



**Cornell University**  
**University Assembly**

**Minutes**  
**University Assembly**  
**April 5th, 2016**  
**4:30pm - 6:00pm**  
**401 Physical Sciences Building**

Attendance:

*Present:* E. Baptist, J. Batista, M. Battaglia, M. de Roos, M. Hatch, R. Howarth, M. Indimine, G. Kaufman, N. La Celle, M. McBride, U. Smith, P. Thompson, A. Thomson, R. Walroth

*Absent:* J. Burns, K. Herleman, E. Loew, BJ Siasoco

*Others Present:* S. Apple, V. Bhaya, G. Cremeens, M. Kotlikoff

**I. Call to Order**

- Meeting was called to order at 4:31 PM.
- Call for Late Additions to the Agenda
- UA Resolution 7 was requested as a Late Addition to the Agenda.

**II. Approval of Minutes**

- March 15, 2016
  - Approval of the Minutes was tabled to the next meeting.

**III. Reports from Assemblies**

- Student Assembly
  - J. Batista said the SA had a productive meeting. The SA passed 3 resolutions. One was about Indigenous People's Day, which was declared during fall break. Another resolution called to reverse a decision made by the Board of Trustees and the Provost as well as a resolution about Banning the Box, which deals with employment on Cornell's campus. It is by PREP, which is a student organization on campus.
  - This Thursday the SA will be having conversation about restructuring the Student Assembly.
- Graduate & Professional Student Assembly
  - R. Walroth said the GPSA passed 2 resolutions. Resolution 7 was on relationships between supervisors and supervisees, asking for a stricter policy on romantic relationships between advisors/advisees. Resolution 8 deals with a tax issue – international students were denied refunds by the IRS so many students are affected. The Resolution asks Cornell to prevent this from happening again and to help students who are affected by this.
  - G. Kaufman asked where the current policy is housed regarding Resolution 7. R. Walroth: said the only publicly available place is the grad school website.
- Employee Assembly

- P. Thomson said the EA is working on elections as well as the parameters of how they are going to expand their representation.
- Faculty Senate
  - Dean Burns is still on medical leave.
  - R. Howarth said they have elected a new Dean of Faculty.

#### IV. Committee and Working Group Updates

- Executive Committee
  - A. Thomson said that the UA will be confirming the JCC and JA. Following this meeting, the UA has 2 scheduled meetings so they may need to schedule a 3<sup>rd</sup> meeting if they do not finish conducting business.
- Campus Infrastructure Committee (CIC Chair) (2 minutes)
  - E. Loew was absent.
- Campus Welfare Committee
  - U. Smith said the CWC meets weekly. All the agendas and Minutes are on the website.
  - G. Kaufman asked if students have brought forth the resolution regarding Banning the Box to the CWC yet.
  - U. Smith said they will be talking about it at the EA.
  - G. Kaufman said that he directed students he spoke with to the EA and to U. Smith. His other question was that the SA passed a resolution about Banning the Box, but it did not specify whether it applies to faculty members, too. G. Kaufman said if it does, then the UA and Faculty Senate should look at it too.
  - U. Smith said divisionally, it lives in the division of Human Resources. The faculty use a different software for their hiring process. The EA is the group that looks at HR policy, so that is why it went there and not to the UA.
- Codes & Judicial Committee
  - G. Kaufman said the CJC is reviewing finalists for UHRB applicants. They had about five times more undergrads who applied this year than last year. 2 faculty member seats still remain vacant at the CJC; he said he thinks it is important that the CJC has faculty members.
  - R. Howarth asked how long they have had the vacancies. G. Kaufman said W. Sonnenstuhl resigned 3 weeks ago, and R. Wayne resigned February 1.
- Textbook Pricing Working Group
  - There were no updates.

#### V. Liaison Updates

- Council of Sexual Violence Prevention
  - K. Herleman was absent, but informed the UA beforehand that she had no updates.
- Campus Planning Committee
  - R. Howarth was unable to attend the CPC meeting, so he had no updates.
- Policy Advisory Group

- G. Kaufman said PAG is reformulating Human Resource Management policy, specifically, the Annual Performance Dialogue.
- Student Health Fee Advisory Committee Liaison
  - M. Indimine said the SHFAC is meeting in two weeks.
- Student Insurance Advisory Committee Liaison
  - M. Indimine had no updates.

