



Cornell University University Assembly

Cornell University Assembly

Minutes of the December 8, 2020 Meeting

4:30 PM – 6:00 PM

Zoom Meeting

I. Call to Order

- a. L. Kenney called the meeting to order at 4:32 PM.
- b. *Members Present:* V. Aymer, U. Chukwukere, H. Depew, C. Duell, D. Dunham, J. Feit, B. Fortenberry, T. Fox, D. Hiner, R. Howarth, C. Huang, L. Kenney, C. Levine, J. Pea, B. Sherr, L. Smith, C. Van Loan, P. Villablanca Thompson, J. Withers.
- c. *Members Absent:* A. Hong
- d. *Also Present:* D. Hiner

II. Late Additions

- a. D. Hiner introduced himself.
- b. B. Sherr motioned to add Resolution 10: Requesting the Board of Trustees Delay Their Vote on the New Student Code of Conduct.
 - i. L. Kenney seconded this motion.
 - ii. The motion **passed** with 15-0-3.
- c. B. Sherr motioned to discuss Resolution 8 and Resolution 10 before Resolution 9 as they addressed The Code of Conduct.
 - i. L. Kenney seconded the motion.
 - ii. C. Huang asked if there were time stamps for today's topics as there was an important town hall at 6:30 PM.
 - iii. L. Kenney said that she would do her best to keep the meeting within the timeframe but would appreciate it if everyone would also keep each other responsible. She thanked C. Huang for reminding them.
 - iv. The motion **passed** with 16-0-2.
- d. B. Sherr motioned to suspend Robert Rules of Order when voting on resolutions today because of time sensitivity.
 - i. L. Kenney seconded this motion for discussion purposes.
 - ii. L. Kenney was disconnected and reconnected from the call. She asked U. Chukwukere to take over chairing in the event that she lost connection again. She asked for clarification on B. Sherr's motion.
 - iii. B. Sherr clarified that the intention is to suspend Robert's Rules so that they can vote on all the resolutions in a timely manner.
 - iv. L. Kenney thanked B. Sherr for the clarification.



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- v. J. Feit stated that they should motion individually for a specific vote as opposed to suspending Roberts Rules for the entirety of the meeting.
 - vi. C. Huang agreed with J. Feit and asked what would the suspension of Roberts Rules of Order imply.
 - vii. L. Kenney said that B. Sherr's motion was closer to suspending bylaws and charters than Roberts Rules of Order.
 - viii. D. Dunham stated that you can make a motion to suspend a bylaw rule for any kind of postponement.
 - ix. R. Howarth stated that this was a formality.
 - x. B. Sherr rescinded his motion.
- III. Approval of the Minutes
- a. B. Sherr motioned to table the approval of the minutes for the sake of time.
 - i. L. Kenney seconded the motion.
 - ii. The motion passed and the minutes were **tabled** with 17-0-2.
- IV. Resolution 3: Bylaw Changes to Require Recorded Voting
- a. B. Sherr motioned to vote on Resolution 3
 - i. C. Huang seconded the motion.
 - ii. D. Dunham stated he was confused about what the resolution is binding the assembly to do. He stated that he believes that the assembly already has the power to decide the default means of voting and placing power within the Chair's hands might open it up to abuse in future years that might even prevent roll-call voting, He recommended that they follow Robert's Rules.
 - iii. B. Sherr stated that this does not change the position of the Chair as that would require a bylaw and charter change, however, it expressly encourages the Chair to make a recommendation for how the voting is done which would require approval from the body.
 - iv. J. Feit stated that this resolution would hold future assemblies accountable through transparency and technological suggestion. He stated that it also makes clear the stance of the University Assembly as one who supports accountability with regard to voting.
 - v. The motion **passed** with 18-0-1.
- V. Resolution 6
- a. L. Kenney gave U. Chukwukere chairship.
 - b. L. Kenney presented Resolution 6.
 - c. L. Kenney stated that there was a change to line 52 stating that the CJC will strongly consider input from the GPSA and the SA. She recommended this change as an amendment. She asked if the resolution spoke to the state that the SA passed the resolution.
 - d. B. Sherr stated that he did not think so.



