



Cornell University University Assembly

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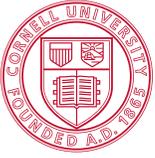
Minutes of the February 27, 2018 Meeting

4:30 PM – 6:15 PM

401 Physical Sciences Building

- I. Call to Order (Chair)
 - a. Call to Order (1 minute)
 - i. G. Kaufman called the meeting to order at 4:31pm
 - b. *Present:* J. Anderson, M. Battaglia, R. Bensel, M. de Roos, K. Fitch, V. Guido, M. Hatch, R. Howarth, G. Kaufman, J. Kruser, E. Loew, E. Michel, C. Schott, C. Wiggers, E. Winarto
 - c. *Absent:* L. Copman, J. Kim, K. Quinn, C. Van Loan
 - d. *Others present:* G. Giambattista, T. Malone
 - e. Welcome and Introduction (2 minutes)
 - f. Call for Late Additions to the Agenda (2 minutes)
 - i. There were no late additions to the agenda.
 - ii. M. Battaglia moved to amend the agenda to hold the election for Executive Vice Chair.
 1. There was no dissent.
 - iii. The University Assembly thanked Anna Fore Waymack for her service to the University Assembly and wished her well with her future endeavors.
- II. Approval of the Minutes (Chair)
 - a. February 13, 2018 (3 minutes)
 - i. The minutes were **tabled** until the next meeting.
- III. Business of the Day
 - a. Resolution 5: Bylaws Change Clarifying the Charge of the Codes & Judicial Committee (M. Battaglia) (5 minutes)
 - i. M. Battaglia- There have been no changes made. Small updates have been included in the CJC's charge in three different areas.
 - ii. J. Kruser- Is the "will" intentional?
 - iii. M. Battaglia- Any code amendments must go through the CJC.
 - iv. M. Battaglia- It is a bylaw change; the UA is eligible to vote on it today.
 1. The resolution was **adopted** by a vote of 14-0-1.
 - b. Resolution 11: Accepting President's Proposal of a One-Year Term Extension for the Judicial Administrator (10 minutes)

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- i. G. Kaufman- This is probably the most contentious resolution. This resolution was produced from an ongoing conversation between the UA Executive Committee and the President, in regard to the JA appointment and reappointment process.
- ii. E. Winarto- motion to amend the resolution to add a “Be It Resolved” clause, adding, “Be It Finally Resolved, that a new or revised JA appointment/reappointment shall be finalized and agreed upon by all University Stakeholders by the last meeting of the Assembly in May 2018, and in the case that this is not achieved, the Assembly intends to follow the procedure currently laid out in the Campus Code of Conduct.”
 1. J. Anderson seconded the amendment.
 2. J. Kruser- setting a timeline is great, however, because this process is behind, the intent should be to follow the procedure that has been used, not what is in the Campus Code of Conduct.
 3. M. Battaglia- the procedure could be followed with this upcoming October. If we reach an impasse, it is good to have something to do by October, when the time comes to deal with this issue.
 4. M. Hatch- the current procedure is to set up a committee that re-nominates, and that the committee meets in the Fall, finalizes it deliberations, and have a decision, Right?
 5. M. Hatch- there is no reappointment procedure?
 - a. G. Kaufman- no there is not.
 6. J. Kruser- meeting with the President’s Office was helpful, and not adversarial.
 7. E. Leow- what is the intent of JA?
 8. G. Kaufman- believes the current JA intends to serve as the JA indefinitely.
 9. E. Leow- so why go through all of this trouble? This seems like something that can be solved by Executive Committee in a handshake.
 - a. M. Battaglia- the Campus Code of Conduct only allows two-year terms, not one year. The President has encouraged us to follow the rules and procedures, and the President has expressed her concern for the re-appointment process, and right now, there is no procedure for re-appointment. The President has also said that she doesn’t want us to change the



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process while there is still a JA re-appointment pending. This amendment says, if what is needed is not done, and a process is not in order, in October, the UA will convene a JA search committee.

