

## U.A. Resolution # 4

# Addressing Housekeeping Changes and Laying the Groundwork for a Holistic Evaluation of the Campus Code of Conduct

October 3, 2017

1 **Sponsored by: Matthew Battaglia, Graduate and Professional; Chair, Codes & Judicial**  
2 **Committee**

3  
4 **On Behalf Of: UA Codes & Judicial Committee (R. Bensel, C. Hodges, N. Jaisinghani, J.**  
5 **Kruser, R. Lieberwitz, S. Park, D. Putnam, K. Zoner)**

6  
7 **Whereas**, pursuant to Article Three, § 3.1 of its Charter and Title One, Article IV, of the  
8 Campus Code of Conduct the University Assembly (the Assembly) may propose changes to the  
9 Campus Code of Conduct (the Code) subject to the University President's approval; and

10  
11 **Whereas**, the object of the University Assembly, "...is to improve and sustain the involvement  
12 of the campus community in the governance of campus affairs affecting the broad campus  
13 community by establishing open, effective, and efficient channels of communication between  
14 and amongst the community and university administration" [Charter, Article Two]; and

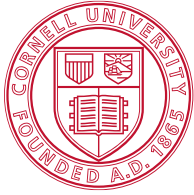
15  
16 **Whereas**, the Assembly views its custodianship of the Code as crucial to facilitating dialogue  
17 between the University Administration and wider Campus Community; and

18  
19 **Whereas**, the Assembly strives to execute its responsibility to the Campus Code of Conduct and  
20 Community with the utmost professionalism and care; and

21  
22 **Whereas**, the Assembly strives to be responsive to the needs and requests of the Campus  
23 Community and the needs and requests University Administration; and

24  
25 **Whereas**, the Assembly believes that over the preceding decades it has been and continues to be  
26 responsive to both the needs and requests of the Campus Community and the needs and requests  
27 of the University Administration; and

28  
29 **Whereas**, the Assembly's Codes & Judicial Committee (the Committee) is undertaking the  
30 process of conducting a holistic evaluation of the Code to ensure it reflects our practices and is in  
31 a form that is clear for the Campus Community to understand; and



## Cornell University University Assembly

32

33 **Whereas**, in beginning this process the Committee is aware of pending Code changes requested  
34 by the Administration; and

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36 **Whereas**, in beginning this process the Committee is aware of pending Code changes requested  
37 by the Judicial Codes Councilor; and

38

39 **Whereas**, the Committee is also aware of other pending Code changes which reflect the current  
40 practices of Cornell's Judicial System, correct omissions or errors in the code, and have been  
41 pending for some time; and

42

43 **Whereas**, the Committee believes handling these pending, "housekeeping" changes prior to  
44 undertaking an evaluation of the Code enables the Committee to handle long-standing requests  
45 and requests for improvement; and

46

47 **Whereas**, these University President has requested the Committee examine the Code to improve  
48 its readability; and

49

50 **Whereas**, **it is the Committee's understanding that the** University Administration has requested  
51 any changes be done together prior to an evaluation of the Code; and

52

53 **Whereas**, the University Administration has directly and indirectly requested some of the  
54 included Code changes; and

55

56 **Whereas**, **for many of these changes the Committee has worked "hand in glove" with the**  
57 **relevant stakeholders and members of the Administration to craft these changes; and**

58

59 **Whereas**, clearing these requests best balances the current needs of custodianship and  
60 responsiveness to change with the goal of evaluating the Code; and

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62 **Whereas**, some of the proposed changes are time sensitive and handling them will allow the  
63 Committee to best devote its attention to evaluating the Code; and

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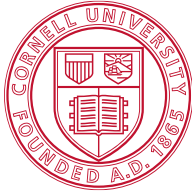
65 **Whereas**, these changes bring the Code to a state where the Committee is comfortable focusing  
66 its attention on a holistic Code evaluation; and

67

68 **Whereas**, **a holistic Code evaluation is a long-term undertaking which will take considerable**  
69 **time, resources, and community input; and**