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- e. L. Kenney stated that this resolution has passed through the SA and the GPSA unanimously. C. Van Loan also asked L. Kenney to change the language with the help of the CJC which she presented to the body.
- f. B. Sherr motioned to amend line 52 to “Be it therefore resolved, the Administration, also providing UA Resolution 6 to the Board of Trustees, re-affirms the UA’s jurisdiction over the Codes and Procedures. The language in the proposed Code of Conduct changes should shift jurisdiction from the VP SCL to the UA, with consultation as periodical formal updates from the UA to the Student Assembly (SA) and Graduate & Professional Student Assembly (GPSA), as well as all other amendments under consideration being immediately sent to these bodies, whose recommendations and concerns will be seriously considered by the CJC.”
 - i. L. Kenney seconded the motion.
 - ii. C. Van Loan stated that this issue was not addressed in the past two meeting settings and wondered why it was not flagged then.
 - iii. L. Kenney stated that this was a recent find an unfortunate oversight as a product of multiple issues of the Code.
 - iv. B. Fortenberry stated that the verbiage appeared in the JCC and CJC proposals and again when Counsel provided the assembly. He stated that this is a continual oversight and that the CJC did provide a recommendation that the UA maintains the supervisory role as in the past, subject to approval by the president. It provides for the avenue to make amendments to the code and send it to the review board.
 - v. B. Sherr rescinds the motion to vote, seeing as there is more debate to be held.
- g. R. Howarth stated that the UA has two major rules with the Code, one of which is the ability to provide feedback and the other to appoint members to the Hearing and Review Boards. R. Howarth warns against the probability of such resolution passing due to the amount of power the UA would receive. The amendment is taking in more power than the assembly has ever had. He would prefer to see us focus main maintaining old, expressed powers.
- h. L. Kenney stated she was amicable to excluding the proposed language. L. Kenney also agreed that the hearing and review boards are important. She doesn’t believe that the Board of Trustees is voting on the proposed language in the next meeting. She recommended that they consider for a later time to potentially alter language, however, they can also add amendments that reflect what R. Howarth stated.
- i. B. Sherr motioned to vote on Resolution 6 without the additional language
 - i. L. Kenney seconded the motion.
 - ii. L. Kenney asked B. Sheet to consider the addition of line 52.
 - iii. B. Sherr rescinded the motion to vote.
- j. B. Sherr motioned to amend line 52 to what was stated above in clause V.f.



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- i. L. Kenney seconded the motion.
 - ii. The amendment passed with 13-0-4.
 - k. B. Sherr motioned to vote on Resolution 6
 - i. L. Kenney seconded the motion.
 - ii. C. Huang asked what R. Platt's comment meant in the chat.
 - iii. L. Kenney stated that R. Platt's comment in the chat is specific to Resolution 8 and considering language to line 53 by adding "or."
 - iv. B. Sherr rescinded his motion for more discussion.
 - l. J. Pea asked for clarification on which resolution R. Platt was addressing. The body affirmed that it was Resolution 6.
 - m. L. Kenney stated that she understood what R. Platt was saying and the language "or" and "and or" makes sense. She does not believe this is a harmful amendment.
 - n. B. Sherr motioned to amend line 53 to add "and/or."
 - i. L. Kenney seconded this motion
 - ii. L. Kenney asked if they could have a discussion.
 - iii. U. Chukwukere confirmed.
 - iv. R. Platt stated that it is technically "or," however if you leave the language vague, he worries that it might be read as turning over jurisdiction.
 - v. The amendment passed with 11-0-5.
 - o. B. Sherr motioned to vote on Resolution 6
 - i. L. Kenney seconded the motion.
 - ii. The motion passed with 11-0-7.
- VI. Resolution 8
 - a. L. Kenney stated that this resolution would be subject to changes by the UA. She said that the resolution also thanked parties that supported the creation of the Code and identified areas that need more discussion and change.
 - b. D. Dunham asked for the meaning of "there should be more discussion."
 - c. L. Kenney stated that it signified there could be more amendments passed in the future to strengthen the resolution.
 - d. C. Huang asked if this meant the UA could amend the Code at will.
 - e. D. Dunham stated on line 27 by saying there should be more discussion it is framed as though they have not made a consensus.
 - f. L. Kenney stated that they could amend it to having more discussions with the CJC.
 - g. B. Fortenberry stated that they passed Resolution 6 on the jurisdiction to remain in the UA before discussing this resolution and he feels as though this resolution is repeating what has already been voted and passed on.