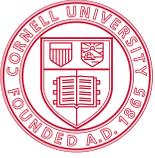
10. J. Kruser- motion to amend to add “on October 1, 2018.”
 - a. M. Battaglia seconded the amendment.
 - b. M. Battaglia- we don’t need “beginning.”
 - c. M. Battaglia-call the question- to make an amendment to the amendment- there was no dissent. The amendment was adopted.
11. E. Leow called the question. J. Kruser seconded.
 - a. By a vote of 14-0-1, the amendment was adopted.
- iii. G. Kaufman- who is regarded as a “stakeholder?”
- iv. G. Kaufman- motined to amend the amendment to change stakeholders to “By the University President and the University Assembly”
 1. There was no dissent to the amendment.
- v. M. Battaglia- the CJC met last Wednesday. The CJC recommended a change on line 21. The CJC also expressed concern about line 15, where it states “that is more in line with HR practices and peer institutions;” because, at our peer institutions, the community is less involved in this process.
- vi. M. Battaglia- motion to amend line 21 to read “the University Assembly concurs with the President’s proposal”
 1. E. Leow called the question. R. Bensel seconded the amendment.
 - a. There was no dissent. The amendment was adopted.
- vii. M. Battaglia- motion to amend line 15 to strike “that is more in line with HR practices and peer institutions;”
 1. E. Leow called the question. There was no dissent. The amendment was adopted by unanimous consent.
- viii. J. Kruser called the question on the resolution. There was no dissent to voting.
 1. By a vote of 14-0-1, the resolution was adopted, and will be conveyed to President Pollack.
- c. Resolution 9: Reinstating the Budget Planning Committee (J. Anderson) (5 minutes)
 - i. J. Anderson- the goal is to amend the bylaws to allow the UA and other assemblies to have a role in the budgeting process, since only the Faculty



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Senate is really involved. It allows shared governance to participate in the most important process of the University.

- ii. M. Battaglia- is this language resurrecting old language? Is this a new committee?
 1. J. Anderson- no, it uses other language; it is a brand-new initiative.
- iii. G. Kaufman- this is L. Copman and J. Anderson's initiative.
- iv. K Fitch- point of information- why was this committee dissolved?
 1. G. Kaufman explained why the committee stopped meeting in 2000.
- v. C. Schott- have you spoken to anyone in higher administration, and what are their feelings on this?
 1. J. Anderson- no, there has not been any contact with higher administration
- vi. J. Anderson- sentiment is well taken. The reason this presents itself differently is because there is much more of a focus on funding and budgeting. Undergraduate students and graduate students have always been interested in budgeting, but certain situations, like the Mitch McBride case last year, have not helped that. Let's give this to the President, and see what she says, because we need this for shared governance.
- vii. R. Bensel- in 2000, there was no Cornell Tech, now, there is a Cornell Tech; in the faculty senate, there is a concern about jurisdiction because it creates a space normally outside of the jurisdiction of the Faculty Senate and the UA, does this resolution cover Cornell Tech?
 1. J. Anderson-that would be too difficult, because shared governance must first mold the relationships with Cornell Tech and integration; administration should coordinate that.
- viii. J. Kruser- is there a group on campus that already has these talks? If so, we could send a liaison. There has to be a group that already has these high-level discussions.
- ix. J. Anderson- this committee would not be under the UA, but only put into the Bylaws of the UA. There is a group that is already having these discussions, but the group discussing this is more focused on academics.
- x. J. Kruser- is there a chance that we could get any eyes in the room on the existing committee? Also, consider committee staffing, as it is already difficult to staff the current committees.
- xi. E. Leow- this committee is advisory; it has no power. It depends on the willingness of the Provost, not the President. We used to have fiscal



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responsibility, and we lost that, because we weren't willing to do anything with the power that we had. I'm not sure that we need another committee that is going to provide opinions. If Michael Kotlikoff doesn't want to do anything, he won't do it.

