



Cornell University University Assembly

Cornell University Assembly

Agenda of the October 27, 2020 Meeting

4:30 PM – 6:00 PM

Zoom Meeting

- I. Call to order - 4:30pm
- II. Call for Late Additions to the Agenda – 4:32pm to 4:35pm
- III. Business of the Day
 - a. Introductions
 - b. Approval of Meeting Minutes
 - April 28, 2020
 - May 5, 2020
 - May 12, 2020
 - October 20, 2020
 - c. Presentation on Robert's Rules of Order by Gina Giambattista
 - d. Approval of By-Law Changes (see Resolution 1)
 - e. Elections of Committee Chairs
 - f. Constituent Groups: Updates
 - Employee Assembly
 - Faculty Senate
 - Graduate & Professional Student Assembly
 - Student Assembly

Adjournment at 6pm

Applicable Links:

Resolution 1: Bylaw Changes to the Appointment of Committee Chairs and Members

https://assembly.cornell.edu/sites/default/files/ua_r1_-_bylaw_changes_to_the_appointment_of_standing_committee_chairs_and_members.pdf

University Assembly Charter

https://assembly.cornell.edu/sites/default/files/university_assembly_charter_as_of_2017.reformatted_2019.pdf

University Assembly Bylaws

https://assembly.cornell.edu/sites/default/files/university_assembly_bylaws_as_of_22617.pdf

Attachments:

Meeting Minutes (4/28/20, 5/5/20, 5/12/20, 10/20/20)

If you are in need of special accommodations, contact Office of the Assemblies at (607) 255-3715 or Student Disability Services at (607) 254-4545 prior to the meeting.



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Cornell University Assembly
Minutes of the April 28, 2020 Meeting
4:30 PM – 6:00 PM
Zoom Meeting

- I. Call to Order
 - a. Call to Order
 - i. R. Howarth called the meeting to order at 4:30pm
 - b. Roll Call
 - i. *Present:* J. Anderson, A. Barrientos-Gomez, K. Barth, R. Bense, D. Hiner, A. Hong, R. Howarth, A. Howell, L. Kenney, C. Levine, J. Pea, P. Thompson, C. Van Loan
 - ii. *Members Joined after Roll Call:* U. Chukwukere, C. Duell, G. Martin
 - iii. *Members not Present:* B. Fortenberry, Y. Li, R. Mensah
- II. Call for Late Additions to the Agenda
 - a. There were no late additions to the agenda
- III. Business of the Day
 - a. Approval of the 4/07/20 meeting minutes
 - i. C. Van Loan moved to approve the minutes. The motion was seconded by R. Bense and approved with no dissent.
 - b. Resolution Presentation – J. Pea
 - i. Resolution 6 – JCC Approval
 - 1. J. Pea stated that the resolution was a formal resolution for S. Swanson to fill the position of JCC for a two year term.
 - 2. R. Howarth stated that S. Swanson had been selected by a search committee on which the UA had representation and had received a recommendation from President Pollack. The approval by the UA would be last step in her appointment.
 - 3. L. Kenney noted that the name on the resolution was improperly spelled as “Susan” and needed to be switched to “Suzanna”.
 - 4. The motion was moved by J. Pea and seconded by L. Kenney. The resolution was approved with no dissent.
 - ii. Resolution 7 – Postponement of Elections
 - 1. J. Pea stated that the purpose of the resolution was to formally ask for the postponement of the University Assembly officers (chair, vice chair, and ranking member). It would align with the fact that several other assemblies had also already postponed their elections.



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2. R. Howarth stated that it would be good to clarify since the resolution was not completely needed in accordance with the UA Bylaws.
 3. K. Barth stated that in normal circumstances, the transition would be difficult. In the current circumstances, postponing would be good for keeping all the assemblies aligned.
 4. The resolution was moved by J. Pea and seconded by K. Barth. The resolution was approved with no dissent.
- c. Revision of Campus Code
- i. Summary update on edits to the Code – J. Anderson
 1. J. Anderson presented on the major substantive changes on the code and warranted an update.
 - a. J. Anderson noted that the CJC was charged by the President to review the recommended changes that were a result of the Campus Climate Task Force. The recommended changes included simplifying the administrative process, expanding the treatment of harassment, reworking the code to have an educational and aspirational tone rather than a punitive one, and narrowing the focus of the code to students.
 - b. There was an organizational and structural change in the Office of the Judicial Administrator being renamed to the Office of Student Conduct and Community Standards (OSCCS). The OSCCS would be a unit under the Dean of Students in Student and Campus Life to help ensure that the understanding of what the student experience was would be considered. This understanding and integration would be important because the code had narrowed to include students: undergraduate, graduate, and professional. Another major change comes in the form of jurisdiction. The revised code would cover behavior by all Cornell students, University-recognized or University-registered student organizations and living groups (including fraternities and sororities). Additionally, the final determination as to whether off-campus conduct is subject to the Code would be made by the Dean of Student or their designees.
 - c. J. Anderson noted that the definition of harassment had been standardized with the University definition that is used in Policy 6.4. The definition of hazing has also been updated to



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a definition that captures the totality of the violation and the totality of circumstances that hazing might occur in.

- d. J. Anderson stated that the major change in the procedure of addressing violations is that under the revisions, every violation would have the option to be remedied by an educational conference, mediation, or alternative dispute resolution if all parties agree it is appropriate.
 - e. The CJC voted 5-2 to make suspension up to 5 years because academic programs are longer than 4 years for undergraduate and graduate students. Affected students would be able to graduate within the time period if the violations were serious enough to warrant a 5 year suspension.
 - f. J. Anderson noted that the CJC was divided on the burden of proof with 6 members voting in favor of preponderance of the evidence while 4 members supported the clear and convincing standard.
- ii. Discussion by UA members on the Code
1. C. Van Loan asked what the major difference was between what the CJC ended up doing and the University Council recommendations.
 2. J. Anderson responded that there were changes pertaining to who advisors could be. There was not a uniformed Office of Judicial Codes Counselor. Rather, there was an Office of Judicial Codes Counselor for respondents and an Office of Complaint Advisors for complainants. The CJC procedure allows leeway for the OSCCS to push the cases through the process. In the University Council proposal, the OSCCS was the facilitator of a larger process. J. Anderson also noted that the CJC proposal was also simpler to read in his opinion compared to the legalistic point-of-view taken by the University Council.
 3. K. Barth asked what the scope of the Greek-life inclusions was.
 4. J. Anderson stated that the Sororities and Fraternities would still have the ability to work on membership development. The CJC was not trying to take away the autonomy of Greek-life in dictating what it meant to be a member of Greek life. Rather, the CJC was taking away the more complex cases that are related to major violations such as hazing.



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5. R. Bensel asked if J. Anderson could add page reports to the report. Additionally, R. Bensel what the relationship was between suspension and expulsion.
6. J. Anderson conveyed that suspension was a maximum and would be used to avoid retaliation. Expulsion and suspension were different and were punitive of sanctioning. If the sanction matched the behavior that was against the Cornell community behavior, then it would be justified. J. Anderson stated that studying at Cornell was a privilege and actions done that inherently harmed a member of the community or were harmful in general would have repercussions.
7. R. Bensel stated that expulsion carries a message to other institutions about the gravity of the offense while suspension does with lesser impact. Expulsion has its uses as an information carrier. Additionally, R. Bensel conveyed his opposition to preponderance of the evidence. He noted that preponderance of evidence has been the argument of the mob, bias, and prejudice and would not vote for a code that uses preponderance of the evidence.
8. J. Anderson stated that the totality of information needs to be looked at and he would respect the wishes of the UA. The change to preponderance of the evidence would create unity across the evidentiary processes and would leave Policy 6.4 intact.
9. L. Kenney conveyed opposition to the preponderance of the evidence for the standard of proof because it would lead to wrongful convictions but would also be a move away from due process. In response to J. Anderson's previous comment, she would like to see the information calling for uniformity across the evidentiary process and its impact on Policy 6.4. L. Kenney stated that her main concern was the way by which the process was being rushed and public comment was only available for two weeks on the procedural section in order to get a timely vote. In the midst of a pandemic, if multiple other deadlines are able to be extended, the UA should ask President Pollack for an extension. Students were not being given enough time to weigh in on the process.
10. J. Anderson noted that there had been conversations with administrators, not the Board of Trustees specifically, and they still had expectations for the code to be completed by the end of the year. The code revisions were expected to have been done last year.



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11. C. Van Loan asked if the general public knew the difference between the standards of proof and if the community appreciated the difference enough.
12. J. Anderson stated that if we do not have many individuals educated on the code as a whole, how could they be educated on the standard of proof.
13. R. Bensel noted that most students would never read the code but in violations, the standard of proof would be important. An educational program that has preponderance of the evidence built in is not truly educational.
14. J. Anderson stated that the issue was being thought of in terms of criminal proceedings, but the situation is student conduct and is not a court of law. The current student conduct procedures are a form of alternate dispute resolution.
15. L. Kenney noted that she agreed with R. Bensel and understood that the standard of proof was not being applied to a criminal proceeding in these scenarios. However, when there are panelists who are students, looking for approval by the University and can be in situations with bias, the situation is moving towards wrongful convictions. Additionally, L. Kenney asked if there had been any conversations with President Pollack about the deadline extension and increasing time for public comment. In the current situation, it did not make sense for the code revisions to be the University's main concern.
16. J. Anderson stated that the conversations with President Pollack had indicated that the end of the semester was still the requirement. R. Howarth added that if it were absolutely necessary to ask for extension, it would be granted by the trustees. The UA was serving as an advisor in the code revisions and the trustees had the final say on the code. R. Howarth stated that he would like to see the UA attempt to finish the code in the time given.
17. L. Kenney responded by saying that she would not like to see students punished, by taking away transparency, for the work of previous UA chairs.
18. There was discussion by B. Krause, C. Van Loan, and G. Kanter on the burden of proof.



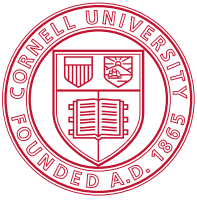
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19. R. Bensel asked how many cases were being adjudicated at the moment and over the summer. If there were few cases, then it would make sense to delay the code until June or July.
20. K. Barth stated that there would continue to be a CJC and the code would continue to be revised so even if everything is not correct on the first round, there can be revisions. The code revisions would not be able to encompass all the possibilities that they would need to on the first round and subsequent revisions would be beneficial.
21. L. Kenney conveyed that she disagreed with K. Barth and did not understand why the revisions could not be delayed by a month to allow students time to look at the proposed changes. Less than two weeks is not adequate time to allow students to understand the changes and voice their recommendations.
22. R. Howarth noted that he believed the code revisions had been under discussion for a long time and thinks it would be best to complete them by the deadline. However, he added that L. Kenney could pose a resolution to discuss with the administration and the Board of Trustees the extension of the deadline.
23. L. Kenney moved to have discussion with administration and the Board of Trustees to extend the code revision deadline in order to give students adequate time to review the proposed changes. The motion was seconded by K. Barth.
24. R. Howarth clarified by stating that the decision was not President Pollack's but rather that of the Board of Trustees. He would ask the trustees and they would give a response in May. However, if they decline the extension, the trustees could take control of the code revisions.
25. C. Levine asked if there could be a poll for delaying the deadline with C. Van Loan specifying, the delay would be until June 15.
26. The informal vote yielded 6 members in favor of delaying and 7 members opposed to delaying.

