a blurring of the lines between the roles of elected representatives and non-elected staff members. This act was an undue influence in the decision-making process. The Office additionally notes that following the passage of the amended election rules, Lederman maintained correspondence with Da Silveira to coordinate the creation of a spreadsheet intended to accommodate both of their slating ambitions without overlap, alongside potential personal benefits that Lederman expressed interest towards. The Office holds that, in this case, the utilization of one's influence or authority within the Assembly to influence the trajectory of the Assembly's votes, decisions, or discussions in a way that benefits oneself or a select group violates Part V, § A(a)(ii) of the Code of Ethics.

**Question 1d:** *Did DeLorenzo, Kuehl, and/or Lederman coordinate with Da Silveira, and/or one another, during the Spring 2023 election for the purposes of soliciting and/or compiling candidates to run together in a slate or loosely associated group?*

**Office of Ethics Determination:** Affirmative for DeLorenzo; No Ethical Violation Found

Meanwhile, evidence received by the Office during the investigation suggests that DeLorenzo, on March 22<sup>nd</sup>, 2023, at 12:02 AM had compiled a small list of "Student Assembly TNE Candidates" on a Google Sheets document and an Apple Notes document. Given that slating was prohibited by the Assembly on March 30<sup>th</sup>, 2023, the Office of Ethics ultimately decided to not find DeLorenzo's actions prior to this date as having constituted a violation of Part V, § A(a)(ii) of the Code of Ethics.

**Question 2a:** *Did DeLorenzo, Kuehl, and/or Lederman possess awareness of Da Silveira's Title IX proceedings or related allegations before the conclusion of the Spring 2023 election?*

**Office of Ethics Determination:** Affirmative for DeLorenzo; No Ethical Violation Found, Ethical Opinion Provided

In the evaluation of Question 2, the Office utilized a temporal analysis of the facts devoid of considerations of intention. As a result, the Office of Ethics chose to abstain from deliberations of Question 2(b), as intention was unable to be ascertained from any testimony or evidence submitted to the Office of Ethics. For the Office to answer in the affirmative for any party, the individual must have been (a) aware of allegations either directly from Da Silveira or another knowledgeable party prior to May 1<sup>st</sup>, 2023 and (b) made no reasonable effort, as ascertained through tangible evidence, to share such concerns via appropriate mechanisms within the Student Assembly. The Office of Ethics did not consider efforts to share concerns via appropriate administrative channels as these departments lie far beyond the purview of the Student Assembly Office of Ethics. The Office found, through review of the evidence received and based on his knowledge of the allegations against Da Silveira prior to May 1<sup>st</sup>, 2023, DeLorenzo to have satisfied these criteria, but did not find fulfillment of the criteria to be a direct violation of Part V, § A(a)(ii) of the Code of Ethics. However, the Office of Ethics noted extraneous ethical concerns it wishes to address surrounding the lack of reporting to appropriate arms of the Student Assembly prior to May 1<sup>st</sup>, 2024. The Executive Committee, and more recently, the Office of Ethics, have long stood as more private settings for dealing with interpersonal conflicts or reporting on the conduct of members of the Student Assembly. Withholding information from these bodies, though permitted via the rules and procedures of the Student Assembly, ultimately weakens the Assembly's ability to form a proper response to potential misconduct or ethical breaches.

In the consideration of Question 3 and 4, the Office of Ethics evaluated the question on a more holistic standpoint. Here, weighing between testimony were utilized to reach a conclusion in the absence of solidified evidence.

**Question 3:** *Did DeLorenzo, Kuehl, and/or Lederman actively mobilize Cornell Democrats-endorsed candidates to form a coalition to address concerns about Da Silveira before the May 9<sup>th</sup> Student Assembly alongside other planning items?*

**Office of Ethics Determination:** Affirmative for Lederman and DeLorenzo; Violation of Part V, § A(a)(ii) of the Code of Ethics; Clear and Convincing Standard of Evidence Met

On Question 3, testimony on the solicitation of newly elected members of the Student Assembly to participate in the “pre” Reorganizational Meeting hosted in Ives Hall on Thursday, May 9<sup>th</sup>, 2023. Accounts from some sources suggest that all candidates who won in the Spring 2023 election were invited, while others contend that information on the location and time of the meeting was only shared with a smaller group of representatives and slowly “trickled” down to others informally. Ultimately, the Office of Ethics weighed heaviest the confirmed

demographics of the room, which included all Cornell Democrats-endorsed candidates and only two non-endorsed candidates. Considering the attendance at the 5:00 PM Reorganizational meeting on Thursday, the Office of Ethics determined that it was more likely that a group of Cornell Democrats-endorsed candidates were contacted than that all representatives were contacted, but a sizable minority had a conflict an hour before the reorganizational meeting that prevented them from attending. Here, the Office of Ethics found fulfillment of Question 3 criteria to constitute a violation of Part V, § A(a)(ii) of the Code of Ethics.

While representatives of the Student Assembly are at liberty to meet whenever they desire, the nature of this meeting raises ethical concerns in congruence with Part V, § A(a)(ii). Evidence viewed from the May 9th, 2023 meeting confirmed (a) the selection of an Executive Committee in advance of the meeting, (b) the creation of a script outlining and assigning representatives with words to say to remove Da Silveira, (c) the placing of representatives to different locations in the room and in another classroom in Ives, and (d) the exposure of a pending voting matter to representatives ahead of a Student Assembly meeting. Here, the Office does not contend that the Assembly's removal of Da Silveira from the Presidency was unethical, or an ethical concern in itself, as the Student Assembly Charter, in Article IV, § 9(B) grants the Assembly the right to remove any voting member by "an affirmative vote of two-thirds of the seated voting members of the Assembly". Instead, the Office argues that the meeting of Assembly members ahead of time facilitated manipulation of the decision-making process, secured special treatment for representatives privy to the conversations, and set a dangerous precedent for future Student Assembly terms. Pre-discussion creates an uneven field for representatives excluded from conversations, who are left to work at a substantial disadvantage behind their pre-prepared peers. As a result, the Office of Ethics, upon a holistic review of the facts, decided in a vote of 3-0-2 to vote, with clear and convincing evidence, in the affirmative for **Lederman** and **DeLorenzo** for a violation of Part V, § A(a)(ii) of the Code of Ethics for their respective parts in organization.

**Question 4(a-b):** *Did Lederman utilize unofficial channels, before official voting membership in the Assembly, to (a) influence representative opinions, actions, and amendments on resolutions presented in the Student Assembly; and (b) assemble and influence members of the Student Assembly during executive session during the May 9<sup>th</sup> re-organizational meeting?*

**Office of Ethics Determination:** Violation of Part V, § A(a)(ii) of the Code of Ethics; Clear and Convincing Standard of Evidence Met

On Question 4, facts mentioned in previous responses and the record outline ways in which Lederman, before holding office on the Student Assembly, influenced certain Assembly-wide policy changes and historical events without full transparency of the Student Assembly and the Cornell community. These instances are strongly corroborated through testimony and numerous pieces of evidence collected during the investigation. As a result, the Office of Ethics, upon a holistic review of the facts, decided 3-0-2 to vote, with clear and convincing evidence, in the affirmative for **Lederman**.

## IV

### *A Review of Facts and Allegations Concerning Kuehl, Lederman, and DeLorenzo from June 2023 to December 2023*

#### A

Throughout the 2022-2023 term of the Student Assembly, DeLorenzo served as Vice President of Finance. Testimony heard by the Office of Ethics reflects that this time was primarily utilized to prepare for and perform the Fall 2022/Spring 2023 “Off-Year” Appropriations cycle, with preparations for the Fall 2023 Appropriations cycle beginning in mid-March 2023 at the request of Cornell administration. On May 9<sup>th</sup>, 2023, DeLorenzo was elected to a second term as Vice President of Finance. Early in DeLorenzo’s second term, he drafted and eventually presented Resolution 4, titled “Amending the Student Assembly Charter” at the June 25<sup>th</sup>, 2023 S.A. meeting. This resolution, aiming to streamline the Student Activity Fee’s allocation guidelines and procedures by eliminating a system of multiple applications at the beginning of the academic year, passed the Assembly and was acknowledged by President Martha E. Pollack.<sup>21</sup> Between July 16<sup>th</sup> and August 28<sup>th</sup>, 2023, DeLorenzo drafted a variety of Finance-related resolutions, including Resolution 9, Resolution 10, and Resolution 11, aimed towards increasing byline organizations’ ability to convey their finance concerns<sup>22</sup> and recognizing a variety of changes to byline governing documents<sup>23</sup>.