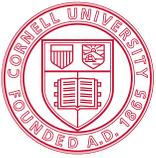
- xii. M. Hatch- suggested that the two enthusiastic individuals should go to the Provost and the Office of Budgeting and Planning, then ask if a resolution could be put forth that would show that we are eager to be included in the process.
 - xiii. M. Battaglia- motion to table the resolution to discuss at a future meeting.
 - 1. By a vote of 14-0-1, the resolution was **tabled**.
 - xiv. M. Battaglia- motion to suspend the agenda to allow time for the guest speakers.
 - 1. There was no dissent. The agenda was suspended.
 - d. Resolution 10: In Support of E.A. R. 8: Furthering the Institutional Commitment to All LGBTQ+ Member of the Cornell Community (J. Anderson) (10 minutes)
 - i. J. Anderson- motion to table. M. Battaglia seconded the motion.
 - 1. By a vote of 10-0-2, the resolution is **tabled**.
- IV. Late Additions to the Agenda (2 minutes)
- a. There were no late additions to the agenda.
- V. Assembly Reports
- a. Student Assembly (J. Kim) (2 minute)
 - i. C. Schott- There is a new member on the Executive Board who is trying to rework the website. There has been a net-print task force set up to investigate the issues surrounding printing. The SA is also considering adding a liaison veteran chair.
 - 1. J. Kruser- recommend reaching out to the veteran network.
 - b. Graduate and Professional Student Assembly (E. Winarto) (2 minute)
 - i. E. Winarto- there was a GPSA meeting on Monday. There was a discussion about internal processes and procedures.
 - c. Employee Assembly (C. Wiggers) (2 minute)
 - i. C. Wiggers- very happy to be here to represent the EA. With the transition in leadership, the EA is focused in cleaning up any old business and providing updates as to where certain resolutions stand in their current stage.
 - d. Faculty Senate (C. Van Loan) (2 minute)



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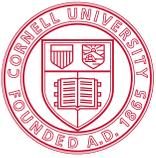
- i. C. Schaeffer- setting up an ad-hoc committee to explore how well non-faculty academics and post-docs have their interests represented.
- VI. Committee Reports
 - a. Executive Committee (G. Kaufman) (2 minute)
 - i. G. Kaufman said that Anna Waymack resigned from her position. The UA Executive Committee decided to remove a member of the CJC; this can be discussed with individual members, but for privacy reasons, it will not be discussed to everyone.
 - b. Codes and Judicial Committee (M. Battaglia) (2 minute)
 - i. The HSWG is making progress in its staffing and has met.
 - c. Campus Welfare Committee (J. Anderson) (2 minute)
 - i. The date for the referendum is in April; This is not a student-based issue. Everyone is welcomed and encouraged to participate. We are trying to find ways to interpret the data to ensure that everyone has a fair and equal voice in the voting.
 - d. M. Battaglia- motion to extend the meeting by five minutes. There was no dissent.
 - e. Campus Infrastructure Committee (C. Schott) (2 minute)
 - i. The meetings alternate bi-weekly with the UA. Looking to expand the access gender neutral bathrooms and feminine hygiene products.
- VII. Liaison Reports
 - a. Policy Advisory Group (E. Winarto) (1 minute)
 - i. E. Winarto- there are no updates.
 - b. Transportation Task Force (K. Fitch) (1 minute)
 - i. K. Fitch- disappointed for not filling the Transportation and Review Board; we need to do this; there have been 18 appeals, that all have been denied. These positions need to be filled.
 - ii. J. Kruser- those on Executive committees of the assemblies have receive multiple emails about this now.
 - iii. G. Kaufman- at this point, I believe that it is in the bylaws that you [J. Kruser] can appoint people.
 - c. Council on Sexual Violence Prevention (K. Quinn) (1 minute)
 - i. K. Quinn- there is a meeting on Wednesday.
 - d. Student Health Benefits Advisory Council (J. Anderson) (1 minute)
 - i. J. Anderson- there is a meeting on Wednesday.
 - e. Campus Planning Committee (M. Hatch) (1 minute)

