

Minutes
University Assembly
Tuesday, March 10th, 2015
4:30pm - 6:00pm
401 Physical Science Bldg.

I. Call to Order (Chair)

J. Blair called the meeting to order at 4:31 P.M.

Attendance:

Present: R. Adessa, J. Barnett, J. Batista, M. Battaglia, J. Bergfalk, C. Best, J. Blair, R. Booker, J. Burns, M. Hatch, E. Johnston, N. La Celle, E. Loew, C. McGrath, R. Walroth, R. Wayne

Absent: S. Balik, G. Mezey

Others Present: V. Bhaya, J. Cray, L. Falkson, J. Fridman, G. Giambattista, M.B. Grant, M. Indimine, E. Medina, A. Minikus, B. Murphy, S. Murphy, C. Walcott, K. Zoner

Call for Late Additions to the Agenda

The following item was requested: Introduction of University Assembly Resolution #7—Calling for Implementation of an Open Course Evaluation System (M. Battaglia). Members agreed by unanimous consent to add this to the Agenda.

II. Approval of Minutes

M. Hatch requested that the second sentence in the first paragraph of Section IV, “Executive Committee”, be updated as follows: “M. Battaglia reported that the UA received a letter with 157 signatures from Katherine Leigh, Class of 2015, requesting UA support for divestment.” In addition, Hatch requested that the letter be attached to the Minutes of February 24, 2015.

Minutes were amended and approved.

III. Abbreviated Updates

Executive Committee & Constituent Assembly Updates

M. Battaglia reported that the Judicial Codes Counselor Selection Committee has named Adebole Olofin to serve as the next Judicial Codes Counselor. Battaglia also informed the members that a resolution regarding divestment, UA Resolution #6, would be brought before the Assembly on March 24, and that the vote would likely be scheduled for April 7.

J. Blair welcomed the four UA At-Large candidates: J. Cray, M. Indimine, E. Medina, and M. Battaglia. He clarified that President Skorton appointed the next JCC, A. Olofin, and that the UA’s role on March 24 will be Olofin’s confirmation to this position.

IV. Business of the Day

Judicial Administrator Annual Update with Q&A

J. Blair welcomed M.B. Grant back to the Assembly.

Grant began by noting she had been given questions in advance by the UA Chair on behalf of Members and intended to focus her remarks by going through those questions.

She stated that, to be kept informed, students are provided links through the Dean of Communications' Office, but that more needs to be done so that people are even more aware. From a sustainability perspective, people are moving away from written documents. She further went on to say of the Judicial Administrator's best success was switching to Policy 6.4., regarding sexual assault and harassment cases. Grant admitted that the change of having every case go before a panel and having a detailed written report has made the process take longer than she expected. But, with this new policy, all parties involved have more rights. The review panels for these cases felt that they needed more information about the underlying evidence. Another challenge regarding Policy 6.4. has been the statute of limitations; Grant continues to believe that the statute of limitations should either be longer or absent. Not having it opens up the possibility to investigation. Another challenge is that the faculty on the panels is sometimes removed from social scene. Perhaps there should be a change in the panel so that there is a legal expert, or someone who has had experience with sexual violence.

Regarding the question about whether or not all the 6.4 investigators are women, Grant said that the question assumes that an individual cannot be fair unless he/she matches the particular race, gender, or religion of the party. Blair said that having a panel with all men or all women leads to a perceived bias, and that some level of balance between men and women may eliminate this perception. Grant said to make sure that whoever it is in position of the investigator needs to be able to be fair and to ask questions of campus partners when there is something related to bias. Blair added that people should not be able to pick their panel, but they should know that the panel is diverse with regard to demographics such as age and gender. Grant said people need to take issues of diversity seriously.

The next question asked if the training and credentials of panel members were laid out in federal requirements. M.B. Grant responded by saying they were not laid out in federal requirements, and that the panel is not meeting timelines because of extra steps taken to ensure that parties have rights. Choosing between a speedy and thorough process, she chooses to be thorough. R. Wayne asked Grant what her prediction was of the preponderance of the evidence standard, to which Grant responded that more people would be willing to come forward with allegations.

