

COLUMBIA UNIVERSITY SENATE TOWN HALL

Rules of University Conduct

November 10, 2014

Christopher Riano

00:00:04

Good afternoon everybody. I want to take a moment and say thank you to everybody for coming for the third Town Hall of the Rules of University Conduct Committee as we continue to look at the Rules of University Conduct as they exist here at Columbia University. Just a few minor detail items. Do feel free to come forward and sit – we still have seats over here, it’s perfectly fine. Also I do want to make clear everything is recorded for transcription that will be said at the Town Hall today. We do have cards, like we have had cards, where you can anonymously e-mail us. It is my understanding that at this particular Town Hall that will be possible in real time. So we will be able to receive questions anonymously if people don’t want to necessarily ask them via microphone. So if you would like to do that I believe the address is – we’re using the Senate address, correct? So it’s senate@columbia.edu so do feel free to do that and we can check it live up here.

00:01:14

I do want to take a quick moment before I continue and have everybody who’s on the panel with me today quickly introduce themselves and their affiliation with the University.

Professor Gillian Metzger

00:01:25

Hi, I’m Professor Gillian Metzger, I’m a professor at the Law School.

Zila Acosta

00:01:30

Hi, I’m Zila Acosta, I’m a law student and co-chair of SAC.

Christopher Riano

00:01:33

I'm Christopher Riano and I'm a lecturer in constitutional law and government.

Jared Odessky

00:01:37

I'm Jared Odessky. I'm the Student Senator for Columbia College, one of three.

Michelle Greenberg-Kobrin

00:01:41

I'm Michelle Greenberg-Kobrin, I'm the Dean of Students at the Law School.

Christopher Riano

00:01:45

Thanks everybody. And also even if people have questions, comments, anything else also after the meeting the senate@columbia.edu still works, it's perfectly fine. We do get those.

00:01:55

I'm actually going to ask Zila to take a quick moment – feel free to come down – and just say a few opening words to everybody and then we can go ahead and open up the floor.

Zila Acosta

00:02:06

Hi everyone. So I put together a quick list of kind of some of the themes and ideas we've heard from the first Town Hall, and some of them at the second Town Hall, which was at the medical campus uptown. And so those themes are here. I think some – I tried to put together a list of what I thought was particularly relevant, and the entire Committee has seen it, and so they will hopefully be all issues up for discussion. So I'm going to quickly go through it so everyone kind of knows we heard you on certain things, and if they want to expand or elaborate at this Town Hall feel free.

00:02:42

So first is a desire for the Committee to undergo a review of rewriting the Rules of Academic Conduct. Second is the desire for the Rules to be clearer and more specific, a desire for undergraduate involvement in drafting, a distrust of an internal process versus – and a preference for - an external process, a desire for an external process and an external specific alternative to Dean’s Discipline, a desire for a wider array of sanctions, a desire for technology and surveillance to be dealt with in the Rules, a desire for clear rules on evidence for adjudicatory processes, a desire for a clear distinction between warnings and sanctionable activity, a desire for a clear process that would allow for complaints to be brought against administrators, a desire for an affirmative statement of rights, and a desire for funding of legal representation or for pro bono representation for anyone going through the process. And that’s obviously not exhaustive, but those are some of the big themes I pulled from the first Town Hall and reading through the transcript.

00:03:43

So hopefully that kind of sets a bit of a standard to say like we heard you on these issues and those will definitely be topics of discussion for the Committee.

Christopher Riano

00:03:54

Thank you, Zila. And also before we get started with everything, will the other members of the Committee who are here with us today very quickly stand up, identify yourselves as loudly as possible so that people can hear, just so that everybody knows that – the Committee members that we have present.

Sejal Singh

00:04:15

Hi, my name is Sejal Singh. I’m a member of the University Rules Committee, I’m a student in Columbia College and (unclear)

Candice Kail

00:04:26

I’m Candice Kail, I’m the Libraries representative to the Senate and (unclear).

Michael Rosen

00:04:36

I'm Michael Rosen. I'm a professor at the Medical Center and I'm on the Rules Committee.

Erin Bryk

00:04:42

Hi everyone. I'm Erin Bryk, I am Barnard's Student Senator and I'm also on the Committee.

Christopher Riano

00:04:50

Thank you very much. Perfect, I appreciate everybody taking a moment to just introduce themselves. Thank you, all the members of my Committee. I believe that's a large majority of us who are here. And at that juncture I don't want to take up any more time if people have comments, not on just what Zila has said, but general comments in the larger scheme of our continued review of the Rules of University Conduct.

Daniel Stone

May we ask questions now?

Zila Acosta

Sorry if that wasn't clear.

Christopher Riano

00:05:38

Sorry. Daniel, I'm sorry about that. I should've been clear.

Daniel Stone

00:05:43

I'm Daniel Stone. I'm a student at the College and I've written a little bit about the Rules Committee and I'm sort of wondering how do we really know what is going on in your Committee? Because as somebody who's to write about this it's never really clear what actually you're talking about in this meeting, even though I trust the undergraduates who we've elected to represent us in these committees, how do we really know what they're talking about, what's going on?

Zila Acosta

00:05:43

One new development is that all of Senate Committees are now going to have public agendas so every meeting that a Senate Committee has will have a public agenda. So that's a recent development that I think could work, definitely works, for transparency in that sense, you'll see an agenda.

Daniel Stone

00:05:43

What does an agenda tell you? (unclear)

Zila Acosta

00:06:32

Right, I think that's generally, yeah, what an agenda is.

Daniel Stone

00:06:35

I mean yeah – but like – how do we?

Zila Acosta

00:06:39

Well, I do think that there's – I mean I speak from my own perspective. I think that's as much information as currently I know is definitely going to be available, obviously. The Committee can make statements, public statements, in terms of – I don't know if there's

any other method. So in terms of – if they were to put, for instance, I know our meetings, our minutes, are not public and I think the value to having that is that Committee members can feel free to really say however they feel about an issue, hash out issues, change their mind, discuss them at length, do all of that process without having to feel like all of every opinion and every change of their mind would be public.

Daniel Stone

00:07:25

Very Republican. Okay is there anything else (unclear)? How can I trust you to speak on my behalf if – how can I trust Jared to speak on my behalf if I don't know what he is saying? I mean the thing is there is the possibility of whatever we talk about here is irrelevant in the discussions.

Christopher Riano

00:07:52

No I actually – one thing that I would mention in conjunction with that is one of the reasons I'm so happy that we're accepting public comment not just on the Rules as they're currently written but in a large scale of looking at the Rules of Conduct is the fact that we can receive either – anything at senate@columbia.edu or in conversations with Committee members we can receive direct information from people, whether it's a proposed draft of language to what the Rules could possibly say instead, or just general commentary and anything in between, and I think that's a great thing that we're able to do.

Daniel Stone

00:08:27

The question is public accountability and I think those are two different things. You can – I can trust that you've heard me and understand what I'm saying, but how can I trust that you actually are going to listen, do anything that stems from that or results from that?

Zila Acosta

00:08:40

Do you have a suggestion?

Daniel Stone

00:08:42

No. what I'm saying – yeah, perhaps you should release minutes, perhaps there should be some other measures in place to make it so you're doing what we know you're actually doing, because all we know is now what you are saying at these committees in front of us.

Jared Odessky

00:08:58

So in agreeing to open up this Town Hall process the Committee did say that we would have this series of three Town Halls in the fall, and then if we decide to move forward with any changes we've put together a proposal and then have another public forum, we'd speak about that, in which people could review any proposals on the table before it moves to the University Senate. And then the Rules will not just be changed in this Committee, they have to get Senate approval first, so there'll be another opportunity for public review of what we produce.

Christopher Riano

00:09:30

I just want to also mention, because of the record that if people would say their name and affiliation before they speak. Thank you.

Commenter

00:09:38

Hi, (name unclear), Barnard College. I was just wondering cause one of the first things you mentioned in the list of demands that you isolated was that you actually do review these Rules. Have you made a decision on what you will actually do?

Christopher Riano

00:09:56

No, we have not, we have not taken a vote.

Same commenter

00:10:00

The most vital thing here and I don't really know where we can go if that hasn't been established. That's a key area, that's the most important thing.

Gillian Metzger

00:10:10

At least I think that's how we sort of framed at least the major purpose of the Town Hall is to hear from you, whether you think it makes sense to go ahead and review and (unclear).

Caleb LoSchiavo

00:10:36

Hi, my name is Caleb LoSchiavo. I am a student, a senior at Barnard College. I just wanted to ask if we do decide to review the rights, if you decide to review the Rules, if there is a way to ensure that students can be involved in that process?

Zila Acosta

00:10:57

I know I last time, at the last Town Hall, made kind of a pledge that any student group that wants to meet with me, I will meet with them and discuss these Rules. And another thing we had discussed was potentially having a call for proposals and things like, you know, concrete proposals and suggestions and commentary, and I think that's why we have the email set up and also – and that's what we said the last time too, anyone who has a proposal, anyone who wants to talk about it, I know all the students on the Committee made that commitment, and I'm sure others on the Committee will be more than willing to have a conversation with any student who has a proposal.

Christopher Riano

00:11:35

As well – I would also just comment, as well as Student Senators that may – or Senators in general who may not be on the actual Committee itself, because we're in conversations, I mean, you know, we can speak with each other, so.

Commenter

My name is (unclear) of the College. I just wanted to follow-up with that by asking how would you make it more accessible because the Town Hall on Monday afternoons aren't very accessible to the majority of our students. The only reason I'm here is my class was canceled. So like I just – I really – people who are willing to skip class or do whatever they need to do in order to come to these meetings will do it, but the reality is the majority of us have class in the afternoons and we aren't capable of leaving those responsibilities and we're here to talk about something that affects us so much.

Zila Acosta

00:12:30

I think that's why we had the first Town Hall on a Friday, and we tried to alternate it so anyone who has maybe a job or something like that and couldn't make a Friday could try and make a Monday. And I'd also like to say if anyone has any comments, please email proposals if they want to meet with one of us, we know that we couldn't pick a time that everyone in the University can come, but if people have comments we want to hear them, so...

Same commenter

00:12:55

Right, but I also wouldn't have known about the email that you guys had I not come here and received the little card with the email. So how do you suggest we make it more accessible to everyone, not just the people who show up at these Town Halls.

Zila Acosta

00:13:08

After the Town Hall we'll have a follow-up email that has a formal call for proposals and suggestions, so that will be one of the ways.

Gillian Metzger

00:13:17

I believe the email that went out announcing it had a link to the email address, it also had a link to the minutes from the last meeting.

Christopher Riano

The transcript.

Gillian Metzger

The transcript of the last meeting and some other information. So we won't make you dig through your inbox, but it's there.