70

71 **Whereas**, **delaying implementing these changes potentially years until the completion of a Code**  
72 **evaluation and allowing known flaws, omissions, and similar issues to persist when fixes have**



# Cornell University University Assembly

73 been identified and extensively discussed, debated, and vetted, would not be consistent with  
74 standards of good stewardship and custodianship; and

75  
76 **Whereas**, it would be wasteful and less than prudent to discard and discount the considerable  
77 time and effort expended over the preceding years by the Assembly, the Committee, various  
78 members of the Administration, and the Campus Community to identify and correct these issues  
79 within the Code when solutions have already been crafted and presented; and

80  
81 **Whereas**, the Committee appreciates the input and assistance of various offices on campus  
82 including the Offices of the Judicial Administrator, Risk Management, Judicial Codes Councilor,  
83 Assemblies, and many others in handling these “housekeeping” changes; therefore

84  
85 **Be it Resolved**, the appended changes be incorporated to the Campus Code of Conduct and are  
86 approved in a non-severable manner:

87  
88 **I: MODIFYING SUSPENSION LENGTH AND LIMITATIONS PERIOD FOR UNIVERSITY REGISTERED**  
89 **ORGANIZATIONS**

90  
91 **Whereas**, the Judicial Administrator requested the Committee consider increasing the maximum  
92 suspension length for University Registered Organizations from one year to five years; and

93  
94 **Whereas**, the Judicial Administrator also requested the Committee consider increasing the  
95 limitations period for University Registered Organizations from one year to three years; and

96  
97 **Whereas**, the neither of these changes modify the policies or procedures for individuals; and

98  
99 **Whereas**, the Judicial Administrator believes that a five-year maximum suspension length  
100 provides the Hearing and Review Boards (the Boards) additional discretion to handle cases; and

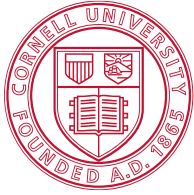
101  
102 **Whereas**, this lengthened suspension timeline allows the Boards to apply more granularity to a  
103 sanction as a middle ground to dismissal; and

104  
105 **Whereas**, the Judicial Administrator believes that a three-year limitations period enables the  
106 better handling of long-term violations such as hazing; and

107  
108 **Whereas**, this additional time will be viewed in-context by the Boards when deciding cases; and

109  
110 **Whereas**, the Committee reviewed this request, gathered feedback from stakeholders, and held it  
111 on its agenda for multiple meetings; and

112  
113 **Whereas**, the Committee agrees with this request and received positive feedback from  
114 stakeholders; and



# Cornell University University Assembly

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**Whereas**, the Committee approved this request verbatim without changes; therefore

**Be it Resolved**, that Title Three, Article III, Section D.4 (Code pg. 24) be amended to add:

d. In cases where the Respondent is a University-Registered Organization the period shall be no more than three calendar years from the alleged violation.

[Current subsection d advanced to subsection e]

**Resolved**, that Title Three, Article IV, Section A.1.c.6 (Code pg. 35) be amended to read:

(6) Suspension of all privileges for a stated period not to exceed ~~one year~~ five years.

## **II: ADDING DISCRETION TO INSTANCES OF NON-COMPLIANCE WITH SANCTIONS AND REMEDIES**

**Whereas**, the Judicial Administrator requested the Committee consider modifying the Code to allow the Judicial Administrator discretion in cases of offenders not complying with prescribed sanctions, remedies, or penalties; and

**Whereas**, the Code currently mandates that non-compliance result in automatic suspension until compliance is achieved; and

**Whereas**, the Judicial Administrator requested the Committee consider modifying the Code to add a violation for refusal to comply with a penalty or remedy; and

**Whereas**, the Code does not currently have a violation for such an action, instead relying upon automatic suspension; and

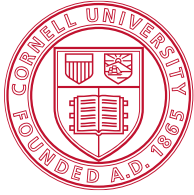
**Whereas**, the Judicial Administrator believes that being able to use discretion best serves the educational nature of a University and the interests of justice; and

