

Cornell University University Assembly

Cornell University Assembly

Agenda of the April 7, 2020 Meeting

4:30 PM – 6:00 PM

Zoom Meeting Only

Zoom Id 815958591

- 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. Approval of the minutes – meeting 3/17/20
4:35pm to 4:40pm
 - b. Bob Howarth – 4:40pm to 4:50pm
 - i. Covid19 preparations & protocols
 - 1. Zoom meetings questions
 - 2. Code push & online communications / discussions
 - 3. 2020-2021 Officers election
 - c. Suzanna M Swanson – JCC appointment 4:50pm to 5:05pm
 - d. Committees – 5:06pm to 5:55pm
 - i. Codes Judicial Committee
 - 1. Update – Joe Anderson
 - ii. Campus Welfare Committee
 - 1. Update – David Hiner
 - iii. Campus Infrastructure Committee
 - 1. Update Kris Barth
 - iv. Budget Planning Committee
 - 1. Charlie Van Loan
- IV. Adjournment at 6pm



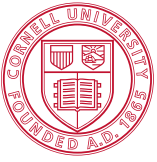
Cornell University University Assembly

Cornell University Assembly

Minutes of the March 17, 2020 Meeting

4:30 PM – 6:00 PM

- 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. Bensel, U. Chukwukere, B. Fortenberry, D. Hiner, A. Hong, R. Howarth, A. Howell, Y. Li, J. Pea, P. Thompson
 - ii. *Members not Present at Roll Call:* C. Duell, L. Kenney, C. Levine, G. Martin, R. Mensah, C. Van Loan
- 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 2/18/20 meeting minutes
 - i. K. Barth moved to approve the minutes. The motion was seconded and approved with no discussion.
 - b. UA Updates – R. Howarth
 - i. COVID-19 Preparations & Protocols
 - 1. Zoom Meetings
 - a. R. Howarth stated that due to the campus closure because of COVID-19, the remainder of the University Assembly and committee meetings would be held digitally via Zoom communication.
 - 2. Code push & online communications/discussions
 - a. R. Howarth conveyed his belief that the priority for the UA should be the Code of Conduct and finishing it by the end of the Spring 2020 semester. With it being the third year of the revision process for the Code of Conduct, it would need to be finished without further delays. Additionally, it would also be important for the UA to receive public comment on the Code revisions. R. Howarth noted that although not ideal, the public comments would need to be handled online. After speaking with M. Pollack, R. Howarth also stated that M. Pollack understood the challenge being imposed on the CJC and UA by the closure of campus but would be grateful if



Cornell University University Assembly

the Code of Conduct was able to be completed by the end of the semester with the administration aiding in the effort. In terms of further UA business, D. Hiner on behalf of the CWC was planning on bringing forth a resolution on a tobacco/nicotine ban. However, after conferring with the Executive Board, R. Howarth stated that they believe it would make more sense to move the resolution discussion to the fall semester given the current situation.

3. 2020-2021 Officers election

- a. R. Howarth expressed that the UA Bylaws specified that elections of new officers and chairs would normally take place at the last UA meeting in May. However, R. Howarth conveyed that he did not believe it would make sense to hold elections via Zoom and there would need face-to-face contact for discussion. On that note, R. Howarth proposed that at a future meeting, a vote should be taken to make an amendment to the bylaws to allow current officers and chairs to continue to serve until the time was safe to hold in-person meetings presumably in August.

ii. JA Update

1. R. Howarth announced that B. Krause had been appointed as the interim Judicial Administrator and would begin her appointment on March 23, 2020 and would report to R. Howarth and the office of VP R. Lombardi and President M. Pollack. B. Krause had been notified that she would be filling in as the JA until the code revisions were complete to determine the new nature of the OJA and a national search was conducted. The appointment would most likely be between 9-15 months as the interim JA.
2. R. Howarth stated that he had been copied on an email from the office of President M. Pollack and the email had recommended S. Swanson to be appointed as the next Judicial Codes Counselor (JCC) with her appointment taking over in July 2021. The recommendation was that of the search committee but would need the approval of the UA. R. Howarth stated that a vote would be held later during the meeting.
3. R. Howarth noted that the JCC is appointed jointly by the office of President M. Pollack and UA. The suggestion of the search committee was to appoint S. Swanson who would be a second year



Cornell University University Assembly

law student in the upcoming school year (2020-2021). S. Swanson would serve as an Associate JCC and work alongside the current JCC and would eventually takeover the position of the JCC in July 2021.