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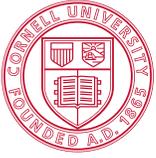
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- i. M. Hatch- there are a lot of projects underway, including a transportation study that is limited. In wanting to reduce traffic on campus, it would helpful to know who is driving around.
 - ii. K. Fitch- the Transportation Task Force is putting out an over ranging survey.
 - iii. G. Kaufman- I will talk with the office about getting a more comprehensive dinner.
- VIII. Greek System at Cornell (C. Nastos, A. Araya & P. Russell) (30 minutes)
 - a. C. Nastos, A. Araya, and P. Russell introduced themselves as leaders within the Greek Community.
 - b. M. Battaglia- If there is one thing in your system that you could improve, what is that, and how can we help?
 - i. C. Nastos- The JA uses 75%, clear and convincing, while we use preponderance of the evidence, at 51%; Probationary statuses are given out more frequently, so they resonate less with Greeks.
 - c. R. Bensel- the thing that came up at the faculty senate was the “pig roast;” the question comes down to putting fraternities and sororities outside of the code makes it difficult to reach individuals.
 - i. P. Russel- what happens now, is that the JA can reach individual people.
 - ii. WHO? -there are cases in which individuals can be found responsible and go through a judicial process. There is sometimes a challenge in identifying the responsible individuals.
 - iii. R. Bensel- is the line between organizing, abetting, initiating, and tolerating. The officers step aside after these issues arise, then there is problem with giving responsibility.
 - d. E. Winarto- were organizers of the events (used for consequence) consulted? Some people have complained, in that those events serve as safe spaces.
 - i. Kara Miller- acknowledge that the organizers were not consulted; it would be no problem reaching out to them, especially going forward; and in the future, we can always change this if necessary.
 - e. J. Kruser- What do you all see as a benefit to standardizing and consolidating Greek life under the Campus Code of Conduct, and what do you see a negative?
 - i. A. Araya- There is a benefit with a new increase in engagement with the community. As a drawback, there is still a great sense of liability, and we, as Greek life, would have no input in what happens.
 - f. Community member- shouldn't everyone respond to that question.



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- i. G. Kaufman- yes.
- ii. P. Russell- the benefit of having the process under the OJA is that people won't see it as unfair. The drawback would be not having someone with Greek life experience in the room. I fear that there could be more confusion in the process.
- iii. C. Nastos- Holding chapters to a "clear and convincing" standard is beneficial. Holding Greek life accountable the same way as other organizations would help the perceptions of Greek life. A challenge that I would see, is that I would still like to see student voices and opinions in the judicial process.
- iv. J. Kruser- part of the concern is about the makeup of the hearing boards; what can the UA offer in terms of support?
- g. M. Hatch- How is it that Greek life can be exemplary? Why is that we hear about it in hazing and racial incidents associated with fraternity? Why is it that people have to think that people can drink so much so that they kill their little grey cells? Why is the pig-roast associated with fraternity?
- h. P. Russell- when a student comes from campus, they come from a homogenous background and bring their biases, when they are around others like that, there is no one to check that, then those issues are exacerbated. We wonder, how can we get others to experience a different side of campus? These are broad issues that we have to figure out.
- i. C. Nastos- my impression of the Greek community is that there is a pervasive hierarchy; there are good chapters, bad chapters, and those in-between; people in Greek life don't want to be associated with the bad.
- j. A. Araya- Our organizations do emphasize the partying aspects of Greek life, and not the service and philanthropy aspects.
- k. M. Hatch- it seems like this is a leadership issue; the leadership issue is important. There needs to be strong leadership so that the bad behavior is not normalized.
- l. M. Battaglia- motion to extend the meeting by 5 minutes
 - i. Motion withdrawn
- m. J. Anderson- on a personal level, I don't think members of the LGBTQ+ should be in the room. The concern becomes, as an individual who had a negative experience with members of the Greek community, how can I be confident in the judicial process?
 - i. P. Russell- having someone who is not a part of Greek life involved in the Greek judicial process, would be a benefit.



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- IX. Adjournment (1 minute)
- X. Executive Session (15 minutes)
 - a. Purpose: To Elect a New Executive Vice Chair

Respectfully Submitted,

Terrill Malone
Clerk of the Assembly