## VI. Business of the Day

- Discussion with Provost Kotlikoff
  - Provost Kotlikoff said that Hunter Rawlings will occupy the position of interim president starting April 25th. Provost Kotlikoff said this will be an easy and comfortable transition for him. Jen Rock is a Trustee who will chair the President Search – the search committee will include faculty, students and staff. One of the first jobs of the committee will be to talk to people and see what kinds of attributes people are looking for based on the situation we are in.
  - Provost Kotlikoff said regarding UA Resolution 6 (Labor Practices at Cornell Weill – Qatar), the President’s office has received multiple interrogations about the issue and they have responded in different ways. Those things that are deemed nonconfidential can be provided to the UA; Provost Kotlikoff does not have that information but wanted to let the UA know that is the intention. He will give the information he thinks the President’s office can give.
  - M. Battaglia asked when Provost Kotlikoff expects the President Search Committee to be underway. Provost Kotlikoff said he does not know if that will be before the end of the semester, but he is hoping it will occur in May.
  - M. Battaglia asked if there was anything Provost Kotlikoff would like to see the Assembly do in the presidential search?
  - Provost Kotlikoff said he is looking forward to the UA’s interaction with President Rawlings. He encouraged the UA to invite him, as giving President Rawlings some time to weigh in on those issues would be very valuable.
  - M. Hatch said when issues like carbon neutrality or Qatar labor practices come up, they treat them as if they are grand issues. When they think about governance, he said he thinks those are issues that pertain to all of Cornell.
  - Provost Kotlikoff said the reality is that the president they will hire oversees all of Cornell’s campuses. The Provost of Ithaca reports to the president, Weill Cornell in Qatar reports to the Dean of the Medical College, and the tech campus reports to him. The goal of the President should be to connect these campuses – to leverage the fact that Cornell is a rural, academic campus and an urban campus. He said he understands many people think the Ithaca campus should be more prominent and central, but we have other campuses with their own governing bodies. He said he thinks any president should be thinking about the entire university. He said it is not that certain issues are irrelevant for some parts of the campus and relevant to others. It gets complicated because carbon neutrality on this campus is different from what carbon neutrality means at Weill Cornell.

- G. Kaufman asked if there was anything pertaining to the Campus Code of Conduct that he thinks the UA should consider looking into. Provost Kotlikoff said he is not aware of anything specific.
- R. Howarth said he wanted to thank Provost Kotlikoff for pushing ahead for 2035 carbon neutrality. He said one of the carbon neutrality questions that community has is the land Cornell owns that is developed by others. He said he would like Provost Kotlikoff to be cognizant of that – it seems we could provide more guidance as to what is acceptable. Provost Kotlikoff said Cornell is selecting from a number of bidders. There is a number of parameters that are in play. They are trying to keep the rent low for graduate and professional students. There is a strong desire to have this project contribute to carbon neutrality.
- R. Walroth asked if Cornell is doing anything about the faculty retention problem. Provost Kotlikoff said the reality is they have been in a constrained financial environment since 2008, which has resulted in pressure on budgets of colleges. One of Cornell's great attributes is our hiring of outstanding faculty members. People are no longer committing to an institution long term, so they need to do as much as they can to retain people.
- M. Battaglia said he received comments about the direction of the University after the passing of President Garrett and whether it will change or stay course. Provost Kotlikoff said it will stay course – no new president will divert from these opportunities.
- E. Baptist said he really appreciates the way the transition is going. It gives him great comfort to know that President Rawlings is coming in.
- Provost Kotlikoff said President Garrett was ill for a significant period of time. The Board of Trustees handled the situation in the best possible way in understanding what this job meant to her and the needs of the university. He said that Elizabeth Garrett was a very private person and very clear about what she wanted released about her medical situation – the Board of Trustees handled this how in the way it should have been handled.
- For Introduction: Confirmation of K. Karr to serve as the AY 2017 Judicial Codes Counselor
  - K. Karr will be attending the next meeting on April 19.
  - G. Kaufman said there were about 40 applicants for the JCC so it was a very rigorous process to be appointed. What made K. Karr stand out is that she has a strong background in student conduct. The process was very fair.
  - The confirmation of K. Karr as the JCC was tabled to the next meeting.
- For Introduction: Confirmation of M. Horvath to serve as the Judicial Administrator
  - M. Hatch said 40 applicants narrowed were down to 4, and after interviews, M. Horvath was chosen.
  - J. Batista said she thinks there were very good demographics represented.
  - G. Kaufman said he thinks the committee has done a great job selecting a great applicant but he thinks having a period for public review is necessary.
  - M. Battaglia said the Assembly can confirm the appointment today if it is urgent, but they usually allow more public comment than less if it is not urgent.