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- h. L. Kenney stated that she would be open to any recommendations on language, especially with regards to the CJC and University Counsel Wessel outlining adjustments we want to see made.
- i. B. Fortenberry stated that he would try to create some language.
- j. B. Sherr stated that they are allotting more time for discussion and placing in a mechanism that they can use to push the Board of Trustees' vote.
- k. B. Howarth agreed with D. Dunham that the resolution is vague and would not contribute much considering that they have passed Resolution 6. He is not in favor of the process of proposing and voting on a Resolution in the same meeting as it opens up for more errors and major adjustments to language.
- l. B. Sherr stated that up until this resolution they have been following the recommended procedure and the amendments to language.
- m. B. Howarth stated that he believes that they should table and rework the resolution.
- n. L. Kenney said that she would like to come together to recognize the help they have received before the Code is recognized.
- o. B. Fortenberry they would like to amend line 27 to "The University Assembly would like to voice support of the recommendations and support documentation provided to the Counsel's Office on 11/17/20"
 - i. J. Pea seconded the motion
 - ii. The amendment **passed** with 9-1-7
- p. J. Feit recognized the value of maintaining procedures, however, if they wait for the next session to wait for the vote then the Resolution would become a moot point as the Board will be meeting in the coming days. He also recommends that perhaps an executive meeting could be held to discuss more language.
- q. B. Fortenberry stated that he would recommend the removal of statements that reiterated Resolution 6's points.
- r. B. Sherr proposed to change any mention of "Student Code" to "Student Code and Procedures;" and changing "and" to "and / or" in the last line to be consistent.
 - i. J. Feit seconded the motion.
 - ii. The amendment **passed** with 9-2-7.
 - iii. There was some discussion on the rules of abstention as the vote was originally recorded as failed.
- s. B. Sherr motions for a rollcall vote on Resolution 8.
 - i. B. Sherr rescinds his motion.
- t. L. Kenney stated that since line 27 has changed then the "be it finally resolved" should also be resolved and entertain more language.
- u. B. Fortenberry stated that they can revisit this resolution after the Board has voted.
- v. B. Fortenberry motioned to table the resolution.



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- i. R. Howarth seconded the motion
- ii. The motion passed and **tabled** Resolution 8 with 13-2-2.

VII. Resolution 10

- a. L. Kenney reclaims chair-ship
- b. B. Sherr motioned to go into an executive session.
 - i. L. Kenney seconded this motion.
 - ii. R. Howarth stated that the reason for the executive session needs to be expressed.
 - iii. L. Kenney stated that the reasoning behind the session is because she has been granted 5 minutes with the Board of Trustees and wanted to discuss what the UA body wants to be expressed in that time.
 - iv. R. Howarth pointed out that according to Robert's Rules of Order no decisions can be made off-record. He asked L. Kenney why the discussion needed to be unrecorded.
 - v. L. Kenney stated that she wants to have a discussion that enables people to speak to their constituencies freely.
 - vi. The motion **passed** with 9-7-1.
- c. D. Dunham motioned to extend the meeting by 10 minutes.
 - i. B. Sherr seconded the motion
 - ii. The motion was **passed** without opposition.
- d. L. Kenney stated that following this meeting they would reach out to M. Wessel about the changes they wanted to see before December 10th. She would also reach out to C. Huang and U. Chukwukere for SA Resolution 65 and marginalized student leaders who have presented opinions on the Code that were not recognized in public comment.
- e. B. Sherr motions to table Resolution 10
 - i. P. Thompson seconded the motion.
 - ii. D. Dunham asked whether this is tabling until another resolution is discussed or until another meeting.
 - iii. B. Sherr stated that it would be tabled until the next meeting.
 - iv. The motion passed and the resolution was **tabled** with 14-0-1.