**Whereas**, the Committee reviewed this request, gathered feedback from stakeholders, and held it on its agenda for multiple meetings; and

**Whereas**, the Committee agrees with this request and received positive feedback from stakeholders; therefore

**Be it Resolved**, that Title Three, Article III, Section C.2 (Code pg. 36) be amended to read:

2. If an offender has not complied with the prescribed penalty or remedy within the specified time, the Judicial Administrator ~~shall~~ may notify the University Registrar, Office of the Dean of



## Cornell University University Assembly

157 Students, and other offices on a need-to-know basis that the individual or organization is  
158 suspended, and the suspension shall have immediate effect and continue until the offender has  
159 complied. For any violation of the terms of probation committed during the probationary period,  
160 the Judicial Administrator may impose on the offender additional penalties, including suspension  
161 or dismissal. The offender may request an appearance before the Judicial Administrator in order  
162 to show the fact of compliance, to contest the violation of probation, or to argue for a lesser  
163 penalty. The offender may petition the University Hearing Board in writing for a review of the  
164 penalty imposed by the Judicial Administrator for noncompliance or for violating probation.  
165

166 **Resolved**, that Title Three, Article II, Section A.3 (Code pg. 18) be amended to add:

167

168 (m) To refuse to comply with any penalty or remedy given pursuant to this Code.

169

### 170 **III: CLARIFYING THE ROLE OF NON-MATRICULATED MINORS**

171

172 **Whereas**, the Office of Risk Management requested the Committee consider modifying the  
173 definition of student in the Code to exclude non-matriculated minors; and

174

175 **Whereas**, the Office of Risk Management stated that in a number of areas, minors on Cornell's  
176 campus are subject to separate written policies and procedures for behavior; and

177

178 **Whereas**, the Office of Risk Management stated that non-matriculated minors raise a number of  
179 unique issues when examining discipline; and

180

181 **Whereas**, the Office of Risk Management worked with the Committee to examine sample  
182 behavioral policies from various programs; and

183

184 **Whereas**, the Committee expresses its gratitude to the Office of Risk Management for their  
185 assistance and willingness to explain the rationale behind the proposed change; and

186

187 **Whereas**, the Committee reviewed this request, gathered feedback from stakeholders, and held it  
188 on its agenda for multiple meetings; and

189

190 **Whereas**, the Committee agreed that the Code is not the proper place to address non-  
191 matriculated minors; and

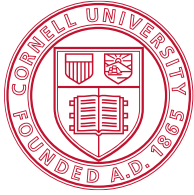
192

193 **Whereas**, the Committee was concerned about non-matriculated minors, particularly high school  
194 students being removed from the scope of the free expression protections contained within the  
195 Code; and

196

197 **Whereas**, the Committee approved this request verbatim without changes; and

198



# Cornell University University Assembly

199 **Whereas**, the Committee discussed either including a provision in the Assembly’s Charter or  
200 Bylaws reaffirming the Committee’s ability to examine these behavioral policies or adding  
201 language directly into the code to that effect; and

202

203 **Whereas**, U.A. Resolution #5 incorporates such a provision; and

204

205 **Whereas**, such language is meant to ensure that concerns about specific policies may be brought  
206 to and examined by the Committee; and

207

208 **Whereas**, any authority over other policies would be pursuant to the Assembly’s role in general  
209 policy development and advisory powers; therefore

210

211 **Be it Resolved**, that Title Two, Article I, Section B.2 (Code pg. 18) be amended to add:

212

213 3. Individuals enrolled in or taking classes at the University while still an elementary, middle,  
214 high school student, or foreign equivalent, so long as such individuals are subject to written  
215 behavioral expectations, policies, or procedures are not students under the definition of this  
216 Code.