Alice Hastings

00:13:44

Hi, I'm Alice Hastings. I'm a Barnard student. I have a couple of things, logistical questions. So when is – is the Committee planning on voting on whether to review the Rules, and when will we know the result of this vote?

Christopher Riano

00:14:04

I believe that our intentions and the timeline that we've kind of outlined in that now that we've had the three Town Halls we're going to be able to meet and start to have that discussion. And I assume that once that discussion's been had and something has happened then that would be made available to everybody.

Alice Hastings

00:14:21

So like within the next two meetings.

Christopher Riano

Yeah, that's true.

Zila Acosta

00:14:27

Within the next two meetings I think.

Zila Acosta

00:14:30

Like on the Senate calendar and website you see like our meetings listed, and within the next two meetings we'll have the discussion, recapping the Town Halls and I imagine we'd have the vote then.

Alice Hastings

00:14:40

So would we get the results before winter break and before finals?

Christopher Riano

00:15:00

I'm almost positive we do have another meeting before the end of the year. I don't know if we have two. We don't, we have one more.

Alice Hastings

00:15:09

So it might happen after winter break or still before?

Christopher Riano

00:15:13

In some ways I think it depends on the discussions that happen in Committee, so it's hard for us to say.

Alice Hastings

00:15:17

Okay. Would it be possible to have like maybe email updates to students just so we don't go into winter break not knowing what happened and maybe like just so we know that we can still send you emails if we have like proposals or want to meet or something?

Christopher Riano

00:15:33

I think even at that juncture we'll still be open to meeting with people, so absolutely, no matter how it goes, yeah.

Alice Hastings

And then sorry, last question.

Christopher Riano

No, it's fine.

Alice Hastings

00:15:41

Is this Town Hall a place for students to bring like specific proposals they have about the – about the Rules, like even though the – even though you haven't voted whether you're going to review the Rules, is this an appropriate place to bring proposals of changes in the Rules themselves?

Christopher Riano

00:15:59

I would tend to think that we're open to that at any time, so this is absolutely a time that's okay for that, as well as if it's not at a Town Hall.

Zila Acosta

00:16:08

I also agree with that, particularly if proposals are very confined, that's a huge reason to, like on the positive side, yes, we should review them because these are such strong proposals.

Commenter

00:16:26

Hi, my name is (unclear) I'm at Columbia. You mentioned in that list that you discussed bringing complaints, or using the Rules directly at administrators. I just wondered what you actually discussed about that and where you were in that conversation?

Zila Acosta

00:16:43

Well, the list isn't anything – isn't necessarily what's been discussed, it's just the list I kind of compiled of kind of themes I had heard at the last Town Hall of what students wanted and I shared with the Committee. So that hasn't been a topic of discussion, but I brought it to the Committee and the Committee's all aware of the list I made.

Same commenter

00:17:05

So just a follow-up to that, if the Committee was going to discuss the outcomes on that issue, how – what kind of measures would be taken to ensure that bias from the administration or administrators on the Committee didn't influence that, and how could students get involved in that process in particular?

Zila Acosta

00:17:31

I mean I think the great thing about the Committee is that all interested bodies are represented, so they're professors, they're students, they're administrators, so it's

important to hear from all of those perspectives, and everyone kind of bring that perspective to the discussion. In terms of bias I think the beauty of it is that no secret discussions are happening. All of those discussions happen in front of students as well as professors, as well as administrators, and it's hashed out in that way, so I think that's an inherent check to bias.

Gillian Metzger

00:18:06

I would also just like to – I wouldn't want it to be a situation where because somebody, for example, was a student they couldn't participate in thinking about how to change the Rules for fear that they would be biased because they apply against students. So I – that would to my mind give a very bad precedent to suggest.

Same commenter

00:18:22

Although so far the Rules have been used more against students than they've ever been used against administrators.

George Joseph

00:18:36

Hi, my name is George Joseph, I'm a junior at CC. So the only reason we're here today is because Daniel Stone is one of the few campus reporters that actually questions our administration found out that you guys were trying to do this, changing the Rules without basically telling us, and (unclear) last year. On top of that our Student Senators who are our elected representatives are not allowed to talk to us, it's a gag order. I mean you guys are acting like you're being all open, like being willing to take our suggestions twice a semester over things that matter to us a lot. So if we really want to test you we need to be able to see what you're saying in those meetings. So I suggest you either open up the meetings to students or you give us the meetings, the meetings' minutes, and you also allow more student representatives to come in for meetings and actually not have a gag order (unclear).

Myles Hilton

00:19:43

Hi there. I'm Myles Hilton, I'm a student at Columbia College. So first of all I'd like to emphasize that the Rules absolutely do need to be reviewed. And there's some very frightening wording in that (unclear)that (unclear) One thing that stood out to me in particular is that currently if somebody chooses the external process there are mandatory minimums, so the absolute minimum that can happen to you if you are found guilty in the external process is suspension. And it seems ridiculous that, you know, it seems like a pretty big disincentive to choosing the external process. Now I'm wondering what you guys would consider doing to – to change that so there isn't a disincentive to choosing an external fair process.

Christopher Riano

00:20:27

I'm just going to say, I think we're open to any suggestions. So one of the things that I think that, you know, we've been looking at is the entire process as a whole. So if there's particular suggestions or, you know, a particular concern like you just highlighted, this is a good time to bring it up to us because we can then take these, just like we did the last time, and – and start to make notes on what people bring forward to us.

Zila Acosta

00:20:51

And I'll just note some of the things that people have brought forward to me was kind of an expansion, for instance, Dean's Discipline is a wide array, so that's kind of an example of the potential array of sanctions or punishments or the levels that could happen.

Myles Hilton

00:21:05

I would actually suggest looking to the policy for sexual misconduct where a vast array of sanctions from a warning to expulsion are allowed. It's in stark contrast to nothing but suspension or expulsion under an external process, so that would be what I would suggest you take as your guide.

Zila Acosta

Thank you.

Christopher Riano

Thank you.

00:21:36

Alexis Yeboah-Kodie

Hi, I'm *Alexis Yeboah-Kodie*, I'm the President of the Black Students Organization. So when you – you kind of pointed out a bunch of main points that you kind of highlighted that are really important that you took from the first Town Hall meeting. I was wondering if you guys could talk about what you've discussed since the first Town Hall meeting in terms of those like highlighted points and kind of share with us what – what you have discussed as well as – I don't think you mentioned this, but if you could – if you guys have discussed the kinds of evidence that are allowed in disciplinary hearings and the standards of evidence in terms of – like in terms of Columbia emails and the Columbia domain and the Columbia wireless, like what types – like what standards of evidence are allowed in disciplinary hearings and like what Columbia University can use, because they like have that thing, own that domain? And last – the first Town Hall meeting you guys said that you had – you had had a surface level discussion on it. I was wondering if you guys went a little deeper into what that discussion was, especially since it's very important now, a lot more important now that it was in 1960, when there was no internet. And so in terms of standards of evidence I think that's like a very important reason as to why the Rules should be reviewed.

Christopher Riano

00:23:12

I mean I can – I can say this, and if I miss a question please feel free to reiterate because I know you – it’s okay. But we – we really haven’t. We have taken what we got from the first Town Hall and it’s been passed around among the Committee and literally that’s basically what we’ve done. We have not had discussions when it comes to specificity of – of things that have been raised, other than, like I said previously, surface level discussions. I think a lot of the purview of what we’ve been doing is making that initial determination of, you know, what does the campus community think about the Rules of Conduct and does the campus community see that as an area that we need to address or suggest changes to or not? I think that’s been a lot of what we’ve done. And at the same time, taking in information of, okay, why might that be the case? What are people talking about? What are students’ concerns, what are faculty concerns, and – and just getting as much information as possible so we can try to make as much of an educated decision as we can. Did that help to answer?

Alexis Yeboah-Kodie

00:24:15

A little bit. I guess I just kind of want to keep surveillance and standards of evidence on the radar.

Christopher Riano

00:24:22

I – and I know, you know, you made a very good point that has not been lost on us. These were written in ’68 and things have changed, and that has not been lost on us. Obviously in ’68 there was not the same sort of internet and – and – and, you know, connectivity that we have nowadays.

Commenter

00:24:46

Hi, I am (unclear), Barnard College. I have a question specifically about the pre-hearing procedures and I know that what I am worried about with the Rules is how vague a lot of the passages are, so I was wondering, currently what exactly happens in terms of deciding whether or not complaint will be dismissed, and if the Rules are to be revised, which they absolutely should, how might you recommend increasing transparency in that initial crucial process in order to avoid incidents of bias?

Zila Acosta

00:25:19

When you say “transparency” you mean the transparency with whoever (unclear)

Same commenter

00:25:23

No, what’s going on. Like because it’s extremely vague and right here it just says that the Rules Administrator decides whether or not it will be dismissed, and that’s not a process, that’s a statement.

Zila Acosta

00:25:41

Obviously I’ve never been under the Rules of Academic Conduct, I have never been brought up on charges and I know students haven’t been for a very long time, and the only person I think who has experience about going through that process is Dean Rittenberg, to be honest, Provost Rittenberg, who is the main adjudicator of the rules. So I don’t have any experience with going through that initial pre-hearing process to be honest, but I know the passage you’re referring to. So I will take your note that it’s very vague.

Same commenter

00:26:11

So I was wondering since we don’t have access to your meetings if you could kind of expand upon – since I’m sure you’ve spoken about the vagueness of such passages, if you

could expand upon potential changes that you might make to passages like that, that really don't involve a process at all in which only one Dean holds information about it. I was wondering if there were any thoughts from your guys.

Christopher Riano

00:26:37

We haven't discussed language.

Zila Acosta

00:26:51

Someone did also ask us to mention that the next two meetings we have are December 1 and then January 26.

Commenter

00:27:06

I just would like to say that I think that free speech should be encouraged, I think given the trajectory of the way the world is going I think it should be encouraged – encouraged to have like a, you know, an environment where a fire could be started in a classroom, given a student's speech or a teacher's rebuttal is pretty awesome. Any interest of making Columbia the best university the world has ever seen, I think it's pretty cool. And I think it's also a reflection of the people that are probably, you know, going to put this together, the intelligence of the people that write it, I think you should probably encourage free speech. It would be awesome for the future.

Jared Odessky

00:27:48

I think on that, one thing we have discussed is including an affirmative statement, I think as Zila mentioned, about what free speech protections will be affirmatively included rather than protected against. So if anybody has suggestions for language for that affirmative statement please feel free to send it the Committee's way.

Christopher Riano

Yeah. Thanks, Jared.