Regarding temporary suspension, Battaglia asked about what kind of oversight there was and what the average duration was. Grant responded that the length of time depends on the individual. She said oversight is always available, and is triggered by the respondent requesting a review of his/her case. Under the Campus Code of Conduct, the Hearing Board must conduct the review within five days of receipt of the petition from the respondent.

Blair asked Grant if the transcription summaries and other records were being updated, and if she had an estimated completion date for them. Grant said that they were working on updating them and that June 1 was the estimated date of completion. She said that they have a very good working relationship with the JCC.

Noting time had expired for this discussion, Blair thanked Grant for her presentation and said that if the members have any other questions, they can do an e-Dialogue.

Ombudsman Annual Update with Q&A

C. Walcott stated that the Ombudsman's Office is poorly understood. He clarified that the Office of the Ombudsman is a place where people can discuss their problems confidentially. The Ombudsman's role is not to make any decisions but instead is to listen to an issue and help the visitor work out how they can proceed. This is an independent office that adheres to the International Ombudsman Association (IOA) Code of Ethics and the Standards of Practice. L. Falkson stated that the other member of the Ombudsman's office is Helen Lang, who handles administrative matters and helps with outreach. This year, the Ombudsman saw 402 visitors, the largest number of visitors they have ever seen. Walcott and Falkson feel that the number of visitors has been increasing due to increased awareness, as they are doing more outreach under Walcott's leadership. Falkson admitted that employment has been the leading problematic area. She said that one of the great strengths of Cornell is recognizing that all institutions have people, and that people have issues.

M. Hatch asked if the Office of the Ombudsman was able to offer negotiation of conflicts.

L. Falkson replied that students have been interested in that area. C. Walcott said that the Ombudsman's Office tries to suggest the best course of action for parties and that the Office does not have the people or time to mediate the issues themselves.

M. Battaglia asked how the departure of Kleinberger from the Ombudsman's Office has affected their ability to be effective as an impartial body on campus. Falkson said that Kleinberger was very effective, and that it is difficult to have a half-time person. Blair said that, later on in the meeting, a resolution would be brought to the floor regarding support for a full-time Assistant Ombudsman in the Ombudsman's Office.

M. Hatch asked about the extent to which students come to the Ombudsman regarding harassment issues. Walcott said they see many graduate students who are having trouble with professors, and they try to be helpful, offering variety of options. Falkson added that they offer resources that can better help students. J. Barnett asked which assembly would best serve "Other Faculty." J. Blair added to her question by asking if there was an assembly for Research Associates or Sr. Lecturers. Walcott said they were not well served by the Faculty Senate or any other organization. G. Giambattista said the community of folks we are talking about is large.

For Introduction: UA Resolution #5: Support for the Office of the Ombudsman

M. Battaglia said that the Ombudsman plays a very important role on campus. There has been a large increase in visitors for the Ombudsman. He believes that it is important that they need support of assembly and financial resources to back them up. This resolution was a

recommendation to provide a full-time Assistant Ombudsman. The Ombudsman's Office is funded directly by president. Blair clarified that the Office of President funds the Ombudsman, but that they work for the UA. A half-time position at the Office would only go somewhere else once they were trained well enough to become full-time. Blair drew Members attention to lines 38-41 of the Resolution.

Student Health Fee Discussion

S. Murphy apologized for not being able to make the last meeting due to being stuck in Florida. She noted she also had received a series of questions from the Assembly and intended to go through them.

The first question asked about what issues were driving the student health fee for non-SHIP students. Murphy said the first issue was funding because Gannett expanded its staff and Murphy decided that letting go of the staff would not meet needs of campus. The health fee is a common practice across many institutions. Another issue was that enrollment faced both a planned and an unplanned increase. The health fee, being per student charge, gives Gannett steady stream. A secondary issue was that she was seeing differential access to health services. Students were choosing not to access some treatments due to out-of-pocket expenses. With the health fee, things that people have to pay out of pocket are prepaid and will provide more access. Most other institutions have health fees. Students' main complaints about the \$350 fee were categorized in several ways. There were concerns about cost, and the second large category was a lack of student involvement in determination of the fee. Skorton and Murphy will be doing an open forum Monday, March 16' from 12PM-1PM in G10 Biotech – will also be live streamed. They are also trying to work with the Vet School and Law School for discussion. Murphy admitted that she does not see the fee going away. One of the questions from GPSA was how will we know if we reached our goal of easier access. Murphy responded and said that we can track usage easily for undergrads. Murphy anticipates that the fee will affect 10% graduate students, 30% professional, and 70% of undergrads. One of Gannett's greatest pressures is to extend its hours of service.

