

Cornell University
University Assembly

U.A. Resolution # 7

**Charter Change Supporting the Office of the
Complainant's Advisor**

November 14, 2017

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

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4 **On behalf of: The Office of the Complainant's Advisor: C. Kim, G. Chaudhuri, J. Bensur,**
5 **H. C. Wouters, H. Martin**

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7 **Whereas,** the University Assembly (the "Assembly") has the authority to examine matters which
8 concern the welfare of a substantial segment of the campus community and may make
9 recommendations thereon to the President or other appropriate officers of the university; and

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11 **Whereas,** in his letter of April 22, 2012 then-President David Skorton accepted the University
12 Assembly's request to be a stakeholder under the definition of University Policy 4.1 for
13 University Policy 6.4 ("Policy 6.4") stating "I very much appreciate and welcome the
14 participation of the University Assembly as a stakeholder in the process of amending Policy 6.4
15 and know that the community will benefit from the "robust participation" of the University
16 Assembly"; and

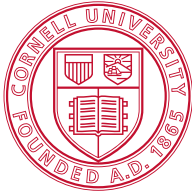
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18 **Whereas,** during the recent revision of Policy 6.4 the Office of the Complainant's Advisor
19 ("CA") was formally created and began service during the 2016 – 2017 Academic Year; and

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21 **Whereas,** the CA provides free assistance and representation within the campus judicial system
22 to individuals considering filing complaints under the scope of Policy 6.4 and those who have
23 already begun the formal complaint process; and

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25 **Whereas,** in the time following their creation, the CAs have represented numerous members of
26 the Cornell Community in Policy 6.4 proceedings in addition to advising community members of
27 the options they have under the University's policies; and

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29 **Whereas,** during the revision process for Policy 6.4 the Assembly engaged in discussions with
30 the Administration concerning the proposed changes as well as commenting upon the draft
31 document; and

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33 **Whereas,** in this process it was informally suggested that the CA's appointment process follow



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34 the same procedure as the Judicial Codes Councilors (“JCC”) to offer increased legitimacy from
35 using an established process, transparency, and community involvement; and

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37 **Whereas**, the suggestion was well received but at the time not followed up upon; and

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39 **Whereas**, the JCC and CA’s offices are both comprised of law students who serve as procedural
40 advisors in the campus judicial system; and

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42 **Whereas**, the CA has requested closer contact and a tighter working relationship with the
43 Assembly akin to that held by the JCC to inform the Assembly of their operations and to enable
44 the Assembly to advocate on their behalf; and

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46 **Whereas**, the CA has also requested that their appointments moving forward be formally
47 confirmed by the Assembly in the same manner as the JCC; and

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49 **Whereas**, having the CA confirmed by the Assembly aligns the confirmation processes for the
50 procedural advocates, increases transparency and community involvement in their selection
51 process, increases their visibility on campus, and ensures strong lines of communication between
52 the CA’s office and the Assembly; and

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54 **Whereas**, the CA already follows a selection process similar to the one utilized by the JCC and
55 including the Assembly within that process would require minimal modification; and

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57 **Whereas**, the Assembly greatly appreciates the work the CAs have done so far and looks
58 forward to continuing to work with them; therefore

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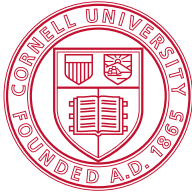
60 **Be it Resolved**, that Article Three, § 3.2, §§ 3.2.1 of the University Assembly Charter be
61 amended to read:

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63 The Assembly must approve each appointment or reappointment by the President of the
64 University to the following offices: the Judicial Administrator, the University Ombudsman, **and**
65 the Judicial Codes Counselor, **and the Complainant’s Advisor**. In the event of a vacancy in the
66 offices of the University Ombudsman, ~~or~~ Judicial Codes Counselor, **or the Complaint’s Advisor**,
67 the President or a designee will appoint a search committee to which the Assembly may appoint
68 a representative. In the event of a vacancy in the Judicial Administrator’s office, the procedure
69 laid out in Article II, Section A, Subsection 3 of Campus Code of Conduct for constituting a
70 search will be followed. Incumbent occupants of each office may serve any number of
71 consecutive terms; however, no single term may exceed two years in duration.

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73 **Resolved**, that the CA’s office will report annually at a meeting of the Assembly in a manner
74 similar to the JCC about their office, activities over the prior year, and other matters of the
75 Assembly’s interest.



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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.