



## Minutes

Working Group on Hate Speech and Harassment  
Codes and Judicial Committee  
University Assembly  
February 28, 2018  
3:30pm – 4:30pm  
Uris Hall 260

### I. Call to Order

R. Lieberwitz called the meeting to order at 3:32 PM.

a. Attendance:

- i. *Present:* D. Barbaria, M. Battaglia, A. El Sabrout, S. Grantz, R. Lieberwitz, V. Price, C. Riley, S. Seth
- ii. *Absent:* T. Cabbell

### II. Planning open forum(s)

a. First Forum and Second Forum

- i. R. Lieberwitz noted that the prior meeting was productive and distributed a description sheet about the forums.
  - 1. Forums are paired, two sets of two. Possibly a third forum set later.
  - 2. Meant to be a general guide, not set in stone.
- ii. A. El Sabrout said it is good ask for discussion of incidents, also good to ask how those incidents were handled and how the response felt.
- iii. S. Seth proposed inverting #2 and #3 on the description sheet to contemplate what is not already covered. Concern that we likely will hear about horrific incidents.
- iv. Further discussion concerning structure of the forums, who should be present, etc.
- v. M. Battaglia noted that if the group was so inclined, they could ask for a member of the OJA to be present – various options from just having them just observe to being involved more actively.
- vi. S. Seth noted a concern about their presence leading to people readjudicating prior events.
- vii. S. Grantz stated that there is a need to have the Code to provide context and therefore that relevant provisions should be up on display. Also, if OJA is involved, do not want to put them into a situation where the only response they can give is that they cannot comment on prior events.
- viii. R. Lieberwitz asked the group how the OJA could tie into enforcement and the group's thoughts on that topic?

- ix. A. El Sabrout stated a preference for having the OJA at the second set of forums, allow for the first forum creating a space to discuss and the second to be more specific. Also said that the OJA could provide clarification about how reporting works and how groups can receive information about this.
- x. V. Price proposed having the OJA involved in the forum process generally.
- xi. C. Riley proposed having the OJA be more heavily involved in the second forum but present as an observer at the first.
- xii. V. Price asked how the group intended to take notes and that there were some concerns about recording individuals' comments?
- xiii. M. Battaglia noted that fora, as public functions of the Assembly system, are open to reporters, recording, etc. and that the Working Group would not be able to control the actions of other members of the public if they chose to take notes, record, or otherwise share information being discussed.
- xiv. S. Seth asked what the Working Group should do with the information? Noted that our charge is relatively specific and to ensure that the activities/discussions were not too broad.
- xv. R. Lieberwitz said the group can comment and follow up on other policies or propose other solutions consistent with the group's charge.
- xvi. S. Grantz added that the Code has a quasi-form of precedent which the group could examine and use to inform its decisions.
- xvii. S. Seth stated it was bad to ask for deep personal details about incidents and then not take action.
- xviii. R. Lieberwitz noted that the draft sheet created parameters that the group could narrow as time went on.
- xix. M. Battaglia explained how the Code handles precedent from prior hearing board decisions and reiterated that the CJC wanted any and all suggestions for how to address this issue.
- xx. C. Riley noted a preference for not limiting the feedback received to just the Code and that he preferred the group to facilitate discussions where the data can be of use to everyone.
- xxi. R. Lieberwitz asked for thoughts on the language before the group.
- xxii. C. Riley said he felt the language was good.
- xxiii. A. El Sabrout asked if the Presidential Task Force would be able to attend for context?
- xxiv. M. Battaglia responded that the group wanted all input, that the fora are public and that we are happy to have them or anyone else attend.
- xxv. S. Seth asked if an additional forum could be held to address some of the previously discussed issues?