- a. J. Anderson stated that typically the individual who would be stepping into the role of the JCC would give a brief presentation of their candidacy at a UA meeting. J. Anderson stated interest in having S. Swanson present at a future UA meeting to hear what actions she was planning on taking in the role.
- b. A. Barrientos-Gomez stated that he along with R. Bensele would also like to hear from S. Swanson.
- c. R. Howarth stated that it made sense to postpone a vote until the UA had formally met the candidate. R. Howarth said that he would email S. Swanson to let her know that the UA would like to hear from her before voting on her appointment and her presentation would be placed on the agenda for the next UA meeting in April.

iii. Ombudsman Update

1. R. Howarth stated that he and VP. M. Opperman along with President M. Pollack's office had conducted an outside review of the Office of the Ombudsman. There was current thought that the long-term role of the Office of the Ombudsman could be reevaluated with R. Howarth suggesting that the Ombudsman could report twice a semester to the UA's Executive Board rather than once a year in an effort to increase regular and systematic communication. Additionally, a committee could be created starting in the fall semester tasked with reviewing the role and appointment process of the University Ombudsman. The current Ombudsman was appointed to a three-year term and the term would end in June 2021 so there review of the role and appointment process was not urgent.

c. Committees Update

i. Codes Judicial Committee – J. Anderson

1. J. Anderson stated that the major portion of the code that was most recently finished was the student portion of the Code of Conduct including topics such as jurisdiction, violations, and transcript notation. The current document was very cohesive and simplistic in comparison to what it used to be. J. Anderson noted that the CJC had decided to move on to the procedural section of the code with a



Cornell University University Assembly

hybrid model being adopted for the procedural section based on the recommendations of the OJA and the University Council. One notable change was a move to a more cohesive investigative model emphasizing educational conversations for lower level violations such as a first time alcohol violation to provide an ability for individuals who receive a JA to have an educational conversation with no necessary hearings. The CJC had decided to take the OJA working model and add more detailed documents to it at future CJC meetings because the goal of the CJC was to provide a skeleton of the process before providing more details on topics such as the educational conversations and how they would be implemented. The charge given to the CJC by the Office of the President was to make the process less punitive and more educationally-focused. J. Anderson stated that the CJC would work to create the best public comment situation with the possibility of virtual forums on Zoom calls. The dates had not been decided yet because the publicization would need to be different from previous ideas in order to reach students spread out across the globe and staff members that are working remotely. J. Anderson conveyed that CJC was working to solidify plans as soon as possible and noted that he believed that the code could be completed by the end of the semester. After the completion of the code, the following year would be primarily focused on process improvement with the CJC being more involved in the adjudication of the code to make the immediate changes that might not have been anticipated from the current year.

2. R. Howarth asked if J. Anderson believed that the main body of the code could be approved by the UA by spring. R. Howarth conveyed that an important aspect of the code for him would be defining the nature of the JA's office so a national search could be conducted to fill the position
 - a. J. Anderson responded by saying that the violations and substantive portion of the Student Code of Conduct was completed and ready to be brought out. The procedural section was the section that would need more revising and could be completed by the end of the semester but that would be the document that individuals should be referring to most in the upcoming year in conjunction with the JA's office to streamline the process.



Cornell University University Assembly

3. R. Howarth asked J. Anderson if the CJC would like help from the UA or the Office of the President in terms of getting community interaction.
 - a. J. Anderson noted that any help from the Office of the President would be appreciated. Additionally, having the chairs of each assembly conveying the information to their respective assemblies would also be helpful. J. Anderson stated that he would be in contact with G. Giambattista to setup the website for public comment and organize it in a way that is educational.
4. R. Howarth conveyed his gratitude for the work being done by the CJC and noted the importance of finishing the code by the end of the spring semester if at all possible.
5. J. Anderson stated that if any UA member was interested in what the CJC was working, to send an email and a Zoom link could be sent out. The more individuals who take proactiveness on the code, the better.
 - a. R. Howarth spoke in the affirmative and noted that the code was the top priority for the UA and urged members to take the opportunity to become involved in the process.
- ii. Campus Welfare Committee – D. Hiner
 1. D. Hiner stated that the tobacco resolution would be delayed until later in the semester or the beginning of the fall.
 2. R. Howarth noted that it made sense to discuss and determine a good time to introduce the resolution in a cabinet meeting. There was importance in getting campus feedback on the tobacco resolution as well and trying to get feedback on it along with the code in the current COVID-19 situation would be overwhelming.
- iii. Campus Infrastructure Committee – K. Barth
 1. K. Barth conveyed his gratitude to J. Pea and A. Barrientos-Gomez for filling CIC positions with graduate and professional students. There were still two vacant positions in the committee: one for a UA member and another for an undergraduate student representative. K. Barth stated that the last CIC meeting was cancelled due to the current situation and the plan had been to meet with CIT to discuss Zoom and AV standards with the idea that all students, faculty, and staff should be able to use these resources to reduce travel. Additionally, the CIC was planning to meet on Earth Day for the



Cornell University University Assembly

50th Anniversary with D. Cutter (the university Landscape Architect) and T. Bittner (from the Cornell Botanic Garden) to discuss climate adaption plans for the university landscape and natural areas including topics such as the types of trees and vegetation needed to be planted on campus to deal with a 4° C change in climate, the emerald ash borer replacement. An additional discussion topic was that of precinct plans for the gorges with decisions needed to be made on things that could go into the gorges. The campus circulator resolution had been tabled across all the assemblies except for the Faculty Senate. K. Barth stated that he had taken C. Van Loan's feedback and was working on adding a white paper that would give ballpark numbers and information rather than letting the resolution be a standalone document including just the text. The campus circulator resolution was not intended to be a design document but a request for a project, however, including an attachment with a map and potential route changes would provide additional information to first-time viewers of the resolution.