The meeting was adjourned at 6:00pm.

Respectfully Submitted,

Auriole C. R. Fassinou
Clerk of the Assembly



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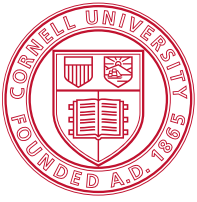
Minutes of the May 5, 2020 Meeting

4:32 PM – 6:00 PM

Zoom Meeting

- I. Call to Order
 - a. Call to Order
 - i. R. Howarth called the meeting to order at 4:32pm
 - b. Roll Call
 - i. *Present:* J. Anderson, A. Barrientos-Gómez, K. Barth, R. Bensel, U. Chukwukere, C. Duell, D. Hiner, R. Howarth, L. Kenney, C. Levine, G. Martin, R. Mensah, D. Nyakaru, J. Pea, P. Thompson, C. Van Loan
 - ii. *Members not Present:* B. Fortenberry, A. Hong

- II. Call for Late Additions to the Agenda
 - a. Discussion related to UA R4: Support of the development and implementation of a Cornell Campus Circulator System
 - i. K. Barth reminded the assembly members about the premise of the resolution which would support the idea of on campus TCAT. The resolution was created in part by both the University Assembly Campus Planning Committee and the Campus Infrastructure Committee.
 - ii. K. Barth indicated that he offered an amendment to the resolution in light of the COVID-19 pandemic and conferred with Vice President Malina who reaffirmed that this is an important time for the Assemblies to be providing feedback and that the University business is still going forward.
 - iii. K. Barth stated that the resolution has support in the other assemblies as the Student Assembly passed their version of the resolution in February, it is currently on the floor in the Graduate and Professional Student Assembly and it is scheduled to be voted on at the next Employee Assembly meeting on Wednesday, May 6, 2020.
 - iv. K. Barth indicated that he has changed the original abstract of the resolution and has amended the “Be it therefore resolved” clause to read as follows “that the Cornell Campus Circulator System should be included in the Cornell University long term strategic plan, post the COVID19 crisis and related financial issues; it is a general priority and represents what the campus wants and will need in the future,” which replaces the timeline and shows that this is important for when campus does get back to business.



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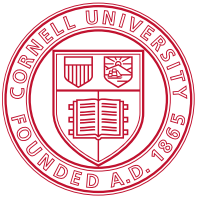
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- v. K. Barth finally stated that if this resolution does not get voted on during this term, that it will expire so he would like the assembly members to review it so they can vote on it at the May 12, 2020 University Assembly meeting.
- vi. A. Barrientos-Gómez provided an update that the Graduate and Professional Student Assembly was able to vote on this resolution electronically; however, it did not contain the amended abstract or the last resolved clause.
- vii. R. Howarth mentioned that this resolution may go to an electronic vote based on time to focus on the Campus Code discussion.

III. Business of the Day

a. Revision of Campus Code

- i. R. Howarth stated that he forwarded President Pollack's message to all assembly members related to the indication that several assembly members would like an extension. The bottom line is that the University Assembly will need to take a vote on this at their next meeting on May 12, 2020 so it can get to the Board of Trustees to vote on over the spring and/or summer
- ii. J. Anderson informed the assembly and the Codes and Judicial Committee met on Friday, May 1 and they made two large changes related to key sticking points for the committee.
 - 1. The first change was to implement a bifurcation of standard of evidence dependent on which procedure a student was going through. If a student was going in front of the administrative panel, the standard of evidence would be a preponderance of evidence; however, if a student was in front of the hearing panel, clear and convincing evidence would be used as the standard of evidence. In addition, the appeals process would also be bifurcated.
 - 2. The second change allowed for exceptions to have public hearings in that if there was a large campus community discussion that could be educational in nature, the hearing could be made public only if both parties were in agreement.
- iii. J. Anderson indicated that public comments on the code revisions has been extended until Friday, May 8, 2020. He stated that most of the comments should be directed to assembly members and encouraged them to review them.
- iv. J. Anderson also informed the assembly that there will be a public forum on the code revisions to be held on Thursday, May 7, 2020 from 3:00 PM –



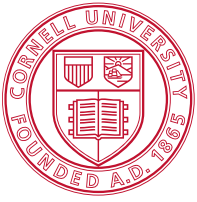
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4:00 PM (EST). The forum will be to present key changes as well as get feedback from the community.

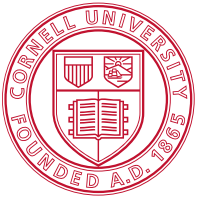
- v. J. Anderson shared with the assembly a set of procedures created by the Office of the Student Advocate. These alternative procedures have been approved by the Student Assembly and felt that the University Assembly should review these procedures and allow the Office of the Student Advocate to present their highlights.

- b. Presentation by the Office of the Student Advocate
 - i. R. Howarth gave the floor to Liel Sterling from the Office of the Student Advocate for a short presentation on their suggested procedures.
 - 1. R. Bensel had a question as to how other Codes and Judicial Committee members would be able to participate in the meeting if called upon.
 - 2. J. Anderson replied that he would yield to them.
 - 3. R. Howarth indicated that the Assembly use the procedure that has been used in previous meetings that they hear from those who have previously asked to speak, with giving preference to assembly members, then accommodate other speakers.
 - ii. L. Sterling provided a brief presentation on the Office of the Student Advocate Observations and Recommendations on Community Standards.
 - 1. This has been passed as a resolution within the Student Assembly.
- c. Discussion by UA member on Code revisions
 - i. Following the presentation by L. Sterling, R. Howarth opened up the floor for questions both for L. Sterling and J. Anderson.
 - ii. L. Kenney stated that the proposed new Executive Rule is a proposal and has not yet been put into effect. She then stated that she would like to yield her time to James Pinchak of the Judicial Code Counselor office as she felt that the assembly should also hear from the Judicial Code Counselors as they have already listened to the Office of the Student Advocate.
 - iii. R. Howarth affirmed that as chair of the assembly, he alone will recognize speakers and not to yield time to non-assembly members and ruled that as out of order for L. Kenney to yield her time. He further indicated that he would like to start with questions for J. Anderson and L. Sterling then will open up questions as appropriate.
 - iv. R. Bensel inquired whether this proposal went to the Codes and Judicial Committee and, if so, what was the discussion there. He also inquired about the reasoning if it didn't go to the Codes and Judicial Committee.



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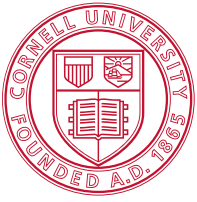
- v. L. Sterling affirmed that this proposal did not go in front of the Codes and Judicial Committee. The reasoning for this was that the intention was to bring a student perspective on a Code of Conduct that will only address students. She also noted that all of the sponsors of the resolution are all the student members of the Codes and Judicial Committee.
- vi. J. Anderson clarified that he was not a sponsor of the resolution.
- vii. K. Barth asked J. Anderson a procedural question with regard to the public comments, the upcoming forum, the Codes and Judicial Committee revisions and the Office of the Student Advocate information. He wanted to know how to work with the information in the Office of the Student Advocate procedures versus the Codes and Judicial Committee revisions.
- viii. J. Anderson affirmed that there are substantial differences and there needs to be weight upon the substantive comments that directly implicate language placed as well as giving deference to constituent groups who are currently on campus (i.e. undergraduate and graduate students, employees and faculty). He recognized that there are a fair amount of comments posted by alumni and his personal opinion is that he feels that alumni have other means of engaging with university governance. He went on to state that some of the alumni comments did play into Greek life that do deserve consideration. In the multiple roles that he holds, J. Anderson stated that he is trying to remain as neutral and impartial as possible.
- ix. C. Van Loan inquired about the standards of evidence of the schools provided in the Office of the Student Advocate presentation and whether they were the same as the proposal or different.
- x. L. Sterling replied that they didn't actually check for standards of evidence; rather they researched diversity and inclusion procedures, restorative justice measures and student involvement as advisors. The reasoning behind this was the evolving changes with the potential new rules and attempt to address the changes preemptively.
- xi. C. Van Loan followed up that just a week prior, there was not a fork in the road and he inquired if this was something new that just happened within the past week.
- xii. J. Anderson affirmed that it happened at the Codes and Judicial Committee on Friday, May 1, 2020.
- xiii. C. Van Loan asked for an explanation as to why the committee felt one standard was higher than the other.
- xiv. J. Anderson replied that hearing panels involve any sanctions that include disciplinary probation, suspension or expulsion and that due to the severity



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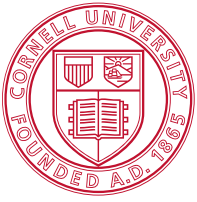
of these sanctions, the committee felt that a higher standard should be utilized in these types of instances.

- xv. C. Van Loan mentioned that having two different standards within the Code itself is confusing and could there be further explanation provided.
- xvi. J. Anderson indicated that it a new proposed change and there haven't been any comments received related to it. He then deferred to Barbara Krause, interim Judicial Administrator, for clarification.
- xvii. R. Howarth recognized B. Krause as the next speaker.
- xviii. B. Krause stated that trying to work through a Code with two different burdens of proof and two different types of setting is complex and potentially confusing than having a single burden of proof. She went on to clarify that the Office of the Judicial Administrator would not consider probation as a sanction that would justify a higher burden of proof.
- xix. L. Kenney pointed out that if the Assembly is going to call upon the Judicial Administrator to speak that they should also give the Judicial Code Counselors an opportunity to speak. She also indicated that she went through all of the public comments and that of the majority of the comments were against the change to the burden of proof. She also mentioned that on social media, there was a post by the Cornell Daily Sun and that a majority of the comments on that post were opposed to the change as well.
- xx. L. Kenney inquired about the public hearings and whether the chair of the hearing panel who has the decision or does the OJA have an opinion. She also voiced an issue about free speech concerns and whether the CJC would address those.
- xxi. J. Anderson replied that free speech was ingrained in the code revisions and edited at the beginning of the semester; however, due to priority on the substantive and procedural portions of the code, those edits weren't able to be finalized. With regard to the public hearing question, the panel chair has the final decision.
- xxii. R. Bensel stated that he does not regard the punishments that the University can inflict on undergraduates as not the severity as criminal cases.
- xxiii. R. Lieberwitz referred to R. Bensel's question regarding whether the Office of the Student Advocate's proposal came to the Codes and Judicial Committee and confirmed that it hadn't. She went on to state that she felt it was inappropriate procedurally and the Office of the Student Advocate could have come to the Codes and Judicial Committee.