By September 2<sup>nd</sup>, 2023, DeLorenzo had drafted the first communications with byline organizations informing them of the availability of the final application for the 2024-2026 Student Activity Fee. Additionally, DeLorenzo created a draft of baseline questions to be asked to every byline as directed by President Kuehl. On September 12<sup>th</sup>, evidence collected by the Office confirms that Outdoor Odyssey completed all required forms, followed by the Gender Justice Advocacy Coalition (GJAC) with a completion date of September 17<sup>th</sup>, 2023. Collected evidence reflects that Outdoor Odyssey requested an initial SAF allocation of \$4.00 and was scheduled for a hearing in front of the Appropriations Committee on October 15<sup>th</sup>, 2023. GJAC requested \$3.45 in SAF allocations and was scheduled for November 5<sup>th</sup>, 2023.

On November 30<sup>th</sup>, 2023, Resolution 39, titled Recommendation for the Student Activity Fee for 2024-2026 passed via a vote of 27-0-1<sup>24</sup>. This set the 2024-2026 Student Activity Fee at \$424.00.

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<sup>21</sup> Amending the Student Assembly Charter, 4, 2023-2024 S.A., Fall, (2023) (2023).  
<https://assembly.cornell.edu/resolutions/sa-r4-amending-student-assembly-charter>

<sup>22</sup> Amending the Student Assembly Charter, 9, 2023-2024 S.A., Fall, (2023) (2023).

<sup>23</sup> Amendments to the [Community Partnership Funding Board; International Students Union; Multicultural Greek and Fraternity Council; Slope Day Programming Board] governing documents, 11-15, 2023-2024 S.A., Fall, (2023) (2023)

<sup>24</sup> “Minutes of the November 30th, 2023 Meeting.” *Cornell University Student Assembly*.



# 1

On September 25<sup>th</sup>, 2023, evidence collected by the Office confirms Bridget Neely, one of Outdoor Odyssey’s Coordinators, contacted DeLorenzo over email to discuss the byline organization’s inaccurate representation in Sheet 14 of the final application. This was allegedly due, in part, to income from Outdoor Odyssey’s trip fees. In subsequent emails, DeLorenzo assured Neely that the aspect would be noted and that DeLorenzo would additionally inform members of the Appropriations Committee of the issue.

On October 15<sup>th</sup>, 2023, Outdoor Odyssey presented and spoke in front of the Appropriations Committee. Notes from the meeting collected by the Office suggest that members of the Appropriations Committee considered Outdoor Odyssey a *slush fund* culpable of pooling money and utilizing it to pay themselves and suggests that in addition to standardized questions, the group was asked how many more students they may have been able to fund in addition to \$10,298 the byline organization gave in financial assistance in 2023, if they “did [not] pay [themselves]”. The Office of Ethics was unable to confirm whether the question was posed to or answered by Outdoor Odyssey. Testimony received from multiple sources corroborates claims that DeLorenzo took a prominent role in speaking to the byline organization. Additional testimony heard by the Office alleges that early in the meeting, DeLorenzo mentioned Outdoor Odyssey’s violation of the "Prohibition on Compensation" clause of SAF regulations by paying their student coordinators and allegedly described the group’s actions as embezzlement and allegedly stated that such activity was worse than organizations using money from the SAF to haze students (referring to the group’s actions as the intentional evasion of Student Assembly charter provisions for self-benefit). Members of Outdoor Odyssey reported feeling disrespected by the alleged environment of the Appropriations Committee, which was described as unprofessional and *unnecessarily* accusatory, which is corroborated by testimony heard from numerous sources familiar with the appropriations process. Due to the nature of Appropriations Committee meetings and available notes, the Office of Ethics was unable to independently confirm the veracity of these claims in speech, however, language utilized in the Byline Report for Outdoor Odyssey written by DeLorenzo confirms the reference to alleged “embezzlement”<sup>[25]</sup>.

Additional testimony corroborated by evidence solicited during the investigation reflects that members of the Appropriations Committee and Outdoor Odyssey submitted concerns to Kuehl during an undated office hour hosted in Day Hall with a consensus being reached that Kuehl would attend a follow-up meeting between Outdoor Odyssey leadership and DeLorenzo. Due to the nature of the conversation, the Office of Ethics was unable to independently confirm the veracity of these claims, however, evidence reviewed by the Office confirming a meeting on October 23<sup>rd</sup>, 2023, at 8:00 PM, Kuehl, DeLorenzo, and Outdoor Odyssey leadership in

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<sup>25</sup> Regarding specifically the use of the terms “embezzlement”, “business”, and the general tone of the critique from DeLorenzo

attendance corroborates these claims. Evidence reviewed by the Office confirms that Lederman received notice of concerns from the meeting via text, though not in the form of an official report.

On October 17<sup>th</sup>, 2023 at 12:17 AM, DeLorenzo notified Outdoor Odyssey that the Appropriations Committee had voted 9-0-1 in favor of allocating \$2.00 of the 2024-2026 Student Activity Fee. Collected evidence confirms a series of communications between Outdoor Odyssey and Rocco, starting at 12:28 AM that day, beginning with an email in response to points mentioned in the Outdoor Odyssey Appropriations Hearing. Neely, on behalf of OO, contended that the organization (a) did violate the "Prohibition on Compensation" clause of SAF regulations but contextualized it to a lack of personal and organizational knowledge due to past Appropriations Committees not mentioning the rule, (b) would take swift action to resolve it, (c) though described as a "business" benefiting from SAFC byline funding, faced a significant income shortfall of \$25,465, attributed partly to post-COVID attendance declines and increased financial aid provision aimed at broadening accessibility to all Cornell students, and thus, needed clarification on why this loss didn't warrant increased funding when other non-profit byline-funded organizations received support despite reaching fewer individuals, prompting questions about whether Outdoor Odyssey's affiliation with COE implied an expectation of bailout, and (d) faced a deficit from costs that directly impacted students engaging in OO, such as food financial assistance, transportation outfitting gear, permits, fees, supplies, and bursar fees.

On October 17<sup>th</sup>, 2023, at 4:45 PM, DeLorenzo responded in an email reviewed by the Office. Here, it was stated the Appropriations Committee believed there to be too many unknown variables to justify an increase and thus voted to keep Outdoor Odyssey at its 2022-2024 allocation until more information could be reviewed. In a final email on the chain sent on October 17<sup>th</sup>, 2023 at 7:16 PM, DeLorenzo responded to a question from Neely on whether the organization should exercise its right to appeal. The email, collected and reviewed by the Office, mentioned that while DeLorenzo could not *direct* them on this decision, he would suggest not to appeal, as many unknowns existed at that point in time, new numbers submitted by Outdoor Odyssey changed the situation, and many voting members of the Assembly were somewhat "upset" about aspects of Outdoor Odyssey's record-keeping. On October 18<sup>th</sup>, 2023 at 10:54 PM, Neely sent an email declaring Outdoor Odyssey's intent to appeal to the Student Assembly. The appeal reemphasized points from their October 17<sup>th</sup> emails, pushed back against claims of "embezzlement" from DeLorenzo, and contextualized the organization's financial struggles due to COVID-19—resulting in a deficit.

On October 19<sup>th</sup>, 2023, the Outdoor Odyssey presentation was postponed through unanimous consent. On October 23<sup>rd</sup>, 2023, at 8:00 PM with Kuehl, DeLorenzo, and Outdoor Odyssey leadership met at Collegetown Bagels to discuss the organization's finances. Testimony obtained by the Office asserts that at the meeting, DeLorenzo was resistant to an additional allocation, but that upon speaking privately with Kuehl, DeLorenzo returned willing to informally support an allocation increase from \$2.00 to up to \$2.90 with a few stipulations. The Office of Ethics

was unable to confirm, due to the nature of the conversation, the veracity of these claims. However, the existence of this meeting is substantiated in the 2024-2026 SAF Byline Report, which cites the meeting attendees and core conclusions<sup>26</sup>. Emails from Outdoor Odyssey reviewed by the Office corroborate claims of the stipulated requirements being met as on November 1<sup>st</sup>, Outdoor Odyssey contacted DeLorenzo via email to discuss ideas the organization had created to serve the Cornell community at large, with an expressed intent to host two of them during the academic year.

