

U.A. Resolution #6

Alterations to Codes and Judicial Committee Name and Function

[03/22/2022]

Sponsors: James Richards, with agreement from the Codes and Judicial Committee

ABSTRACT: The University Assembly By-laws must be updated after adoption of the Student Code of Conduct this academic year. As the CJC is no longer tasked with approval/rejection of all Resolutions, it will instead function as a non-judicial body providing an avenue for objective review of regulations of conduct across the entire Cornell population. Additionally, the CJC will undergo a name-change and role-clarification to reflect the structure of the new disciplinary hearing process and University Hearing and Review Panel appointment procedure.

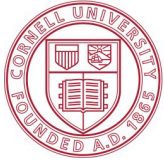
Whereas, prior to this update, the University Assembly By-laws state “By delegation from the Assembly, the Codes and Judicial Committee will review any proposed motion related to:

- Campus Code of Conduct; and
 - recruitment and appointment of members to the University Hearing and Review Boards”,
- and

Whereas, the By-laws also state “The Committee may propose, review, and amend resolutions as it deems appropriate. The Committee must approve resolutions referred for its consideration before they can be advanced to the Assembly for a vote and for debate. The Judicial Administrator and Judicial Codes Counselor serve as non-voting, ex-officio members of the Committee,” and

Whereas, the CJC is no longer tasked with mandatory review of UA resolutions under the Student Code of Conduct, and

Whereas, recruitment and appointment of University Hearing and Review Panel (hereinafter “UHRP”) members is no longer delegated to this Committee, but to the Director of the OSCCS, Executive Committee, and the Assemblies & Senate, and



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29 **Whereas**, replacement of the Campus Code of Conduct with the Student Code of Conduct has
30 raised concerns about the ability of a non-administrative, non-judicial body to ensure fair and
31 even-handed regulation of conduct across every constituency within Cornell

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33 **Be it therefore resolved**, the language of the By-laws will be altered to reflect the CJC's new
34 role and new name, both of which shall reflect the new Student Code of Conduct, and

35 **Be it further resolved**, the By-laws shall be amended to state:

36 "By delegation from the Assembly, the **Campus Codes & Conduct Committee** (hereinafter
37 "CCCC") shall be authorized to:

- 38 • Upon request from the Senate and Assemblies, provide information and guidance
39 regarding the UHRP solicitation and appointment process, in order to facilitate the
40 smooth and timely appointment of UHRP members,
- 41 • Receive and consider complaints or concerns regarding inconsistent regulation of conduct
42 within the Cornell community, and
- 43 • In its discretion, bring forth to the University Assembly any such complaints or concerns
44 that it has received and considered."

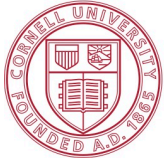
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46 **Be it further resolved**, the By-laws shall be amended to clarify these responsibilities, by stating:

47 "The Committee will function as a non-judicial, non-administrative body authorized to receive
48 and consider complaints or concerns from any member of the Cornell community regarding
49 inconsistent application of Cornell's codes or regulations of conduct. Such issues can include but
50 are not limited to: freedom of speech issues, collective bargaining restraints, and general
51 application of standards of conduct."

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53 **Be it further resolved**, the By-laws shall be amended to clarify these responsibilities by stating:



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54 “After receipt and consideration of such complaints and concerns, this committee shall be
55 authorized to bring forth such complaints and concerns at the soonest practicable University
56 Assembly meeting.”

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58 **Be it finally resolved,** that future editions of the University Assembly By-laws contain such
59 language.

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61 Respectfully Submitted,

62 James Richards

63 Codes and Judicial Committee, Chair