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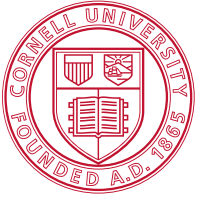
- xxiv. J. Anderson clarified the Student Assembly charter does allow for them to disagree with formalized actions of the assemblies and the Office of the Student Advocate utilized that provision within the Student Assembly charter.
- xxv. R. Howarth indicated that he was not aware of this proposal until the day before this current meeting.
- xxvi. L. Sterling responded that the process was utilized due to cases coming through the Office of the Student Advocate and students expressing their frustration at the current process. It became clear that members of the Codes and Judicial Committee were looking to provide increased student perspective. She also clarified to an earlier question by C. Van Loan that preponderance of evidence is the standard that is used by most university bodies.
- xxvii. J. Pinchak indicated that the Office of the Student Advocate proposal was not shared with the Judicial Code Counselor office either. He agreed that restorative justice measures were important; however, he stated that he didn't agree with the perspective of the Office of the Student Advocate suggestions given that it would give a student two options with completely different outcomes and results.
- xxviii. C. Van Loan deferred to another assembly member.
- xxix. G. Martin stated that he doesn't believe that the Office of the Student Advocate isn't saying that the process isn't currently educational, but rather can it be more educational and informative for a student.
- xxx. U. Chukwukere stated that it is bothersome for someone to speak for communities that they are not a part of. In addition, he stated that the support of the Office of the Student Advocate suggestions is coming from the leaders of the student organizations that are most marginalized on campus.
- xxxi. D. Nyakaru inquired about the sentiment of the new code revisions might be considered an overreach or abuse of power.
- xxxii. L. Kenney restated the charge to make a clearer document and get rid of ambiguities resulting in something fundamentally different. She stated that law students are going to through the appropriate training for these sorts of cases and they care about due process. She indicated her desire to do work on behalf of and to speak for marginalized communities and felt that lowering the standard of proof might lead to wrongful convictions.
- xxxiii. J. Anderson clarified his positions (as CJC Chair and SA President) were often in conflict but he had striven to lead both bodies in objective and



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unbiased fashion. He further explained that the proposed Code changes came about in response to a call by over 300 students of color who attended a University Assembly meeting in the fall of 2017, protesting the conditions of black students on campus, which was the impetus for the president to create the Campus Climate Task Force. J. Anderson stated that he had made the motion at that meeting to amend the Campus Code of Conduct in response to the marginalized students.

- xxxiv. R. Howarth asked for decorum and to keep the discussion from getting to personal attacks.
- xxxv. C. Levine, as a new member to the UA, re-stated the debate as two constituencies in opposition on the issue of the burden of proof. The two positions seem unresolvable. There are strong values and positions on both sides.
- xxxvi. C. Van Loan asked for insights as to whether Cornell was ‘special’ as the outlier using the “Clear and Convincing” standard, or whether it was considered a sign of leadership? He also asked for an explanation as to the impact of the need to align with the Federal mandate would/should affect the discussion.
- xxxvii. R. Bensel agreed with C. Levine’s statement in that all have best intentions but almost irreconcilable positions. He gave further examples of the differences between the standards of proof.
- xxxviii. A. Barrientos Gomez alerted the assembly that there was a conflict for the grad and professional student community with regard to the Campus Code Public Forum scheduled at the same time as an Open Forum on the Reopening of Campus.
- xxxix. J. Pinchak clarified that the Campus Code of Conduct would never apply to cases involving sexual assault as they are covered under Policy 6.4.
 - xl. R. Lieberwitz commented that she thought Cornell was a leader regarding due process with its Clear and Convincing standard. She questioned parts of the OSA proposal as being massively different than the proposal put forth by the CJC. She questioned the process by which the OSA proposal was brought forth, “at the eleventh hour”.
 - xli. B. Krause assured the assembly that the members of the OJA are not in their positions to prosecute students. That is not why they do the work of the OJA. She gave her opinion that preponderance is the best standard because it best balances the interests of the complainants, respondents and the campus communities. The standard applies across the board.

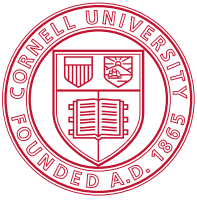


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- xlii. L. Kenney asked that no new proposals be brought to the body since the CJC had not had a chance to review.
- xliii. J. Anderson explained that his intention was not to slide something in at the end, but to work with each assembly to further their individual interests and conflicting priorities. He further stated that there was so much more discussion to take place on the substantive portions of the Code, beyond the standard of proof, and encouraged the assembly to move forward in the other discussions.
- xliv. R. Howarth stated the meeting time had come to an end. He encouraged assembly members to read through the drafts and comments on the website in advance of the meeting next week.
- xlv. L. Kenney asked for an extension of the meeting by 3 minutes to introduce her "Good Samaritan" amendment.
- xlvi. Extension was approved.
- xlvii. L. Kenney gave an overview of her amendment regarding the Good Samaritan Law. She advocated for including a Good Samaritan provision in the Code similar to what had been codified by NYS.
- xlviii. R. Howarth called for adjournment.
- xlix. Motion seconded

The meeting was adjourned at 6:03pm.

Respectfully Submitted,
Office of the Assemblies



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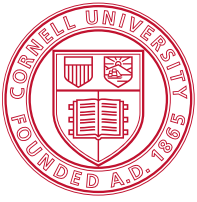
Minutes of the May 12, 2020 Meeting

4:30 PM – 6:00 PM

Zoom Meeting

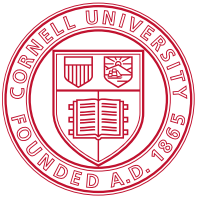
- I. Call to Order
 - a. Call to Order
 - i. R. Howarth called the meeting to order at 4:30pm
 - b. Roll Call
 - i. *Present:* J. Anderson, A. Barrientos-Gómez, K. Barth, R. Bensel, U. Chukwukere, C. Duell, D. Hiner, A. Hong, R. Howarth, A. Howell, L. Kenney, C. Levine, G. Martin, R. Mensah, D. Nyakaru, J. Pea, P. Thompson, C. Van Loan
 - ii. *Members not Present:* B. Fortenberry

- II. Call for Late Additions to the Agenda
 - a. R. Howarth called for late additions to the agenda and recognized R. Bensel to speak.
 - b. R. Bensel stated that the agenda that was circulated is in violation of UA Bylaws, therefore there can't be any additions to it.
 - c. R. Howarth asked if this was a point of order or an addition to the agenda.
 - d. R. Bensel confirmed that it is a point of order in that the bylaws state that the Executive Vice Chair must make the agenda of the assembly available to members no less than 24 hours prior to a meeting of the assembly. He went on to state that the agenda was sent the morning of this meeting and that 24 hours have not passed; therefore, the provision of the bylaws hasn't been met and this meeting agenda doesn't exist in procedural terms.
 - e. R. Howarth thanked R. Bensel for his point of order and asked the assembly to take a vote to approve the agenda as it was distributed earlier by the Executive Vice Chair.
 - f. R. Bensel stated that such a vote is illegal and indicated that the Chair can overrule his point of order as it is still outstanding and cannot be dismissed.
 - g. R. Howarth again called for a vote to proceed on the agenda as it is stated.
 - h. R. Bensel indicated that the Chair was out of order.
 - i. R. Howarth stated that R. Bensel was out of order.
 - j. R. Bensel stated that there is a point of order that has to be satisfied before moving on and referred to Robert's Rules that the Chair must rule on the point of order.



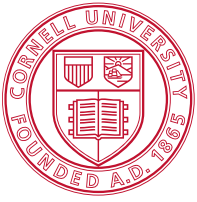
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- k. R. Howarth suggested proceeding by taking the majority viewpoint of the Assembly which is within the prerogative of the Chair under Robert's Rules.
- l. R. Bensel again stated that a point of order must be ruled on by the chair and once it has been ruled, then the meeting can proceed.
- m. R. Howarth stated that this is a technicality.
- n. R. Bensel disagreed that it is not a technicality and that it is very important and indicated that the Chair was delaying this. The rules that have been adopted by the Assembly are Robert's Rule and were sent to the members by R. Bensel. He again indicated that all the chair has to do is rule.
- o. R. Howarth proceeded to ask for a vote on accepting the agenda.
- p. R. Bensel interjected that R. Howarth could not proceed to a vote.
- q. R. Howarth again stated that R. Bensel was out of order and asked that he be muted.
- r. R. Bensel again stated that this isn't ambiguous and that it is a point of order under the assembly bylaws.
- s. R. Howarth asked for clarification that the point made is that the bylaws state that the agenda should be sent out 24 hours in advance and they were sent out late.
- t. R. Bensel clarified that was not his point of order but that the order is under Robert's Rules that if the agenda is not sent out in advance in accordance with the rules of the assembly that is meeting, then it is not on the table.
- u. There was more back and forth disagreement between R. Howarth and R. Bensel.
- v. P. Thompson indicated that L. Kenney has her hand raised and recommended hearing a second opinion.
- w. L. Kenney suggested in order to try to move the meeting along that the assembly that the particular provision within Robert's Rules be consulted and rule adequately on what Robert's Rules says is within the bylaws.
- x. R. Howarth indicated that at the first meeting of the University Assembly, he appointed P. Thompson as parliamentarian to interpret the Rules as they go as opposed to looking things up, given that they should get to the real business of the meeting.
- y. R. Howarth asked P. Thompson if it would be acceptable for the members to take a vote to approve the agenda as it was sent out and proceed.
- z. P. Thompson stated that, due to the discontent and various opinions, she would prefer the Office of the Assemblies to give an unbiased and general ruling and turned to G. Giambattista for a response.
- aa. G. Giambattista stated that she was looking up the provision.