- The confirmation of M. Horvath as the JA was tabled to the next meeting.
- For Introduction: UA Resolution #9: 2015-2016 Cornell University Campus Code of Conduct Update
  - G. Kaufman said this Resolution is a result of four CJC meetings of deliberation.
  - The first issue that is addressed is the adoption of OSWG recommendations in Appendix C. President Garrett had recommended adopting these recommendations in the Campus Code.
  - The second part has to do with the UHRB application process, which recommends increasing the applicant pool from 55 to 75 members. The resolution also clarifies the relationship between the UA and the Office of the Assemblies.
  - The third is a change dealing with interim measures. He said that U. Smith and BJ Siasoco clarified that changing the Campus Code will not implicate Policy 6.4 in a meaningful way. The proposed change would make no-contact directives binding upon all parties. The other issue is temporary suspensions; the code change clarifies that the process applies to individuals and organizations, not just organizations. The final thing is creating an appeals process for no-contact directives and temporary suspensions, so people are not temporarily suspended indefinitely.
  - U. Smith clarified that he never said that the Code changes had no implications on Policy 6.4. The contention was about about procedures and processes.
  - G. Kaufman said he hopes he did not come across as saying that U. Smith said Policy 6.4 was not implicated. He said he would like to note that the CJC passed an amendment saying in light of U. Smith's comments saying that the code section is subject to the provisions in Appendix A, Article I in cases of sexual harassment. He said that Appendix A, Article I is the part that refers to Policy 6.4.
  - J. Batista asked if someone could explain how these changes will interplay with Policy 6.4.
  - S. Apple, the Title IX coordinator, said that the issues of interim measures and nocontact orders currently sit in the Office of the JA, but that will be changing and moving to a Title IX coordinator role. Policy 6.4 is incorporating relevant research on interim measures.
  - U. Smith said that some of the offenses listed have moved.
  - G. Kaufman said that to his understanding, this amendment on lined 73-74 was the CJC's way of addressing the issue that U. Smith brought up about the ambiguity between what is covered by 6.4 and what is covered by the Code. The footnote says that these issues should be covered by 6.4. The committee wanted to make sure that the code changes would not affect 6.4.
  - R. Walroth said he thinks next year they need to take the Code and rewrite the sections that overlap with 6.4 to make sure the two can work coherently together. He said he thinks some of the things in here are important to put into the code now. They have clarified language to show that these are only for violations of the Code, not 6.4.
  - M. Hatch said he thinks the Code has to keep comprehensive language for behavior on campus.

- M. Battaglia said when 6.4 was separated from the Code, Appendix A stated that sexual assault, harassment, etc. are still violations of the Code but are adjudicated by 6.4
  - A. Thomson said he thinks it is a good idea to include some direction that a no contact directive can be reviewed if it was being abused. It is important in situations where no-contact directives are put in place to specify which party should maintain no-contact. He said he would be careful about putting mutual no-contact directives into the Code – it is potentially harmful.
  - G. Kaufman said he thinks it is important that they reach out to constituencies to get their thoughts on these issues.
- Announcement about TCAT Public Meetings for Summer Service Changes
    - G. Cremeens said TCAT is looking to make service changes and is looking to solicit feedback, since there was miscommunication and non-communication when changes were made in Winter of 2015. There will be discussion in Weill Hall on Thursday in Room 226, from 5:30 to 6:30pm and then in the Maplewood Apartments Community Center on Friday. TCAT has bus driver and bus shortage, and the Cornell community should better understand what TCAT is going through.
    - G. Kaufman said he thinks it is great that TCAT is reaching out to make sure it receives feedback from different constituency groups. He is concerned that employees and faculty members are going to need the TCAT over the summer, so he thinks statistics should be published before cuts are made, because they can make recommendations if need be.
    - R. Howarth asked if G. Cremeens can provide a rough sense of the number of cuts.
    - G. Cremeens said TCAT is soliciting feedback. The 10 and the 92 are the big two bus routes that will impact students and faculty. The issue that TCAT is experiencing is a bus driver shortage and the type of work-life balance.
    - M. de Roos said she was told that the bus stop across from BTI was moving.
    - G. Cremeens said he was unaware of that and that he would solicit feedback about that.
    - G. Kaufman said it would be good to let the UA and EA know which cuts are being made.
    - G. Cremeens said he would be going to all four Assemblies.
  - Remainder of Term Outlook Discussion
    - M. Battaglia said they may have to add a 3rd meeting.

## **VI. Late Additions to the Agenda**

- G. Kaufman tabled UA Resolution 7 to the next meeting.

## **VII. Adjournment**

Meeting was adjourned at 6:06 PM.

Respectfully submitted,

Vishal Bhaya  
*Assemblies Clerk*