

Cornell University University Assembly

Cornell University's University Assembly

Agenda of the February 7, 2023 Meeting

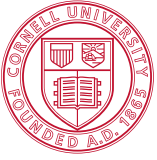
4:45 PM – 6:15 PM

401 Physical Sciences Building | Zoom

- I. Call to Order
 - a. Roll Call
 - b. Land Acknowledgment of the Gayogoho:nq (Cayuga Nation)
 - c. Call for Late Additions to the Agenda
- II. Approval of the Minutes
 - a. [Minutes of the January 24, 2023 meeting](#)
- III. Open Forum
 - a. Update on Campus Forum on Public Safety
- IV. Business of the Day
 - a. Reminder: President Pollack's visit to UA with Joel Malina, Vice President for University Relations, on February 21
 - i. The University Assembly uses a 15-15 model (15 minutes for president's remarks, 15 minutes for Q&A)
 - ii. All pre-submitted questions due by February 14
 - b. CJC Updates – Richard BenseI
 - i. [UA R3 Resolution on Revision of Codes and Judiciary Committee Responsibilities](#)
 - ii. [UA R4 Resolution on Amending the University Assembly Bylaws](#)
- V. Assembly Reports
 - a. Student Assembly
 - b. Graduate and Professional Student Assembly
 - c. Employee Assembly
 - d. Faculty Senate
- VI. Committee Reports
 - a. Executive Committee
 - b. Codes and Judicial Committee
 - c. Campus Welfare Committee
 - d. Campus Committee on Infrastructure, Technology, and the Environment
- VII. Liaison Reports
- VIII. Adjournment

If you are in need of special accommodations in order to fully participate, please contact Student Disability Services at (607) 254-4545 or the Office of the Assemblies at (607) 255-3715 or assembly@cornell.edu prior to the meeting.

Page 1 of 1



Cornell University University Assembly

Cornell University Assembly

Minutes of the January 24th, 2023 Meeting

4:45 - 6:15 pm

Physical Sciences Building Room 401 | Zoom

I. Call to Order

- a. D. Cady called the meeting to order at 4:49 pm.
 - i. *Members Present:* G. Akkan, R. Bensel, K. Carter Cram, E. DeRosa, A. Haenlin-Mott, M. Heeney, D. Howell, Y. Hua, A. Juan, J. Kruser, M. McEntee, B. Milles, J. Sun, V. Valencia, S. Williams
 - ii. *Members Absent:* O. Akujuo, M. Benda, I. Hewson, D. Hiner
 - iii. *Also Present:* E. Kalweit, C. Lederman, J. Withers
- b. D. Cady asked J. Withers whether the Assembly had a quorum. E. Kalweit confirmed that a quorum was present.

II. Land Acknowledgement of the Gayogohono (Cayuga Nation)

- a. D. Cady stated the UA's acknowledgment of the Cayuga Nation.

III. Call for Late Additions to the Agenda

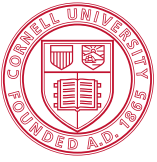
- a. D. Cady called for late additions to the agenda. No additions were added.

IV. Approval of the November 29th Minutes

- a. R. Bensel moved to approve the minutes of the November 29th meeting. K. Cram seconded and the motion was approved.

V. Open Forum

- a. D. Cady introduced both UA R3: Resolution on Revision of Codes and Judiciary Committee Responsibilities and UA R4: Resolution on Amending the University Assembly Bylaws to the Assembly. He stated that while the resolutions will be introduced at this meeting, voting will take place at the Assembly's next meeting. He
 - i. R. Bensel stated that several years ago, with the adoption of the new Student Code of Conduct, most of the former jurisdiction of the Codes and Judicial Committee became obsolete. He stated that the original reworking of the jurisdiction by the Committee was rejected by President Pollack without time in the semester for revision. He stated that as chair of the Committee, he has had trouble getting members, but that the Committee has resumed their reworking of its jurisdiction. He stated that this began with a scheduled meeting with President Pollack for November 29th, which was canceled by



Cornell University University Assembly

the President on November 21st. He stated that the Committee then decided to move forward on the Resolutions nonetheless, as time was passing and there was no guarantee that a rescheduled meeting would not also be canceled.