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- bb. P. Thompson indicated that this would be easier for the whole of the assembly to facilitate a smoother and proactive discussion to finalize the last meeting in a positive and unbiased manner.
- cc. C. Van Loan spoke to the general heading of making deadlines and that others have violated deadlines and to cut each other some slack. He then stated to get on with business as now is not the time to be upholding deadlines and didn't see this as major issue.
- dd. R. Howarth concurred and stated that would be his preference and would assume that is what most people would like.
- ee. R. Bensel stated that there are two problems with that. There have been a lot of surprises with the content of the SA draft.
- ff. R. Howarth interjected that they were not discussing R. Bensel's point.
- gg. R. Bensel stated that the illegal agenda takes the CJC draft off the table.
- hh. There was more back and forth discussion between R. Bensel and R. Howarth.
- ii. P. Thompson recommended that the discussion be paused until they hear from G. Giambattista in order to not escalate the issue and asked for a bit of patience.
- jj. A. Howell indicated that he had the relevant section of Robert's Rules and asked G. Giambattista if he could read it.
- kk. G. Giambattista affirmed that he could read it and they could concur as she was looking at the relevant section as well.
- ll. A. Howell stated that according to Robert's Rules, when a point of order is submitted to a vote of the assembly and the point related to stopping something from being done, the question is put the question so that an affirmative vote will be in favor of allowing the proceedings to continue as if the point had not been raised.
- mm. A. Howell indicated that he thought that both R. Bensel and R. Howarth are getting at the same thing and that there can be a motion to overrule the point or there can be a vote to proceed. He then stated that it is essentially the same thing and that they vote to proceed as if the point had not been raised.
- nn. R. Bensel indicated that the point is to do it in a procedurally correct way so that if the point of order is overruled, it can be appealed, and it is possible to debate the merits of the point of order and he felt this is a very important decision.
- oo. R. Howarth stated he would like to put it to a vote and proceed with the actual business of the meeting.
- pp. G. Giambattista clarified the matter of an appeal and that is it at the discretion of the chair as to hear the appeal or not.
- qq. R. Howarth agreed that is his understanding based on his reading of Robert's Rules.
- rr. R. Howarth asked for a vote of accepting the agenda as it was sent out by P. Thompson – approved 14-2



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ss. R. Howarth stated that he would proceed with the agenda as it was sent out.

III. Business of the Day

a. Approval of minutes to meetings

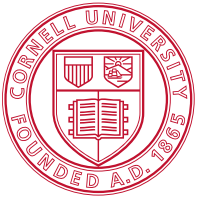
i. 4/28/20 - tabled

1. L. Kenney indicated that the minutes were sent at the same time of the agenda and that she hadn't had a change to read them and would like to make a motion to table.
2. R. Howarth agreed with her yet this is the last meeting.
3. L. Kenney stated that they are still the body until the next elected one and that she believes there can be a motion made to have any additions to the minutes sent to P. Thompson and the Office of the Assemblies and approve the minutes via email. She stated that she didn't feel comfortable with approving the minutes without reviewing them.
4. R. Howarth asked if members would like to proceed that way.
5. J. Anderson seconded the motion.
6. R. Howarth recognized the motion and stated they would proceed with doing so.

ii. 5/5/20 - tabled

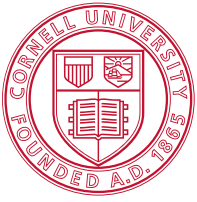
b. Resolution 4 – Support of the development and implementation of a Cornell Campus Circulator System

- i. K. Barth gave a brief overview of the proposal and that this has been a part of the campus master plan from 2008.
- ii. K. Barth updated the members that the Employee Assembly passed the version that is being voted on by the assembly today with amended language in the abstract and the “be it therefore resolved” clause which specifically mentioned the COVID-19 pandemic and that this is a general priority for the university and once the pandemic slows down, this should be something the university considers. He reported that the Employee Assembly passed it with a vote of 25-1-0 and that the Graduate and Professional Student Assembly also passed it with a vote of 13-1-11. He also stated that this resolution has also passed in the Student Assembly.
- iii. R. Howarth asked if there were any comments or discussion.
- iv. J. Anderson motioned to vote, and it was seconded by P. Thompson – approved 16-0



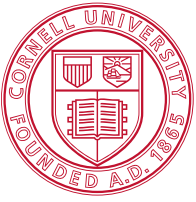
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- c. Resolution 8 – Recommendations for Revision of the Campus Code of Conduct
- i. R. Howarth informed the members that this resolution was prepared by the executive board based on the communication received from President Pollack.
 - ii. U. Chukwukere started with thanking the CJC members for the 2019-2020 academic year and motioned to bring Resolution 8 to the floor. The motion was seconded by P. Thompson and opened for discussion.
 - iii. U. Chukwukere stated that Resolution 8 serves a couple of purposes in that President Pollack had stated that she was already planning to reject the CJC version of the Campus Code of Conduct revisions. This poses the possibility of losing jurisdiction over changes to the code.
 - iv. U. Chukwukere stated that Resolution 8 gives the CJC the opportunity to shape the code through the University Assembly.
 - v. U. Chukwukere informed the assembly that they have been working on the code for the past 32-33 months and while nothing much has come from it, having the code shaped by the UA is something a lot of people would prefer. Additionally, passing the resolution would allow for the request for extended public comment.
 - vi. U. Chukwukere informed the assembly that the Office of the Student Advocate and the Student Assembly version of the code of conduct received organizational support from some of the largest identity-based organizations on campus. He also mentioned that the Code of Conduct was established in 1971 as a result of the Willard Straight Hall takeover. U. Chukwukere mentioned that he had heard a lot of discussion about the CJC draft of the code and how it helps support marginalized communities, yet there was not actual reaching out to those communities and getting their opinions or feedback. He felt that it was important that students were listened to, instead of speaking for communities that an individual isn't a part of while mainly affecting these communities. He stated that passing the Resolution would help address all the issues mentioned.
 - vii. A. Barrientos-Gómez thanked U. Chukwukere for his presentation of the resolution and addressed a point of concern with the fact that graduate and professional students were asked for input; however, the Student Assembly version never went in front of the Graduate and Professional Student Assembly and there are a lot of constituent groups that can be reached through that channel.



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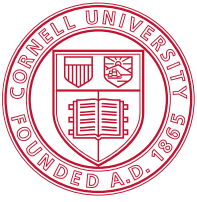
- viii. U. Chukwukere stated that while he agreed with A. Barrientos-Gómez's point of putting it in front of the Graduate and Professional Student Assembly, he felt there were other ways of gauging graduate student support other than going through the Graduate and Professional Student Assembly. He further stated that the Student Assembly and the Office of the Student Advocate did due diligence in making sure they were reaching out to as many undergraduate student organizations as that is their main jurisdiction and the main focus in getting support.
- ix. L. Kenney thanked the sponsors of the resolution and stated that most of her comments would be in opposition. Her first point was that the resolution gives the administration a blank check to do whatever they please with the code without any sort of accountability whatsoever. She felt this would be a deviation from all that shared governance stands for and it would not only let the Cornell community down but would remove due process.
- x. L. Kenney also indicated that it is contradictory to early resolutions that have been passed, referring to the resolution that was passed in the fall semester that affirmed the CJC jurisdiction over the code. L. Kenney stated that there was adequate representation of each constituent group to provide input on the CJC draft and offered her opinion that she would prefer for President Pollack to take away the draft and receive backlash, rather than get rid of any jurisdiction over the code.
- xi. L. Kenney also stated that she didn't believe that the Office of the Student Advocate draft accurately reflected comments from undergraduate students as she had spoken with some of the undergraduate groups and they were unaware of this.
- xii. L. Kenney noted that she would prefer for President Pollack to go to the Board of Trustees or use her power to take away the process rather than the UA to freely hand it over and not insure that the UA constituents are heard. L. Kenney lastly agreed with U. Chukwukere's point about having a longer public comment period and that giving this away to the administration without any sort of accountability would be a huge mistake.
- xiii. R. Howarth responded that his reading of the Charter disagrees with L. Kenney's interpretation.
- xiv. U. Chukwukere replied to L. Kenney that the point he was trying to make is that the undergraduate organizational support is reflected in the Office of the Student Advocate draft as they had reached out to many of the identity-based organizations and affinity groups. He stated that it was useful for



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these individuals to be well informed on how things are going to change and making sure they are involved and have their voices heard.

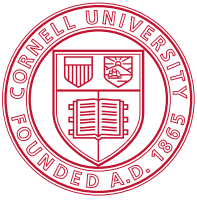
- xv. L. Kenney responded to U. Chukwukere stating that her argument on the shared governance process was more along the lines that giving away the UA's authority over the code was a deviation from shared governance. Additionally, in discussing the Willard Straight takeover, passing this resolution would give the administration the power to do as they would like at the end of the day. L. Kenney also noted that she understood that the OSA received a lot of input, but the government groups and the Cornell Veterans were not involved in that input. Shared governance had never been about giving away power to the administration and was afraid of seeing a biased system.
- xvi. R. Bensel emphasized that the SA draft was very similar to the University Council's draft and Resolution 8 would send back the University Council's draft to themselves. R. Bensel moved that the CJC draft be accepted as an amendment in the substitute. The motion was seconded and R. Bensel stated that the two drafts should be compared.
- xvii. R. Bensel and R. Howarth briefly discussed about the process for discussing amendments in the substitute.
- xviii. A. Howell moved a point of order stating that Resolution 8 was on the floor and under debate. R. Bensel's motion would bring two items on the floor at the same time.
- xix. R. Howarth stated that his understanding of R. Bensel's motion was to accept the CJC draft as a substitution and therefore, that would be debated and voted on before moving back to Resolution 8.
- xx. R. Bensel stated that A. Howell was correct, and the meeting procedure should be clear. R. Bensel stated that an amendment in the form of a substitute would take the CJC draft and substitutes it for the entirety of the resolution. Therefore, there would be two different drafts in debate and finally compared to each other.
- xxi. A. Howell commended the hard work and passion being brought in from all sides. A. Howell conveyed that he was planning on voting against the original resolution, not as amended. He stated that he did not feel that the expectations laid out by the UA at the beginning of the year had been respected and carried out to the conclusion that was expected by the constituents of the different assemblies. Having the process changed at the 11th hour would be disturbing to him. A. Howell closed by stating that he



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had nothing but respect for everyone that brought forth their proposals but did not feel that he could support the original resolution.

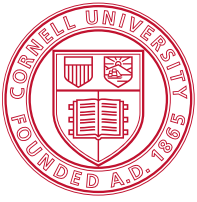
- xxii. G. Martin addressed comments made by L. Kenney and stated that to preface, there was an issue in referencing the Willard Straight Hall Takeover for any individual who was non-Black. Black labor, Black energies, and Black lives were on the line in the Willard Straight Hall Takeover meaning that the legacy is brought to Black students on campus as well as the assemblies. Additionally, the OSA was an advocate for many students on campus with an exogenous perspective that many groups do not have on campus and undergraduates are very thankful for them as well the draft that they have brought. G. Martin noted that there was rhetoric that the SA did not have enough time to review the draft and stated that similar to the other assemblies, the SA agendas were sent out 24 hours in advance. Additionally, it is important to remember that the Cornell Veterans do have a seat on the SA. G. Martin also stated that comments on Reddit and Facebook would not be the best barometer for measuring public opinion. Lastly, students are best represented by students and it is unequivocal that the undergraduates on the call support the resolution at hand.
- xxiii. C. Van Loan asked CJC members why the big issues such as standard of evidence and the alignment under the Dean of Students were not discussed along the way. He noted that he was not sympathetic to the argument that the President should have given more time for public comment.
- xxiv. J. Anderson responded to C. Van Loan stating that his mentality had been to have substantive discussions at the UA level and presentations during his time as the chair of CJC.
- xxv. L. Kenney responded to C. Van Loan stating that over the Fall, the CJC attained the first substantive portion from the University Council later than expected with the main argument being the removal of the OJA's office to be under administration. The reason why there were not more substantive conversations with the UA was because she was waiting for the procedural draft. L. Kenney noted that she was not chair of the CJC when the procedural draft was adequately worked through so she could not comment on it.
- xxvi. U. Chukwukere said that President Pollack can accept or deny any draft of code that the UA gives her, and the UA had the past 32 months to revise the code and that did not happen. He stated that he was confused by why members were bothered by the fact that the OSA was able to draft a code that had widespread student support. He asked why there was not



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widespread community outreach during the process before this semester to some of the marginalized communities and organizations. Passing Resolution 8 was not a sign of giving the administration a blank check because at the end of the day, the UA had failed and now was the time to make a decision to move the process along.