On November 2<sup>nd</sup>, 2023, the Student Assembly discussed the Appropriations Committee's original \$2.00 allocation to Outdoor Odyssey. As confirmed in the Office's review of the meeting notes, DeLorenzo presented a report on Outdoor Odyssey, followed by Kuehl's commendation of the program's significant impact on students. Cassandra Jordan, Undesignated Representative at-Large, sought clarification on the recommended allocation, which DeLorenzo explained in detail, citing the timeline behind the rationale for a potential \$2.90 allocation. J.P. Swenson, Student Trustee, requested further insight into the rationale for the allocation increase. An Outdoor Odyssey representative clarified the decrease in the funding request from \$4.00 to \$3.30 due to various factors including inflation and increased programming costs. Balestrieri's motion to reject the Finance Committee's recommendation of \$2.00 failed to garner support. Rezaka raised concerns about funding decisions based on potential programming rather than past activities. DeLorenzo highlighted the different class years represented on the Outdoor Odyssey Executive Board. Rezaka noted feelings of bias given that in previous decisions, organizations were judged based on experience rather than future possibilities, prompting DeLorenzo to acknowledge this sentiment and note some concerns with the scheduling of existing programming as well as different avenues for sourcing revenue. Kuehl emphasized Outdoor Odyssey's student-funded nature for equal access, though DeLorenzo disagreed, noting broader funding purposes beyond financial aid assistance for students. Balestrieri argued against leaving Outdoor Odyssey's allocation unchanged due to inflation. Ultimately, the Appropriations Committee ruling was rejected, setting funding at \$2.90 by the assembly through unanimous consent.

## 2

Evidence obtained by the Office reflects that on July 1<sup>st</sup>, 2023 at 10:53 AM, DeLorenzo sent an email to current and former members of the Gender Justice Advocacy Coalition regarding their role in sending an email on November 8<sup>th</sup>, 2022 calling for the protest and disruption of Ann Coulter's November 9<sup>th</sup>, 2022 speech at the Cornell Law School. DeLorenzo raised concerns about the group's violation of the First Amendment and mentioned the possibility of referring the concerns to the Student Assembly Office of Ethics and the Office of Student Conduct and Community Standards<sup>27</sup>. A member of GJAC unaffiliated with their executive board sent a

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<sup>26</sup> "2024-2026 SAF Byline Report", *Appropriations Committee, Cornell University Student Assembly*.

<sup>27</sup> The S.A. Vice President of Finance is authorized to take such action in the Student Assembly Charter, Appendix B § 2(E).

response at 10:53 PM the same day urging GJAC members to ignore DeLorenzo's request due to the OSCCS having already investigated the incident, and insulting DeLorenzo. On July 2<sup>nd</sup>, 2023, in response to information shared by GJAC members, President Kuehl replied to DeLorenzo's email confirming the receipt of information of OSCCS 's prior inquiry into GJAC's November email. Kuehl issued a directive for members to not pursue the issue further.

Evidence obtained by the Office of Ethics suggests that DeLorenzo had a brief meeting with GJAC's advisor regarding their application for byline funding prior to submission. October 31<sup>st</sup>, 2023, served as the next interaction between DeLorenzo and a student member of GJAC, with evidence collected by the Office confirming that DeLorenzo requested a ZIP file of meeting minutes from Loren Weiner, the Fall 2023 President of GJAC. Weiner provided DeLorenzo with the documents at 9:16 AM on November 1<sup>st</sup>, 2023 with a request to keep membership information confidential.

On November 5<sup>th</sup>, 2023, members of the GJAC Executive Board presented and spoke in front of the Appropriations Committee. Testimony and evidence from multiple sources reviewed by the Office of Ethics reflect that the first appropriations hearing began with GJAC delivering their prepared presentation before being questioned by the Appropriations Committee. Upon completion, the GJAC representatives were questioned about the July 1<sup>st</sup>-July 2<sup>nd</sup>, 2023 email exchange and the organization's role in protesting Coulter's November 2022 event. DeLorenzo allegedly accessed the email exchanges and read the entirety of the email directed at him aloud to the Appropriations Committee and GJAC officers. Reports received by the Office claim that DeLorenzo was visibly and audibly upset and moved to scold the byline organization for its past involvement. According to reviewed testimony, GJAC's advisor expressed to DeLorenzo that the conversation was irrelevant to GJAC's funding, which prompted DeLorenzo to allegedly respond that GJAC had broken the University Code of Student Conduct and should no longer receive SAF funding, utilizing an analogy implying he could grant a byline a million dollars or zero. Some accounts indicate that after GJAC's advisor noted this, it was agreed upon to not make the Ann Coulter incident the topic of discussion or to include it in Appropriations Committee reporting related to GJAC. Due to the nature of Appropriations Committee meetings and available notes, the Office of Ethics was unable to independently confirm the veracity of these claims. However, Appropriations Committee notes from November 5<sup>th</sup>, 2023 reviewed by the Office confirm that the initial Ann Coulter email, the contents of a *Campus Reform* article<sup>28</sup> on GJAC's email, and the July 1<sup>st</sup> email exchange were discussed. Additionally, testimony from sources familiar with the proceedings confirms, in part, the general environment of the room during GJAC's presentation and DeLorenzo's frustration with the GJAC group. Evidence and testimony reviewed by the Office confirm that the uniform byline organization questions were asked to GJAC sometime during the meeting.

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<sup>28</sup> "BREAKING: Students to Protest Ann Coulter at Cornell University Tonight," November 9, 2022. <https://www.campusreform.org/article/breaking-students-protest-ann-coulter-cornell-university-tonight/20588>.

Appropriations Committee notes reflect that Kuehl was in attendance for the duration of the meeting and according to testimony reviewed by the Office, Kuehl allegedly approached members of GJAC after their presentation and hearing to apologize to the group. Testimony from multiple sources suggests that Kuehl was aware of concerns regarding DeLorenzo's treatment of GJAC. Other testimony alleges that tensions over GJAC led to an undated and unconfirmed conversation between Kuehl, DeLorenzo, and Lederman, where DeLorenzo was allegedly informed that his response to GJAC could warrant consequences for his Student Assembly standing. Due to the nature of these events, the Office of Ethics was unable to confirm or reject the veracity of these claims.

Following the Appropriations Hearing, reviewed evidence confirms that on November 7<sup>th</sup>, 2023 DeLorenzo emailed the Appropriations Committee's decision to decrease GJAC's budget from \$3.45 to \$3.35. According to an email sent by DeLorenzo on November 13<sup>th</sup>, 2023, the Appropriations Committee's reasoning for not providing GJAC full funding stemmed from various accounting issues and timing discrepancies related to their Free Menstrual Products initiative. Evidence reviewed by the Office confirmed that DeLorenzo stated during his analysis that it had been discovered that GJAC had co-mingled expenses across different accounts and provided multiple Excel workbooks containing conflicting data alongside concerns regarding the timing of expenses for the initiative, leading to uncertainty about GJAC's financial status. On November 8<sup>th</sup>, 2023 at 6:20 PM, Weiner responded to DeLorenzo, announcing GJAC's intent to appeal at the November 9<sup>th</sup> Student Assembly Meeting.

On November 8<sup>th</sup>, 2023 at 9:45 PM, reviewed evidence supports that Weiner sent DeLorenzo transaction history from the 2022-2023 academic year from CampusGroups and identified a discrepancy in Item #7 on the Final Application where their transaction history and advertising conflicted. In response, on November 9<sup>th</sup>, 2023 at 5:42 AM, DeLorenzo responded with an analysis of GJAC's financials based on information found in their meeting minutes. Weiner responded in an email sent at 2:35 PM that same day with GJAC's updated budget backdowns for the 2022-2024 cycle. At 4:46 PM, the Student Assembly convened for its November 9<sup>th</sup>, 2023 meeting<sup>29</sup>. There, the record reflects that GJAC's appeal was discussed extensively. DeLorenzo presented findings from the review of GJAC's financials, citing concerns about the co-mingling of expenses and discrepancies in the provided data. Weiner, representing GJAC, responded with transaction history from the previous academic year and highlighted discrepancies in the Final Application. Following further discussion, motions were made to reconsider the Appropriations Committee's decision and to reject their recommendation. The Assembly debated the issues raised, including concerns about oversight and the allocation process. Ultimately, a decision was reached to reject the Committee's recommendation and to further review GJAC's funding request. Following the meeting, collected evidence reflects that Weiner contacted DeLorenzo at 9:02 PM the same day calling for a meeting to review all of GJAC's numbers together to end debate on whether Weiner's spreadsheets or DeLorenzo's projections accurately presented

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<sup>29</sup> "Minutes of the November 9th, 2023 Meeting." *Cornell University Student Assembly*.

GJAC's financial data. DeLorenzo responded at 11:24 PM the same day to request the credit column of the document, having allegedly received spreadsheets for the 2021-2022 and 2022-2023 academic years, with the latter having the credit column deleted.