- ii. R. Bensel stated that the first resolution asks the President to respect the autonomy of the University Assembly in organizing its own procedures. He also noted that this is a request, not a demand, put forward to explore and assert this autonomy.
- iii. R. Bensel stated that regardless of what is done with Resolution #3, Resolution 4 is the revised edition of what the Codes and Judiciary Committee proposed for its reworked jurisdiction. He stated a future meeting with the President is scheduled for February 7th, in the half-hour before the Assembly meets next. He stated that for the Resolutions to move forward, he would like to first receive input from the Assembly.
- iv. D. Cady stated that the former Resolution that was rejected by President Pollack, as mentioned by R. Bensel, is Resolution #9, introduced on April 12th, 2022. He then stated that any other Committee members who were present are welcome to share their remarks and the Assembly was welcome to ask questions and propose amendments.
 1. R. Bensel stated that while there have not been differences within the Committee over the content of the Resolutions, but rather the political implications of their presentation. He stated that he welcomed feedback on this aspect of the Resolutions as well.
- v. K. Cram asked whether President Pollack provided clarification on the reasons for her rejection of Resolution #9.
 1. R. Bensel stated that when the Student Code of Conduct was carved out of the Campus Code of Conduct, the University Assembly did not believe it should be giving up its legislative responsibility. He stated that the Committee argued that there might be some situations in which the Student Code of Conduct extends beyond simply administration of punishment. He stated that this was the first instance of the President's alteration of the bylaws of the University Assembly.
- vi. J. Sun asked whether the change in bylaws was in regard to oversight of the Student Code of Conduct.
 1. R. Bensel responded that the Student Code of Conduct was previously under the Campus Code of Conduct, which was overseen



Cornell University University Assembly

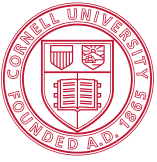
- by the Codes and Judicial Committee, and rather moved into the central administration under the Vice President of Student Life.
2. D. Cady stated that the original attempt of the Codes and Judicial Committee was to change its jurisdiction was Resolution #6 as opposed to Resolution #9, and that Resolution #9 followed the President's response.
 3. J. Withers stated that all Assembly resolutions are housed on the Assembly website, including the President's responses, and that these resolutions are available to the public.
- vii. J. Kruser stated that Resolution #4 should include the specific number of Resolution #6 since it references this resolution without a reference number.
1. D. Cady stated that he agreed with this suggestion and that the Assembly would need a motion to amend the Resolution.
- viii. A. Haenlin-Mott asked whether the Resolutions were up for a vote at the current meeting. D. Cady stated that the Resolutions were only being introduced and discussed at this meeting.
- ix. C. Lederman asked whether a resolution needs to be amended at the likes of a public hearing or if the amended version can be introduced for adoption at the next meeting.
1. D. Cady stated that the entire resolution could theoretically be reworded, but that the resolution could still be passed.
- x. M. Heeny asked what the feelings of the Committee would be if President Pollack denies the Resolution again.
1. R. Bensel stated that there is a diversity of feelings on this possibility, and that the President needs to be clear in what she wants in order to pass a resolution in this area, as the Committee cannot override a veto, nor can the President write the resolution for the Assembly. He stated that the Committee is not pursuing this resolution for itself and that the only option for the Committee following subsequent denials would be to give up.
- xi. G. Akkan asked whether there was a way to receive feedback from the President to adjust the Resolution.
1. R. Bensel stated that the Committee will meet with the President on February 7th and that the Committee would like to get the Resolution passed efficiently.
 2. G. Akkan asked whether the Committee could receive feedback from President Pollack before the meeting. R. Bensel stated that the Committee has never followed the procedure of prior clearance, to



Cornell University University Assembly

which G. Akkan is referring, before and that the Committee may not approve of this change in procedure. He stated that the Committee's submission of the Resolutions to the President without prior approval from the Assembly may look too aggressive.

- xii. V. Valencia stated that the Resolution mentioned that there is no condition that allows for President Pollack to amend the Assembly's bylaws. She stated that Section 3.5 of the Charter states that committees cannot limit or constrain the President from exercising authority. She stated that she thought President Pollack may have used this to claim that the Assembly does not have power over bylaws, but because of the trustees, the Assembly supersedes this.
 1. R. Bensel stated that within the background information distributed to Assembly members, Part One reads "...the Assembly has these as delegated by the President." He also stated that lines 112-115 read, "Nothing contained herein shall be construed to limit or constrain the President or other officers of the University in the exercise of their delegated authority." He stated that the Assembly would not be constraining the central administration with this resolution, but that the first statement is a powerful argument that the President holds authority over the Assembly's bylaws.
- xiii. E. DeRosa stated her support of G. Akkan in claiming that the President does not have to revise, but rather prepare her for the conversation that would take place on February 7th.
 1. D. Cady asked what that could look like substantively and whether this includes presenting the Resolution before it is passed.
 2. R. Bensel stated that the Committee would be happy if the University Assembly were to adopt the motion that they refer these draft resolutions to the President in preparation for the meeting on February 7th. He stated that despite this, he worries about the Committee doing so on its own schtick.
- xiv. R. Bensel proposed the motion that the Codes and Judicial Committee send the draft resolutions to the President prior to and in preparation for their February 7th meeting.
 1. M. Heeney seconded.
 2. E. DeRosa stated that she wished to amend the proposal. M. Heeney rescinded her second.