Max

00:28:09

Hi, my name is Max. I'm here at Columbia College. So at the last Town Hall there was a lot of concerns raised about all sorts of things from the absolute severity of the sanctions to vague language, all sorts of things which can be used by the administration against the students. And from what I heard there was some general acceptedness among you panel members and among the entire packed room full of students who care about their rights. So I'm a little bit surprised coming back to this Town Hall that all that's happened since then is that the information has been shared. It doesn't sound like there has been – it doesn't sound like there's been much discussion towards revising the Rules which seems pretty imperative at this point considering the fact that they are outdated, contain no affirmative rights for students, and, broadly could be used to create all sorts of issues for students and have been used that way in the past. Honestly, I am wondering why we can't just get some sort of commitment from at least you folks on the panel to revise these Rules, or at least to give a reason why you are not considering that.

Christopher Riano

00:29:39

Unfortunately we haven't taken a vote so I can't speak for the Committee when we haven't voted.

Max

00:29:43

Can you speak for yourself at least?

Gillian Metzger

00:29:49

I think actually we have a Committee process and the whole point of the Committee process is to have a discussion, which hopefully will allow us to share our views. I think it would actually undermine that process for us to state what our views are. I also think that I've always understood this is three Town Halls where we're collecting views in different parts of the community. Certainly, my own personal view was never that we were going to do one, get the feedback and then make decisions. So I think it would be actually – even if it feels like we're being unresponsive, I think it would be premature to make decisions after one or two, or until the process gets completed here.

Max

00:30:23

Okay. Then I'm just curious. Has there been any sort of responses that have decided to keep the Rules the same?

Just broadly there's been a lot of discussion in these Town Halls that says we're going to think about all these important things and then decide whether to vote. And I understand that like the way that the process works inhibits whatever it is. But frankly it seems like there is no reason not to review the – not to review the Rules of Protest and what – all of these concerns of transparency are being raised is in fact that they still could, after all of these immense quantities of flaws have been pointed out, not be reviewed. And there's – I'm pretty sure we're all sitting here because we're concerned about that. We really want some sort of guarantee that we will at least be able to find out whether these Rules are going to be reviewed as soon as possible because we all think that they ought to be, in short. I'm going to end there.

Caitlin Lowell

00:31:51

So Caitlin Lowell, CC 2015. Going along about whether or not to review the Rules, I'm looking through these Rules and there appears to be nothing in terms of talking about the standards of evidence that were mentioned earlier, especially with online activity. So I don't understand how you can keep these Rules if these Rules literally don't apply to the world we're living in now. These Rules are applying to something decades ago. I want to

be able to know these Rules if I post something on Facebook whether or not that can be used against me, if I do something on my Columbia email whether that can be used against me. So either I'd a commitment that we are going to be reviewing these Rules or I'd like to even know within these Rules right now what the standard is, because I can't tell that from reading these Rules. Can anyone tell me what these Rules look like right now? Like if I post something on Facebook.

Zila Acosta

There are no explicit Rules.

Caitlin Lowell

00:32:48

So, whoever is the Rules Administrator from now on, unless these Rules are reviewed it's -- they are going to figure that out on their own, as far as the way things stand right now?

Gillian Metzger

00:32:58

The one thing I, from my reading of the Rules I would focus also on is just the jurisdiction that it applies to, so that doesn't answer your question. If you look at the section on jurisdiction. It talks about -- yeah, 442. So applied to any demonstration including a rally or picketing that takes place on or at a University facility, right, and then it goes through the facilities. So that jurisdiction, it would be the scope of area that it applies to-- I agree with you, it's not expressed in this, but that would be the clearest guide that I would find.

Caitlin Lowell

00:33:40

So does that jurisdiction include like University-owned Wi-Fi?

Christopher Riano

You could interpret it that way, yeah.

Gillian Metzger

00:33:49

Also just bear in mind, it says demonstration including a rally or picketing, right. And then it's also the circulation of petitions.

Caitlin Lowell

Ok, thank you.

Julian Noisecat

00:34:02

Hi, my name is Julian Noisecat,- I'm a senior in the College and the President of the Native American Council. I just want to say that you guys all seem like very interesting people, you know-- I'm sincere about this. And I'd love to hear what you guys have to say in the meetings and your thoughts, actual thoughts, about this because I've – I attended the first one and I didn't necessarily hear that much about what you guys were thinking, etc. And as a student here, although I'm soon graduating, I think that's something that I really care about and want to know more about. So I was wondering if it would be possible to make the minutes of the Rules Committee public information and also make them observable by students?

Zila Acosta

00:34:59

So there are Senate rules of confidentiality that we are bound by, but like I was saying, in terms of transparency about people's views and individual-- individual things, one thing I can say is – I mean I put together that list of themes and things like that because I think it's really important that regardless of my feelings or agreement or non-agreement, that any student concerns that are brought forward get discussed, so that's why I put together the list and sent it around to the Committee. And I think all the students and everyone is really committed to having all of those discussed. So I think the decision is now looking, gathering information, gathering student thoughts and feedback and faculty and

administrator – the community’s feedback, and then making the decision; are you going to change the Rules, and again, going through somewhat of that process with the hindsight and all the changes and concerns that people have brought forward.

Julian

00:35:51

I guess my concern would be that then my faith resides in having good representatives at those meetings. And if there’s no transparency I can’t know whether or not my views or my dissent is being expressed within those meetings, and I think that that’s important.

Jared Odessky

00:36:10

I think one thing that maybe – I don’t want to commit on behalf of the Committee, but one possible proposal for that is to maybe – we did this here, publish the list of full concerns, and if there’s dissent from those concerns sort of have a public document of what we have heard, if that makes sense.

Zila Acosta

From the student perspective.

Jared Odessky

00:36:29

From the student perspective, and the faculty perspective and the staff perspective. So by Senate confidentiality rules we can’t discuss what – what we’re discussing in the Committee, we can’t make that public under the current rules as they stand. But if we at least articulate publicly what we have heard so we know all views are sort of on the table there, I think that’s something that we can pledge to.

Julian

00:36:51

Is that portion of the Rules up for discussion?

Zila Acosta

00:36:55

That's – that's a separate set of rules, so those are the Senate rules on confidentiality, so the Senate rules and by-laws are separate from the Rules of Academic Conduct – University Conduct, so those are separate rules.

Jared Odessky

00:37:07

I'll mention quickly, I'm on the Senate Structure and Operations Committee which looks at those policies, so if you want to talk about that with me we can talk about that separately.

Julian

00:37:16

So we should have another Town Hall for those rules.

Hadil Ayub

00:37:35

Before I start, can I please ask the two photographers in the room not to take a picture of me. I am fine with introducing myself. My name is Hadil Ayub, Barnard, and two things. First of all, can students be charged under the Rules while the Rules are under review, because like these things are complex and that's good to know. And the other thing is multiple people have mentioned like wanting to see the minutes. It's not for me personally, I would not, but even if I don't see like every single member, like X member said this, Y member said that, I would still be interested in seeing like the general climate of their discussion. So even if it's not what individual members have said, if it can be published like what the climate of the discussion is and like the names can be censored or something, I would still be very interested in seeing that. So if there's like a way to mediate not wanting to publish, like the names of members and what everyone said so like – because we're students and you're administration or not or students, and not

everyone wants everyone to know exactly what they said at the meeting, and if those names can be censored and – just so we know what the general climate is, because we really need to know where to set our hopes for this entire process, so.

Eric Weimer

What's the response to that? Can I get a response to that first?

Zila Acosta

I just said thank you.

Eric Weimer

All right then.

00:39:18

Eric Weimer, CC '16. I have a comment and two questions. Let's get the comment out of the way first. I find it pretty interesting that national Senate discussions are broadcast live on C-Span, but University Senate discussions are too sensitive to be public? I'd just like to say that.

00:39:42

Second is relating to whether or not online content would fall into the area of prosecutable or evidence type of material, and I would like to turn to Section 441. And while it seems to be oh, anything occurred on University facility, that seems like a physical place, right, but Section B, University facility means place where University function occurs, C, University function means any charter or statutory operation or activity of the University, including institution, research, study, administration, habitation, social life, space allocation, control, food supply. All of these are related to that-- research laboratories, functions ancillary to that, which pretty much encompasses everything that people do on this campus related to this campus and talking about this campus. So really that's – that's an area of concern for me. I'd like to ask whether or not you think that does in fact encompass online content?

Zila Acosta

00:40:55

I can't offer my opinion, but I will tell you I do think that these Rules – I think that's what you were getting to, that the jurisdiction from my understanding is really about relations to the University, which encompasses quite a bit, and I think that's why when we were discussing about evidence and jurisdiction, its jurisdiction is really defined – my understanding from these Rules and I think yours as well, is generally that it's encompassing almost any relation to the University, and that's the way they're defining it. That's from my understanding.

Gillian Metzger

00:41:30

So there are two – I see a couple of different jurisdictional hooks here that are worth paying attention to. One is, as you point out, the facility and then the definition of function, right, and the right or efficaciousness of that. The other thing is to note that it says “applied to any demonstration, including a rally or picketing,” and elsewhere it references, as I mentioned, a circulation of petitions. And so that brings a separate issue, right? I mean it shows in some ways the fact that this is set up for a different era and not necessarily focusing on online. But if you think about demonstration, rally or picketing, those terms have to my mind more of a connotation of a geographic space, and you have to think about what would be the translation of demonstration to an online activity. But just to bear in mind therefore a petition, a petition could be online but the comment before was I think about Facebook, and so just realize there are two – there are a number of jurisdictional hooks here, but it's also that limitation as well as then the question of facility or function.

Eric Weimer

00:42:29

Okay, so say a Facebook conversation would fall into Section 443, number I believe 18 it is, no, it's actually 21 and 22, aiding and abetting, like a Facebook conversation, planning

a rally, helping a rally, even talking about the logistics of said rally or picketing count as an ancillary function that is aiding and abetting the protest rally?

Michelle Greenberg-Kobrin

00:42:55

I think just in general my understanding is one of the reasons the process of speaking to everyone about whether the Rules should be revised came up is because I think everyone is well aware that these Rules were drafted at a time before – when things were very different. The argument that was made against looking into revising the Rules or against thinking about it is relatively very few students end up being prosecuted under these Rules on a campus that, and we can differ on this, seems to have a fairly robust culture of discussion and protest. So the thinking was, well, if they're not like tons of students being swept up into this then maybe the vagueness augures to the benefit of speech, right, in some ways. But of course what we're hearing, and this is the learning process that we were exactly hoping to take out of the Town Halls, was lots of people feel differently about it. So that's why if we want to take away useful pieces from this, that's super-useful because we know that you're all really thoughtful about this and engaged in it, and that's exactly the kind of space we're saying this is too vague. So I don't know what I can and can't do under the Rules, and I would prefer – what I hear you saying is I would – but you can tell me if you're not – I would prefer having a really good sense of what the line is rather than the vagueness that may give me an out because it's so super-vague. Does that make sense?

