



Minutes

Codes and Judicial Committee
University Assembly
October 25, 2017
4:30pm-5:45pm
163 Day Hall

I. Call to Order (Chair)

- a. M. Battaglia called the meeting to order at 4:35pm.
- b. Roll Call:
 - i. *Present:* M. Battaglia, R. Bense, C. Hodges, M. Horvath, N. Jaisinghani, K. Karr, G. Kaufman, R. Lieberwitz
 - ii. *Absent:* J. Kruser, S. Park, D. Putnam, K. Zoner
 - iii. *Others Present:* K. Ashford, T. Malone, M. Peralta-Ochoa, V. Price, N. Stetson, E. Winarto

II. Approval of Minutes (Chair)

- a. September 6, 2017
 - i. **Tabled** to the next meeting
- b. September 27, 2017
 - i. **Approved** by unanimous consent
- c. October 18, 2017
 - i. **Tabled** to the next meeting

III. Business of the Day

- a. M. Battaglia introduced C. Hodges, a Student Representative appointed by the Student Assembly to the Codes and Judicial Committee.
 - i. C. Hodges introduced himself and asked if the Codes and Judicial Committee had any questions for him.
 - 1. R. Bense asked C. Hodges - if he were to be the Chair of the Hate Speech Working Group of Codes and Judicial Committee, what are the most pressing problems that he would anticipate.
 - 2. C. Hodges said that it would be most pressing to try to put together a robust solution that will handle all parts of the issue. He also said that it will be pressing to create a policy that has adequate language, is stable in its use, and is enforceable.
 - 3. C. Hodges, at the request of M. Battaglia, spoke briefly about his background, which included his previous membership to the Codes and Judicial Committee.
 - 4. N. Stetson asked for C. Hodges' opinion on the structure of the Hate Speech Working Group.
 - 5. C. Hodges said that a good structure would have four Codes and Judicial Committee core members, four more members

(one seat filled by each constituent Assembly), and unlimited community membership.

- b. Update on previously passed Code amendments (Chair)
 - i. M. Battaglia said that the proposed changes to the Campus Code of Conduct passed through the University Assembly as UA R4.
- c. Presentation on potential structure of Hate Speech Working Group (Chair)
 - i. M. Battaglia presented a slideshow of four potential options for the structure of the Ad-hoc subcommittee, a potential timeline, and a draft of the Formal Charge of the Hate Speech Working Group.
 - 1. R. Benseal asked about who can vote on the Hate Speech Working Group.
 - 2. M. Battaglia said that goal was to not have to vote, but, in the case that there is a need for a vote, the members and appointments would vote.
 - 3. M. Peralta-Ochoa (Community Member) asked if using Option 2 of the Hate Speech Working Group Planning presentation meant that there will be no input from the community.
 - 4. M. Battaglia said that there are ways for the community to be able to provide feedback and input.
 - 5. R. Benseal praised M. Battaglia for his work in creating the Hate Speech Working Group Planning presentation.
 - 6. N. Stetson mentioned that the language of the Charge from the University Assembly to the Codes and Judicial Committee should have been incorporated and reflected in the Charge to the Hate Speech Working Group.
 - 7. M. Battaglia said that the charge was ambiguous and that he explained to the University Assembly that the Codes and Judicial Committee is trying to work on a timeline as fast as possible.
 - 8. N. Stetson asked if the Charge to the Codes and Judicial Committee from the University Assembly was in writing.
 - 9. M. Battaglia said that the Charge was not in writing.
 - 10. M. Horvath said that a timeline and language clarifying voter membership should be added to the Charge of the Hate Speech Working Group.
 - 11. M. Battaglia explained the draft of the timeline to provide a possible roadmap of events.
 - 12. T. Malone asked what is being done to promote attendance and participation at the Community Forum on Friday.
 - 13. M. Battaglia said that social media would be used to promote

the event, flyers would be sent out, and that he has talked to different groups at the University.