- xxvi. General discussion about the number of forums.
  - xxvii. R. Lieberwitz asked if the group wanted #3 on the handout to be placed first.
  - xxviii. S. Seth stated that the group should put the Code up on a projection screen and then fold into #1 on the sheet.
  - xxix. V. Price asked if the group could see if people understand the current language.
  - xxx. C. Riley added a desire to have people comment on the current language.
  - xxxi. A. El Sabrout said that the group could ask to enforce a no notes/recording policy.
  - xxxii. M. Battaglia said such a policy would be unenforceable due to the forums being public and open.
  - xxxiii. R. Lieberwitz noted a concern about asking people not to take notes at a public forum.
  - xxxiv. S. Grantz referenced the Cornell Daily Sun and that they are likely to take notes no matter what is said. Proposed allowing people to remain anonymous should they prefer as an alternative.
  - xxxv. S. Seth agreed and added that the group should ensure people are aware that they are not anonymous.
  - xxxvi. S. Grantz asked about the group's ability to solicit anonymous comments.
  - xxxvii. M. Battaglia outlined the current infrastructure provided by the Office of the Assemblies, that the current system to his knowledge was not set up to receive anonymous comments but that steps were being looked at for how to receive such comments and at the prior forum an anonymous comment box was provided should anyone wish to leave a comment.
- b. Dates for fora
- i. R. Lieberwitz noted that the notice should not be too text heavy and that March 7 appeared to be too close a date for a forum.
  - ii. C. Riley said he liked March 9 as a first date.
  - iii. V. Price asked when is Prelim season?
  - iv. General discussion about Prelim season being all the time and other date options.
  - v. The group decided on the following dates:
    - 1. Forum 1
      - a. March 9: 3-5PM
      - b. March 14: 12-2PM
    - 2. Forum 2
      - a. April 11: 12-2PM
      - b. April 13: 3-5PM

### 3. Forum 3

- a. Scheduled as needed
- vi. M. Battaglia noted that he would contact the Office of the Assemblies after the meeting to begin the process of reserving space.
- c. General discussion about the fora generally
  - i. R. Lieberwitz asked for thoughts on the structure of the second forum.
  - ii. General discussion concerning structure of the forum and how to incorporate discussions from the first into it.
  - iii. R. Lieberwitz noted a desire to avoid locking the group to a certain approach should circumstances change.
  - iv. S. Seth proposed the group adopt a general roadmap that would allow for flexibility.
  - v. R. Lieberwitz proposed the following:
    - 1. Forum 1 – Gather information
    - 2. Forum 2 – Gather information and workshop
    - 3. Forum 3 – To be held as the group progresses
  - vi. M. Battaglia also noted the second forum would be a good opportunity to check in with the community to ensure the group's understanding/takeaways were accurate.
  - vii. C. Riley asked about inviting affinity groups and when notice could go out?
  - viii. M. Battaglia noted it would depend on how fast the Office of the Assemblies could reserve rooms. Assuming no delays, earliest would be Friday. Also noted that the announcement is meant to be shared widely and will be sent to various public listservs.
  - ix. R. Lieberwitz said she would write a draft announcement text and circulate.

### III. Survey Questions

- a. General Discussion
  - i. R. Lieberwitz circulated a list of draft questions from the Presidential Task Force.
  - ii. S. Seth thanked R. Lieberwitz for her dedication and work on this.
  - iii. S. Seth noted a question over wording “community values” instead of “individual values” on one of the survey questions.
  - iv. D. Barbaria asked about the general structure of the questions and how the group would interact with them.
  - v. R. Lieberwitz noted that they were provided as more of a courtesy and that the group is being allowed to add to them should they desire.
  - vi. A. El Sabrout asked a question about one of the draft questions and about how they would be provided in survey form.

- vii. M. Battaglia noted his understanding that the draft is a rough one and asked how A. El Sabrout would like to see the question asked?
- viii. A. El Sabrout described a range of values (e.g. strongly agree to strongly disagree) as a possible way of asking the question.
- ix. S. Seth noted that some questions appear to be open ended.
- x. R. Lieberwitz noted that the questions were very rough and that we are not being asked for edits so much as we are being asked to add our own questions to the list.
- xi. C. Riley proposed a question to be included.
- xii. V. Price also proposed a question to include.
- xiii. D. Barbaria proposed a slight alteration to one of the suggested questions.
- xiv. S. Seth noted that many of the questions utilize negative language and seem to try and make sure individuals are happy.
- xv. R. Lieberwitz noted her belief that the Campus Code of Conduct is punitive, that it has a long history, and that the code also includes positive language about peoples' rights.
- xvi. V. Price asked if the CJC could amend the preamble to the Code?
- xvii. M. Battaglia responded that the preamble is fully amendable but generally is seen as aspirational/general language rather than enforceable provisions.
- xviii. A. El Sabrout proposed a modification to one of the proposed questions.
- xix. R. Lieberwitz noted that she had recorded the draft questions, would write them down and circulate to the group prior to sending to Task Force. It was also noted that the group was coming up on the end of the meeting.
- xx. The group agreed upon meeting at the same time the following week. A note will be sent to T. Cabbell to confirm his ability to attend.

#### **IV. Adjournment**

- a. R. Lieberwitz adjourned the meeting at 4:30P PM.