Eric Weimer

00:44:25

Yes. And I'd like to go on the record as saying that the new Rules Administrator I believe it is that is coming in also presents a danger in that he now has the power to interpret these very vague Rules. I don't want to give anyone that power. I want there to be checks and balances that make it safe. And I'm sorry I'm so long-winded. My second question now – but thank you guys. My second question is related to the end of Section 440, right before 441, on the last paragraph, the last sentence – the second-to-last sentence...

Michelle Greenberg-Kobrin

Do you want to go to law school?

Eric Weimer

00:45:04

The University shall publicize the existence of the Rules and make them readily available to persons who may be affected by them. This is very worrying since the very first time I even knew these Rules existed was when I heard that they were up for review. So if I cannot trust the University to even follow the letter of the law, how can I trust any of the other, you know, lines or paragraphs in here? That's – that's just concerning to me.

Zila Acosta

Thank you.

Chris Kerry

00:45:37

Hello. My name is Chris Kerry and I'm a senior in Columbia College. I think one thing that's been coming up a lot in this Town Hall and also last Town Hall is about the vagueness of the Rules and the lack of transparency in the processes. And given that the people on the Committee don't really seem to have a very firm grasp on how precisely these Rules have been or could be applied, it seems to me that like as it stands there's almost no point in even having Rules if the Rules Administrator can do basically whatever he or she or they wants to do with these Rules, which to me speaks very, very strongly to reviewing the Rules and changing them so that they are, like someone reading the Rules actually knows what would happen – like what is permissible under the Rules and what would happen to someone who is charged with a violation under the Rules.

Zila Acosta

Thank you.

Michela Weihl

00:46:31

Hi, Michela Weihl from Barnard. So I'm reiterating a point that's been said a couple of times now. I hear you guys saying that the potential reason for not reviewing the Rules is that they haven't actually been used to prosecute that many people, and I want to say what people have been saying, that the same person has been presiding over these Rules for a long time and they're about to leave, and so we don't want there to be any chance that the new person coming in interprets the Rules differently. And so it's really important that that not be taken as an excuse to not review the Rules. And then my second point is a request. So after the last Town Hall I was under the impression that all of the feedback given to the Committee would then be taken back to the entire Committee and discussed, and then the idea would be brought back to us for further conversation. And right now it feels like not really anything went back to the Committee and not really anything was discussed. So for the sake of productiveness in these Town Halls I would like to request that before the next one you guys talk about what's been brought up here and come to some potential conclusions so that we can then have a conversation together rather than just reiterate the same things over and over again and not get any results.

Zila Acosta

00:47:36

So that was the plan actually. So we – no, so the next town halls that we were discussing last time where I mentioned that we would come back with concrete proposals, thoughts and things, if we were to review the Rules, was scheduled for next semester. So the first Town Halls now, these were meant to be-- those gatherings and kind of for information and to make that decision. And then if the Rules were to be reviewed and if that vote takes place and we vote affirmatively, then those discussions would happen next semester so that – for instance, this isn't the last time that students would have input and say, "Oh, we heard you at these Town Halls now and we reviewed them," but then through the Senate without ever bringing them back out for debate, for public debate. So that was the envisioned process.

Zila Acosta

Thank you.

Michela Weihl

00:48:22

To me it would be useful to have some of that information sooner, because we would be able to be more productive and give better feedback now, because a lot of us I think are starting to feel a little bit a broken record. So we'd like to hear what you have to say also.

Commenter

00:48:42

So I have the internal process – it completely lacks transparency and is extremely vague. On the other hand, the external process is not a fair process because it's extremely expensive and difficult. So I was wondering how it is you would address how flawed both options are, and before you answer I just wanted to say that I was at the last Town Hall and what I'm hearing from most questions and most students is very similar to the last Town Hall, and I was hoping that from this one if I'm not – if I don't have access to the minutes from your meetings, I would at least get some form of input on what is going on in your minds, so before answering my question if you could provide some input.

Zila Acosta

00:49:40

I would say again, I sound a little bit like a broken record, though at the last Town Hall I kind of said the same thing, that Dean's Discipline I think is the internal process you're referring to, right?

Same commenter

Yes.

Zila Acosta

00:49:50

And that process is outside of our jurisdiction, and I think that's actually one of the topics that has come under discussion when saying if we're going to review these Rules, we only have control over this one aspect, and feedback is being given on both these aspects. So how does choosing not to review the Rules affect student choices and – or everyone's choices of under which process these, for instance and in a weird way I think indirectly it could affect the Dean's process in terms of having an alternative or not having a viable alternative or not. So those are things that have been under discussion.

Same commenter

00:50:30

But how about the external process because that is under your jurisdiction?

Zila Acosta

00:50:33

That's what I'm saying, like saying I think that in a tangential and direct way Dean's Discipline can be under discussion in terms of the decision to – of whether to undergo a review of the external process, because, as you said, I believe students feel that they are predisposed to go through one process over the other. So if we were to choose, for instance, to not undergo a review of the external process I believe that students feel that that would remain so, you would still feel this imbalance. That's what I've been hearing from students, am I right?

Same commenter

00:51:07

Yeah. What I'm saying is that the external process itself is really difficult and it's expensive and it's not accessible equally to all students who would rather go that process. So if the Rules were to be revised, which it seems everybody would like them to be, so what would you – what would you do with that? Since we don't have access to the

minutes, so I just wanted some sort of input on – because the last Town Hall was this exact – and a lot of what’s being said is what’s being said today. So I – I just wanted to see since then, you know, what has gone on in the Committee and what do you have to say about the external process and how flawed it is?

Christopher Riano

00:51:46

We haven’t had that discussion, we haven’t discussed what – we haven’t made the decision whether we’re going to review the Rules or not, and it’s – it’s hard for us to provide that feedback because we haven’t had that discussion. Again, one of the reasons why we’re having these Town Halls is to bring in the information so that we can start to have that talk, as well as the reason why we wanted to have another Town Hall if we do make that decision. I think as to the point of – I’m sorry?

Zila Acosta

00:52:13

No, I was saying most of the feedback is...

Christopher Riano

00:52:16

I think, you know, in terms of internal versus external I – I – from what I’m hearing, and I have heard this from other members of the community as well, and not just students actually -- I’ve heard this from other people too -- the question of the incentives to not maybe use the external process, questions whether there are, you know, regarding Dean’s Discipline. While we don’t have jurisdiction over Dean’s Discipline we do have jurisdiction over what the Rules use, right? So that can look a ton of different ways, and that’s just not a discussion that we’ve had at this juncture because we’re beginning – well, not beginning, we’re seeing that there is this dichotomy that people see between internal and external and, you know, while we have the option to make suggestions and changes to that we can’t do anything about the actual Dean’s Discipline process itself.

But it's good for us to hear that there are these questions of incentives and decentives to using various parts of the – the Rules as they look now.

Same commenter

00:53:08

You should also, while you receive the information and the feedback, have that discussion (unclear).

Jared Odessky

00:53:19

And just to further clarify – sorry. While we do not have any jurisdiction over what the Dean's Discipline process looks like, that's decided at the School level, we do have jurisdiction over whether a violation – like a simple violation currently goes straight to Dean's Discipline whereas a serious violation can be either Dean's Discipline or the current external process that exists.

Mariam

00:53:43

Hi. I'm Mariam, I'm a junior at Barnard and also a vice-chair of SGD. I think we're all aware that up until now the Rules have been administered quite loosely and that's kind been lucky for us as students. Moving forward I just am really concerned about making the Rules more stringent and whether or not that would have the effect of kind of not really regulating how the person in charge of administering the Rules goes about administering them. So now like the fact that a lot of the Rules are ambiguous and vague makes it easy for whoever is administering them to kind of use their own discretion. Up until now it's been kind of kind. How can we make sure that whoever is administering the Rules, whoever is like newly placed, is, you know, kind of being recommended to do the same things that the person who's administering the Rules thus far has been doing, while still making sure that students are protected under like a new set of Rules that are more thorough and are more stringent because I don't want one to kind of negatively

affect the other. So could there perhaps be like an internal guideline or by-laws that specifically like guide whoever's in charge to administer using [inaudible]?

Zila Acosta

00:55:07

You're suggesting creating perhaps specific disciplinary guidelines that would be separate from the Rules that could guide the thought processes and factors that the new Administrator would use?

Gillian Metzger

00:55:23

I'm curious what you think about this question. So the last vagueness, the last discretion, right, I guess that's how that cuts it, that's how it cuts, right, because then it's more specific. So this is like the art and the difficulty in this conversation. So I'm so curious like if you had to pick right, where would you go? Less vague, less discretion?

Mariam

00:55:48

That's like an age old question.

Gillian Metzger

I know, that's what we're here to find out.

Mariam

00:55:51

I mean I'd like some way for it like to kind of be a happy marriage of the two, for the person in charge of administering the Rules to kind of be aware of like what's happening on campus and how he or she should govern in a way that like is to the best interest of the students while having the Rules still be stringent enough to make sure that if that person is somehow not made aware of like what's going on that it can protect the students.

Becca Breslaw

00:56:28

Hi, I'm *Becca Breslaw*. I'm a Barnard sophomore. I think that we can all acknowledge the fact that students here today agree that the Rules should be revised considerably. And to prove this point and also going along with students' concerns about surveillance and how that is something to consider today, but that's also that's been going on for a while. And to use an example, Ben Jealous' case, which we talked about at the last Town Hall, so he's the President of the NAACP, and he was suspended for blocking one door of Hamilton, which follows the Rules now for number 433, section A, on number 7, so interferes over a very short period of time for students to exit from a passage within or use of a University facility. So to give you a specific thing, like just back on passage one of the Rules is adequate enough reason me to think that you should revise all of these Rules. Sorry, that was a really complicated sentence.

00:57:50

Also, I'm going to read a little portion from his Op-Ed that he released when he figured out that you all were considering to review these Rules. So, "Although Judge Tyler ultimately chose to find us guilty, he gave us the minimum penalty of one semester suspension and expressed grave concerns with the rules that he was forced to work under. In a statement accompanying his decision, Judge Tyler suggested that 'rules of this nature deserve to be reconsidered with reasonable frequency by universities such as Columbia which have high standards in the field of civil liberties.'" I just wanted to give everyone that statement that's really relevant to the fact that this shouldn't be something that happens just because some random person that we didn't even know exists is leaving. This should be like very frequent and Ben Jealous' case proves that. Thank you.