Cornell University University Assembly

3. E. DeRosa asked whether the proposal could come from D. Cady rather than R. Bensel, the Chair of the Codes and Judicial Committee.
 - a. D. Cady stated he would not object to proposing the motion and that he would like to note that all motions put forth are viewable by the public.
4. R. Bensel restated the motion.
 - a. D. Cady asked E. DeRosa whether her amendment was a new motion or statement.
 - b. E. DeRosa stated that this was a statement, not a motion.
 - c. M. Heeney seconded the motion.
5. In a vote of 13-0-2, the Assembly voted for the Codes and Judicial Committee to send the draft resolutions to the President prior to and in preparation for their February 7th meeting passed.
- xv. D. Cady asked whether J. Kruser would like to propose his initial proposal to Resolution #4 on line 7.
 1. R. Bensel stated that the amendment would be similar to correcting grammar and that with unanimous consent, the Committee would change the resolution accordingly.
- xvi. D. Cady called for any further questions and R. Bensel thanked the University Assembly for their support of the Resolution.

VI. Business of the Day

- a. D. Cady introduced the topic of President Pollack's visit to the UA with Joel Malina, Vice President for University Relations, on February 21st.
 - i. D. Cady stated that the Assembly will a 15-15 model, with 15 minutes for President's remarks and 15 minutes for a Q&A at the visit. He stated that topics for President's remarks can be requested and that the administration is requesting that all pre-submitted questions and final agenda are due by February 14th. He then called for suggestions of any topics of interest for the President to discuss.
 - ii. S. Williams stated that SA Resolution #12 supporting survivors of sexual assault in Greek life was acknowledged and asked for President Pollack to provide an update on this issue.
 - iii. C. Lederman proposed the topic of the TCAT system, which has decreased its service significantly.
 1. R. Bensel stated his support of C. Lederman's question.

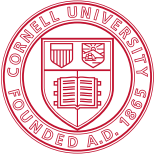


Cornell University University Assembly

- iv. M. Heeney stated that she would like to hear about inflation in graduate student stipends and salaries as well as about the rally held by graduate students before winter break.
- v. E. DeRosa stated her support of the TCAT system issue, and that limited parking on campus is also an issue that faculty face.
- vi. D. Cady stated that a larger issue of transportation may be more helpful in presenting topics of discussion to President Pollack.
 - 1. E. Kalweit later stated that any further topics can be submitted to ua-exec@cornell.edu.

VII. Assembly Reports

- a. Student Assembly
 - i. V. Valencia stated that the Student Assembly meets for the first time this semester on Thursday, January 26th.
- b. Graduate and Professional Student Assembly
 - i. D. Cady stated his congratulations to K. Cram as the new President of the Graduate and Professional Student Assembly.
 - ii. K. Cram stated the Graduate and Professional School Assembly will meet on Monday, January 30th and is piloting a buddy program with the Big Red Barn with the hopes of a full launch of the program in the fall. She also stated that the Assembly is working to fill Executive Committee vacancies and that they are ensuring there are good guidelines for new members upon turnover in May. She also stated that the Assembly's Student Advocacy committee is currently hosting Town Halls and have put up feedback forms in Big Red Barn.
- c. Employee Assembly
 - i. A. Haenlin-Mott stated that the Employee Assembly met on January 18th and that they are currently working on the Priorities Poll conducted in the fall. She stated that President Pollack is attending the Assembly's February 1st meeting and that the President's Address to Staff will be February 6th. She also stated that the Assembly is focused on discussing burnout and disengagement for staff.
 - ii. D. Cady stated that the University Assembly would welcome any initiatives to help get involved in combating burnout.
- d. Faculty Senate
 - i. E. DeRosa stated that the Faculty Senate will meet on February 15th and that at this meeting, they will introduce a resolution to ensure academic freedom and freedom of speech protections for the Global Hub system. She stated



Cornell University University Assembly

that the Senate is also looking to harmonize tenure clocks with the three schools of the business college, will introduce the gynecologist resolution passed through all other Assemblies, and revisit the swim test.