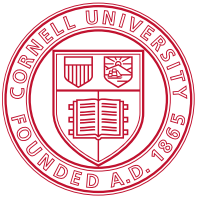
- xxvii. K. Barth stated that Resolution 8 had his support because the code is not currently working for anyone right now and it is important for the students to know that the University wants them here but there are mistakes people make and people need to learn some lessons. President Pollack's rejection of the CJC code before reading it takes the wind out of the sails of the CJC members. K. Barth conveyed that the OSA moving to create a draft was good but wished there had been more collaboration between the OSA and the CJC. Ultimately, the UA's job in shared governance was to provide recommendations. K. Barth stated that he was voting for the Resolution 8 because the UA wanted more time and this resolution would take the progress made by the CJC and OSA along with their input and entrust it to the administration. Additionally, there would be nothing stopping the assemblies to make amendments to the code in the Fall.
- xxviii. P. Thompson thanked K. Barth for his comments and noted that the agenda was late because of the comments and the email from President Pollack. Additionally, the Executive cabinet had a lot of dialogue, but the reality was that the UA had no more time. Resolution 8 was not perfect, but President Pollack had made it clear that the UA had no more time to work on the code. The resolution was simply an attempt to have more discussion in an open forum, allow the rest of the campus to provide comments through the summer, and push through to have both the OSA and CJC drafts looked at and considered by the administration. The resolution was not meant to belittle anyone's efforts but to move the process forward.
- xxix. C. Duell asked if anyone had any sense of President Pollack's response to her being incorrect on having the two standards not being allowed. The idea had been raised internally.
- xxx. R. Howarth responded that President Pollack was convinced that her view, based on the University Council's opinion, was correct and doesn't think that is a debatable point.
- xxxi. J. Anderson acknowledged that it was not his intention to dig at L. Kenney. J. Anderson noted that he would most likely end up abstaining because he felt conflicted as the chair of the CJC and SA president. Shared governance and governance in general was messy. At the end of the day, their would be



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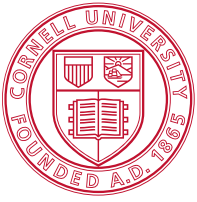
curveballs and it would be up to the UA to adapt to determine what made the most sense. Every member of the conversation has the same ethos of wanting to make the campus better. In his semester of chairing the CJC, there were things that could have always been completed differently but right now Resolution 8 would give the University Council to compare the drafts. This moment was an educational moment for all of shared governance. J. Anderson acknowledged that shared governance is messy, and it is the ability to persevere that creates a better body of shared governance.

- xxxii. A. Barrientos-Gómez conveyed that he was reluctant on the resolution because he agrees with L. Kenney and A. Howell in that passing it would give up the UA's say in shared governance. He asked if a therefore clause could be added that states that before the final Campus Code of Conduct is sent to the Board of Trustees, it would come back to the UA and be approved and then sent forth.
- xxxiii. R. Howarth responded by stating that, if he understood correctly, it could be added as an amendment after the discussion on R. Bensel's amendment.
- xxxiv. D. Nyakaru stated that it was important to recognize that the code would continue to change as the community stands and as it currently stands, Resolution 8 would offer students to have an educational aspect rather than a punitive aspect that the status quo did not offer. From her perspective, the code was now supporting students in many aspects.
- xxxv. J. Pea said that both sides made good points and that he had his personal reservations for the resolution because of the inability of accountability from the President and how the process would proceed. He noted his support of A. Barrientos-Gómez's comment about having the resolution come back to the UA. The UA was an advisory board on the code and today's vote would not mean much but he was excited to hear the remainder of the discussion.
- xxxvi. L. Kenney echoed the comments of J. Pea and A. Howell on accountability and the CJC not being adequately heard. Additionally, she noted that she wished the OSA draft had been presented to the UA earlier and CJC first. Additionally, the past two meetings had included comments no how certain individuals should not speak on behalf of others based on race and L. Kenney noted that she found that to be inappropriate because she considered herself a diverse person and that not being visible on the outside did not mean that she did not have her own diversity. L. Kenney asked R. Howarth to recognize the current JCC.
- xxxvii. R. Howarth declined the request.



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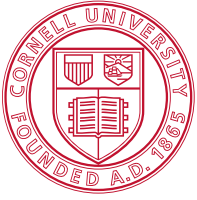
- xxxviii. G. Martin responded to L. Kenney's comments stating that the Willard Straight Hall Takeover was on behalf of Black labor, Black energies, and Black lives on the line. Despite the result being the formation of the Student Assembly and shared governance, it is important to remember that when invoking an event in which Black labors and lives were the syndicate, deference has to be shown to those who are black. It would be demeaning to say anything otherwise.
- xxxix. D. Nyakaru added stating that it important to recognize that when coming from a perspective of privilege and power and invoking the idea of marginalized communities in any capacity, the way the message comes across can be misinterpreted.
 - xl. U. Chukwukere echoed the comments of D. Nyakaru and G. Martin by stating that throughout the process, individuals of color and those from marginalized communities had not been involved in the process as they should have been.
 - xli. L. Kenney responded by stating that she was not trying to discredit anyone and their experiences. She was trying to represent all the voices of people she spoke to.
 - xlii. R. Bensel restated his amendment and said that it was in the form of a substitute and would substitute the CJC draft as submitted for all of Resolution 8. Voting yes would indicate that an individual wanted to accept it for resolution 8 and voting no would indicate an individual not wanting to substitute it for Resolution 8. R. Bensel called for a vote on the amendment and the motion was seconded by L. Kenney. The amendment **failed** 6-10-1.
 - xliii. L. Kenney requested that names be stated to have consistency and accountability for the record.
 - xliv. J. Anderson moved a point of order stating that there would need to be a request for a roll call for each amendment.
 - xlv. L. Kenney stated that she believed it was allowed for her to ask for a read-off of votes.
 - xlvi. R. Bensel said that J. Anderson was correct, and it would be important to have the names for the record.
 - xlvii. R. Howarth asked for the Office of Assemblies to record the votes.
 - xlviii. A. Barrientos-Gómez moved to amend the resolution by adding a be it further resolved clause after line 31 stating that prior to submitting the final version of the Campus Code of Conduct, to present it to the assembly to have their approval. The motion was seconded by P. Thompson and a question was called on the amendment.



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1. The amendment was passed 14-2-2.
 - xlix. L. Kenney motioned to amend the resolution so that the University Council would not be the only body working on the code. Another body such as an ad hoc committee with various members of the legal faculty so the University Council is balanced out with lawyers and members from each constituent group in the nature of shared governance. The motion was seconded by R. Bensel.
 - i. G. Martin asked L. Kenney to elaborate on why she felt it important to bring in other parties of people despite the University Council.
 - ii. P. Thompson moved to extend the meeting by 10 minutes. The motion was seconded and approved.
 - iii. L. Kenney stated that her main reason was that the SA and University Council's draft were nearly identical, and this motion would provide accountability and prevent the UA from receiving a draft that they did not expect. The amendment would ensure due process and allow the CJC's draft to receive equal consideration.
 - iiii. R. Bensel conveyed his support of L. Kenney and that in the past, the law faculty had been involved in the CJC revisions. It was important to note that the University Council was not neutral and had biases. He did not think that that the University Council was well-versed in Title IX issues.
 - liv. D. Nyakaru asked how the members of the ad hoc committee would be chosen and what type of undergraduate representation would be on the committee.
 - lv. L. Kenney responded to D. Nyakaru, stating that her thoughts for selection would be to have the number of legal faculty equal to the number of University Council members with 1-2 members from each of the four constituent bodies and no one from the UA to avoid the conflict of interest.
 - lvi. J. Anderson noted that he did not support the resolution because legal faculty in the past, when working with the CJC have called undergraduate students naïve, questioned authority, and belittled undergraduate students on the process. He stated that he could support an ad hoc committee where students are the student voice but one with legal faculty would lead to students being disadvantaged. He also noted that he believed A. Barrientos-Gómez's amendment to be sufficient and pursues accountability. The current amendment biases the system to be more legally ingrained while stifling the voice of students. Any method that is proposed to allow for accountability needs to be student-centered.



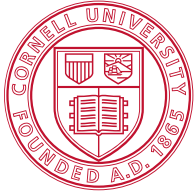
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- lvii. L. Kenney echoed R. Benschel stating that the Dean of the Law School would place faculty who would not demean undergraduates on the ad hoc committee. Additionally, since it is a legalistic document that needs to be enforceable, there needs to be other attorneys in addition to the University Council.
- lviii. There was a motion to call the vote. The motion was seconded, and the amendment was voted on. The amendment **failed** 8-10-1.
- lix. C. Levine called a question to vote on Resolution 8 as amended. The motion was seconded, and the resolution was voted on. Resolution 8 was **passed** 14-2-2.

IV. Adjournment at 6pm

The meeting was adjourned at 6:10pm.

Respectfully Submitted,
Office of the Assemblies



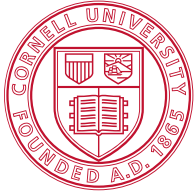
Cornell University
University Assembly

U.A. Resolution # 1

**Bylaw Changes to the Appointment of Standing
Committee Chairs and Members**

October 20th 2020

- 1 **Sponsored by: Logan Kenney, Chair, University Assembly; Jeff Pea, Graduate &**
2 **Professional Student Assembly Representative, Bennett Sherr, Student Assembly**
3 **Representative**
4
5 **Whereas,** Subsection 3.2.3 of the Bylaws of the Cornell University Assembly does not specify
6 the process by which Chairs of Standing Committees are appointed,
7
8 **Whereas,** Subsection 3.2.3 of the Bylaws of the Cornell University Assembly also does not
9 specify the membership by which the Standing Committee Chairs must represent,
10
11 **Whereas,** Subsection 3.2.3 of the Bylaws of the Cornell University Assembly does not specify
12 how Chairs of Standing Committees are filled in the presence of a vacancy,
13
14 **Whereas,** the University Assembly has historically elected the Chairs and members of the
15 Standing Committees through the popular vote at its annual Organizational Meeting,
16
17 **Be it therefore resolved,** members of the Standing Committees representing the University
18 Assembly are elected by the University Assembly,
19
20 **Be it further resolved,** Chairs of the Standing Committees of the University Assembly are
21 elected by the University Assembly,
22
23 **Be it further resolved,** the Chair of the Standing Committee must present regular updates to the
24 University Assembly at all regularly scheduled meetings.
25
26 **Be it further resolved,** in the instance of a vacancy following the University Assembly
27 Committee Chair election, that the Chair is elected from the members of the Standing
28 Committee and confirmed the Vice Chair of Internal Operations in consultation with the
29 University Assembly Exec Board,
30
31 **Be it finally resolved,** in the instance that a non-UA member is elected Chair of the Standing
32 Committee, that they will serve ex-officio as non-voting members of the University



Cornell University University Assembly

33 Assembly and are beholden to the attendance policy of voting members of the University
34 Assembly.

35 **Be it finally resolved**, that the University Assembly will amend its Bylaws by changing the
36 existing language to Subsection 3.2.3 to read:

37

38

39 “A. The Vice Chair for Operations, in consultation with the Executive Board, may
40 appoint non-Assembly members on behalf of the voting membership of the Assembly. The
41 Executive Board may remove members.