217

## 218 **IV: DISCONTINUING THE USAGE OF INDEFINITE SUSPENSION**

219

220 **Whereas**, the Office of the Judicial Codes Counselor requested the Committee consider  
221 removing indefinite suspensions from the Code in the 2014 – 2015 academic year; and

222

223 **Whereas**, the Office of the Judicial Codes Counselor argued that such suspensions create  
224 uncertainty for suspended students; and

225

226 **Whereas**, the Office of the Judicial Codes Counselor argued that the University’s educational  
227 mission and the interests of justice are better served through the usage of suspension with a  
228 definite term or in extreme cases dismissal; and

229

230 **Whereas**, the Committee has discussed these changes multiple times in interceding years; and

231

232 **Whereas**, the prior usage of indefinite suspensions was to demonstrate growth in an individual  
233 before being permitted to return; and

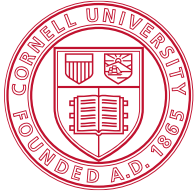
234

235 **Whereas**, the Boards have a variety of other tools that are now able to fill this goal; and

236

237 **Whereas**, the Judicial Administrator has stated her agreement with the rationale for not using  
238 indefinite suspension; and

239



## Cornell University University Assembly

240 **Whereas**, the Judicial Administrator has stated it is her practice not to seek indefinite  
241 suspension; and

242  
243 **Whereas**, the Judicial Administrator informed the Committee that there are students who remain  
244 indefinitely suspended and requested it be made clear that for those students the petition  
245 procedures in the Code at the time of their indefinite suspension govern their return; and

246  
247 **Whereas**, the Committee reviewed this request, gathered feedback from stakeholders, and held it  
248 on its agenda for multiple meetings; and

249  
250 **Whereas**, those students who are currently indefinitely suspended will continue to remain  
251 suspended and would use the petition procedures in the Code at the time of their indefinite  
252 suspension; and

253  
254 **Be it Resolved**, that Title Three, Article II, Section E.1c (Code pg. 24) be amended to strike:

255  
256 ~~e. The offender may petition in writing for readmission from indefinite suspension.~~

257  
258 [Subsequent subsections d and e relabeled appropriately]

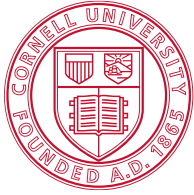
259  
260 **Resolved**, that Title Three, Article IV, Section A.1.a.8 (Code pg. 34) be amended to read:

261  
262 (8) Suspension from the University for a stated period not to exceed five years, ~~, or indefinitely~~  
263 ~~with the right to petition the University Hearing Board in writing at any time for readmission~~  
264 ~~after the academic term following the academic term in which the suspension occurred. Such~~  
265 ~~petition shall be submitted no later than April 1 if the petition is for readmission for the fall~~  
266 ~~semester and by November 1 if the petition is for readmission for the spring semester. If the~~  
267 ~~Judicial Administrator agrees with the petition of the accused, he or she may permit the~~  
268 ~~readmission without the petition being considered by the University Hearing Board, after~~  
269 ~~consulting with appropriate professional colleagues and receiving approval of a Hearing Board~~  
270 ~~Chair. If the University Hearing Board denies the petition, the accused may not petition again~~  
271 ~~until the next semester and, in any event, may not petition for readmission for the same semester~~  
272 ~~denied by the University Hearing Board.~~ While on such suspension, the student may not obtain  
273 academic credit at Cornell or elsewhere toward the completion of a Cornell degree. [Add  
274 footnote reading "The Code previously allowed for indefinite suspension. While indefinite  
275 suspensions are no longer given, any student indefinitely suspended at the time of indefinite  
276 suspensions being removed shall continue to be indefinitely suspended and subject to the petition  
277 provisions in-place in the Code at the time of the indefinite suspension"]

278  
279 **Resolved**, that Title Three, Article IV, Section A.2.b (Code pg. 34) be amended to read:

280





# Cornell University University Assembly

281 b. Ordinarily, the penalty for a third violation by a student within a twelve-month period should  
282 be probation or suspension from the University for a stated **or indefinite** period and denial of  
283 academic credit for the term in which the suspension occurs. The penalty may be reduced if a  
284 lesser penalty would more appropriately serve the interests of justice and if, in addition, the  
285 offender expressly agrees not to engage in misconduct of specified kinds in the next twelve  
286 months. **In such a case of indefinite suspension, the offender may petition the University Hearing**  
287 **Board in writing for readmission, but no application for readmission for the academic term**  
288 **following the academic term in which the suspension occurred will be permitted.**  
289