Sylvia

00:58:48

Hi, I'm Sylvia (unclear). So I actually have a few things to say. If you – you guys have expressed that you're not certain about being able to release minutes or at least release general climates about what is happening in these meetings. But could you possibly

present at your next Senate meeting a proposal to basically lift the gag order from the student senators so they might be able to like discuss what's going on at the very least, if we can't hear it directly from the voice of the Senate itself?

Gillian Metzger

00:59:23

I just want to jump in only – and I find it actually quite interesting, but the case that – just to – just to not lose track of the other side. You know, there is a great deal of trade-off between having a conversation recorded, and even having some members of a committee able to disclose it is essentially the same thing, right, and having a full and fair and active deliberation, and having people willing to serve on these Committees as well. And if you – somebody mentioned the Senate. In fact, there is a lot of protection for this kind of deliberation and – and recognition of the value of some degree of – of confidentiality for getting full and fair deliberation. People can come to very different views, and I think we probably would have very different views about that trade-off, but I don't think we can lose track that there is something that gets exchanged, more transparency, more that is released about what is said in the committee, less is actually said in the committee, more will get – if it is discussed - will get discussed outside, fewer people will be willing to serve. And quite honestly, I can't imagine that's going to be conducive to – if the Rules are being revised, actually revising the Rules. So I would just say don't forget - we can have very different views about the balance, but there is something on the other side.

Sylvia

01:00:51

Okay. But if we have no idea of what the climate looks like, how can we trust that we are properly being represented? Like I – you can – you can discuss all you want my opinions and my feelings about the Rules, but at the end of the day if the majority of the Senate does not feel the same way I do I'm not going to be represented. So how do we get a sense of like what is happening in this?

Jared Odessky

01:01:20

I'll say three things. So one, the Rules Committee this year tasked the undergraduates on the Committee with meeting with students and meeting with groups that might be affected, and while we weren't – we didn't present anything of what was happening inside the Committee we did present generally on the Rules and what, you know, might be on the table. So we met with all of the undergraduate student councils in addition to meeting with a wide range of groups and reaching out in that way. Secondly, I think that before moving forward with any Rules change being presented to the Senate we will have that last Town Hall for people to sort of review changes. And third, if you want to discuss I think the confidentiality issue, the Rules Committee is not going to be able to change that, that is going to have to happen through the Senate Structure and Operations Committee, and I think we're happy to have that conversation. The confidentiality rules as they stand were adopted in 2011, and I'm one member of that Committee, but I think we can definitely discuss that further. I don't think the Rules Committee will be able to change that.

Christopher Riano

But I actually – I also just want to add very quickly, I actually think that we're – that the fact that we can be contacted directly anonymously by email, those – those – those contacts won't be filtered, they will just sit with the entire Committee. So I actually think that that's a very open way that people can have direct and personal input into our discussions.

Michelle Greenberg-Kobrin

01:02:41

I want to say one more thing, if that's okay. So we didn't – no one – there's no rule that we have to have a Town Hall or another way of soliciting information. So legit, like I love you all, but I could be somewhere else, right? So the – one of the reasons that we decided to do this was to hear what you said. And I think that we want to hear what – what you say because we want to be where you're at. That's – I think that that's – that's my sense of the Committee.

Sylvia

01:03:18

So I had another question. I had another question about the like the range of sanctions for people who are going through the external process. If we were to assume that you could, for example, be, um, you could use like organization via Facebook or via email as evidence, entire organizations who have – who were found guilty by the external process could be suspended. So like if you – if like the University finds that, I don't know, No Red Tape or any of the other like anti-sexual violence movements on campus have been organizing and find that whatever event that they held was deemed non-appropriate, the entire anti-sexual violence movement could therefore like theoretically be suspended, especially if they were all like participating in this together. So I just don't understand how we can promote like the rights to (unclear) discourse on campus if we like are putting entire groups at risk.

Gillian Metzger

01:04:25

This goes to the questions about how much online is subject to the jurisdiction. And I realize that – I realize that the argument that the Rules have not been used this way to my knowledge ever in terms of suspending an entire – an entire group (unclear) but certainly I have always understood this to be in terms of charging a specific individual. I realize that – that – I understand that points are being made about if there's been one Administrator and cold comfort in that, but I do think there is some evidentiary value to point out that if something hasn't ever happened before it may be unlikely to happen in the – in the future, if the administration was able to pick a good Administrator before, at least someone who isn't going to be suspending whole groups will be a standard. Not to say that that, just to say there's no evidence that this has ever been in how the Rules have ever been applied up until now, which is the only evidentiary basis that we have.

Sylvia

01:05:30

Right, but it's also – we also know how this issue before (unclear), at least in the last forty years we haven't had this issue where we had to review the Rules because somebody else was taking charge. And like we don't know anything about this person who's taking charge, and they might very well be doing so, they might be the exact opposite extreme of who we've had. And so even though it's right now theoretical, I would like concrete, or I'd like to be assured in a concrete manner that that is never possible.

Commenter

01:06:10

Hi, I'm (unclear) freshman at CC. First was a suggestion, that the Rules, we put something in them. I'm assuming that from the statement that you're going to review them, at least that is the consensus, but obviously that is still up in the air. I would suggest you do. But when you do, put something in them that says that they're automatically reviewed every like ten years or something, and when that happens that there's a requirement that there are these Town Halls and that student input is just instituted in the process.

Michelle Greenberg-Kobrin

01:06:49

Can I just say, so that's a great idea, a great proposal in my opinion. This – that kind of specificity I think was something that we thought would be useful, you can use the email address also as you – as you think through this. Like because that seems like a specific thing you would draft into the Rules so in terms of what Chris [Christopher] has spoken about about specific proposals and such, that's the kind of thing I imagine we would either – you might use.

Same commenter

01:07:21

My second thing was I think at the last Town Hall there was some discussion of administrators also being – these Rules also apply to them as well, correct? But it's actually not written.

Zila Acosta

It would apply to all members, all members of the Columbia community.

Same commenter

01:07:40

I know, but it doesn't specifically say administrators.

Michelle Greenberg-Kobrin

It does under jurisdiction.

Same commenter

01:07:52

But then if you look at, for example, the sanctions, they're pretty much only applicable to students. And if you look under the definitions, censures, only one applies to faculty or staff, the other ones are all for students. So you get a disciplinary warning or censure or suspension or dismissal. And so if these do apply to administrators and faculty and staff, everybody in the present Columbia community, I think it would be important to have some sort of way to punish them if they're broken. For example, under 443A1, if you engage in conduct that places another in danger of harm, for example by mishandling a case involving a serial rapist on campus, then there's no real means under these Rules, also that's a simple violation which would immediately put them through the internal process, and I think that if it is, if we do say that administrators are applicable under these Rules it should be automatic that they have to go through an external process and we need sanctions for them if they violated these Rules and to be a process in order to prosecute them.

Zila Acosta

01:09:10

So, the primary suggestion is having...if administrators were to go through – under the Rules to have them automatically go through the external – an external process.

Same commenter

01:09:16

Automatically go through an external process. You also need to add sanctions.

Zila Acosta

01:09:21

Actually I believe all those sanctions are applicable because professors can be suspended for a semester and censured. I believe they can be as well, yeah.

Same commenter

I needed to clarify that.

Commenter

01:09:45

Hi there. My name is (unclear), I'm a Columbia College (unclear). My first question has to do with the way that input from administrators is being understood in relation to the students. And it seems as though to a large extent the Rules serve a particular purpose in relation to students that, well of course in a theoretical sense may relate to administrators generally but it's not – students are the ones who are most actively engaged in political activity on campus. As a result they're most subject to prosecution under the rules. That being the case, there's a difference in the way that students have an interest in the Rules versus the way that administrators do. For example, and I want to say this as politely as possible, but it makes a job – an administrator's job easier if there's a more stringent regime and a more like easily prosecuted set of Rules, or it could at least. On the other hand, students seem to be consistently advocating for a very transparent, clear and accepting set of Rules that allow for free speech to flourish on the campus. So how is free speech being understood by the – sorry, how it is being understood from the

administrator versus – versus the students? How is that going to be weighed in the process of the discussions? And actually like in what like – have there been particular venues in which administration has come together to speak about this?

01:11:09

And my second question is, or actually my second point, is that if the Committee does choose to – does feel as though it has a duty to push for defending free speech as heavily as possible, and given the fact that the internal process is not – is to an extent not really under its jurisdiction, then doesn't that make the case that the external process should be created in a very robust, affordable, equitable, and just way? I think that this makes a really clear imperative for creating a real strong external process that really allows for students to feel comfortable and understand what they're going through, rather than this deeply stressful and nebulous and vague system that is currently in place. So an answer to the first question, and the second is a suggestion.

Michelle Greenberg-Kobrin

01:11:52

I'll just say in answer to the first question in my experience, which is just anecdotal, right, many people who choose to work on a university campus instead of somewhere else actually care deeply about the idea of engagement and dissent and conversation and protest and the ability to have those conversations, and value it. Now that's just anecdotal, but that's what I would say in the first instance.

Same commenter

Yeah, I definitely respect your personal sentiment. At the same time there is like a very technical meaning to being an administrator that involves having a job that requires doing certain things, dealing with certain things. As much as the kind of person who works on a university campus may in fact be that kind of person and I would have a lot of respect, the job in itself entails some problems.

Jared Odessky

01:12:48

Can I ask another question about... So you said with a strong external process, so the actual process as it currently stands is like a public hearing as opposed to being disciplined, which is not public. So I think that part I mean seems strong. Are there any suggestions for...

Same commenter

01:13:05

Oh, I meant in terms of having a wide set of sanctions, a very flexible, not flexible, but allowing for a variety of outcomes to happen through the process, as we've already discussed earlier, would make it a lot more fair and accessible. The other thing also would be to make it more affordable. I understand that it could be possible to, for example, appoint CLS lawyers, or I'm not really sure, I think that's something that students need to work together to find a solution for. I think affordability is a huge barrier and is one that we should also work to combat.

Michelle Greenberg-Kobrin

01:13:42

Hi. Can I ask a quick follow-up question? So the ways the Rules are structured now is that only major violations go to an external process. Would you imagine that a – that any violation would go to an external process then?

Same commenter

Yes.

Commenter

01:14:01

Blocking a door is a – blocking a door, was that a major violation?

Michelle Greenberg-Kobrin

01:14:08

Right. That was technically marked simple. But – right, so that’s the – the question is really an open one to try to get the information.

Same commenter

01:14:17

Listen, if the Committee has control over the external process, can make it really effective for having a transparent, equitable system, then it should do whatever it can to make – to make sure students can utilize that system, they can depend on that, for – for something that will be more fair, in which they can anticipate what’s going to happen, in which they know that they’ll be able to submit evidence in such a way that it’ll be considered properly rather than pushed away. I think like there’s a lot of – there’s a lot of things about the external process that are favorable. The problem with the sanctions and affordability present issues. We should get them out of the way, we should maximize it as much as possible.