42

43 B. Chairs and voting-members representing the Assembly on standing committees will be
44 voted in by the Assembly during the first organizational meeting.

45

46 C. In the instance of a vacancy in the chair of a standing committee, the standing
47 committees will elect a new chair from their voting membership. The elected chair will be
48 subject to approval by the Vice Chair of the Operations, in consultation with the Executive
49 Board, on behalf of the voting membership of the Assembly.

50

51 D. In the instance that a non-Assembly member is elected chair of the standing
52 committee, that they will serve ex-officio as non-voting members of the Assembly and are
53 beholden to the attendance policy of voting members of the Assembly.

54

55 E. Except for compelling circumstances, no person should serve more than two
56 consecutive terms in a given committee.”

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No signature block is present until the resolution has been disposed of by the Assembly (Passed, Failed, Withdrawn, etc.) Then a block with the certifying member (customarily Chair/Vice-Chair) verifying the authenticity and vote tally of the resolution.



Charter

Cornell University Assembly

AS AMENDED ON FEBRUARY 26TH, 2017

1 **PREAMBLE**

2 After consultation with members of the campus community, and to effect more extensive
3 involvement in campus governance through a University Assembly and constituent assemblies
4 representatives of faculty, students, and employees, the President, through the authority granted
5 him by the Board of Trustees, hereby establishes this Charter for the University Assembly of
6 Cornell University.

7
8 **ARTICLE I: NAME AND DEFINITIONS**

9 **Section 1: Name**

10 The name of this organization is the University Assembly of Cornell University, hereinafter referred
11 to as the Assembly or the UA.

12
13 **Section 2: Definitions**

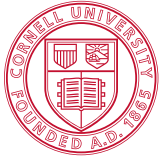
- 14 A. Campus Community: The students, staff, and faculty of the Ithaca and Geneva
15 campuses of the university.
- 16 B. Constituency: A constituency is a population represented by one of the constituent
17 assemblies.
- 18 C. Constituent Assembly: Any one of the following campus governance units of the
19 university may be considered a constituent assembly: Student Assembly, Graduate and
20 Professional Student Assembly, Employee Assembly, or Faculty Senate.
- 21 D. Session of the Assembly: A session of the Assembly begins June 1 and continues
22 through May 31 of the next year.
- 23

24 **ARTICLE II: OBJECT**

25 The object of the Assembly is to improve and sustain the involvement of the campus community in
26 the governance of campus affairs affecting the broad campus community by establishing open,
27 effective, and efficient channels of communication between and amongst the community and
28 university administration.

29
30 **ARTICLE III: AUTHORITY AND RESPONSIBILITY**

31 The Assembly, by delegation from the President, has the following authority and responsibilities:
32



Cornell University University Assembly

33 **SECTION 3.1: AUTHORITY IN POLICY DEVELOPMENT**

34 The Assembly may examine, on its own initiative, matters which involve the interests or concern
35 the welfare of a substantial segment of the campus community and may make recommendations or
36 resolutions thereon to the President or to other appropriate officers or decision-making bodies of
37 the University. Such matters include, but are not necessarily limited to:

- 38
- 39 ○ common standards of conduct,
- 40 ○ campus planning,
- 41 ○ diversity and inclusion,
- 42 ○ environmental impact and sustainability,
- 43 ○ family support,
- 44 ○ health services,
- 45 ○ information technology,
- 46 ○ public safety, and,
- 47 ○ transportation and commuter policies.

48 **Sub-Section 3.1.1: Assembly responsibilities**

49 To the extent practical and appropriate, the Assembly shall provide public notice of either the terms
50 or the substance of each proposed recommendation or resolution and a meaningful opportunity for
51 community participation in the development of such recommendations and resolutions. Such
52 opportunity may include:

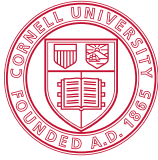
- 53 A. a comment period of at least one calendar month during which any member of the
54 community may submit written information or opinions for the Assembly's
55 consideration,
- 56 B. at least one public hearing during which any member of the community may submit
57 information or opinions to the Assembly in person for its consideration, and,
- 58 C. solicitation of pertinent information from appropriate University officials.

59 **Sub-Section 3.1.2: Recipient responsibilities**

- 60 A. To the extent practical and appropriate, University officials will provide pertinent
61 information as the Assembly requests.
- 62 B. Recipients of recommendations and resolutions shall reply in writing, either accepting
63 them or explaining why they will not be implemented. When circumstances prevent
64 recipients' response within one calendar month, they shall inform the Assembly of such
65 circumstances and a date by which it can expect a response.

66 **Sub-Section 3.1.3: Policies and actions subject to Assembly review**

- 67 A. Responsible University officials shall consider designating the Assembly, or one of its
68 constituent assemblies, as a stakeholder in each impact statement, prepared under the
69 terms of University Policy 4.1, Policy on the Formulation and Issuance of University
70 Policies, which involves the interests or concerns the welfare of a substantial segment of
71 the campus community. If the Assembly is not identified as a stakeholder, the impact
72 statement should incorporate a brief explanation for this determination.
- 73 B. Where circumstances permit, the Assembly shall be allowed a period of at least one



Cornell University University Assembly

- 74 calendar month to review and respond to proposed changes of the following policies:
75 a. the Campus Code of Conduct, and
76 b. the Rules and Regulations for the Control of Traffic and Parking on the
77 Grounds of Cornell University.
78 c. Officers of the university should consider consultation with the Assembly
79 before implementing other significant actions or policies which involve the
80 interests or concern the welfare of a substantial segment of the campus
81 community.
- 82 C. The Assembly may review or recommend specific policies and actions on its own
83 initiative or in response to a petition from members of its constituencies.
84

85 **SECTION 3.2: APPOINTMENTS TO CERTAIN ADMINISTRATIVE OFFICES**

86 **Sub-Section 3.2.1: Confirmation of certain Presidential appointments**

87 The Assembly must approve each appointment or reappointment by the President of the University
88 to the following offices:

- 89 o the Judicial Administrator
90 o the University Ombudsman
91 o the Judicial Codes Counselor

92 In the event of a vacancy in the offices of the University Ombudsman or Judicial Codes Counselor,
93 the President or a designee will appoint a search committee to which the Assembly may appoint a
94 representative. In the event of a vacancy in the Judicial Administrator's office, the procedure laid
95 out in Article II, Section A, Subsection 3 of Campus Code of Conduct for constituting a search will
96 be followed. Incumbent occupants of each office may serve any number of consecutive terms;
97 however, no single term may exceed two years in duration.

98 **Sub-Section 3.2.2: Appointment of members to the University Hearing and Review Boards**

99 The Assembly may appoint members to and remove members from service on the University
100 Hearing and Review Boards convened under the Campus Code of Conduct as needed to assure
101 the effective operation of those panels.
102

103 **SECTION 3.3: INTERNAL OPERATIONS**

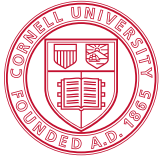
104 The Assembly has authority in matters concerning its internal operation and maintenance, including
105 provisions for the creation of bylaws and procedures.
106

107 **SECTION 3.4: ESTABLISH COMMITTEES**

108 The Assembly establishes standing committees and ad hoc committees as needed to perform its
109 duties.
110

111 **SECTION 3.5: RESERVATION OF AUTHORITY**

112 Nothing contained herein shall be construed to limit or constrain the President or other officers of
113 the University in the exercise of their delegated authority. The Assembly shall also defer to the



Cornell University University Assembly

114 advisory authority of the Faculty Senate and the college and school faculties regarding matters of
115 educational policy within their purview pursuant to the University Bylaws.

116

117 **ARTICLE IV: MEMBERSHIP**

118 **SECTION 4.1: COMPOSITION AND TERMS**

- 119 A. The total membership of the Assembly shall consist of twenty voting members: five
120 Undergraduate Student Representatives, five Graduate and Professional Student
121 Representatives, five Employee Representatives, and five Faculty Representatives.
- 122 B. Appointments to the Assembly will be made before the last regularly scheduled meeting of
123 the current session of the Assembly. Seats left unfilled after this time will be considered
124 vacant. Terms shall be served for a duration determined by the constituent assembly at the
125 time of their appointment, and may be for one or two years concurrently.
- 126 a. For a given session of the Assembly, the Student Assembly, Graduate and
127 Professional Student Assembly, Employee Assembly, and Faculty Senate may
128 appoint four members from their respective constituencies to terms concurrent with
129 that session of the Assembly. Excluding the presiding officers, at least two of the
130 appointed members from each constituent assembly at a given time must also serve
131 concurrently as members of the constituent assembly responsible for their
132 appointment.
- 133 b. The presiding officer of each constituent assembly serves as a voting member of the
134 Assembly concurrent with his or her term of office.
- 135 c. Each constituent assembly may appoint members to the Assembly in the manner of
136 its choosing and may fill vacancies as they occur with members who will serve the
137 balance of the term of the vacated member.
- 138 C. The Assembly may provide in its bylaws for appointment of additional non-voting members
139 to serve ex-officio.

140

141 **SECTION 4.2: EXCLUSION**

142 A voting member of the Assembly may not serve concurrently as a member of the Board of
143 Trustees of the University.

144

145 **SECTION 4.3: REMOVAL**

146 Any member may be removed by affirmative vote of two-thirds of seated members of the assembly
147 and consent of the constituent assembly responsible for his or her appointment.

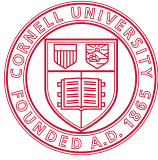
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149 **ARTICLE V: OFFICERS**

150 **SECTION 5.1: POSITIONS**

151 The officers of the Assembly are the Chair, the Executive Vice Chair, and the Vice Chair for
152 Operations, who must be of different constituencies. Additionally, a ranking member must be
153 appointed for each constituency not otherwise represented by the officers of the Assembly.