## 290 **V: CLARIFYING UNIVERSITY HEARING AND REVIEW BOARD APPOINTMENT PROCEDURES**

291  
292 **Whereas**, the Assembly, Committee, and Dean of the Faculty are responsible for selecting and  
293 confirming members of the University Hearing Review Boards (the Boards); and  
294

295 **Whereas**, the Assembly and Committee take this obligation seriously and exercise their utmost  
296 care in the selection process; and  
297

298 **Whereas**, the President in the Spring of 2017 noted that the Code did not fully describe the  
299 practices that the Committee and Assembly had been utilizing; and  
300

301 **Whereas**, the President in her message raised important concerns about transparency; and  
302

303 **Whereas**, the Assembly and Committee take these concerns seriously and agree with the  
304 importance of transparency; and  
305

306 **Whereas**, the Committee reviewed the concerns raised, gathered feedback from stakeholders,  
307 and held the topic on its agenda for multiple meetings; and  
308

309 **Whereas**, the changes, while minor, align the practices currently utilized in UHRB selection  
310 with the Code; therefore  
311

312 **Be it Resolved**, that Title Two, Article IV, Section C.3 (Code pg. 14-15) be amended to read:  
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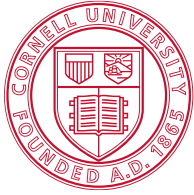
314 3. Members of the University Hearing Board and University Review Board pool shall serve  
315 terms of office as follows:

316 a. All members shall be appointed for two-year staggered terms, **except for students**  
317 **entering their final year of study, who shall be appointed for one-year terms.**

318 b. Terms of office shall begin June 1 of the year appointed. Any appointment to fill a  
319 vacancy or to address an emergency shall become effective immediately.

320 c. **Currently serving members may be appointed for additional terms if reconfirmed by**  
321 **the University Assembly after review by the Codes and Judicial Committee.**





## Cornell University University Assembly

322 **d.-e.** The Chair of the Hearing Board or Review Board shall have the authority to remove  
323 a member of the pool if the member is not honoring his/her commitment to the university  
324 to communicate promptly with the Chair or the Judicial Administrator's office, to  
325 participate in hearings, to arrive punctually, and otherwise to participate responsibly in  
326 this process.

327

### VI: CLARIFYING JUDICIAL ADMINISTRATOR REAPPOINTMENT PROCEDURES

328

329 **Whereas**, the Committee was made aware of an incongruity between the Code and historical  
330 practice for reappointment of a sitting Judicial Administrator; and

331

332 **Whereas**, the Code as currently written requires that the Chair of the Assembly convene a search  
333 committee for a new Judicial Administrator in the October preceding the Judicial  
334 Administrator's term expiring; and

335

336 **Whereas**, conducting a full search when the sitting Judicial Administrator would like to continue  
337 serving is not a prudent use of limited resources; and

338

339 **Whereas**, the Committee agrees with concerns raised by the University Administration that the  
340 Code should reflect current practices; and

341

342 **Whereas**, the Committee believes this provision was originally put in place to provide feedback  
343 to the Judicial Administrator prior to reappointment; and

344

345 **Whereas**, prior Judicial Administrator's in their reports to the Assembly, informal conversation,  
346 and formal written reports have identified a request for a more formal feedback structure; and

347

348 **Whereas**, the in the 2014 Judicial Administrator's report the previous Judicial Administrator,  
349 Mary Beth Grant, requested a more formal structure so that office "has more opportunities for  
350 more accountability, mentorship and professional development, better efficiency and a better  
351 design philosophically."; and

352

353 **Whereas**, Mary Beth Grant served as Judicial Administrator for sixteen years and the Assembly  
354 and Committee greatly appreciate her recommendations and prior service; and

