

Cornell University University Assembly

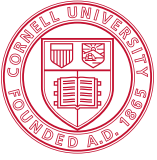
Cornell University Assembly

Minutes of the April 24, 2018 Meeting

4:30 PM – 6:00 PM

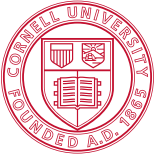
701 Clark Hall

- I. Call to Order (Chair)
 - a. Call to Order (1 minute)
 - b. G. Kaufman called the meeting to order at 4:34pm
 - i. *Present:* J. Anderson, M. Battaglia, R. Bensel, A. Cohn, L. Copman, M. de Roos, V. Guido, M. Hatch, R. Howarth, G. Kaufman, J. Kim, E. Loew, E. Michel, E. Winarto
 - ii. *Absent:* K. Fitch, J. Kruser, K. Quinn, C. Schott, C. Van Loan, C. Wiggers
 - iii. *Others Present:* G. Giambattista, T. Malone
 - c. Welcome and Introduction (2 minutes)
 - d. Call for Late Additions to the Agenda (2 minutes)
 - i. M. Hatch asked about the 30-minute presentation and why it was scheduled for the beginning of this meeting when there are many resolutions on the agenda.
 - ii. G. Kaufman proposed having another meeting week to resolve the agenda items.
 - iii. M. Battaglia wanted to set aside time to discuss the UHRB applications. He said that he thinks that there should be another meeting.
 - iv. G. Kaufman said that, by unanimous consent, there is a meeting scheduled for next week.
- II. Committee on Structural Organization in the Social Sciences (J. Appleton & T. O'Donoghue) (30 minutes)
 - a. J. Appleton said that the review of the Social Sciences at Cornell began about two years ago. She discussed the three different committees sanctioned by the Provost. She discussed the metrics of the investment in the social sciences. She also discussed the Committee on Structural Organization in the Social Sciences, the goal and constraints of the committee, the report that the committee produced, and the evaluation of the ideas of the report.
 - b. T. O'Donoghue said that the ideas are skeletal, and that the committee would like feedback.



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- c. J. Anderson said that, given all the negative feedback on the idea of merging ILR and the College of Human Ecology, would the committee still consider that a top choice?
- d. T. O'Donoghue said that the committee has dissolved and that the action is left up to the Provost and the President.
- e. L. Copman asked if there was any thought on the linkages between the merging fields.
- f. J. Appleton said that the committee discussed the direction in which fields were headed. She said those conversations will go on with the committee regarding ideas. She said that that committee is soliciting feedback as well.
- g. R. Bensel said the ILR and CHE merger is really unpopular with ILR, and he asked if it was still on the table, why, and who will decide on any action.
- h. J. Appleton said that the decision is left to the Provost and the President, and the idea will be taken off the table by the Provost if he chooses to do so.
- i. M. Battaglia said that there needs to work on clarity because people are gearing up to fight this merger.
- j. C. Schott said that he has been listening to different opinions and sentiments, and that he has specifically heard how the committee was composed of individuals from different units. He also said that a common sentiment was that there was not enough of evidence pointing to the success of a possible merger.
- k. A community member said that he thinks J. Appleton is underestimating the level of distrust that the community has for the University's administration. He said that he does not know why the idea is still on the table when there has been such loud opposition to a merger.
- l. J. Appleton said that she and T. O'Donoghue are hoping to hear about all of the other ideas. She said that they have only heard responses about the merger idea. She said that they welcome other suggestions and alternatives.
- m. T. O'Donoghue said that, according to the Provost, if one of the ideas does receive positive feedback, the next step would be to have a more formal study and assessment, not a decision.
- n. M. Hatch said that, the way to start is to contribute to discussions across colleges, not by merging them.
- o. A community member said that there are some other ideas that could potentially work, but that the problem is that the one idea is hugely unpopular and will keep being discussed. He said that after committing to 5 to 6 years to this institution and ILR in the PhD program, he received the report two-weeks later and has been



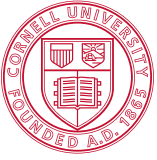
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stressed and anxious over what his education and post-doctoral experience will look like.

- p. J. Appleton said that, partly, an idea would be massing the studies and professors of the Social Sciences that are present in the College of Business, the ILR School, Arts and Sciences, etc.