154



Cornell University University Assembly

155 **SECTION 5.2: TERMS**

156 The term for each office is concurrent with a session of the Assembly.

157

158 **SECTION 5.3: ELECTION**

159 A. The organizational meeting for the next session of the Assembly shall occur after the
160 adjournment of the final regularly scheduled meeting of the current session of the Assembly
161 and prior to the beginning of the next session of the Assembly to ensure that the Assembly
162 may organize before the next session begins.

163 B. At the organizational meeting of the Assembly or at the first meeting after a vacancy arises,
164 the Assembly must elect officers from its membership by secret ballot in closed session.
165 The highest ranking non-returning member of the current session of the Assembly shall
166 preside over the election of the Chair for following session. Where no such person exists,
167 the longest consecutively serving member of the Assembly shall preside over the election of
168 the Chair.

169 C. Elections will utilize the exhaustive ballot system: until a candidate receives a majority of
170 votes cast, the candidate receiving the fewest number of votes will be removed from the
171 ballot and another round of votes cast.

172 a. If, after the floor is closed for nominations for specific officer position, only one
173 candidate is nominated to be an officer, he or she will be seated immediately, unless a
174 member of the Assembly opposes the nomination.

175 D. As soon as possible after the officers have been elected, seated members of the constituency
176 not represented by the officers must caucus and elect, following the same procedure as
177 provided for the election of officers, a ranking member to represent their constituency.

178

179 **SECTION 5.4: RESPONSIBILITIES**

180 **Sub-Section 5.4.1: Responsibilities of the Chair**

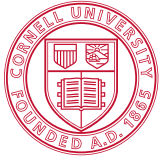
181 The Chair:

- 182 A. presides over meetings of the Assembly;
- 183 B. serves as the spokesperson of the Assembly; and,
- 184 C. transmits any formal recommendations, resolutions, or reports issued by the Assembly to
185 the appropriate recipients.

186 **Sub-Section 5.4.2: Responsibilities of the Executive Vice Chair**

187 The Executive Vice Chair:

- 188 A. presides over meetings of the Executive Board;
- 189 B. receives and tracks reports, resolutions, and other items of business from members of the
190 Assembly and the chairs of its committees;
- 191 C. prepares and distributes the agenda for each meeting of the Assembly to all members of the
192 Assembly and to the Office of the Assemblies at least twenty-four hours prior to the
193 meeting;
- 194 D. assists the Chair in compiling reports and materials as needed; and,
- 195 E. fulfills the responsibilities of the Chair in his or her absence or if the position is vacant.



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196 **Sub-Section 5.4.3: Responsibilities of the Vice Chair for Operations**

197 The Vice Chair for Operations:

- 198 A. reviews and approves expenses under the discretionary budget of the Assembly;
- 199 B. monitors the activities of each committee of the Assembly;
- 200 C. assures that each committee of the Assembly is properly staffed, consulting with the
- 201 Executive Board, the committee's chair, and the appropriate officers of the constituent
- 202 assemblies as needed; and,
- 203 D. fulfills the responsibilities of the Executive Vice Chair in his or her absence or if the
- 204 position is vacant.

205 **Sub-Section 5.4.4: Responsibilities of the Ranking Member**

206 The ranking member:

- 207 A. serves as a voting member of the Executive Board
- 208 B. represents the interest of his or her constituency in meetings of the Executive Board; and,
- 209 C. resigns from office in the event that another member of his or her constituency becomes an officer
- 210 of the Assembly.

211 **SECTION 5.5: REMOVAL**

212 The Assembly may remove any of its officers upon an affirmative vote of two-thirds of the seated

213 membership of the Assembly. Immediately thereafter, a new officer must be elected from among

214 the voting members of the Assembly for the balance of the term of office.

215

216 **ARTICLE VI: EXECUTIVE BOARD**

217 The Assembly has an Executive Board (the Board) to manage its daily operation and to provide

218 continuity of operation outside of the academic year.

219 **SECTION 6.1: MEMBERSHIP**

220 The Board consists of the officers and the ranking members of the Assembly.

221 **SECTION 6.2: AUTHORITY DURING THE ACADEMIC YEAR**

222 The Board:

- 223 A. prepares the agenda for each meeting of the Assembly;
- 224 B. calls special meetings of the Assembly as needed; and,
- 225 C. removes members from committees in cases where behavior or absence disrupts the sound
- 226 operation of those committees.

227 **SECTION 6.3: EMERGENCY AUTHORITY**

228 During periods between academic semesters and during university holidays, the Board may

229 additionally:

- 230 A. speak on behalf of the Assembly on matters where, in the opinion of the Board, a delay
- 231 would prevent effective exercise of the Assembly's authority or hinder the efficient
- 232 operation of institutional functions for which the Assembly is responsible; and,
- 233 B. convene any ad hoc committees as needed to fulfill its responsibilities.



Cornell University
University Assembly

234 In taking any such actions, the Board must make a reasonable effort to involve all of its members,
235 including those absent from campus, and to consult the chairs of any committees that the Assembly
236 would ordinarily consult. The Chair must report such actions, including the results of any votes, at
237 the first meeting of the Assembly that occurs after the actions are taken.
238

239 **ARTICLE VII: CHANGES IN THE CHARTER AND BYLAWS OF THE**
240 **UNIVERSITY ASSEMBLY**

- 241 A. An affirmative vote of a majority of the seated members of the Assembly is required to amend the
242 Bylaws of the Assembly, and an affirmative vote of two-thirds of the seated membership is required
243 to amend the Charter.
- 244 B. Proposed amendments to the Bylaws or the Charter of the Assembly must be publicized at least one
245 week before any meeting where they are discussed or adopted. The Assembly may not adopt
246 amendments to the Charter at the same meeting where they are introduced or modified, and the
247 President of the University must approve such amendments before they may be implemented.



Bylaws

Cornell University Assembly

As amended on February 26th 2017

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ARTICLE I: EX-OFFICIO MEMBERSHIP

5 The following serve as members of the Assembly ex-officio without vote:

6 1. the chair of each associated committee of the Assembly.

7

ARTICLE II: PROCEDURES

8

Section 2.1: Meetings

9 At the first meeting of the academic year, the Assembly shall adopt a schedule of meetings for the
10 remainder of the year. These meetings shall be referred to as the regular meetings.

Section 2.2: Special Meetings

12 Special meetings of the Assembly may be convened to consider issues of immediate and pressing
13 concern. The Chair of the Assembly, the President or in the President's absence, the Acting President,
14 may call a special meeting of the Assembly. The Chair shall call a special meeting of the Assembly when
15 requested to do so by two-thirds of its seated members.

Section 2.3: Quorum

17 A majority of the seated members of the Assembly constitutes a quorum to do business.

Section 2.4: Robert's Rules of Order

19 The procedures for debate and general conduct of business of the Assembly in all matters not specifically
20 described in this document are Roberts Rules of Order, latest edition.

Section 2.5: Executive Session

22 With the concurrence of a majority of the voting members present, the Assembly or any of its committees
23 may enter executive session to discuss confidential matters. The Assembly must enter into its minutes the
24 purpose of an executive session. No policy decisions shall be made in executive session.



25 **Section 2.6: Speaking Privileges**

26 Any member of the Cornell community may request speaking privileges through the Chair, provided the
27 request is made at least 24 hours prior to a meeting. Consultants invited to a meeting by the Chair may
28 speak regarding the particular topic on which they were invited to present information or answer
29 questions. During the course of the meeting the Assembly may establish additional procedures for
30 granting speaking privileges.

31 **Section 2.7: Agenda**

32 The President of the University or any member of the Assembly may ask the Executive Vice Chair to
33 place of an item of business on the agenda. The Executive Board should place the item at the earliest
34 possible time that is practical or refer the item to appropriate committees for further review. The
35 Executive Vice Chair must make the agenda of the Assembly available to members no less than twenty-
36 four hours prior to a meeting of the Assembly.
37 Except where explicitly stated by the Executive Board, agendas and associated documents are presumed
38 to be public documents that may be shared with the campus community.

39 **Section 2.8: Minutes**

40 The minutes of Assembly meetings and those of its committees shall be available to all members of the
41 University, except for those meetings, or portions thereof, conducted in executive session.

42 **Section 2.9: Annual Report**

43 The Chair of the Assembly, in consultation with its members, presents an annual report to the President
44 of the University. The report includes a summary of the Assembly's work during the year and describes
45 any outstanding issues or items of business that are expected to arise in the future. The Assembly must
46 make the report available to all members of the University.

47 **Section 2.10: Timing of Regular Meetings and Notice of All Meeting Times** 48 **and**

49 Regular meetings shall occur during the academic year only. The Executive Board must publicize and
50 allow the campus community to attend and observe all open meetings of the Assembly.

51 **Section 2.11: Attendance Policy for Elected Members Not Yet Seated**

52 Newly selected members of the Assembly must make every effort to attend any meetings that occur before
53 such members are seated.



54 **Section 2.12: Attendance Policy for Seated Members**

- 55 Seated and ex-officio members must attend all regular meetings of the Assembly. Members must:
- 56 A. notify the Chair of the Assembly at least twenty-four hours prior to any scheduled meeting they
- 57 are unable to attend, if possible; and,
- 58 B. not miss more than two regular meetings in any session of the Assembly.

62 If the Chair determines a member has failed to meet any of these requirements, the Chair must call for a

63 vote on unseating the member at the next regular meeting. If the Assembly votes to unseat the member,

64 the unseated member has not vacated the seat, but does not count for quorum and cannot vote until they

65 have been reseated. As soon as possible after a member has been unseated, the Chair must notify the

66 member and their constituent assembly that they have been unseated.

68 If an unseated member of the Assembly desires to be reseated, the member may call for a simple majority

69 vote of the Assembly to be reseated. The motion may not be postponed until after an agenda item

70 requiring a vote without the unseated member's consent. If the Assembly votes to reseat the member, the

71 member is reseated immediately with all rights restored.

72 **Section 2.13: Reporting Responsibilities of Members of the Assembly**

73 Presiding officers of each constituent assembly serve as liaisons between the Assembly and their

74 respective constituent assemblies, reporting the activities of the Assembly to their constituent assemblies

75 and the activities of their constituent assemblies to the Assembly.

76 **Section 2.14: Sense-of-the-Community Referendum**

- 77 The Assembly may call for a Sense-of-the-Community Referendum provided that it:
- 78 A. can be completed in the current session; and,
- 79 B. addresses a concern relevant to the entire University community in which all employees, faculty,
- 80 and students may vote.

81 **ARTICLE III: COMMITTEES**

82 **Section 3.1: Ad hoc Committees**

83 The Assembly, the Executive Board, and the Assembly's standing committees may establish such ad hoc

84 committees or subcommittees as are necessary for the proper performance of their functions. Any



85 alteration to the charge of such committees and subcommittees or to their membership must be reported
86 to the Vice Chair for Operations before being put into effect.