Michela Weihl

01:15:06

Hi. Michela Weihl, still at Barnard. So I am going to expand on what others was talking about with a couple of specific stories and I’m going to go back to what Becca was saying about Ben Jealous’ case and use that as an example of a case for an expanded set of sanctions in the external process.

Gillian Metzger

Can you just remind me, when was it?

Michelle Greenberg-Kobrin

He was class of ’92.

Michela Weihl

01:15:31

So he was, the judge ruling over his case, because it was technically marked a serious offense even though I think it was no more than a very short period of time. It was sent to the external process and the judge was forced to either suspend or expel him and so he gave him the least sanction possible, which was suspension. But that seems absurd for the offense that actually occurred, and the judge himself said that. So I really think it's important – we need an expanded external process so that smaller violations can be reviewed under that process and still have like sanctions that match the severity. And I want to explain that a little more with a couple of potential examples from some experiences of a member of No Red Tape, and we've done a number of actions on campus ranging from putting tape on various parts of the campus to walking into administrators' offices, not necessarily invited, both of which are considered simple violations and would be sent directly to Dean's Discipline, which I think is a huge problem that we don't get to choose who's presiding over our case when the people who we are directly calling out and directly protesting against are the ones that are going to be deciding our cases. There's a problem of conflict of interest there, and we need to change that.

Christopher Riano

01:15:31

Can I – can I ask a follow-up just very quickly? So I'm definitely hearing a lot about the question about sanctions. But about the process itself, I mean do you have specific ideas about what that could look like differently? Just – just out of curiosity.

Michela Wehl

01:17:01

I mean there's a number of ways you could go. Right now the Dean's Discipline process is super-closed. You guys keep saying you don't have jurisdiction over that, so one option is to change the part of the Rules that says that simple violations go directly to Dean's Discipline and allow every person being prosecuted to choose whether they want Dean's Discipline or the external process, and then that of course implies we also have to

make the external process affordable and accessible. I mean also there are a lot of cases to be made for reviewing the Dean's Discipline process, but...

Michelle Greenberg-Kobrin

01:17:31

May I ask a quick follow-up question? So the affordability question of the external process goes to whether or not counsel, you're allowed to have a lawyer. And different schools have gone different ways, and there's different thinking about whether this makes processes more or less equitable. Do you have a – a thinking on that, like do you think it's important or not important?

Michela Wehl

01:17:52

To be able to have a lawyer at all?

Michelle Greenberg-Kobrin

At the external process.

Michela Wehl

01:17:55

In the case where you don't have a lawyer how does the process work?

Michelle Greenberg-Kobrin

01:18:01

So the thinking is that students – there's just like different writing about whether lawyers make processes better or less good, so I have my own personal view, given where I work.

Michela Wehl

No, I'm just trying to understand the alternative.

Michelle Greenberg-Kobrin

01:18:12

You just represent yourself, you tell your own story.

Michela Wehl

01:18:13

And does the University have a lawyer?

Michelle Greenberg-Kobrin

Yes.

Zila Acosta

01:18:19

Oh no. I think what Dean Greenberg-Kobrin is saying is like do you think having lawyers in the process at all, or do you believe maybe part of making it more affordable would be saying neither is allowed to be represented by counsel and having both be represented?

Michela Wehl

(Unclear) the University.

Zila Acosta

(Unclear) an administrator, whoever (unclear)

Michela Wehl

01:18:40

Like I just see the possibility for some really intense inequities in...

Michelle Greenberg-Kobrin

01:18:44

And you feel that having a lawyer, right, that's the real question...

Michela Wehl

It has the possibility to if, if financially that is worked out.

Commenter

01:18:59

So is it okay if I go now? I just wanted to ?? because I didn't get an answer. This is also a freedom of speech issue.

Dorian

01:19:17

My name's Dorian and I'm a senior in the – in the College. And I mentioned some of these points during the last meeting, but I – I think I've structured them a bit more substantially now so I'll repeat them again. Last time I gave the whole history of how some of the protest rules were implemented after student movements in the '60s, '70s, '80s and '90s, and I think it's safe to say that there are growing student movements currently developing on campus and the response by administration is par for the course. I think a point that has been raised a few times already and I need to clarify is that perhaps more important than the content of the Rules on paper is the role of personal preference in the adjudication process by administrators. And I think one of the – the – the key tasks we have ahead of us is to develop a structure of accountability and participation that provides checks and balances to those personal preferences of administrators. And that doesn't entail simply organizing meetings once in a while in which administrators use populist language to speak at the student level, but rather it would actually mean creating new governing bodies that can debate or protest the decisions of administrators. And so I want to propose a couple of potential processes that we might take up, although of course these can be critiqued and reshaped according to – according to our needs.

01:20:58

The first is this whole idea that there's a school level of disciplines administrators and then another level below where we are. I don't know without being told, because we are also in the school, but we – we should potentially try and reform that so that students can actually challenge in a substantial sense the judgment and – get the judgment and the...

Gillian Metzger

01:21:22

Can you clarify that, because I'm not actually sure...

Dorian

I'm going to.

Woman

No, no, I just mean on this point of the level below.

Dorian

01:21:28

Oh, yeah. This was a comment by Jared earlier that he's just merely...

Zila Acosta

Oh, you're talking about the distinction between Dean's Discipline and...

Dorian

01:21:36

Yeah, I think that Dean's Discipline is like a school level, which is by no means his decision, he's just representing the language that already exists. I'm just – I'm going to make proposals that will close the gap between the anonymity and the exclusive control of administrators and students below in adjudicating this process. So the first is a very basic thing, is the right to an external process that's fully paid by the University with a lawyer. I think that's a totally feasible and valid proposal that we should – we should raise it. The second is that if a student should choose to follow an internal process, or perhaps even if an external process is already underway, we might want to erect some type of independent student form of arbitration where representatives not just from the Senate but perhaps from the individual departments or schools can take a vote in which

they assess the judgments of administrators in regards to individual cases. I think that could be a healthy reform.

Gillian Metzger

01:22:38

Do you see that as being like an appeals process?

Dorian

01:22:42

It could potentially be an appeals process.

Zila Acosta

Or is it – is it kind of – I’m just trying to understand. So say I’m going through an internal process and something happens in my internal process and I’m upset about that. Would that be something like I could – are you saying to have a body to say XYZ just happened in my internal process simultaneously as it’s happening and saying I have a problem with this, make it – make a kind of an external decision on that issue, or...

Dorian

01:23:10

I think there – there are a couple of options. Either it could be a – an appeals process in which the judgments of administrators are checked by the student body or it could also be simply the de facto decision making body for internal processes that can be appealed by administrators to a limited degree afterwards. But I think...

Zila Acosta

01:23:34

Like having the internal process be a panel – this – this panel of...

Dorian

01:23:38

I – I just don't see why administrators will necessarily do a better job adjudicating the process than a student – democratically-run student and would, especially for internal processes. So I think – I'm simply proposing some type of institution that allows students representing either individual colleges or departments and the Senate as well to – to participate in adjudication. Of course that will take a great deal of initiative by students themselves, we can all recognize that. But it could – it could make the environment more healthy.

01:24:12

The very last thing is that I think this – the Rules of Protest should be worded not only as restrictions against what students can and can not do, but also as a kind of Bill of Rights as to what students – what positive rights students have access to and students can claim on campus when protesting. And I – there – there are a couple of things that we would want to add to such a Bill of Rights. One is equal treatment by the administration regardless of political orientation. And the whole history of the law enforcement at Columbia has shown that this is urgently necessary. I could make many examples, but one – one from the immediate past was the banner taken down from Barnard with the map of Palestine on it. It seems like – I've been trying to find any reason how outside of simple political bias that that banner would be taken down when there are birthright banners on College Walk that are there the whole year. I can't think of a greater threat to the sense of security of Palestinian and other students whose displacement from their homeland is paraded in front of them every day by these birthright advertisements.

01:25:34

And the second perhaps even more urgent one is the issue of racial profiling on campus and the unequal treatment of students of color. Very last thing, excuse me for speaking for so long but I'm just trying to contribute some – some proposals that we could...

Christopher Riano

No, we appreciate that.

Dorian

01:25:50

...call up later. Restrictions on what the administration can and can not do. Just as much as we need a Bill of Rights for students who need some kind of formal bill of checks and balances for the administrators, we need to make sure that when decisions are made they're done – they – they are made with solely University interest in mind. When there are so many external organizations and individuals within the administration who have connections to private companies, as well as to the public sector in law enforcement, it's very difficult for us to know what is motivating administrative decisions, both on campus and in their external dealings with real estate and city politics because they're not – they're – they're kept totally concealed from us. The expansion process in Manhattanville is a perfect example of this, and Columbia was charged twice by the New York Supreme Court with corruption in 2007 and 2009, and it really wasn't mentioned too much on campus and we were never informed whether the role of administration, much less the Board of Trustees, who live a very secluded life of, you know, anonymity away from the student body. So I would hope that this might provide a great deal of progress from our present circumstances, but I hope that in the future we can also assess to what extent the administration is allowed to use external motivations from law enforcement, from private companies, and from city government in making their decisions as to campus policy, both here within the Columbia community and externally within Columbia's projects in other parts of the City.

Zila Acosta

Thank you

New commenter

01:27:39

I just want to briefly say that I am in full support of Dorian's proposals. I just – I had asked a question about the way that input is being taken from the administrators, and also like the – the standard of evidence that was being understood in comparison to that of the students. I was wondering if that could be answered or spoken to a little bit. Thank you.

Gillian Metzger

01:28:10

You mean on the Rules Committee?

Same commenter

Yes.

Gillian Metzger

01:28:12

So there are...

Same commenter

Or by the Rules Committee.

Gillian Metzger

01:28:15

By the Rules Committee. There are administrators on the Rules Committee, I think, right?

Zila Acosta

There's one [pointing to Michelle Greenberg-Kobrin].

Gillian Metzger

01:28:26

And so those views I haven't heard. There's also [Stephen] Rittenberg. [cross-talk]

Zila Acosta

I think the only way that administrative feedback has been thus far—beyond the administrators who are on the Rules Committee—Provost Rittenberg has come to speak with us, and that is it. So the explicit feedback that we've been getting has been at Town Halls and through emails, and we haven't gotten any emails.

Michelle Greenberg-Kobrin

01:29:00

But they got the same...

Zila Acosta

They got the same invitation.

Michelle Greenberg-Kobrin

...the email that announced the Town Halls with the email address website—I think everyone, faculty, staff and students at the – at the University so they have access to the email – they have access both to the Town Hall and to the email address, right?