Battaglia asked Murphy what her outlook was on how to be transparent about fee increases to students in the future. Murphy said she does not know what mechanism President-elect Garrett will put in place in the setting of tuition. Historically, they used to have meetings with the Student Assembly and forums about anticipated increases. Her recommendation is to find ways to have those discussions in the fall. The challenge is whether there are ways student can be involved in the input process – she does not envision a veto process but thinks there are ways to make folks aware.

J. Fridman mentioned that the SA suffered huge conflict of legitimacy. Many undergrads worried about shared governance. He expressed concern about whether issues can be explicitly addressed. Murphy said that 200 of the 350 dollars are going to solve the existing funding shortfall. Within the 200, some of it is paying back loan. 150 dollars are to increase access to Gannett's services. In retrospect, Murphy said, she made the wrong decision about how she engaged students prior to announcement of the fee and takes responsibility for it. She is sympathetic towards how students felt about shared governance, but she was not ready to have the SA convey information on behalf of the administration. If asking student-elected officials to

participate in an *a priori* process is a compromise, then there is a legitimate campus conversation to be had.

R. Booker said it is not unusual for elected officials to be invited to participate in confidential, pre-release discussions because they are elected to judge a policy, listen, wait, and then enact it. He said that is the duty of their job.

Fridman said Cornell's Caring Community still framed the fee as all of it going to increasing access, and then it is not specific about the specific breakdown of the fee.

J. Blair thanked Murphy for coming.

For Vote: UA Resolution #4: Faculty Advisor to the Office of the Judicial Codes Counselor

M. Battaglia reminded the Assembly that Resolution #4 was introduced at the previous meeting. The JCC is an office staffed entirely by matriculated law students, not attorneys. This resolution provides for appointing a Faculty Advisor to office. The Law School and JCC have been supportive of this resolution. The sponsor decided to keep term "advisor" in the resolution because it is evident that "advisor" is a clear term at the Law School. With regard to R. Booker's point from last meeting, a clause was added that extended confidentiality discussions.

Blair asked if there were any last comments, of which there were none.

The resolution carried 13-0 with no abstentions.

V. Late Additions to the Agenda

UA Resolution 7 introduction:

M. Battaglia, on behalf of J. Fridman, said that the Open Course Evaluation that was passed by the SA was referred to the Provost, who then referred it back to SA asking them to reach out individually to colleges. The SA does not have the appropriate resources or authority to do as the Provost recommended. Fridman added they had presented the Resolution to chairs of the A&S college but that this is a process that is hard to do college by college. Students should be able to pursue any person, any study. Battaglia said Resolution 7 calls for the Provost to create an Open Course Evaluation working group. Fridman said other Ivy League schools have this. CALS and Engineering have this but it should be University-wide. Blair agreed that there was a problem with having SA Resolution #29 going from college to college. J. Burns said discussions are still going on. Fridman said he agrees with Burns but thinks that to say it is "in flux" is an exaggeration because the committee they are on do not discuss it thoroughly. Booker said they have to be careful if they want to do it centrally. Fridman said the working group would have representation from each college. Hatch said what is crucial is how a student can interact with someone from faculty and how it fits in a broader idea of what they do when they graduate. There has been a decline in the interaction between students and faculty. Booker said he hopes the evaluations do not include median grades or whether a course is easy or hard, because a course that is easy for one student may be hard for another, and vice versa. The sponsors agreed, but noted that is why they are calling for a working group, so that best practices can be determined and considered.

Blair said that at the next meeting, on March 24, Dr. Steven Wolf and Leslie Schill will be coming to give a Campus Planning update. In addition, he said President Skorton will be giving his last address to the Assembly.

VI. Adjournment

The meeting was adjourned at 6:12 P.M.

Respectfully submitted,

Vishal Bhaya
Assemblies Clerk