87 Sub-Section 3.1.1: Composition and Terms

- 88 A. The standing committee may recommend a specific prescription as to the membership of an ad
89 hoc subcommittee, including provisions for the appointment of members who are not
90 members of the standing committee or the Assembly.
91 B. No ad hoc committee may have fewer than three voting members. Each ad hoc committee
92 must disband at the end of a session of the Assembly.

93 Sub-Section 3.1.2: Appointment and removal of ad hoc committee members and chairs

94 Except where otherwise provided, the Vice Chair for Operations, in consultation with the Executive
95 Board, may appoint members. The Executive Board may remove members. A standing committee may
96 appoint members to or remove members from the subcommittees it establishes at its own discretion.

97 Section 3.2: Standing Committees

98 Sub-Section 3.2.1: Standing Committee Responsibilities

99 Each standing committee must:

- 100 A. hold and publicize at least one meeting per semester that is open to the campus community
101 where it receives and discusses items of business relevant to its charge;
102 B. submit, in a timely fashion, minutes of each meeting to the Vice Chair for Operations;
103 C. submit, before May 1, an annual report to the Vice Chair for Operations including a
104 summary of unfinished business of the committee;
105 D. make every reasonable attempt to ensure that members of the University community
106 affected by its recommendations are informed of the agenda of its meetings and of its
107 recommendations;
108 E. request that the Chair of the Assembly place on the agenda of the Assembly those matters,
109 which in its opinion require discussion by the Assembly; and,
110 F. respond to any requests from the Assembly for information or reconsideration of
111 recommendations.

112 Sub-Section 3.2.2: Standing committee composition and terms

113 Unless otherwise specified in its charge, each committee will consist of eleven voting members:

- 114 A. three appointed by and from the voting membership of the Assembly;
115 B. one appointed by each constituent assembly from its voting membership; and,



116 C. one appointed by each constituent assembly from the constituency it represents.
117 The officers of the assembly serve as non-voting, ex-officio members of the standing committees.

118 Sub-Section 3.2.3: Appointment and removal of standing committee members
119 and chairs

- 120 A. The Vice Chair for Operations, in consultation with the Executive Board, may appoint
121 members on behalf of the voting membership of the Assembly. The Executive Board may
122 remove members.
123 B. Except for compelling circumstances, no person should serve more than two consecutive
124 terms in a given committee.

125 Section 3.3: Procedures for policy development and legislative actions

126 The responsibilities articulated in this section apply only to committee business related to the Assembly's
127 authority in policy development or legislative actions.

128 Sub-Section 3.3.1: Mandatory Procedures

129 Each committee must:

- 130 A. issue a public notice on the Assembly's website of each motion related to a substantive
131 policy change, which includes:
132 1) a contact to whom inquiries and written comments may be directed,
133 2) period of time during which written comments will be accepted, and,
134 3) times and locations of any public hearings, if hearings are conducted; and,
135 B. issue a report based on its deliberations and any comments received, which the Assembly
136 will incorporate as supporting documentation into any related motion is subsequently
137 adopts.

138 Sub-Section 3.3.2: Normative Procedures

139 To the extent practical and appropriate, each committee must:

- 140 A. solicit written comments from campus constituencies for a public comment period of at
141 least two weeks in duration.

142 Sub-Section 3.3.3: Discretionary Procedures

143 Each committee may:

- 144 A. request reports and information from responsible administrative units;



- 145 B. extend, with public notice, the period of time when written comments are accepted; and,
146 C. conduct public hearings, in collaboration with responsible administrative units, to receive
147 oral comments from community members and experts.

148 **ARTICLE IV: CHARGES OF STANDING COMMITTEES**

149 **Section 4.1: Codes and Judicial Committee**

150 By delegation from the Assembly, the Committee will review any proposed motion related to:

- 151 Campus Code of Conduct; and
- 152 recruitment and appointment of members to the University Hearing and Review Boards.

153 The Committee may propose, review, and amend resolutions as it deems appropriate. The Committee
154 must approve resolutions referred for its consideration before they can be advanced to the Assembly for a
155 vote and for debate. The Judicial Administrator and Judicial Codes Counselor serve as non-voting, ex-
156 officio members of the Committee.

157 **Section 4.1: Campus Welfare Committee**

158 By delegation from the Assembly, the Committee will review any proposed motion related to:

- 159 diversity and inclusion;
- 160 family support;
- 161 health services; and,
- 162 any other topic deemed relevant to campus welfare by the Executive Board.

163 The Committee may propose, review, and amend resolutions as it deems appropriate. The Committee
164 must approve resolutions referred for its consideration before they can be advanced to the Assembly for a
165 vote and for debate.

166 **Section 4.1: Campus Infrastructure Committee**

167 By delegation from the Assembly, the Committee will review and approve any proposed motion related
168 to:

- 169 environmental impact and sustainability;
- 170 information technology;
- 171 transportation and commuter policies; and,
- 172 any other topic deemed relevant to campus infrastructure by the Executive Board.

173 The Committee may propose, review, and amend resolutions as it deems appropriate. The Committee
174 must approve resolutions referred for its consideration before they can be advanced to the Assembly for a
175 vote and for debate.



176 **ARTICLE V: ASSOCIATED COMMITTEES**

177 **Section 5.1: Definition and General Specifications**

- 178 A. The Assembly may, with the approval of the responsible administrative unit, identify associated
179 committees of the Assembly. Such committees are chartered and managed by the responsible
180 administrative unit, but report additionally to the Assembly and possess the same responsibilities
181 as standing committees of the Assembly.
- 182 B. Each committee's charge must:
- 183 1) identify of the administrative unit responsible for the committee;
 - 184 2) specify responsibilities of the committee; and,
 - 185 3) specify composition and terms of the committee.
- 186 C. The following requirements hold except where otherwise provided:
- 187 1) Both the Assembly and the responsible administrative unit must approve changes to the
188 charges of associated committees.
 - 189 2) The chairs of associated committees serve ex-officio as non-voting members of the
190 Assembly and are expected to attend all regularly scheduled meetings of the Assembly.
- 191 D. Except where otherwise provided, the constituent assemblies may appoint and remove the
192 members of each associated committee assigned to represent their respective constituencies. The
193 Vice Chair for Operations, in consultation with the Executive Board, may appoint members to fill
194 any vacancies that remain after September 1 provided the term of appointment does not run
195 beyond the current session of the Assembly.

196 **Section 5.2: Campus Planning Committee**

197 The Campus Planning Committee (the "Committee") supports comprehensive and clear planning
198 processes across campus in stewardship of the physical plant at Ithaca.

199 **Sub-Section 5.2.1: Responsibilities**

- 200 A. The Committee's charge is to review and make recommendations to the President regarding
201 physical planning for the Ithaca campus including:
- 202 1) master planning;
 - 203 2) land use and physical development;
 - 204 3) landscape and environmental planning and design;
 - 205 4) transportation planning;
 - 206 5) circulation and parking;
 - 207 6) infrastructure;
 - 208 7) new construction; and;
 - 209 8) renovations as they relate to the overall planning and character of the Ithaca campus.



- 210 B. Among campus issues that the CPC shall review and advocate on behalf of, are 'university' and
211 'enabling' projects as identified in the Cornell Master Plan and other strategic planning
212 opportunities.
- 213 C. Furthermore, the CPC shall review in consultation with (and with the consultation of) the
214 appropriate committees of the University Assembly, all plans for alterations of or additions to
215 roads and parking lots on the Ithaca campus and all sustainability matters related to land and
216 campus development.
- 217 D. The CPC shall seek advice and comments from non-members including Cornell and non-
218 Cornell affiliates, while discussing a specific issue or design. The CPC strives to enhance
219 communications, social inclusion, and accountability regarding physical planning and
220 development of the Ithaca campus.

221 Sub-Section 5.2.2: Composition

- 222 A. The CPC shall consist of four Presidential appointments, eight position appointments, nine
223 additional at-large members, and ex-officio members.
- 224 B. The presidential appointments are made by the President of the University, and those
225 individuals are to serve three-year terms on a staggered basis.
- 226 C. The position appointments or designees should be individuals with professional and technical
227 expertise in a design or planning related field. These positions consist of the chairs of the
228 following departments or their designees: Department of Architecture, Department of Natural
229 Resources, Department of Landscape Architecture, Department of City and Regional
230 Planning, and the Art Department as well as the directors of the following units or their
231 designees: the Cornell Plantations, Graduate Program in Historic Preservation, and the Vice
232 President for Facilities Services.
- 233 D. The nine at large members consist of one University Assembly liaison, two
234 graduate/professional students, two undergraduate students, two employees, and two faculty
235 members, each named by his or her respective Assembly for a two-year term.
- 236 E. The ex-officio members are added by virtue of their administrative positions at the University
237 and their connection to planning at the University.

238 Section 5.3: Transportation Hearing and Appeals Board

239 The Transportation Hearing and Appeals Board (THAB) shall review decisions that have been denied in
240 whole or in part by Transportation and Mail Services administrative staff on matters relating to violation
241 appeals, requests for special parking grants for those claiming financial hardship, and exceptions to
242 parking rules and regulations and/or normal permit eligibility criteria.

243 Sub-Section 5.3.1: Responsibilities



244 Violation appeals must each be decisioned separately, considering all relevant facts and
245 circumstances brought to the board's attention. The board shall only review cases for which it is
246 deemed an error in judgment or procedure was made in the original decision. In cases of requests
247 for special parking grants based on financial hardship, appellants must fully explain why they are
248 unable to use the transportation options available. In cases of requests related to exceptions to
249 parking rules and regulations and/or normal permit eligibility criteria, the board's decision shall
250 be based on demonstrated need and are subject to space and other limitations.

251 Sub-Section 5.3.2: Composition

252 THAB shall consist of twelve members nominated by their respective Assemblies and approved by
253 those bodies and one ex-officio member representing the administrative staff of Transportation
254 and Mail Services. Members shall be constituted as follows: four students (two
255 graduate/professional, two undergraduate), four faculty, and four employees. No employee of
256 Transportation and Mail Services or Cornell Police may serve on THAB. The term of membership
257 shall be two years, except that initially, so that terms may be staggered, two faculty, two students
258 and two employees shall serve terms of one year. THAB shall annually elect its own chairperson.
259 Hearings shall require a quorum of three members. In case of a tie vote, the decision shall be
260 recorded in favor of the appellant.

261 ARTICLE VI: LIAISONS TO OTHER ORGANIZATIONS

262 Section 6.1: Liaisons

263 At its annual organizational meeting, as soon as is practical thereafter, or whenever a vacancy arises, the
264 Assembly will appoint a liaison, or liaisons, as appropriate to serve as its representative on the following
265 bodies:

- 266 Policy Advisory Group
- 267 Council on Sexual Violence Prevention
- 268 Student Insurance Advisory Committee Liaison
- 269 Student Health Fee Advisory Committee Liaison

270 Section 6.2: Appointment and Removal

271 Each liaison may be appointed or removed by the same procedure as for appointing or removing a
272 member of a standing committee.