Evidence and testimony heard by the Office of Ethics confirms that earlier on November 9<sup>th</sup>, 2023 at 8:48 PM, DeLorenzo created a group chat with Weiner, McKenna Norton, Vice President of GJAC, and Kuehl to instruct the GJAC leadership to address online comments being made about DeLorenzo on Cornell's Sidechat. Per DeLorenzo's request, evidence reflects that GJAC published a statement on their Instagram account encouraging people to refrain from making personal attacks. The Office of Ethics was unable to determine the time of the Instagram post.

On November 11<sup>th</sup>, 2023, at 5:24 PM, DeLorenzo responded to Weiner's call for a meeting via text messages as reflected in evidence obtained by the Office. The meeting was scheduled for 10:00 PM. Testimony heard by the Office suggests that DeLorenzo and Weiner discussed finance projections prepared by DeLorenzo that halved the amount of money GJAC's E-Board projected to spend on its Kimberlé Crenshaw speaker fee. Testimony supports that DeLorenzo presented this figure as part of a comparison of hypothetical budgets. When confronted by Weiner, DeLorenzo allegedly responded that he believed there were ways for GJAC to cut costs and additionally suggested that GJAC was only spending money on events<sup>30</sup> to utilize all its rollover funds before the end of the next byline cycle. Additionally, DeLorenzo allegedly refused to acknowledge Weiner's claims that GJAC's advisor had confirmed that GJAC would be charged for menstrual products in the 2023-2024 academic year. Due to the nature of the meeting, the Office of Ethics was unable to confirm the contents independently. However, information shared in an email from DeLorenzo to Weiner dated November 11<sup>th</sup>, 2023 at 9:00 PM corroborates these claims.

On the morning of November 12<sup>th</sup>, 2023, GJAC presented to the Appropriations Committee for a second time. On November 14<sup>th</sup>, 2023, at 11:20 AM, DeLorenzo emailed GJAC's executive board to inform them of the Appropriations Committee's decision to add \$0.10 to the original allocation, restoring the originally requested amount. On November 15<sup>th</sup>, 2023, at 8:25 PM, Weiner responded by accepting the committee's new appropriation and pledged to take action on stipulations. At the November 16<sup>th</sup> Student Assembly meeting, the new appropriation was accepted by unanimous consent<sup>31</sup>.

### 3

The following paragraphs outline ethical concerns leveled against DeLorenzo by members of GJAC and the Appropriations Committee respectively. Due to the nature of the medium in

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<sup>30</sup> This specifically refers to GJAC's projected expenditures on the Gender Equity Center's 50<sup>th</sup> Anniversary.

<sup>31</sup> "Minutes of the November 16th, 2023 Meeting." *Cornell University Student Assembly*

which many of these interactions transpired, the Office of Ethics could not definitively confirm or dispel these claims.

On November 8th, 2023, after receiving the GJAC email requesting an appeal, DeLorenzo allegedly contacted members of GJAC on the phone to discuss the appropriations process and emphasize the need for a justification for appealing. DeLorenzo allegedly accused the GJAC members of spreading misinformation related to the reason for their decrease in Funding, specifically claiming that it was because the Assembly did not support Trans Tape. GJAC members reported denying this alleged accusation. Testimony heard by the Office suggests that DeLorenzo dropped the issue when he was told that the accusation was untrue. Due to the nature of the medium, the Office of Ethics was unable to confirm the veracity of these claims.

After the Student Assembly meeting on November 9th, a member of GJAC reportedly had a conversation with DeLorenzo in person to apologize for the heated nature of the meeting and requested that they review the financials together. DeLorenzo allegedly told the GJAC member that they needed to control the crowd they had brought with them. The GJAC member stated having felt disappointed with the lack of professionalism allegedly displayed by DeLorenzo towards GJAC and at the meeting.

When DeLorenzo and GJAC met to review financials, GJAC members reported feeling blindsided by the funding numbers provided by DeLorenzo, alleging that DeLorenzo had arbitrarily decided on some of their projected allocations based on his personal feelings and not on what GJAC had budgeted for the event in question. For example, GJAC members alleged that DeLorenzo halved the amount that was projected for Kimberlé Crenshaw's speaker fee, despite there not being a concrete rule restricting how much could be spent on a single event. In response to the expressed frustration from GJAC members, DeLorenzo allegedly insinuated that GJAC was only spending money to use up their rollover balance before the next byline cycle. DeLorenzo also allegedly refused to edit his financial projection to reflect GJAC being charged for menstrual products in the 2023-2024 academic year.

Additionally, ethical complaints have been filed concerning the leadership of DeLorenzo during his tenure as Chairman of the Appropriations Committee. Testimony heard by the Office of Ethics alleged a pattern of inappropriate conduct, including belittling or offensive comments toward female presenters regarding their financial management. Some accounts also alleged instances of aggressive lecturing towards specific groups, such as GJAC. In testimony heard by the Office, concerns were also raised regarding the alleged abuse of proxy voting privileges, with allegations of DeLorenzo holding a sizable number of proxy votes, as many as 5 at a time, and stacking meetings with associates to sway decisions. Other accounts suggest that when DeLorenzo would hold a large number of votes, he would wait for the rest of the committee to vote prior to voting to avoid swinging a given vote. Additionally, reports allege disrespectful behavior, such as interrupting presenters.

## B

Throughout the 2022-2023 term of the Student Assembly, At the February 9th, 2023 Student Assembly meeting, then-Director of Elections Isaac Chasen announced his resignation from the Director of Elections position at the completion of the ongoing Special Election. Chasen endorsed Rahul Verma to take over the role as his successor by virtue of his involvement with Cornell Votes. At the following week's meeting on February 16th, 2023, Verma nominated himself for the position of Director of Elections and was subsequently appointed to the position. Verma became informally acquainted with Kuehl, then an Undesignated Representative-at-Large, upon his ascension to the role of Director of Elections position. Verma and Kuehl became more formally acquainted when Kuehl was instated as President on May 18th, 2023, after which the two maintained a cordial working relationship. Verma reported becoming acquainted with Lederman earlier in the process, due to the latter's role as a clerk for the Office of Assemblies.

In preparation for the Fall 2023 elections, the Elections Committee was staffed by Verma. Testimony heard by the Office of Ethics confirmed that Verma reported no formal requirements in the staffing process, aside from the stipulation that those appointed should not be members running in the elections. Seniors from the Student Assembly and Cornell Votes members were solicited to staff the Elections Committee, and the Executive Committee was also allowed to attend Elections Committee meetings.

At the September 14th, 2023 meeting of the Student Assembly, Verma outlined changes to election rules for the upcoming election year proposed in Resolution 19, titled "Election Rules". These changes included the return of petitions to paper form and changes to social media policies, conduct policies, and allocations to campaign finances. At this meeting, Kuehl noted his lack of favor for the petition process, stating that they reduce engagement and are anti-democratic. Kuehl further shared his belief that a better way of improving engagement in elections would be to have competitive races through the campaigning of fellow peers that would open through the lack of a petition barrier. Lederman, among others, voiced his agreement with Kuehl's belief that the petition process served as a barrier to entry to join the Assembly. By the end of the meeting, Resolution 19 passed, requiring the return of petitions to paper form. Testimony heard by the Office of Ethics suggests that Kuehl and Verma subsequently engaged in a text conversation where they set up a meeting about petitioning and briefly discussed the merits of petitioning as a part of the process. The Office of Ethics could not verify the existence of such a conversation or whether this meeting actually took place. However, testimony from multiple sources corroborates this account.

According to testimony heard by the Office, as of the September 28th, 2023 Student Assembly meeting, no submissions had been received for the open College of Human Ecology seat or the College of Art, Architecture, and Planning seat. The petition submission period was extended to encourage applications for these seats. However, by mid-October, the College of Human



Ecology seat had yet to receive any applications. Testimony reflects that Verma wanted the seat to be filled by a student in the College of Human Ecology, seeing his responsibility as the Director of Elections as finding candidates and ensuring transparency during the process of filling this seat. To this end, Verma drafted Resolution 29, titled Increasing Engagement for the Human Ecology and Arts and Sciences Representative Seat, which aimed to further extend the petitioning period to allow for the Human Ecology seat to be filled. When the resolution was presented to the Elections Committee and Executive Committee, testimony suggests that Kuehl voiced his opposition, citing concerns that the elections calendar needed to be shortened. Evidence obtained by the Office of Ethics corroborates this account. Testimony was heard suggesting that up until this point, Lederman had not expressed interest in running for election, and further, that some believed that this pushback was spurred by Lederman's busy schedule during his run for Ithaca Common Council, during which the petitioning process would have been difficult. The Office of Ethics could not independently verify these claims. However, evidence and testimony solicited by the Office confirm that Lederman did not have an interest nor intent to run in the Fall 2023 elections. Two votes to add Resolution 29 to the floor during the October 5<sup>th</sup> Student Assembly meeting failed, and it was therefore never formally brought in front of the Assembly.