355

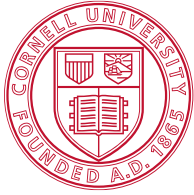
356 **Whereas**, the Committee believes this area is one that is important to the long-term health of the  
357 Office of the Judicial Administrator and their role in application of the Code; and

358

359 **Whereas**, the Committee believes there is value in having a formalized feedback process and  
360 dialogue for the Judicial Administrator prior to reappointment; and

361

362



# Cornell University University Assembly

363 **Whereas**, the Committee believes adding a feedback provision to the reappointment process is  
364 beneficial to both the Community and Judicial Administrator; and

365  
366 **Whereas**, the Committee believes by providing advance feedback and making a  
367 recommendation far ahead of a formal confirmation vote this procedure lessens the risk of  
368 unexpected confirmation decisions by the Assembly and enables the Judicial Administrator to  
369 better arrange their affairs; and

370  
371 **Whereas**, the Committee and Assembly do not intend or wish to interfere with the President's  
372 sole prerogative to nominate or decline to nominate the Judicial Administrator for an additional  
373 term; and

374  
375 **Whereas**, the Committee believes that a modified procedure, based upon the existing search  
376 committee procedure strikes the correct balance between managing resources and providing  
377 feedback; and

378  
379 **Whereas**, the Committee is aware of the time-sensitive nature of this request; therefore

380  
381 **Be it Resolved**, that Title Two, Article II, Section A.3 (Code pg. 12) be amended to read:

382  
383 3. The Judicial Administrator shall be appointed for a two-year term. A Judicial Administrator  
384 can be reappointed for additional terms. ~~In October of the year~~

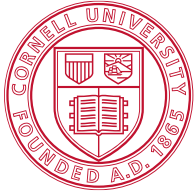
385 a. Six months preceding the expiration of the term of the Judicial Administrator, the chair  
386 of the University Assembly shall convene a six-member committee, including two  
387 members appointed by the President, two members appointed by the University  
388 Assembly, the chair of the Codes and Judicial Committee, and the Judicial Codes  
389 Counselor to provide feedback to the Judicial Administrator and evaluate their term. The  
390 committee will internally elect a chair and shall make a recommendation to the President  
391 either in favor or against the Judicial Administrator being nominated for an additional  
392 term. Such recommendation must be made at least four months prior to the expiration of  
393 the current terms. ~~or~~

394 b. Upon the University Assembly chair's receipt of notice of the Judicial Administrator's  
395 resignation or removal, the chair shall convene a six-member search committee,  
396 including two members appointed by the President and four members appointed by the  
397 University Assembly, to propose two or more nominees to the President.

398 The President shall appoint ~~or reappoint~~ a candidate with the concurrence of the University  
399 Assembly. In the event of an unexpected vacancy, the Associate Judicial Administrator shall be  
400 appointed by the President, with the concurrence of the University Assembly, to serve until a  
401 permanent Judicial Administrator is appointed.

402  
403 **VII: ALIGNING PRACTICES WITH PROCEDURES REGARDING NO-CONTACT DIRECTIVES**

404



## Cornell University University Assembly

405 **Whereas**, the Office of the Judicial Codes Counselor requested the Committee consider  
406 clarifying language around no-contact directives in the Code during the 2014 – 2015 academic  
407 year; and

408  
409 **Whereas**, the Office of the Judicial Codes Counselor argued that the current language resulted in  
410 scenarios where an individual bound by a no-contact directive was antagonized by another  
411 individual not bound by a directive; and

412  
413 **Whereas**, the Office of the Judicial Codes Counselor argued that the current language only  
414 allowed the Judicial Administrator to suspend an individual who was found to violate a no-  
415 contact directive as an additional interim remedy; and

416  
417 **Whereas**, the Office of the Judicial Codes Counselor argued that the University’s educational  
418 mission and the interests of justice are better served through the usage of mutual no-contact  
419 directives in interim situations; and

420  
421 **Whereas**, the Office of the Judicial Codes Counselor stated that interim no-contact directives are  
422 designed to be used as a short-term stopgap prior to a hearing on the merits but in the past, had  
423 been used for an extended period; and