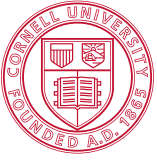
III. Judicial Codes Counselor Annual Report (K. Karr) (20 minutes)

- a. K. Karr discussed the JCC's Office and its purpose. She said the office is really busy and has been heavily utilized this past year. She said that the office is supported by the Office of the President. She said that she has been working on improving the institutional knowledge of her office. She said that she has seen most of the Academic Integrity Code.
- b. K. Karr discussed how some procedures have been misapplied, and that there are different procedural rights for different students, which leads to inequality. She discussed the UHRB and its training, and a possible revision to process of Academic Integrity. She also said that Policy 6.4 is inconsistent. She said that the JCC plays a different role under Policy 6.4 than under the Campus Code of Conduct. She said that it is unfair because some students can be timid, not understand English, etc. so that it why is important to have an advocate in the process.
- c. K. Karr said that she would like to applaud the current JA's approach to educational remedies. She, however, said that she doesn't think that the reporting by the office is educational. She said that this current JA has also done away with oral warnings. K. Karr said that she would be providing a more extensive report at a later time.
- d. M. Battaglia thanked K. Karr for her work. He said that he is looking at ways in which to pass a recommendation on to the faculty for review of the Academic Integrity Code. He asked about what the UA can do to help.
- e. K. Karr said that she has found the Office of the JCC has been placed in different processes that are not necessary, and so she would recommend getting rid of that.
- f. R. Bensele said that K. Karr has been wonderful. He said that everything that she summarized, he supports, and that she should write it up, because it will have an audience.
- g. R. Howarth asked about the Academic Integrity Code and its possible variations because he said that he was not aware that it was as much of a problem.
- h. C. Schott said that the inequalities are shocking, and that he was unaware of this, but he asked what the SA could do to help.



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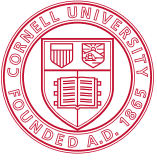
- i. K. Karr said that she does not know how the SA could help because she said that a lot of the issues arise from the polices.
 - j. L. Copman recommended that K. Karr give concrete, anonymous examples in her report to make it easier for people to understand.
 - k. K. Karr said that she could for the Campus Code of Conduct, and the Academic Integrity Code, but that she could not for Policy 6.4 cases.
 - l. M. Hatch said that there was discussion of certain parts of Policy 6.4 discussed at the Hate Speech and Harassment session. He said that he asked about the parts in which K. Karr said that the JA's Office is not operating to sufficiency.
 - m. K. Karr said, to clarify, the JA's Office works with the JCC well to allow advocacy for individuals.
 - n. M. de Roos asked about the hearing board for the Academic Integrity Code.
 - o. K. Karr said that each college/school has its own hearing board.
 - p. G. Kaufman said that, from his experience in working with K. Karr, she has been great.
- IV. Judicial Codes Counselor Appointment Confirmation (G. Kanter) (5 minutes)
- a. G. Kanter said that she is finishing up her first-year in the law school and that she is excited and hopes to do well in the role of the Judicial Codes Counselor.
 - b. M. Battaglia said that he has heard concerns about the process, but that he sees no reason that G. Kanter should not be confirmed.
 - c. M. Hatch motioned to approve G. Kanter as the next Judicial Codes Counselor. M. Battaglia seconded the motion.
 - i. By a vote of 14-0-1, the motion was adopted and G. Kanter was confirmed.
- V. Consensual Relationships Policy Vote (Chair) (10 minutes)
- a. M. Battaglia said that he is concerned because this process and policy does not work with the Campus Code of Conduct. He said that this is concerning because the 6.4 carveout is very narrow, but that this policy does not deal with the issues that are carved out. He said that this vote should not be conducted here, especially because it would be ceding power over the Campus Code of Conduct. He said that this is a Codes and Judicial Committee and Campus Code of Conduct matter.
 - b. M. Battaglia motioned to have the assembly express the sentiment that it believes that "The University Assembly strongly believes that these provisions belong in the Campus Code of Conduct and does not consent to a course of action that would see them outside the jurisdiction or adjudication of the Code. The Assembly believes this policy should be in the control of the University Community through the Code



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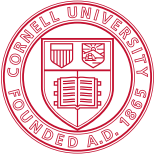
and not be an administratively driven policy outside the Code.” M. Hatch seconded the motion. There was continued discussion.