Voting in the Fall 2023 election ended on October 11th, 2023, at which point the Human Ecology seat still remained vacant. By Article 4, § 6 of the Student Assembly Charter, it was decided that the seat would be converted to an Undesignated Representative seat and filled through appointment by President Kuehl with approval from the Assembly. At the October 16<sup>th</sup> meeting of the Executive Committee, Lederman was proposed as a candidate to fill the empty seat, by virtue of his effective performance as VP of Internal Operations. Lederman was officially appointed to the Undesignated Representative-at-Large position during the October 19th, 2023 meeting of the Student Assembly.

During the December 2023-January 2024 winter break, testimony reflects that Kuehl and Verma discussed setting up a timeline for the ending of Verma's term and the appointment of his successor. Verma's goal was to create a proper transition document for the Director of Elections to help with knowledge transfer, and indicated to the Executive Committee that some of this document would be ready by the first couple weeks of the Spring 2024 semester. According to evidence collected through the investigation, Kuehl sent an email to members of the Assembly on January 19th, 2024, stating that a new Director of Elections would be elected by the Assembly. Testimony suggests that this announcement was the only notice Verma received of his term officially ending. The Office of Ethics was unable to either confirm or dispel this claim through evidence.

At the January 22<sup>nd</sup> meeting of the Executive Committee, testimony heard by the Office alleges that disagreement arose between Verma and Lederman, who had differing views on how the transition process for the Director of Elections position should proceed. Testimony contends that Verma faced pushback from Lederman that the process would happen during Executive

Session and that Verma would not be in the room. This would represent a different process than when Verma himself was being confirmed, limiting his ability to participate in the selection of his successor and the training they would receive.

At the January 25th, 2024 meeting of the Student Assembly, the record reflects Sabine Paz Le-Draoulec and Luke Thomas were proposed as candidates for the Director of Elections position, with the former having been introduced and presented by Verma prior to the transition to Executive Session, and the latter being suggested by another representative. Testimony suggests that the questions asked during Executive Session were more probing than in past appointments for the position, with certain questions alleged to be dismissive of Paz Le-Draoulec. By the end of the Executive Session, Thomas had been elected as the new Director of Elections. Verma reported that he has not spoken with Thomas till date.

As Director of Elections, Thomas had the responsibility of setting the rules for the upcoming Student Assembly election. During the rewriting process, testimony and evidence collected by the Office of Ethics suggests that the opinions of members of the Executive Committee and the rest of the Student Assembly were solicited. In particular, testimony suggests that Lederman provided example language for the rules, which was then worked through by the Elections Committee.

On February 29th, 2024, Resolution 59, titled “Updating the Election Rules for Spring 2024” was discussed on the floor of the Assembly. In this resolution, substantial changes were made to the Election Rules compared to previous years, including the removal of petitioning and the implementation instead of a tabling requirement. Thomas stated that this decision was to encourage student engagement and increase the pool of candidates. Lederman voiced support for the removal of petitioning as a step in the right direction, and Kuehl stated his support for mandatory tabling. After further discussion on the merits of tabling versus petitions, with other members of the Assembly asking clarifying questions and providing commentary, the resolution passed by unanimous consent.

## V

### *Identification of Ethical Violations from § IV Facts and Allegations*

## A

All facts examined in § III were gathered to determine whether actions committed by Kuehl, DeLorenzo, or Lederman violated Part V, § A(a)(ii) of the Code of Ethics, which outlines “abuse of the SA brand by members, staff, and other parties to acquire additional benefits or privileges” as a violation of Student Assembly Ethics. In a vote of (2-1-2), the Office opted to apply § A(a)(iii), which reads “unethical behaviors or practices in the Cornell community” to IV and VI’s review due to the involvement of community members in those facts and allegations. Before analyzing how facts fit into question stems, the Office of Ethics first opted to define Part

V, § A(a)(ii), which has remained undefined since its inclusion in Student Assembly documents dating back to 2017. Here, the Office of Ethics interpreted this violation, in this investigation, to be the improper or unauthorized use of Student Assembly name, reputation, resources, or channels for personal gain or advantage within the bounds of the Student Assembly to obtain special treatment, access to resources and opportunities, or favorable treatment.

For an ethical violation to be sustained, an investigatory question stem must be first supported by (a) at least a preponderance of the evidence and (b) in violation of Part V, § A(a)(ii) of the Code of Ethics. If supported by this standard of proof, recommendations related to preventative steps. For immediate action to be recommended against an individual, a question stem must be found to (a) be supported by clear and convincing evidence, and (b) in violation of Part V, § A(a)(ii) of the Code of Ethics. Where a violation of Part V, § A(a)(ii) was not found, a standard of proof was not provided. In instances where the Office voted to still produce a general ethics opinion, recommendations may still be proposed.

#### Figure 1: Ethical Violation Process, Condensed

Validity of Event Confirmed by Vote (Affirmative/Negative) → Assessment of a Potential Ethics Violation (No Violation Found/Violation of Part V, § A(a)(ii)) → Assessment of Level of Support by Vote (Preponderance/Clear-Convincing)

## B

The facts and allegations examined in § IV were gathered to answer the following investigatory questions:

1. Did DeLorenzo, as Chair of the Appropriations Committee, act in a manner that led to an uncomfortable working environment for committee members and byline organizations?
2. Did DeLorenzo use his position as Vice President of Finance to unfairly influence the budgeting of the Student Activity Fee and other organizations?
3. Did Kuehl and Lederman fail to appropriately address behaviors, actions, and concerns/reports from Appropriations Committee members and byline organizations?
4. Did Kuehl use his position as President of the Student Assembly to:
  - a. Influence the appointment process for Student Assembly seats in a manner that resulted in the dissolution of the Human Ecology seat in 2023-2024 term?
  - b. Interfere with the selection of the Director of Elections?
  - c. Act impartially during Student Assembly meetings?
  - d. Engage in activities impacting voting on pro-Palestinian resolutions in the Diversity, Equity, and Inclusion Committee?

5. Did Lederman use his position as Vice President of Internal Operations of the Student Assembly to:
  - a. Influence the selection process for the Director of Elections?
  - b. Pressure the Director of Elections regarding changes for the Spring 2023 and Fall 2023 elections?
  - c. Influence the drafting of the current Spring 2024 Election Rules?
  - d. Engage in activities impacting voting on pro-Palestinian resolutions in the Diversity, Equity, and Inclusion Committee?

The Office of Ethics, upon deliberation, moved to reject Question 4(c) due to lack of jurisdiction. The Office of Ethics moved to reject Questions 4(d) and 5(d) by unanimous consent due to lack of evidence.

**Question 1:** *Did DeLorenzo, as Chair of the Appropriations Committee, act in a manner that led to an uncomfortable working environment for committee members and byline organizations?*

**Office of Ethics Determination:** Affirmative for DeLorenzo, Violation of Part V, § A(a)(iii), Clear and Convincing Standard of Evidence Met

In evaluating the issues posed in Question 1, the Office of Ethics conducted a holistic review of evidence and testimony to reach a conclusion. For the Office to answer affirmatively that DeLorenzo, as Chair of the Appropriations Committee, acted in a manner that led to an uncomfortable working environment for committee members and byline organizations, the evidence must support that (a) members of the Appropriations Committee and byline organizations felt that the environment was uncomfortable and (b) this resulted from actions carried out by DeLorenzo. Evidence reviewed by the Office of Ethics found DeLorenzo to have satisfied these criteria (3-0-2). Testimony and evidence reflected in the record indicate that both members of the Appropriations Committee and members of byline organizations, including GJAC, felt uncomfortable during Appropriations Committee meetings, due at least in part to DeLorenzo's alleged belittling comments toward female presenters and occasionally aggressive demeanor. While some accounts suggest that the frustrations expressed by DeLorenzo in Appropriations Committee meetings resulted from a lack of clear financial reporting from some groups, this does not negate the testimony of multiple sources corroborating that DeLorenzo ultimately acted in ways that tangibly led to an uncomfortable working environment for certain members of the Appropriations Committee and presenting byline organizations. Here, the Office of Ethics found a fulfillment of criteria to constitute a violation of Part V, § A(a)(iii) of the Code of Ethics by a clear and convincing standard.