- a. A. Barrientos-Gomez notified K. Barth that the GPSA would be having 1-2 more business-heavy meetings and if he (K. Barth) was planning on bringing the resolution back to the GPSA, to alert him (A. Barrientos-Gomez) so discussion could be finished on the campus circulator.
- b. J. Anderson conveyed to K. Barth that at the penultimate SA meeting, the resolution in support of the campus circulator had been passed.
2. K. Barth stated that he had not received any major feedback indicating a need to change the main text of the resolution, but the document would serve as an attachment.
3. L. Kenney asked K. Barth to clarify the vacancies in the CIC.
 - a. K. Barth stated that the two vacancies in the CIC were that of a UA member and an undergraduate student representative.
 - b. L. Kenney conveyed to K. Barth her availability to serve on the CIC as a UA member.
 - c. R. Howarth stated that the Executive Board would track it.
 - d. J. Pea stated that he would keep track of the position.
4. R. Howarth mentioned that the divestment resolution had been approved by all five assemblies. R. Howarth stated that he had



Cornell University University Assembly

spoken with President M. Pollack about it and she had conveyed to him that it was on her radar but she did not want to bring it to the Board of Trustees yet because they were preoccupied at the moment but it would be introduced at their May meeting unless the COVID-19 situation became more disastrous.

- a. K. Barth conveyed his gratitude for the effort and teamwork that went into the divestment resolution.
5. L. Kenney asked R. Howarth why K. Barth's motion to have L. Kenney join the CIC as a UA member was tabled for the Executive Board.
 - a. R. Howarth stated that there was no particular reason other than that being the typical approach. However, the motion could be put to a vote of the whole UA. R. Howarth noted that the UA bylaws stated that if vacancies occurred during the year, J. Pea with the consent of the rest of the Executive Board would have the power to fill the vacancy.
 - b. L. Kenney stated that she was just asking for clarification since she recalled those usually being voted on at the meeting.
 - c. R. Howarth noted that he did not think they had voted to fill vacancies at the UA meetings, but he could be misremembering the exact language of the UA bylaws in regard to filling vacancies.
 - d. K. Barth moved the previous question to have L. Kenney fill the vacancy on the CIC. The motion was seconded by a member of the UA and **passed** unanimously.
6. R. Howarth stated that in a conversation with M. Pollack and in the context of the campus circulator, she had stated that the university would face financial challenges in her opinion which would make it difficult for the university to take the campus circulator forward.
 - a. K. Barth stated that he would work with the leadership of the different assemblies along with the OA to determine the movement of the resolution. K. Barth noted that he would understand if the resolution would be tabled until the next UA assembly meets. As M. Pollack had previously noted, the money for the project would need to come from somewhere and with the current situation, the push for the campus circulator was not a pressing issue.



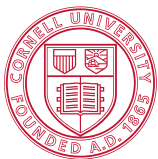
Cornell University University Assembly

iv. Budget Planning Committee – C. Van Loan

1. C. Van Loan stated that the first main goal of the Budget Planning Committee (BPC) was the layman's budget model with the intent of producing a document by the end of the semester. The second main goal of the BPC was the representation within the Financial Policy Committee (FPC). The FPC had approached C. Van Loan with the idea of expanding the charter to allow more members. The expansion was discouraged. C. Van Loan stated that going forward, the FPC would be more proactive on specific issues and engaging individuals beyond the committee.
2. R. Howarth stated that he was looking forward to seeing the budget model. Additionally, given the current situation and the financial ramifications to the university, R. Howarth asked if the UA through C. Van Loan should have an input on the budget.
 - a. C. Van Loan stated that he agreed.

v. COVID-19 Resolution

1. K. Barth suggested that the UA put together a resolution recognizing and acknowledging the university's quick action and decision making in the COVID-19 pandemic. In its quick response, the university put the safety of students, faculty, and staff first in recognizing that travel would become worse as the pandemic progressed and realizing that some members of the faculty were in the higher-risk age range. K. Barth stated that he would appreciate any other members comment and the resolution would not need to be elaborate but would state that the UA recognized the challenges of the situation and felt that the university administration rose to the occasion.
 - a. P. Thompson and R. Howarth stated that they believed it was a good idea.
2. K. Barth noted that he would begin drafting a document and place it in the UA Box folder with members being able to edit the document with their ideas and language changes. UA members could also email K. Barth with language and comment suggestions to be centralized.
3. R. Howarth noted that once the resolution was fully drafted, it would presumably be a resolution at the April meeting. In the meanwhile, R. Howarth stated that he could convey in an email to the President and Vice Provosts the presence of the resolution.



Cornell University
University Assembly

IV. Adjournment

- a. The meeting was adjourned at 5:20pm.

Respectfully Submitted,

Auriole C. R. Fassinou
Clerk of the Assembly

DRAFT