VIII. Resolution 7

- a. B. Sherr stated that Resolution 7 addresses the lack of socioeconomic diversity at Cornell. During an interview one of the Heads of Admissions said Cornell is not economically diverse and as of 2020 only 8.5% of the student body is of low-income which is one of the lowest in the New York state. Resolution 7 calls for the administration to create a body that investigates and critiques the current process in



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order to be more willing and able to bring in students of different socioeconomic statuses.

- b. B. Sherr motioned to table Resolution 7 until the next meeting and adds that they will include the aforementioned administrator's name in the resolution.
 - i. D. Dunham seconded the motion.
 - ii. The motion passed and **tabled** the resolution with 14-0-1.

IX. Resolution 9

- a. J. Feit tabled the resolution to the following meeting in respect of those attending and affected by the following forum at 6:30 PM.
 - i. J. Pea seconded the motion
 - ii. The motion passed and **tabled** with 15-0-1
- b. B. Sherr motioned to extend the meeting for five minutes.
 - i. L. Kenney seconded the motion.
 - ii. The motion passed without any opposition.

X. Committee Updates

- a. Executive Committee
 - i. U. Chukwukere said that they have not been able to meet and therefore don't have any current updates.
- b. Campus Infrastructure Committee
 - i. J. Feit stated that they had their first meeting and C. Levine introduced a new resolution on fossil fuels, TCAT system, additional lighting to the slope in light of recent violence, and has discussed Resolution 9.
- c. Campus Welfare
 - i. B. Sherr stated that created a list of approved goals and did not have any valid votes as they did not have a quorum.
- d. CJC
 - i. B. Fortenberry said that they didn't have a quorum in the last meeting. He is of the opinion that the CJC does not have to be dissolved with the Code's passing but rather should be altered.

XI. Constituent Groups

- a. B. Sherr motions to extend to 6:23 PM
 - i. B. Fortenberry seconded the motion.
 - ii. The motion passed without opposition.
- b. SA
 - i. C. Huang stated that the community quorum is at 6:30 PM for community members to express thought about CUPD, disarmament, and entertain other ideas such as blanket police reform. She stated all community



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members are welcome. They have resolutions regarding the Student Trustees position which will go before the Board of Trustees.

- c. GPSA
 - i. D. Dunham stated they passed their internal budget. There was a lot of disagreement on reopening on Spring and the events and funding which would be needed. They also had discussions on the Access Funds and to what extent their needs are met for the spring semester. Resolution 7 states graduate teaching students can determine instruction modality and teaching assistants would have more of a say.
- d. Employee
 - i. J. Withers stated that at the last meeting they talked about the internal policy 6.4, CUPD, and health. They have another wellness forum for staff next week. The priorities poll has closed, and they will look at that next week and determine appropriate actions.
- e. Faculty
 - i. B. Sherr motions to allow for L. Kenney to speak towards the Cornell University Land Acknowledgement.
 - 1. J. Feit seconded the motion.
 - 2. The motion passed without opposition
 - 3. L. Kenney reads the Land Acknowledgement.
 - ii. L. Kenney asked if any faculty senate members have updates for their committee.
- f. L. Kenney motioned to adjourn.
 - i. D. Dunham seconded the motion
 - ii. The motion passed without opposition.

The meeting was adjourned at 6:24 PM.

Respectfully Submitted,
Kassandra Jordan
Clerk of the Assembly



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APPENDIX A Chat Transcript

00:11:48UA - Bennett Sherr: Love the background Caroline!

00:12:48UA - Catherine Huang: ^^ :)

00:12:49UA - Caroline Levine: Thanks!

00:14:05UA - Catherine Huang: I let Logan know ahead of time but just letting the body know I have to hop on a (hopefully) brief call around 5pm so if I disappear for a tiny bit that's why!

00:14:59UA - Catherine Huang: Welcome back! :)

00:16:12Wendy Treat (she/her/hers): UA R10 (in box folder) - <https://cornell.app.box.com/file/751156569017>

00:19:12Wendy Treat (she/her/hers): Sorry - had to change settings in order to access UA R10 - <https://cornell.box.com/s/x9vw2yk3lkzd2hfh0a0f65vf3hkv79ot>

00:20:33UA - Bennett Sherr: yes, resolutions 7-10

00:24:24Robert Platt: Resolution 8 ends with "This would remain subject to approval by the President and the Board of Trustees." I would suggest that it change the "and" to "or": "This would remain subject to approval by the President or the Board of Trustees."