**Question 2:** *Did DeLorenzo use his position as Vice President of Finance to unfairly influence the budgeting of the Student Activity Fee and other organizations?*

**Office of Ethics Determination:** Affirmative for DeLorenzo, No Ethical Violation Found

In evaluating the issue posed in Question 2, the Office of Ethics broke the question down into constituent parts. For the Office to answer in the affirmative, the evidence must prove that DeLorenzo (a) harbored evident biases and reservations regarding byline organizations and the funding they should receive and (b) acted upon these biases to increase or decrease the funding of organizations in tangible ways. Evidence reviewed by the Office of Ethics found DeLorenzo to not have satisfied these criteria (0-3-2). While testimony and evidence reflected in the record may have been sufficient to satisfy criterion (a), the Office of Ethics was unable to verify whether criterion (b) had occurred. The Office of Ethics reviewed individual byline reports and supplemental documents created by the Appropriations Committee. Upon review of this evidence, it did not appear that any one organization's funding was actually impacted by DeLorenzo's personal biases; the financial analysis utilized to make recommendations on funding appears to have been uniformly applied across all organizations.

**Question 3:** *Did Kuehl and Lederman fail to appropriately address behaviors, actions, and concerns/reports from Appropriations Committee members and byline organizations?*

**Office of Ethics Determination:** Affirmative for Lederman and Kuehl, No Ethical Violation Found

In evaluating the issue posed in Question 3, the Office broke the question into constituent parts. For the Office to answer in the affirmative, the evidence must prove that Kuehl or Lederman (a) actively identified and analyzed concerns and reports and (b) did not share concerns through the appropriate channels available to them. Through careful review of evidence and testimony, the Office of Ethics found that both individuals satisfied these criteria (2-1-2). During the course of the investigation, the Office received evidence that confirmed that Kuehl and Lederman were made aware of and engaged with reports from Outdoor Odyssey and GJAC on their interactions with DeLorenzo. Further, testimony supports that Patrick was approached and evidence corroborates that Lederman was contacted through text by a member of the Appropriations Committee concerning similar allegations leveled against DeLorenzo. While Kuehl, Lederman, and DeLorenzo allegedly had a conversation with DeLorenzo on the topic of his interaction with GJAC, this was not dealt with transparently (by referral to the Office of Ethics) or shared in a forthcoming manner. Therefore, the Office of Ethics determined that Kuehl and Lederman did not share concerns through the appropriate channels available to them. Here, the Office of Ethics found a fulfillment of the criteria, but that the conduct did not fit into the definitions of Part V, § A(a)(ii) of the Code of Ethics (3-0-2). The Office of Ethics will still consider this in its preventative recommendations.

In consideration of Questions 4 and 5, the Office of Ethics solely evaluated the relevant timeline of events. The Office of Ethics moved to reject Question 4(c) due to lack of

jurisdiction. The Office of Ethics moved to reject Questions 4(d) and 5(d) by unanimous consent due to lack of evidence.

In review of Questions 4 and 5, the Office of Ethics voted the following:

**Question 4a:** *Did Kuehl use his position as President of the Student Assembly to influence the appointment process for Student Assembly seats in a manner that resulted in the dissolution of the Human Ecology seat in the 2023-2024 term?*

**Office of Ethics Determination:** Affirmative for Kuehl, Violation of Part V, § A(a)(iii), Preponderance of the Evidence Standard Met

*Violation of Part V, § A(a)(ii) due to Office weighing of over 50% validity of testimony purporting Lederman's retention on the Executive Committee as a special interest*

**Question 4b:** *Did Kuehl use his position as President of the Student Assembly to interfere with the selection process of the Director of Elections?*

**Office of Ethics Determination:** Affirmative for Kuehl, No Ethical Violation Found

**Question 5a:** *Did Lederman use his position as Vice President of Internal Operations of the Student Assembly to interfere with the selection process of the Director of Elections?*

**Office of Ethics Determination:** Affirmative for Lederman, No Ethical Violation Found

**Question 5b:** *Did Lederman use his position as Vice President of Internal Operations of the Student Assembly to pressure the Director of Elections regarding changes for the Spring 2023 and Fall 2023 elections?*

**Office of Ethics Determination:** Affirmative for Lederman, No Ethical Violation Found

**Question 5c:** *Did Lederman use his position as Vice President of Internal Operations of the Student Assembly influence the drafting of the current Spring 2024 election rules ?*

**Office of Ethics Determination:** Affirmative for Lederman, No Ethical Violation Found

## VI

### *A Review of Facts and Allegations Concerning Ting from December 2022 to May 2023*

Current Executive Vice President Claire Ting was first elected to the Student Assembly as School of Industrial and Labor Relations Representative during the Fall 2022 special election. Ting was sworn in for the ILR Representative position on September 8th, 2022. On December 1<sup>st</sup>, 2022, during discussions surrounding Resolution 16, titled Condemning Greek Life, Ting spoke up in favor of the resolution. Between December 2022 and April 2023, Ting was approached by Bhardwaj to encourage Ting to run for the Executive Vice President position for the 2023-2024 academic year. The Office of Ethics was unable to confirm the exact time that this conversation took place. On April 24th, 2023, candidates for the Presidential and Executive Vice Presidential races received the first correspondence from the Cornell Democrats to

participate in interviews for the Cornell Democrats endorsement. The official endorsements were shared on the Cornell Democrats Instagram account on April 29th, 2023, in which both Ting and DeLorenzo received the EVP endorsement. In the early afternoon of May 9th, 2023, Ting received a text message from then-President Valeria Valencia indicating that she had won the EVP race.

At 1:49 PM on May 9th, 2023, Da Silveira sent an email to all winners that a reorganizational meeting would be hosted at 5:00 PM the same day to elect the 2023-2024 Student Assembly's Executive Committee and swear in new representatives. Prior to this meeting, Ting learned about the allegations leveled against Da Silveira at the "pre" reorganizational meeting including all winning Cornell Dems-endorsed candidates and two non-Dems affiliated winners organized by Lederman and DeLorenzo. As the reorganizational meeting approached, testimony from multiple sources reflects that representatives were asked to disperse across the room and ensure they were on mute to minimize feedback. Most representatives stayed in one room while Ting, Ononye, and Platkin moved to a second room. During the reorganizational meeting, the Assembly entered executive session and Lederman instructed Ting, acting as Chair, on how to proceed with handling of Da Silveira's removal. Testimony from multiple sources corroborates that Ting recommended that DeLorenzo present the motion to remove Da Silveira from the presidency. Testimony from other sources indicates that Ting was first asked by Lederman to present the motion, but redirected the ask to DeLorenzo as he had prior knowledge of the allegations. The Office of Ethics could not independently verify or dispel either of these claims. Further, testimony from those familiar with the deliberations alleged that Ting conducted brief research on the rules of the bylaws, with the alleged intent of assessing whether she would benefit from Da Silveira's removal. Due to the nature of the allegation, particularly surrounding Ting's intent, The Office of Ethics could not independently verify these claims. From May 9<sup>th</sup> to May 18<sup>th</sup>, 2023, evidence confirms that Ting remained active in the "SA Reorg" group chat on matters related to Presidential Succession and resolutions, as well as the aftermath of the reorganizational meeting. Evidence obtained by the Office corroborates that Ting's activity in the group chat was related to unrelated Student Assembly matters, such as Starbucks Off Our Campus.

Between May 9<sup>th</sup> and May 18<sup>th</sup>, 2023, the "S.A. Presidential Succession Crisis" occurred. Information on this is recalled in the Office of Ethics' Proposal for Resolving Governing Document Conflict and Establishing a Consistent Method for Presidential Succession in the Student Assembly. The Office of Ethics was able to confirm that by 11:43 PM on May 13th, 2023, Ting had engaged in a phone conversation with Bhardwaj. While testimony collected by the Office suggests the subject matter of the phone call was concerning Ting's potential claim to the Presidency, specifics on what was discussed could not be ascertained by the Office. Some accounts allege that Ting implied that Bhardwaj, who lost the Presidential race but was able to take an Undesignated Representative-at-Large seat, would receive a spot on the Executive Committee if she supported Ting's presidential claim. Other testimony suggests that no such

offer was made. Due to the nature of the medium and the competing accounts, the Office of Ethics could neither confirm nor dispel these claims.

Evidence procured by the Office of Ethics confirms that between March 1<sup>st</sup> and March 20<sup>th</sup>, 2024, the Dispatch reached out to members of the Student Assembly for comment on a story that would become the March 22<sup>nd</sup>, 2024, article. Evidence collected by the Office confirms that the screenshots of Executive Committee text channels received by the Dispatch were in part attributable to Ting.

