

Cornell University Assembly

UA Resolution # 4 Resolution to Modify Campus Code to Disclose Misconduct of University Registered Organizations

1 **Sponsored by: Gregory Mezey, UA Member**
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3 **Whereas**, pursuant to Article 3, Section 3.1 of its Charter, the University Assembly (the
4 Assembly) may propose changes to the Campus Code of Conduct (the Code) subject to the
5 University President's approval; and
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7 **Whereas**, earlier this year, members of the Cornell University community indicated they would
8 like more information about misconduct by all University registered organizations, not
9 just Greek-letter organizations and athletic teams, and the University was creating a
10 website for sharing this information; and
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12 **Whereas**, the University has now created a website for sharing this information,
13 <http://www.gannett.cornell.edu/groupmisconduct/index.cfm> with a commitment to
14 transparent public communication about all infractions by any group, including but not
15 limited to registered student organizations, athletic teams, fraternities, sororities, and
16 University residences; and
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18 **Whereas**, on April 9, 2013 the Assembly passed Resolution 5 changing the language of the
19 Code to make public registered organization's incidents of misconduct while still
20 preserving the confidentiality of the individuals; and
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22 **Whereas**, on May 8, 2013 President Skorton responded to Resolution 5 by indicating his support
23 for intent of the Resolution, but concerned the proposed wording could be misinterpreted
24 and therefore suggested some alternate language to clarify the Code; and
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26 **Whereas**, on November 8, 2013 the Assembly's Codes and Judicial Committee met and voted in
27 favor of the alternate language;
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29 **Be it therefore resolved**, the following Changes be made to the Code:
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31 Change Title Three, Article III.G.4.a and b to read as follows:
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33 a. All who are involved in the complaint, investigation, hearing, appeal, and reporting processes
34 are obliged to maintain confidentiality of the proceedings, except as otherwise specifically
35 provided in this Code. They shall protect the confidentiality of all judicial records, except those
36 records specifically referred to in Article II.B. Copies of judicial records shall not be released to
37 outside sources without written consent of the subject of such record, except as may be required
38 by law provided in subsection (b) below.
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40 b. The University will take reasonable measures to ensure the confidentiality of the proceedings
41 and records; however, the University cannot and does not guarantee that confidentiality can or
42 will always be maintained. Additionally, the University may disclose judicial records or
43 otherwise confidential information:

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45 i. when required by law; or,

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47 ii. when authorized by law and necessary to protect the safety or well-being of the
48 University community members, or to preserve the integrity of proceedings under this Code; or

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50 iii. with respect to the judicial records of University registered organizations only, when
51 deemed necessary to educate the University community or to provide information to the
52 University community about the organization's conduct.

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54 **Respectfully Submitted,**

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56 **Gregory Mezey**

57 Member, University Assembly (UA)

58 Chair, UA Codes and Judicial Committee