- c. J. Anderson asked about where C. Van Loan was, and if he provided a reason for his absence.
 - i. G. Kaufman read a note from C. Van Loan.
- d. R. Bensel said that he supports M. Battaglia’s motion.
- e. L. Copman asked if the UA is actually allowed to vote on this.
- f. G. Kaufman said that the people on the UA can vote the way that they want. He said that he does not see why people have to sign.
- g. E. Loew said that he does not see the problem with voting, but that the vote should occur as it does normally.
- h. J. Anderson said that he thinks it would make more sense to send the votes and comments directly to President Pollack.
- i. G. Kaufman said that the UA can send it where the UA wants by email. He said, as a point of reference, President Pollack said that if there was not a policy by the deadline, that she would see that a policy is put in place.
- j. R. Howarth said that he got the impression that President Pollack would not be stepping on the UA’s toes with regard to the Campus Code of Conduct, and that he thinks the ballots should be sent to President Pollack.
- k. L. Copman recommended a resolution with “resolve” clauses.
- l. M. Hatch said that he supports L. Copman and said that he thinks that it should be sent to President Pollack. He said that this policy issue should remain with the Campus Code of Conduct.
- m. R. Bensel said that he thinks the UA should pass this resolution today for the Faculty Senate meeting tomorrow, in which a vote is to be conducted.
- n. E. Loew said that tomorrow, as a member of the Faculty Senate, he would be willing to stand up and state, on behalf of the UA, that the UA does not support the policy.
- o. G. Kaufman asked about who enforces Policy 6.4.
- p. M. Battaglia said that it is in the Faculty Handbook.
- q. M. Battaglia said that the GPSA does not adequately support master’s students and professional students. He said that, the broad nature of this policy makes it a Campus Code of Conduct issue.
- r. E. Winarto asked about how long it might take to get this language in the Campus Code of Conduct, because graduate students have really wanted this.
- s. J. Anderson said that he questions the imperative of CRPC to get language to the CJC.



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- t. M. Battaglia said that, in this case, the CRPC can be treated like other sub-committees. He said that, the key is that this language should be in the Campus Code of Conduct. He said that he is concerned because the University might get sued over it. He said that, if the CJC gets a good start next year, there can be language by the end of the next semester.
- u. D. Barbaria echoed what M. Battaglia said.
- v. R. Bensel said that he thinks that it is really important to not give way and set precedence on this type of process. He said that when the President discussed this, she used the word “usurp,” which is a very strong word, and that it is a recognition that it would be taking the UA’s authority.
- w. L. Copman asked if the UA should table this and then have a resolution next week.
- x. M. Hatch said that he wanted to suggest what L. Copman said. He said that there are problems with Policy 6.4, so he supports tabling this. He said that this is an undermining of the governance systems on campus. He said that the other question is the immediacy of this policy. He said that, maybe the resolution could serve as a stop-gap to allow for the concerns of this policy to be voiced.
- y. E. Michel motioned to extend the meeting by 30-miniutes. There was no dissent. The motion was adopted by unanimous consent.
- z. E. Winarto said that graduate students have been waiting on this for three-years, and asked, why this discussion and debate was going at this point.
- aa. M. Battaglia said that he agrees, and that this is poor timing, but, he said that when he brought it up to CPRC members, it was constantly ignored. He said that he would ask that this language gets voted on today for the Faculty vote tomorrow. He said that this should be a community-controlled policy.
- bb. E. Loew said that the college has jurisdiction over the faculty of that college. He said that he has not seen how any of these cases might be parceled out to send violations of individuals to their respective jurisdictions.
- cc. Manisha Munasinghe, a community member, and a member of the GPSA, said that, regardless of what the UA does, the Faculty will vote tomorrow, and everything will be sent to President Pollack to make a decision.
- dd. A. Cohn said that these concerns should have been brought up months ago, and that it is not fair to be having this debate now.
- ee. J. Anderson said that there have been concerns regarding this process, but that he does not see it slowing down.
- ff. G. Kaufman said that this discussion has become circular, so he requests that there be some action.



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gg. G. Kaufman motioned to table the proposed resolution and language. A. Cohn seconded the motion.

i. By a vote of 9-4-1, the motion was **tabled** until the next meeting.

hh. M. Battaglia motioned to move to resolution 19 because of the presence of the guest speakers. There was a second. There was no dissent. The motion was **adopted**.

VI. Business of the Day

a. Resolution 12: Increasing Access to Gender Neutral Bathrooms on Campus (C. Schott) (5 minutes)

i. The resolution was **tabled** to the next meeting.

b. Resolution 15: Opposing the Merger of the College of Human Ecology and the ILR School (J. Anderson) (5 minutes)

i. J. Anderson said that most people do not think the merger is a good idea. He said that he wants this resolution to serve the purpose of taking the merger off the table.

ii. J. Anderson motioned to table. There was no dissent. The resolution was **tabled** by unanimous consent.

c. Resolution 16: Examining Cornell's Policies for Temporary Disability Parking to Ensure Financial Accessibility and Equal Access (M. Battaglia) (5 minutes)

i. M. Hatch motioned to table the resolution. The motion was seconded.

1. By a vote of 7-6-0, the resolution was **tabled**.

d. Resolution 17: In Support of Cornell Employee Assembly Resolution #11: Promoting Staff Participation in Cornell Campus Climate Change Literacy Goals (M. Hatch) (5 minutes)

i. M. Hatch said that this resolution is simple affirmation of a previous initiative.