The overall task of the Office of Ethics' investigation was to determine whether actions committed by Kuehl, Ting, DeLorenzo, or Lederman violated Part V, § A(a)(ii) of the Code of Ethics, which outlines "abuse of the SA brand by members, staff, and other parties to acquire additional benefits or privileges". In a vote of 5-0-1, the Office opted to remove § A(a)(iii), reading "unethical behaviors or practices in the Cornell community" due to overlap. Before analyzing how facts fit into question stems, the Office of Ethics first opted to define this term, which has remained undefined since its inclusion in Student Assembly documents dating back to 2017<sup>32</sup>. Here, the Office of Ethics interpreted this violation, in this investigation, to be the improper or unauthorized use of Student Assembly name, reputation, resources, or channels<sup>33</sup> for personal gain or advantage within the bounds of the Student Assembly to obtain special treatment, access to resources and opportunities, or favorable treatment.

## VII

### *Identification of Ethical Violations from § VI Facts and Allegations*

#### A

All facts examined in § III were gathered to determine whether actions committed by Ting violated Part V, § A(a)(ii) of the Code of Ethics, which outlines "abuse of the SA brand by members, staff, and other parties to acquire additional benefits or privileges" as a violation of Student Assembly Ethics. In a vote of (2-1-2), the Office opted to apply § A(a)(iii), which reads "unethical behaviors or practices in the Cornell community" to IV and VI's review due to the involvement of community members in those facts and allegations. Before analyzing how facts fit into question stems, the Office of Ethics first opted to define Part V, § A(a)(ii), which has remained undefined since its inclusion in Student Assembly documents dating back to 2017. Here, the Office of Ethics interpreted this violation, in this investigation, to be the improper or unauthorized use of Student Assembly name, reputation, resources, or channels for personal

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<sup>32</sup> Standing Rules. *Cornell University Student Assembly*. (2017)

<sup>33</sup> Channels is meant to refer to the components of the Student Assembly as an entity, including, but not limited to, the Assembly as a voting membership, the Executive Committee, all other committees, external offices and other apparatuses.



gain or advantage within the bounds of the Student Assembly to obtain special treatment, access to resources and opportunities, or favorable treatment.

For an ethical violation to be sustained, an investigatory question stem must be first supported by (a) at least a preponderance of the evidence and (b) in violation of Part V, § A(a)(ii) of the Code of Ethics. If supported by this standard of proof, recommendations related to preventative steps. For immediate action to be recommended against an individual, a question stem must be found to (a) be supported by clear and convincing evidence, and (b) in violation of Part V, § A(a)(ii) of the Code of Ethics. Where a violation of Part V, § A(a)(ii) was not found, a standard of proof was not provided. In instances where the Office voted to still produce a general ethics opinion, recommendations may still be proposed.

#### Figure 1: Ethical Violation Process, Condensed

Validity of Event Confirmed by Vote (Affirmative/Negative) → Assessment of a Potential Ethics Violation (No Violation Found/Violation of Part V, § A(a)(ii)) → Assessment of Level of Support by Vote (Preponderance/Clear-Convincing)

## B

The facts and allegations examined in § VI were gathered to answer the following investigatory questions:

1. Did Ting seek assistance from Assembly members to support her presidential candidacy in exchange for political favors?
2. Did Ting collude with Cornell Democrats-endorsed candidates to strategically address concerns about Da Silveira for political gains?
3. Did Ting disclose information from Student Assembly communications to The Cornell Daily Sun and/or the Cornell Dispatch/The Word for personal or political purposes?

For Question 3, the Office of Ethics found the premise of the question to be under the purview of the Student Assembly Elections Committee.

**Question 1:** *Did Ting seek assistance from Assembly members to support her presidential candidacy in exchange for political favors?*

**Office of Ethics Determination:** Negative for Ting, No Ethical Violation Found

In consideration of Question 1, the Office of Ethics conducted a holistic review of evidence and testimony to reach a conclusion. For the Office to answer in the affirmative, the evidence must prove that Ting sought assistance from Assembly members to support her presidential candidacy in exchange for political favors. The Office of Ethics found Ting to not have satisfied this criterion (1-2-2). Testimony corroborates that Ting and Bhardwaj engaged in a phone

conversation on May 13th, 2023 on the subject of Ting's potential claim to the Presidency. Due to the nature of the medium, neither Ting's nor Bhardwaj's account of what exactly transpired during this phone conversation can be confirmed definitively. Though evidence submitted confirmed in part that a conversation had happened, the core of the allegations could still not be confirmed.

**Question 2:** Did Ting collude with Cornell Democrats-endorsed candidates to strategically address concerns about Da Silveira for political gains?

**Office of Ethics Determination:** Abstain for Ting, No Ethical Violation Found

In evaluating Question 2, the Office of Ethics found that, while Ting was present at the May 9<sup>th</sup> pre-reorganizational meeting, along with other Cornell Democrats-endorsed candidates, whether or not she strategically addressed concerns about Da Silveira for her own political gain cannot be ascertained. The only evidence supporting this claim is speculative; neither the claim itself nor Ting's denial of the claim can be definitively confirmed or refuted. Due to the inability to determine whether Ting leveraged concerns about Da Silveira for her own political gain, the Office of Ethics abstained from voting on the issue (0-0-5).

In consideration of Question 3, the Office of Ethics found that, while evidence confirmed that Ting had sent screenshots to the Dispatch, Ting's intent in doing so could not feasibly be verified. Due to the inability to determine whether Ting disclosed information for personal or political reasons, as well as the Office's belief that this concern would fall under the purview of the Elections Committee, the Office of Ethics abstained from voting on the issue (0-0-5).

## VII

### *Executive Summary of Ethical Violations and Recommendations*

The Office of Ethics reached the following conclusions regarding questions of fact and questions of ethics respectively:

#### **2022-2023 Student Assembly Term – Beginning of 2023-2024 Term (May)**

Did DeLorenzo, Kuehl, and/or Lederman coordinate with Da Silveira, and/or one another, during the Spring 2023 election for the purposes of protecting Greek life?

**Office of Ethics Determination:** Affirmative for DeLorenzo and Lederman, No Ethical Violation Found

Did DeLorenzo, Kuehl, and/or Lederman coordinate with Da Silveira, and/or one another, during the Spring 2023 election for the purposes of blocking specific candidates or influence on the Student Assembly?

**Office of Ethics Determination:** Affirmative for DeLorenzo, Kuehl, and Lederman; No Ethical Violation Found

Did DeLorenzo, Kuehl, and/or Lederman coordinate with Da Silveira, and/or one another, during the Spring 2023 election for the purposes of lifting slating bans in the Spring 2023 election to benefit electoral ambitions?

**Office of Ethics Determination:** Affirmative for Lederman; Violation of Part V, § A(a)(ii) of the Code of Ethics; Clear and Convincing Standard of Evidence Met

Did DeLorenzo, Kuehl, and/or Lederman coordinate with Da Silveira, and/or one another, during the Spring 2023 election for the purposes of soliciting and/or compiling candidates to run together in a slate or loosely associated group?

**Office of Ethics Determination:** Affirmative for DeLorenzo; No Ethical Violation Found

Did DeLorenzo, Kuehl, and/or Lederman possess awareness of Da Silveira's Title IX proceedings or related allegations before the conclusion of the Spring 2023 election?

**Office of Ethics Determination:** Affirmative for DeLorenzo; No Ethical Violation Found, Ethical Opinion Provided

Did DeLorenzo, Kuehl, and/or Lederman actively mobilize Cornell Democrats-endorsed candidates to form a coalition to address concerns about Da Silveira before the May 9<sup>th</sup> Student Assembly alongside other planning items?

**Office of Ethics Determination:** Affirmative for Lederman and DeLorenzo; Violation of Part V, § A(a)(ii) of the Code of Ethics; Clear and Convincing Standard of Evidence Met

Did Lederman utilize unofficial channels, before official voting membership in the Assembly, to (a) influence representative opinions, actions, and amendments on resolutions presented in the Student Assembly; and (b) assemble and influence members of the Student Assembly during executive session during the May 9<sup>th</sup> re-organizational meeting?

**Office of Ethics Determination:** Violation of Part V, § A(a)(ii) of the Code of Ethics; Clear and Convincing Standard of Evidence Met

Did Ting collude with Cornell Democrats-endorsed candidates to strategically address concerns about Da Silveira for political gains?

**Office of Ethics Determination:** Abstain for Ting, No Ethical Violation Found

### **2023-2024 Student Assembly Term**

Did DeLorenzo, as Chair of the Appropriations Committee, act in a manner that led to an uncomfortable working environment for committee members and byline organizations?

**Office of Ethics Determination:** Affirmative for DeLorenzo, Violation of Part V, § A(a)(iii), Clear and Convincing Standard of Evidence Met

Did DeLorenzo use his position as Vice President of Finance to unfairly influence the budgeting of the Student Activity Fee and other organizations?