14. R. Bensei asked what the relationship is between the timeline and the Hate Speech Working Group.

15. M. Battaglia said that the timeline serves as an idea of how to guide the Hate Speech Working Group.

16. N. Jaisinghani suggested that Facebook and social media should be used to publicize the forum.

17. M. Battaglia said that there will be posts to social media very soon.

18. N. Stetson asked if it was considered whether or not to invite the Cornell Daily Sun. He recommended inviting the Cornell Daily Sun, but he also said that there must be preparation for the implications.

19. M. Battaglia affirmed that there were plans to invite the Cornell Daily Sun because the goal is to be open and transparent.

d. A Committee member left the meeting and quorum was lost from this point on. The Chair requested that the recording continue and that the minutes be transcribed.

1. R. Lieberwitz said that she is concerned with having only one forum. She said that it seems as if it was something done quickly, and that there should be at least two.

2. M. Battaglia said that two forums will be considered.

3. R. Lieberwitz said that there needs to be planning on how to structure the forum.

4. M. Battaglia explained a few possible structures for the forum.

5. M. Horvath said that she is concerned with the structure of the forum. She said that there needs to be expectations and ground rules. She said that [the planner(s)] should seek help in event management. She said that she is concerned that the timeline gets close to finals, which might be worrisome for students, faculty, and staff.

6. R. Bensei asked, if the Codes and Judicial Committee were to adopt option 3A for the structure of the Hate Speech Working Group, could the Assemblies select representatives soon enough?

7. M. Battaglia said that it is not likely that they will all be able to select representatives in enough time to start next week.

8. R. Bensei said that people at the forum would be curious about

- the members of the Hate Speech Working Group.
9. M. Horvath-Point of Information- Do the constituent Assemblies need to elect members or just make an executive decision, because the process might take longer?
 10. M. Battaglia said that the process for choosing the delegated members would be left up to each Assembly.
 11. M. Peralta-Ochoa said that, since the issues at hand are of grave importance to the community, there would be no issue with people attending the Friday forum, or people participating in the long run. He said that [in comparison] the campus climate is more detrimental from a student perspective, than attending a meeting or forum.
 12. M. Battaglia said that he would like to create a situation where students wouldn't have to choose between academics and attending the forum and meetings.
 13. N. Stetson said that the forum should be advertised and move forward with the forum on Friday.
 14. R. Lieberwitz mentioned possibly using the time devoted to next week's meeting to host another forum.
 15. V. Price asked how people will be able to contribute their comments.
 16. M. Peralta-Ochoa asked if there was any way that responses and comments made can be read by an outside entity.
 17. N. Stetson said that one possible solution is to have responses submitted anonymously, but people can also email representatives directly.
 18. R. Lieberwitz said that the hybrid option 3A is the best structure for the Hate Speech Working Group because it allows good representation. She said that, however, it is not workable, and that there needs to be a voting membership and clear voting structure.
 19. G. Kaufman said that smaller is better, but this issue needs adequate representation. He said that he thinks the best structure would be four Codes and Judicial Committee members and a representative from each Assembly.
 20. M. Battaglia said that all options presented are good.
 21. N. Stetson said that a big group is ideal.
 22. N. Stetson-Point of Order-Can there be a mail vote?
 23. M. Battaglia said yes.
 24. M. Battaglia asked if there were any objections to using the

November 1 meeting as public forum.

25. N. Stetson offered the idea of using the week after next to be a response to the forum.

26. The Codes and Judicial Committee voted on adopting the Charge and timeline of the Hate Speech Working Group.

a. By a vote of 4-0-0, the Charge and the timeline were adopted.

e. For Discussion: Beginning the process for staffing the University Hearing and Review Boards and increasing contact with the Hearing and Review Board Chairs

i. There was no discussion of this topic at the meeting.

f. For Discussion: Beginning the process of a holistic evaluation of the Campus Code of Conduct

i. There was no discussion of this topic at the meeting.

g. For Discussion: Discussing recent Department of Education policy shifts, our Quantum of Proof, and Policy 6.4

i. There was no discussion of this topic at the meeting.

IV. Adjournment

a. There was no adjournment, as the Codes and Judicial Committee lost quorum, then moved into a Committee of the Whole.

Respectfully submitted,

Terrill D. Malone
Codes and Judicial Committee Clerk