424  
425 **Whereas**, because of their interim nature the Code currently does not contain provisions by  
426 which an interim no-contact order may be appealed; and

427  
428 **Whereas**, the Office of the Judicial Codes Counselor argued that adding a durational limit to an  
429 interim directive is less than ideal as it may prevent flexibility and adaptability where such a  
430 directive is necessary; and

431  
432 **Whereas**, the Office of the Judicial Codes Counselor argued an appeals provision modelled off  
433 existing language enables oversight should interim no-contact directives be utilized for an  
434 extended period; and

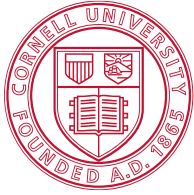
435  
436 **Whereas**, the Committee has discussed these changes multiple times in interceding years; and

437  
438 **Whereas**, these provisions are utilized as interim measures prior to any determination of  
439 responsibility; and

440  
441 **Whereas**, their interim nature necessitates extra care as no finding of responsibility has been  
442 made and all facts may not be known; and

443  
444 **Whereas**, the grave nature of the offenses that result in no-contact directives being implemented  
445 also necessitate extra care; and

446



## Cornell University University Assembly

447 **Whereas**, the Judicial Administrator has stated her agreement with the rationale for only  
448 utilizing mutually binding no-contact directives; and

449  
450 **Whereas**, the Judicial Administrator has stated it is her current practice to only utilize mutually  
451 binding no-contact directives; and

452  
453 **Whereas**, the Committee reviewed this request, gathered feedback from stakeholders, and held it  
454 on its agenda for multiple meetings; and

455  
456 **Whereas**, the Committee believes allowing discretion should a no-contact directive be violated  
457 best serves the interest of justice; and

458  
459 **Whereas**, the Committee believes allowing for appeals of an interim no-contact directive  
460 balances the need for interim measures with the fact that interim measures by their nature are  
461 utilized prior to any determination of responsibility and best serves the interest of justice; and

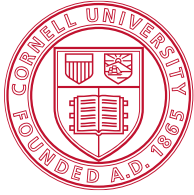
462  
463 **Whereas**, the Committee agrees with this request and received positive feedback from  
464 stakeholders; therefore

465  
466 **Be it Resolved**, that Title Three, Article III, Section B.2 (Code pg. 19) be amended to strike:

- 467  
468 a. In cases involving allegations of harassment, abuse, assault, rape, or other menacing activity,  
469 the Judicial Administrator, after making a reasonable effort to meet with the accused if  
470 appropriate to do so, may issue a No-Contact Directive, **binding upon all involved parties.**  
471 b. The Judicial Administrator shall make available to the accused the exact terms of the No-  
472 Contact Directive, as soon as it is issued.  
473 c. In the event the Judicial Administrator is notified of a violation of the terms of the No-Contact  
474 Directive, the accused shall be provided with an opportunity to review the matter with the  
475 Judicial Administrator within two business days. If the Judicial Administrator determines, based  
476 upon the information available, that the No-Contact Directive has been violated, he or she may  
477 **impose additional interim measures or** suspend the accused temporarily, pending resolution of  
478 the underlying case.

479  
480 **Resolved**, that Title Three, Article III, Section B.2 (Code pg. 19) be amended to add:

- 481  
482 c. In the case of such directive, the accused may petition the University Heard Board in writing  
483 for a review of the decision. That board shall meet to consider the petition as soon as possible,  
484 but no later than seven business days after it receives the petition. However, that board may grant  
485 a postponement upon the request of the accused, to a date not later than 21 calendar days after  
486 the petition is received. If that board determines that the No-Contact Directive was improper or is  
487 no longer necessary, it shall lift the directive immediately. The board's decision may not  
488 supersede an active court order.



## Cornell University University Assembly

489

490 [Subsequent subsections d and e relabeled appropriately]

**No signature block is present until the resolution has been disposed of by the Assembly (Passed, Failed, Withdrawn, etc.) Then a block with the certifying member (customarily Chair/Vice-Chair) verifying the authenticity and vote tally of the resolution.**