Zila Acosta

Yes.

Same commenter

01:29:19

Do you think it's part of your responsibility to be engaging with other administrators, as your – as your role on the Committee?

Michelle Greenberg-Kobrin

01:29:28

My understanding is that the Town Halls were meant to be for the community. That's how I understood them, that's why the community was invited to them. I saw some people who were not students in the room, but that—that's how I understood it, that we each have – the students and the faculty and the administrators each have equal votes on the Committee, right? And I understood that we would invite the whole community and the whole community would....

Chris Kerry

01:29:59

Hi, I'm Chris Kerry again. I guess a lot of what I had to say was actually said before me by Dorian, so thank you for that. But I just want to reiterate the importance of maybe even moving away from the Dean's Discipline process entirely, if that's possible, and just [inaudible], as well as strengthening the external process, because obviously, as has been said multiple times, you don't have any jurisdiction over the Dean's Discipline. But it seems like you could perhaps set up a separate disciplinary process that can be transparent, that could have the possibility of introducing robust evidence and witnesses in your favor and having counsel maybe or some kind of other representation present, and that would be open to the public, that might even have student input in terms of who is doing the actual sanctioning and who is deciding cases. And I think that that's particularly important in terms of charging administrators under these Rules because obviously having a Dean's Discipline type process when you're trying to charge a faculty member or an administrator under these Rules is going to really not be a fair process at all. So having a way in which students can both charge administrators but also be present for those hearings and make sure that their voices and interests are actually being heard rather than having this – this internal, kind of incestuous process of administrators judging other administrators.... [inaudible]

Zila Acosta

Thank you.

01:31:32

I was just going to ask too, as people line up [to ask specific] questions, but people had mentioned having strict rules of evidence, and I was just wondering if people had thoughts about what things they would want affirmatively to happen, like, I can bring this forward as evidence, or things they would explicitly want [as] protections, saying this has to be excluded and cannot be used as evidence. I'd love feedback on that just because I feel like I've heard that a couple of times. And also in terms of affirmative rights that people had mentioned, specific affirmative rights they'd like to have. So if anyone has thoughts about those I'd love to hear them. But go ahead, you don't have to answer those at all, just asking.

Megan

01:32:13

I'm Megan. I'm a junior at Columbia College. And I wanted to pick up a thread that – just the nature and format of this, was a little bit—a while—back, but there was sort of a back-and-forth between Dean Greenberg-Kobrin and a student about the question of how to mediate the sort of vagueness versus reading with a strict interpretation. And I think you can obviously tell that there's a wide diversity of concerns that are being brought to the table, but I thought that maybe I at least wanted – wanted to put forth my opinion, which is to clarify something that I think has been sort of vague in this discussion, two separate streams of concerns basically. And it's been implicit but I wanted to make it explicit.

01:33:00

So in that sort of back-and-forth the question was, you know, perhaps we should leave room for interpretation in the disciplinary process to make room for context, not just have this sort of distinct line of just exactly what has to be done in every circumstance. And I would say that I would prefer in the disciplinary proceeding for there to be more room for interpretation and context. However, there's a separate line of concerns that I think the students here have, which is about jurisdiction and students' rights. And I think that an idea that was just put forth in that sort of very comprehensive outlining of potential ideas was an idea that something like a Bill of Rights for students, positive sort of rights that we have. And I think that that's where I would demand precision and full clarity and full knowledge of exactly what it is that we have, and full – full and clear outlining of what the administration's jurisdiction is. On the other side of things, though, in the disciplinary process I would argue that there should be more room for interpretation. I don't – that may be contrary to some of the other concerns that have come up from the students, but that would be my stand on it.

01:34:16

I – I would also – this is sort of in line with another concern that I have, which is that I understand that you're using these Town Halls to collect concerns from the students, but it seems to me that it's even up for debate that you'll be reviewing it at all. And I know that I'm being redundant but just to sort of say it again, as an individual I'm a little

concerned that there is this diversity of concerns and even something as simple as jurisdiction, like you know, internet and cell phones and all these technologies that didn't exist when these Rules were first put into place are now sort of ambiguous. And so I would just ask that – I'm sort of curious about why there's that conservative impulse to not change at least that part of the Rules. And if – if that's just the bare minimum I think – I think that it shouldn't be a question that the Rules should be reviewed. That just on that basis, which I think is very common sense, that this – that shouldn't even be up for debate.

New questioner

01:35:13

Hi. I have a question from a student who couldn't make it. His name is Michael Lee. He's a senior at Columbia College. He asks, he says, you know, let's say you do decide to change the Rules, let's say you change the Rules in I guess it's May or something. Let's say we don't – students don't like the Rules, what can they do? Let's say they have concerns about how the wording is now bad and they don't like it, what sort of procedure--what's in place that we have, really have the students to question what's—

Christopher Riano

01:35:45

I was just going to say, we can't change the Rules ourselves, we can only make the suggestions and then the Trustees have to change them because they are in the University statutes, so they do have the final say.

Zila Acosta

01:35:56

And so I think right now you're asking what – what protection would there be that those Rules would potentially come under review again? And so I think that the answer to that is the existence of the Rules Committee and the Student Affairs Committee, and that students sit on both. And I guess the Student Affairs Committee is all students. And so those concerns could be brought forward that way. To my knowledge students have never

requested that the Rules be—formally to the Rules Committee, I don't believe that we ever had a formal request—but that potentially in my mind would be a way for the Rules to be revisited, and also I think someone suggested having – if – if the Rules were being – were being rewritten to have an automatic renewal clause in the Rules, that they have to be reviewed and renewed.

Same questioner

01:36:42

Procedurally now it seems as though you're going to do something in the early winter and put it before us in early spring, is that sort of the timeline?

Zila Acosta

01:36:51

If the Rules are reviewed.

Same questioner

Yeah, if the Rules are reviewed. Sort of after that happens what would be the review that we as students can have?

Zila Acosta

01:37:05

So I guess throughout that entire process we would put – we would have – let's say we decide to review them, drafting happens, so our draft is circulated to the entire Columbia community, other Town Halls are held to have meetings about it, and then just I guess, similarly as now, any students or student groups who want to meet with members of the Committee to have line-by-line discussion about the Rules, that could happen, and then a formal recommendation has to be made or not made to the Senate, so that kind of – and there's a Senate debate on the open floor where Senators debate it out. So that would be the process and the discussion.

Christopher Riano

01:37:44

And I think even after that what I would say it even if that happens and – and things move forward, the Student Senate – Student Affairs Committee is always open and available to discuss, even in the future, not just even in this particular, you know, juncture.

Same questioner

Thank you.

New questioner

01:38:04

I don't think anyone can necessarily [inaudible] trouble, you know, teacher-student. So I think like, perhaps like, you know, we should kind of like weigh – they should introduce a way to, like, weigh a person's behavior, juxtapose it up against what's right and wrong, you know, against the laws of the land. So I would suggest introducing like a debate, something like that, and the inspection of an internal process, you know, in the spirit of like, total citizenship, you know, in the spirit of family at Columbia, so just like a debate around the protests and how Columbia chooses to invest its money, you know, you might feel really strongly about how Columbia chooses to invest some of its money, but you don't want to go to jail for that, but you really want to get your feelings heard, I mean, so I think a debate should be introduced as opposed to the option of going to jail, something like that. Thanks.

Becca Breslaw

01:39:04

Hi. Sorry, it's still Becca. I just wanted to offer two things because I know we're wrapping up really quickly. One would be just a personal story. So I'm also a member of No Red Tape and during the survivors' rally that happened at the beginning of the semester we had kind of like an open speak-out where students came and shared their concerns and their personal stories dealing with sexual violence on campus. And one statement that became a chant was "F--- the deans," and I didn't say it but I was like a

lead organizer and like publicly known I'm sure by the administrators to be a lead organizer for that rally. And in – what section is this? – yeah, violations, number 12, that would be “causes a noise that substantially hinders others in their normal academic activities.” So people after the rally said like, “Yeah, I could hear you guys screaming ‘F--- the deans’ in my class. Awesome!” So like that could be construed as hindering other people in their normal academic activities even though we got a noise permit. And that would be a simple violation, which seems problematic to me in that I could get in trouble for someone screaming “F--- the deans,” and I would be personally held accountable by the Dean’s Discipline process. Or like they could see that as – like that just seems like a huge conflict of interest to me.

01:40:38

And another thing to talk about is that you were talking about how important or how useful it is that we offer like specific changes or amendments to the Rules. So students have been like pulling together a list of affirmative rights to present to you as this conversation goes on, but I'm just going to offer a little piece of it regarding like evidence. So the right to be protected from emails or other electronic correspondence being used as evidence, including all communications on the University’s Wi-Fi, the right for all students to have access to all security camera footage of any action that complaints were filed about; the right to use said footage in our own defense, and I could keep on going. And we have like three pages of concrete affirmative rights. But if you don’t let us continue to offer our input, and if you don’t consider evaluating these Rules, then you won’t get to see this document. So I just wanted to offer that up.

Zoe Ridolfi-Starr

01:41:46

My name is Zoe Ridolfi-Starr. I’m a senior in Columbia College. I’m one of the lead complainants in the Title 9 case against Columbia University, and I also wrote the complaint. The complaint is over 500 pages of evidence and testimonials detailing exactly why processes like the Dean’s Discipline do not work and harm students. The overwhelming majority of allegations of Title 9 violations and other harms and damages caused by primarily University administrators against students who’ve experienced sexual and domestic violence on this campus come from the deans’ inability in many

cases to balance the conflict of interest they experience with the best interests of students. Time and time again, in case after case, deans proved that when situations are opaque and they are given pretty much ultimate authority over situations within a completely opaque situation, processes that are not involving any kind of transparency and no mechanisms for accountability, and when students are not allowed to bring lawyers into the proceedings, that they regularly and routinely make decisions that disadvantage students and cause severe harm to their lives.

01:42:54

So for me I would never, ever, ever as an activist choose to go through Dean's Discipline. I would definitely, definitely choose to go through the external process because I know intimately and painfully how horrible the Dean's Discipline process is, and how any other similar internal process where administrators are given control over what happens to administrators and to the school and to the vested interests that they have of bias and protecting, you know, that process is never going to work to support students.

01:43:20

That said, I would choose that external process but I know that that would come at great risk. I probably could not afford a lawyer, I would probably have to get someone to agree to do it pro bono. But that's a huge risk to ask a student to take, particularly when they're in such a precarious and vulnerable moment as risking suspension or expulsion. Beyond that I would have to decide to risk suspension or expulsion to go through that. There are many survivors on campus and many other activists who take great personal risks to fight for the things that we believe in, to expose our personal struggles and pain that this University has caused, and we need to be protected in our right to continue doing so.