- ii. M. Heeney asked whether E. DeRosa needed a connection with the Pelvic Pain Association. E. DeRosa stated that she is currently in contact with them.

VIII. Committee Reports

- a. Executive Committee
 - i. B. Milles stated that the Committee meets next week and that she supports the conversation about wellness across the university from last semester.
- b. Codes and Judicial Committee
 - i. Nothing to report
- c. Campus Welfare Committee
 - i. B. Milles stated that A. Juan shared that the Campus Welfare Committee is working on a new meeting time for students' schedules.
- d. Campus Committee on Infrastructure, Technology, and the Environment
 - i. Nothing to report
 - ii. J. Kruser stated a reminder for the Assembly that the Zoom chat is not officially part of the record.

IX. Liaison Reports

- a. J. Sun stated that the Sustainability Council has yet to meet and that she would report to the Assembly after their meeting.

X. Adjournment

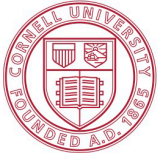
- a. B. Milles stated that she will need to be online for the first part of meetings in the future because she teaches a class across campus and asked about including a discussion for an altered meeting time in the future.
 - i. D. Cady stated that he would include a discussion over meeting time at a future meeting.
- b. R. Bensel motioned to adjourn; S. Williams seconded.

This meeting was adjourned at 6:02 pm.

Respectfully Submitted,

P.J. Brown

Clerk of the Assembly



Resolution 3: On Amending the University Assembly Bylaws

Abstract: This resolution describes the relationship between the University President and the University Assembly with respect to the Bylaws of the University Assembly.

Sponsored by: Richard Bensel

Reviewed by: Codes and Judiciary Committee, 01/20/2023

Whereas, President Pollack rejected UA Resolution 6 on April 18, 2022, an amendment to the University Assembly Bylaws that had passed unanimously on March 31, 2022;

Whereas, there is no provision in the University Assembly Bylaws that confers upon the President authority to reject an amendment to the Bylaws;

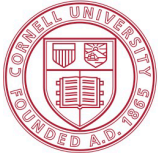
Whereas, the autonomy of the University Assembly to organize its own procedures is necessary for the Assembly to carry out its own responsibilities under “shared governance;”

Be it therefore resolved, the University Assembly asks that the President respect the autonomy of the University Assembly in organizing its own procedures.”

Respectfully Submitted,

Richard Bensel

Chair of the Codes and Judiciary Committee



Resolution 4: On Revision of Codes and Judiciary Committee Responsibilities

Abstract: This resolution revises the responsibilities of the Codes and Judiciary Committee and changes the name of the committee.

Sponsored by: Richard Bensel

Reviewed by: Codes and Judiciary Committee, 01/20/2023

Whereas, the enactment of the new Student Code of Conduct and associated changes necessitates a revision of the responsibilities of the Codes and Judiciary Committee under the University Assembly Bylaws;

Whereas, U.A. Resolutions 6 and 9 which attempted to address the aforesaid were not adopted in the spring of 2022;

Be it therefore resolved, that the name of the Codes and Judiciary Committee be changed to the “Campus Codes Committee;”

Be it further resolved, that the responsibilities of the “Campus Codes Committee” be revised by striking the following language: “Recruitment and appointment of members to the University Hearing and Review Boards: and “The Judicial Administrator and Judicial Codes Counselor serve as non-voting, ex-officio member of the Committee.”

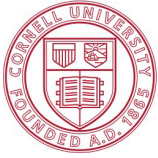
Be it further resolved, that the responsibilities of the “Campus Codes Committee” be revised by adding: “Recruitment and appointment of members to the University Hearing and Review Boards as specified in section “II C” of the Cornell Student Code of Conduct Procedures; and Issues involving academic freedom and freedom of speech for all members of the Cornell University community, including faculty, students, and staff on the Ithaca campus and those located outside the United States.”

Be it finally resolved, after the above changes, the revised section of the University Assembly Bylaws will read:

“Section 4.1: Campus Codes Committee

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

The Campus Code of Conduct; and



Cornell University
University Assembly

30 Recruitment and appointment of members to the University Hearing and Review Boards
31 as specified in section "II C" of the Cornell Student Code of Conduct Procedures; and

32 Issues involving academic freedom and freedom of speech for all members of the Cornell
33 University community, including faculty, students, and staff on the Ithaca campus and those
34 located outside the United States.

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

38 Respectfully Submitted,

39 Richard Bensel

40 Chair of the Codes and Judiciary Committee.