00:24:53UA - Catherine Huang: Thank you for clarifying Bob!

00:33:04Logan Kenney (she, her):Line 52: Be it therefore resolved, the Administration, also providing UA Resolution 6 to the Board of Trustees, re-affirms the UA's jurisdiction over the Codes and Procedures. The language in the proposed Code of Conduct changes should shift jurisdiction from the VP SCL to the UA, with consultation as periodical formal updates from the UA to the Student Assembly (SA) and Graduate & Professional Student Assembly (GPSA), as well as all other amendments under consideration being immediately sent to these bodies, whose recommendations and concerns will be seriously considered by the CJC.

00:33:35Robert Platt: Line 53 should be "or the Board of Trustees"

00:35:58Robert Platt: One problem is that the current Campus Code is one document, but the new Student Code has separate documents for the Code and the Procedures. Resolution 6 talks about "Code and Procedures" but Resolution 8 talks about just "Student Code."

00:48:02UA - Charles Van Loan: abstain

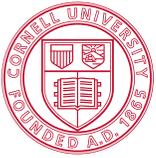
00:48:08Robert Platt: One problem is that the current Campus Code is one document, but the new Student Code has separate documents for the Code and the Procedures. Resolution 6 talks about One problem is that the current Campus Code is one document, but the new Student Code has separate documents for the Code and the Procedures. Resolution 6 talks about "Code and Procedures" but Resolution 8 talks about just "Student Code." It should be changed to "Student Code and Procedures".

00:49:32Robert Platt: NO just line 53 should be 'or'

00:50:41Robert Platt: Thanks,

00:54:49Logan Kenney (she, her):abstain

01:08:07UA - Brandon Fortenberry (He/Him): Line 27 - The University Assembly would like to voice support the recommendations and support document proviced to Counsel on 11/17/20



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01:08:18UA - Brandon Fortenberry (He/Him): *of the recommendations
01:08:21Logan Kenney (she, her):provided*
01:08:26UA - Charles Van Loan: abstain
01:13:33Logan Kenney (she, her):Changing any mention of "Student Code" to "Student Code and Procedures;" and changing "and" to "and / or" in the last line
01:15:56Robert Platt: Abstain does not count as a "no"
01:17:41UA - Bennett Sherr: If abstentions counted as no's then people would just vote no
01:17:57Logan Kenney (she, her):I agree with David's statement
01:21:26Robert Platt: Be it finally resolved that we look forward to additional conversations with the administration on these issues.
01:28:28Wendy Treat (she/her/hers): Elmira Heights, NY here
01:28:38Joseph Mullen: I'm in Florida!
01:42:07UA - Bob Howarth: I need to leave. Stay safe everyone
01:44:07Office of the Assemblies: Normal People
01:44:16Liz Davis-Frost (she/her): There is a really good CNN docuseries on the decades on HBO max that I highly recommend. Tom Hanks is executive producer.
01:44:29Office of the Assemblies: oooo
01:45:42Jenn Michael: Defending Jacob on Apple +
01:47:31UA - Bennett Sherr: 65 of the student assembly, not university assembly
01:57:21UA - Catherine Huang: <http://t01.list.cornell.edu/t/3234226/67209998/1548042/1047/> Meeting ID: 960 6812 5071
Passcode: 298914
01:57:33UA - Catherine Huang: Link to the 6:30 forum if anyone would like to attend :) all community members are welcome
01:59:13Robert Platt: When I was a student, we had 5 student trustees, one from the Medical Campus
02:01:27UA - Catherine Huang: Haha yes Robert the students remember that and honestly would love to return to 5 student trustees but we know that's a big ask
02:03:13UA - Catherine Huang: Haw-de-no-show-nee :) for future reference if anyone is curious. Thanks for reading the land acknowledgement!
02:04:08Logan Kenney (she, her):Charlie, your update is up if you are still here