**Office of Ethics Determination:** Affirmative for DeLorenzo, No Ethical Violation Found

Did Kuehl and Lederman fail to appropriately address behaviors, actions, and concerns/reports from Appropriations Committee members and byline organizations?

**Office of Ethics Determination:** Affirmative for Lederman and Kuehl, No Ethical Violation Found

Did Kuehl use his position as President of the Student Assembly to influence the appointment process for Student Assembly seats in a manner that resulted in the dissolution of the Human Ecology seat in the 2023-2024 term?

**Office of Ethics Determination:** Affirmative for Kuehl, Violation of Part V, § A(a)(iii), Preponderance of the Evidence Standard Met

Did Kuehl use his position as President of the Student Assembly to interfere with the selection process of the Director of Elections?

**Office of Ethics Determination:** Affirmative for Kuehl, No Ethical Violation Found

Did Lederman use his position as Vice President of Internal Operations of the Student Assembly to interfere with the selection process of the Director of Elections?

**Office of Ethics Determination:** Affirmative for Lederman, No Ethical Violation Found

Did Lederman use his position as Vice President of Internal Operations of the Student Assembly to pressure the Director of Elections regarding changes for the Spring 2023 and Fall 2023 elections?

**Office of Ethics Determination:** Affirmative for Lederman, No Ethical Violation Found

Did Lederman use his position as Vice President of Internal Operations of the Student Assembly influence the drafting of the current Spring 2024 election rules?

**Office of Ethics Determination:** Affirmative for Lederman, No Ethical Violation Found

Did Ting seek assistance from Assembly members to support her presidential candidacy in exchange for political favors?

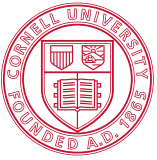
**Office of Ethics Determination:** Negative for Ting, No Ethical Violation Found

The Office of Ethics holds that the Assembly considers the implementation of the following recommendations based on the findings of the report:

1. The Student Assembly shall, upon passage of Resolution 74, titled “Implementing the Office of Ethics’ Recommendations from the Spring 2024 Report” consider a motion to recall, pursuant to Article II, § 4 of the Student Assembly Bylaws, Rocco DeLorenzo from the Office of the Vice President of Finance
2. The Student Assembly shall, upon passage of Resolution 74, titled “Implementing the Office of Ethics’ Recommendations from the Spring 2024 Report” consider a motion to recall,

pursuant to Article II, § 4 of the Student Assembly Bylaws, Clyde Lederman from the Office of the Vice President of Internal Operations

3. The Student Assembly may, upon passage of Resolution 74, titled “Implementing the Office of Ethics’ Recommendations from the Spring 2024 Report” consider a motion to recall, pursuant to Article IV, § 8 of the Student Assembly Charter, Rocco DeLorenzo from the Undesignated Representative at-Large seat.
4. The Student Assembly may, upon passage of Resolution 74, titled “Implementing the Office of Ethics’ Recommendations from the Spring 2024 Report” consider a motion to recall, pursuant to Article IV, § 8 of the Student Assembly Charter, Clyde Lederman from the Undesignated Representative at-Large seat.
5. The Student Assembly shall commit to defining rules, either in the form of a governing document amendment or a resolution, governing author transparency for resolutions by October 1<sup>st</sup>, 2024.
6. The Student Assembly shall commit to strengthening rules on its impartial arms, the Elections Committee, and the Office of Ethics, by October 1<sup>st</sup>, 2024.
7. The Student Assembly shall commit to expanding election rules on conflict of interest between candidates and members of the Student Assembly and student organizations’ ability to grant endorsements by October 1<sup>st</sup>, 2024.



# Resolution 74: Implementing the Office of Ethics’ Recommendations from the Spring ’24 Report

**Abstract:** This resolution implements the recommendations from the Student Assembly Office of Ethics’ *Investigatory Report on Allegations Against Vice President of Finance Rocco DeLorenzo, Vice President of Internal Operations Clyde Lederman, President Patrick Kuehl, and Executive Vice President Claire Ting.*

**Sponsored by:** Alhassan Bangura ’25

**Reviewed by:** Office of Ethics, 04/11/2023; 3-0-2

**Type of Action:** Internal Policy

**Originally Presented:** 04/14/2023

**Current Status:** New Business

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**Whereas,** in the early morning of March 22nd, 2024, several members of the Student Assembly and the undergraduate community contacted the Student Assembly Office of Ethics for comment and instructions on the filing of ethics reports in response to the Daily Sun’s article;

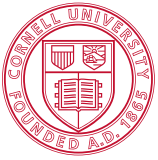
**Whereas,** on March 25th, 2024 at 6:05 PM, the Student Assembly Office of Ethics formally announced that it had voted to sustain its investigation, and defined it to encompass Vice President DeLorenzo, President Kuehl, Vice President Lederman, and any individuals currently or previously affiliated with either the Cornell Democrats or the Cornell Interfraternity Council from February 2023 onwards on allegations of “abuse of the SA brand by members, staff, and other parties to acquire additional benefits or privileges” and “engagement in unethical behaviors or practices in the Cornell community”;

**Whereas,** from March 26th, 2024 to April 9th, 2024, the Student Assembly Office of Ethics conducted extensive interviews with members of the Student Assembly and community members, obtained a wide variety of files, screenshots, and audio and video recordings, and convened numerous times to determine a timeline of events and draft appropriate recommendations;

**Whereas,** the Student Assembly Office of Ethics was created in the 2021-2022 academic year upon agreement between the Student Assembly and its membership that the Student Assembly, requires a structured system imbued with the authority to ensure accountability, ethical conduct, justice, and growth;

**Whereas,** the Office of Ethics has drafted the *Investigatory Report on Allegations Against Vice President of Finance Rocco DeLorenzo, Vice President of Internal Operations Clyde Lederman, President Patrick Kuehl, and Executive Vice President Claire Ting*, which shall be made available on the morning of Friday, May 19, 2023, which articulates the analysis, arguments, and historical timeline of the presidential succession.

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Cornell University  
Student Assembly

33 **Be it therefore resolved,** that the following recommendations from the Office of Ethics’  
34 *Investigatory Report on Allegations Against Vice President of Finance Rocco DeLorenzo, Vice President of Internal*  
35 *Operations Clyde Lederman, President Patrick Kuehl, and Executive Vice President Claire Ting,* be adopted by  
36 this assembly.

37 The Office of Ethics holds that the Assembly considers the implementation of the following  
38 recommendations based on the findings of the report:

- 39 1. The Student Assembly shall, upon passage of Resolution 74, titled “Implementing the Office  
40 of Ethics’ Recommendations from the Spring 2024 Report” consider a motion to recall,  
41 pursuant to Article II, Section 4 of the Student Assembly Bylaws, Rocco DeLorenzo from  
42 the Office of the Vice President of Finance;
- 43 2. The Student Assembly shall, upon passage of Resolution 74, titled “Implementing the Office  
44 of Ethics’ Recommendations from the Spring 2024 Report” consider a motion to recall,  
45 pursuant to Article II, Section 4 of the Student Assembly Bylaws, Clyde Lederman from the  
46 Office of the Vice President of Internal Operations;
- 47 3. The Student Assembly may, upon passage of Resolution 74, titled “Implementing the Office  
48 of Ethics’ Recommendations from the Spring 2024 Report” consider a motion to recall,  
49 pursuant to Article IV, Section 8 of the Student Assembly Charter, Rocco DeLorenzo from  
50 the Undesignated Representative at-Large seat;
- 51 4. The Student Assembly may, upon passage of Resolution 74, titled “Implementing the Office  
52 of Ethics’ Recommendations from the Spring 2024 Report” consider a motion to recall,  
53 pursuant to Article IV, Section 8 of the Student Assembly Charter, Clyde Lederman from  
54 the Undesignated Representative at-Large seat;
- 55 5. The Student Assembly shall commit to defining rules, either in the form of a governing  
56 document amendment or a resolution, governing author transparency for resolutions by  
57 October 1<sup>st</sup>, 2024;
- 58 6. The Student Assembly shall commit to strengthening rules on its impartial arms, the  
59 Elections Committee, and the Office of Ethics, by October 1<sup>st</sup>, 2024;
- 60 7. The Student Assembly shall commit to expanding election rules on conflict of interest  
61 between candidates and members of the Student Assembly and student organizations’ ability  
62 to grant endorsements by October 1<sup>st</sup>, 2024.

63  
64 **Respectfully Submitted,**

65 Alhassan Bangura ’25

66 *Director of the Office of Ethics, Student Assembly*