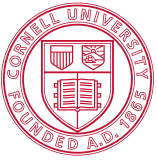
ii. E. Michel motioned to table the resolution until the next meeting. There was no dissent. The resolution was **tabled**.

e. Resolution 18: Call for the Development of a Cornell Comprehensive Transportation Plan (M. Hatch) (5 minutes)

i. M. Hatch said that this resolution has been long-coming, and it benefits everyone, but it has been rejected because of a lack of resources. He said that he suggests passing it.

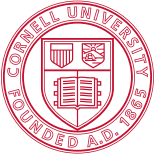
ii. M. Battaglia motioned to table the resolution. There was no dissent. The motion was **tabled** until the next meeting.

f. Resolution 19: Affirming Cornell's Commitment to Ethical Investments and Financial Transparency (C. Schott) (5 minutes)



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- i. A community member said that a similar resolution was passed in the Student Assembly but was rejected by the President. He said that this is acting on the recent adoption of the resolution of reinstating the Budget Planning Committee. He discussed investments and the responsibility of the University.
- ii. Another community member discussed Cornell Alumnus Seth Klarman's investment in the debt of Puerto Rico. He said that Cornell's involvement in the investment of the debt is harmful to Puerto Rico.
- iii. J. Anderson said that the intent of the Budget Planning Committee is not to look at investments, and the committee is not currently staffed. He said that he sees a mismatch in the clauses of the resolution.
- iv. M. Battaglia said that the Budget Planning Committee is the only committee that has such high-level confidentiality, so that committee seems correct to deal with this issue.
- v. R. Bensel asked what should be done about the Puerto Rican debt that Cornell owns.
- vi. A community member said that divesting would mean selling the debt holdings on the open market. He said that the debt should not be a part of Cornell's portfolio.
- vii. L. Copman suggested making amendments to the resolutions to make it specific. She said that this conversation has been ongoing for a long time.
- g. Draft of Code Amendments (M. Battaglia) (5 minutes)
 - i. M. Battaglia briefly touched on the 10 amendments to the Campus Code of Conduct. He said that he would not like for these amendments to be rejected because of lack of community comment, so he encouraged everyone to take them back to their constituent assemblies.
- h. Draft of Appendix A Amendments of University Assembly Bylaws (M. Battaglia) (5 minutes)
 - i. M. Battaglia said that, for the past few years, the CJC has had to fight with the Office of the Assemblies. He said, to avoid that, this resolution serves to codify a process for UHRB application reviewing and provide clarity on the role of the Office of the Assemblies. He said that he sat down with G. Giambattista to find a timeline, but that it was pushed back three-weeks by her. He said that he wants to avoid this in the future.

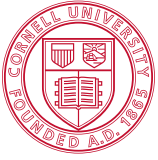


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- ii. M. Hatch said that he suggests taking more forceful action. He said there could be someone that could go to Joel Malina's office, and even the Office of the President.
 - iii. E. Loew said that the Office of the Assemblies serves the UA, and they must be reminded of that.
 - iv. There was a motion to table this resolution. The motion was seconded. The resolution was **tabled** until the next meeting.
 - i. Draft of Code Amendments: New Judicial Administrator Reappointment Procedures (M. Battaglia) (5 minutes)
 - i. M. Battaglia said that the CJC and administration have proposed changes to the appointment/reappointment procedures of the Judicial Administrator.
 - ii. M. Battaglia said that he has requested that the Office of the Assemblies give the appropriate information regarding the UHRB application decoding.
 - iii. M. Battaglia motioned to "Motion for the Office of Assemblies to send the key and resumes to the CJC within 24 hours of receiving this motion so the Committee can effectively complete their work in nominating UHRB members." The motion was seconded
 - 1. By a vote of 11-0-2, the motion was **adopted**.
 - iv. M. Battaglia requested that the Chair of the Assembly inform C. Van Loan that UA members would like this policy to be in the Campus Code of Conduct.
 - v. M. Hatch motioned to extend the meeting by 15 minutes. There was no dissent. The motion was **adopted**, and the meeting was extended by 15 minutes by unanimous consent.
 - vi. G. Giambattista said that she welcomes opportunities to discuss the process with members of the UA. She said that some of the comments made regarding the Office of the Assemblies during the previous discussion were disparaging. She said that the Office of the Assemblies is present to support the assemblies, and that the OA serves to preserve the process and the formal records of the assemblies. She encouraged anyone with questions or concerns to reach out to her.
- VII. Adjournment (1 minute)
- a. The assembly lost quorum at 6:46pm

Respectfully Submitted,

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.



Cornell University
University Assembly

Terrill Malone
Clerk of the Assembly

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