George

01:43:58

Hi, my name is George. I spoke earlier. I'm bringing up a story that a friend asked me to share again that I shared at the last Town Hall, and I'm doing it to advocate expanding the sort of disciplinary levels that the external process can look at. So last year the administration was upset with me for the stories I was writing about sexual assault and anti-rape movements on campus, and they charged me with falsification because they

said that I was pretending to be a *Spectator* reporter for an unrelated story, but I actually was a *Spectator* reporter and I showed them all the emails in which I'm referred to as the *Spectator* reporter on this story, and it didn't really matter – it didn't really matter because they just wanted to get me in trouble and send me a warning.

01:44:43

Unfortunately the severity of that case was not such that I could appeal to an external process. Also I wasn't even told that that [option] existed. So the whole dean's thing, as everyone's saying, is a farce and we all know that. I mean, I just wish that, one, I had the ability to choose an external process with a lawyer that could actually inform me of my rights, so that I didn't have to go through the same sort of level of anxiety and just disappointment with this institution; two, Jeri Henry, who's in the OJA (Office of Judicial Affairs), prosecuted me for pretending to be a *Spectator* reporter, even though I was a *Spectator* reporter, and she prosecuted me for falsification. I think what she did would constitute falsification, so I [inaudible] feel like mentioning that administrators should be held to the same standards as we are because we're people just like they are too. So I would like, once you guys change the Rules, which you should, to be able to prosecute Jeri Henry under the external process.

Michela Weihl.

01:45:56

Hi, still Michela. And so I have a question about the process for this review of the Rules. So you mentioned earlier that after you come up with a set of proposals they go before the Trustees to be voted on, to be finalized, which I didn't—

Christopher Riano

Senate and then the Trustees.

Michela Weihl

01:46:12

Senate and then the Trustees, okay, which I didn't realize before and I think, first of all, that is a case for like more transparency on what's going on here, on how these decisions

get made. But I think I would also like to request – I’m not sure how that works, how once you make proposals then they go to the Senate, then they go to the Trustees, like where our voices end up in that process—but I would like to request that that whole process be transparent, if you can make your deliberations and conversations transparent, and at least the proposals that come out of every step be transparent, and we see those and have the opportunity to give feedback before they get finalized in any way.

Zila Acosta

01:46:52

So I think – I absolutely agree with you, and so right now I think the process stands as: giving out proposals for everyone’s feedback and – and then having explicit Town Halls for people to provide feedback in that format or set up meetings with any community member to discuss the proposal—the proposed changed rules, if we go down that road. And then the Senate debates are technically open, Senate plenaries are open. I believe—can only senators...? Well, there are rules surrounding how those plenaries go, but there would be an open proposal and debate at the plenary, and then that—a vote takes place, where Senators vote, and then at that point the recommendation—the Senate process is that the recommendation goes to the Trustees. So I know that the plenary process is open in that way, and I know that the votes are open in that way, because people have to physically raise their hand and vote yes or no, so you know what Senators are voting which way.

Michela Wehl

01:47:53

If the Trustees don’t accept the proposal, what happens?

Zila Acosta

Nothing.

Christopher Riano

Nothing.

Zila Acosta

They have the ultimate decision.

Michela Wehl

01:48:00

So there's no room for like revision if...

Zila Acosta

01:48:03

I mean they could send it back down and say, Maybe if you had changed these things, the Rules Committee can rewrite something and then propose it again to the Senate.

Michela Wehl

01:48:12

And would there be open forums for that?

Zila Acosta

01:48:15

I imagine, yes.

Christopher Riano

01:48:20

And so I just want to remark on the time that we have only five minutes left. I know that certain Committee members do want to be able to have time after the meeting to stay around if people want to speak with us. Not all of us can stay but some of us. So I just wanted to make sure I put that out there publicly so people knew, so they knew that many of us would actually be here afterwards. Please go ahead, I didn't mean to interrupt.

Caleb LoSchiavo

01:48:39

Hi, my name is Caleb LoSchiavo, still a senior at Barnard. So one thing I wanted to bring up, which is really to Becca's story from earlier, is about the sort of vagueness in language. I'm looking here at 443, Violations and Sanctions, specifically 12, 13 and 14. 12 and 13 are both characterized as simple violations, so there's "causing noise that substantially hinders others in normal academic activities"; 13 is "briefly interrupts a University function"; and 14, which is serious, is "disrupts a University function or renders its continuation impossible." And there are very sort of fine lines between these three, and so I just wanted to highlight the importance of inner review, which means it is imperative that these things be clarified so that the vagueness can't be used against any students by this new person who we don't really know and don't know what they'll do with the sort of lack of clarity in a lot of these Rules.

01:49:45

And then another thing I wanted to talk about is extending sentences in the external process. We've talked about having no control over the internal process, Dean's Discipline, but it's really important to note that in the external process the minimum sentence is suspension. And so I think it's really important that we broaden the range of possible outcomes in a review. And I think it's really important to look at that, especially in the context of Dean's Discipline often being a much less favorable option, with no witnesses, no lawyers, no evidence for your own case. So in a lot of ways an external process is much more favorable with pretty much everything *except* what's going to happen to you in the outcome. So I just wanted to note that in the review that you will hopefully be having.

Zila Acosta.

Thank you.

Barnard sophomore

01:50:48

Hi, my name is [Hibba?], and I'm a sophomore at Barnard. I have two questions. So the first kind of general issue is, I was wondering like if you guys could expand on the relationship between the Rules Committee and the rules that you could potentially put

together and the mechanisms for enforcement and things like Public Safety on campus or – or even further like Public Safety’s relationship with the NYPD or even CIA or FBI. So like what does that relationship look like in the sense of, if we’re limiting it to Public Safety when we talk about enforcement, enforcement of the Rules to like evidence would be coming a lot from Public Safety, and so it’s like – it just [inaudible]. What is existing in terms of – so like can Public Safety file complaints, or do they handle that separately? And if Public Safety is the one filing the complaint in these processes, what kind of evidence can be used and is that outlined anywhere or are there guidelines for it?

Jared Odessky

01:51:58

So I’ll say, so anybody at the University as the Rules currently stand can file a complaint with the Rules Administrator if they sense a possible Rules violation. So from what I understand that has oftentimes been Public Safety, but anybody in the University can file that complaint. In terms of Public Safety, I think they’re related conversations, but there’s also a Security Advisory Committee. For the first time--it’s mandated by the state but it’s meeting again this year for the first time in order to oversee Public Safety. I’m actually on that Committee, if you want to discuss proposals on that end. But I think that if we’re looking into Public Safety’s role, it’s part of this conversation, but the relationship with NYPD is also a separate discussion.

01:52:45

I think there’s currently – we’ve heard concerns about standards of evidence; we’ve also heard questions about affirmative rights in terms of what you can bring forward as evidence. But from what I understand right now, Public Safety has been the one that sort of will provide like camera footage evidence of Rules violations. So that’s what I know.

Zila Acosta

01:53:06

So I mean I think we have oversight in terms of the Rules and what they say, so for instance if the Rules are rewritten, someone can’t bring you up for charges that don’t – no longer exist, or something like that. So I think that’s the kind of oversight in terms of the

relationship, in terms of creating rules about how Public Safety acts. I don't know if it's within the scope of the Rules to specifically draw out rules like, Public Safety must conduct itself this way, as opposed to saying all Columbia community members need to conduct themselves in this way, which includes that.

Barnard sophomore

01:53:40

But as it relates to enforcement, like I guess how I'm asking is if there's guidelines or the suggestion that the Rules be written – I'm not sure what that would look like—but like for example we can use the banner example at Barnard. The banner was put up and then it was immediately taken down without any kind of notification from the administration. It was taken down and then it just entered into the bureaucracy. There were like doings within boardrooms and then that was it. So--

Zila Acosta

01:54:09

So you're suggesting having rules about how enforcement of the Rules...

Barnard sophomore

01:54:17

Kind of, like in some sense, or at least like, you know, because some relation between what is, like—these are things that are an immediate hazard to Public Safety and thus we need to deal with it immediately. But like also like some kind of guidelines, for example, that the story about the person who blocked the door—can that person be arrested? Or do they just continue blocking the door, and then later charges are filed after like the act is complete, or do they get taken right then and there and then taken aside and told, We're charging you?

Zila Acosta

01:54:48

So perhaps having outlined distinctions between, this type of violation can warrant immediate action versus something... Okay.

Barnard sophomore

01:54:57

Right. And so – like when it came to the banner it would be like okay, the banner's up and we have a problem with it. I – I realize [inaudible] – like the banner's up and you want to take it down, like – saying like you have to let – like the banner was supposed to be up for seven days and then taken down, and then it could've gone through a process [involving] the Rules. But instead it was just immediately taken down and then Barnard was like, We changed the rules, like, twelve hours after you put the banner up. So like it just seems that there's...

Zila Acosta

Thank you

Barnard sophomore

01:55:31

And then I just have one more suggestion. Somebody before had mentioned moving into the Rules like a mandate for a revision of the Rules, and I would want to propose that that be done not every ten years but every four years, so that each generation of college students would have a chance to voice their views on what the Rules should look like, and since it's a changing world, with new events on campus happening all the time, you as a student in the University would have the ability to voice your opinion during your time at Columbia.

Christopher Riano

01:56:12

So I actually – I have to end the Town Hall because I have Committee members who have to leave. A lot of us are not going anywhere. So it doesn't mean that people cannot

continue to talk to us. In fact, I think an informal discussion could be possibly helpful. But I definitely do have people that have to leave the panel.

Max

01:56:28

OK, I'm thinking, leave if they have to. I'll give you one quick suggestion that I feel is crucial to finish up, and—my name is Max again, Columbia College. I know that as members of whatever Senate committee you can't commit to anything. But should these Rules go under revision I thought I heard some sentiment earlier that one of the reasons that they might not be reviewed is because it will take too long. I want to like suggest that if you should indeed review these Rules that they're reviewed to the fullest extent possible to ensure the greatest possible freedom of students. Just saying.

Christopher Riano

Thank you.

Another questioner

01:57:10

Quick suggestion: We talked a lot about concerns with internal versus external process and like, who can afford a lawyer and who can't. A possible solution is – we're actually in the building of Columbia Law School, so maybe like building in some sort of like [inaudible] to ability to pay would be helpful.

Commenter

01:57:31

And just before everyone leaves, I'd like to get a group together to work on very specific language to present together to the Rules administration. So anybody who would like to work on the changes to the Rules, I'm just going to give out my email for now. People, get your pens out: eswimer@gmail.com

Commenter

Don't use Columbia email!

Commenter

01:58:04

No Columbia emails.

01:58:09