

University Senate Plenary

April 26, 2024



University Senate

Proposed: April 26, 2024

Adopted:

PROPOSED AGENDA

University Senate

Friday, April 26, 2024 at 1:15 p.m. via Zoom

Registration required

After registering you will receive a confirmation email with meeting details.

1. Adoption of the agenda
2. Adoption of the minutes of March 22, 2024
3. President's report and questions
4. Chair's report and questions
5. Old business:
 - a. Committee Reports and Updates:
 - i. Update on the Proposal for the Creation of Dedicated Space for Columbia University's First-Generation, Low-Income Students (Commission on Diversity, Student Affairs, Campus Planning and Physical Development)
6. New business:
 - a. Resolutions:
 - i. Resolution Addressing Current Events (Executive)
 - ii. Resolution Concerning Summer Powers (Executive)
 - b. Committee Reports and Updates:
 - i. Update on the 2023-24 Review of the Rules of University Conduct and related disciplinary policies (Rules of University Conduct)
 - ii. Annual Report of the Structure and Operations Committee

MEETING OF MARCH 22, 2024

Executive Committee chair Jeanine D'Armiento (Ten., VP&S) called the Senate to order at 1:15 pm on Zoom. Seventy-one of 99 senators were present during the meeting.

Adoption of the agenda. The [agenda](#) was adopted as proposed (See Plenary Binder for March 22 meeting, p. 2).

Adoption of the minutes. The [minutes](#) of February 23 were adopted as proposed (Binder, 3-15).

Chair's remarks. Sen. D'Armiento said President Shafik was traveling and would not be at the meeting. Sen. D'Armiento offered to relay any questions to the president after the meeting.

Sen. D'Armiento welcomed senators back from spring break. She said the Senate had had a very challenging fall semester, and she expected more challenges before the end of the spring.

She said the University Senate represents the Columbia community in many ways, and would continue to stand strong on the community's behalf. The Senate would continue to defend its major principle—academic freedom—at a time when higher education faces forces intent on disrupting it. She encouraged senators to bring their concerns to Senate leaders.

Sen. Daniel Savin (Research Officers) raised three issues:

1. Three important Senate committees had become dormant: Housing Policy, Libraries and Digital Resources, and Structure and Operations. Sen. Savin asked when these committees would be revived.
2. The Senate had been short-staffed for several years now, a problem that had clearly impacted the ability of the office to provide the support the Senate needs to fully play its part in university governance. Sen. Savin asked when the remaining vacancy would be filled.
3. Two years ago the Structure and Operations Committee put forth a proposal to convert the Benefits Subcommittee, which is drawn from the Budget and Faculty Affairs committees, to a joint Benefits Commission, with wider representation, including administrative staff, librarians, research officers, and retirees. Sen. Savin asked when there would be action on that proposal.

Sen. D'Armiento said a search has been underway for the staff position. One promising candidate fell through, and the search continues.

She said the Structure and Operations Committee had had a meeting scheduled at the end of the fall semester. She was learning now, in front of the plenary, that that meeting had not taken place.

She said the current semester had been difficult, and she needed to hear of problems like this earlier. She assured Sen. Savin that there would be a meeting about the Joint Benefits Commission proposal soon. She invited him to email her, so they could address his complaints together.

Sen. Susan Bernofsky (Ten., Arts) raised a question about the health of shared governance on campus. At the February 2 plenary, the Senate approved a resolution reaffirming its commitment to the principles of academic freedom and shared governance that was put forward jointly by the Faculty Affairs and Student Affairs committees. She said she had learned that a fellow senator, James Applegate, had been sending around an alternate statement on academic freedom on behalf of a private group whose website looks like an official Columbia website, with the Columbia logo. She was concerned that such a website could erode shared governance and procedure. She said she was baffled about why this private group is allowed to use University branding, and why her fellow senator seemed to be undermining the work of the Senate.

Sen. D'Armiento said she didn't have to respond because Sen. Applegate was present.

Sen. Applegate assured Sen. Bernofsky that he felt that he was in no way undermining the work of the Senate, in which he had served more than 25 years, or of faculty governance at Columbia, or anything else.

He said the organization to which Sen. Bernofsky was referring is the Columbia Academic Freedom Council, a group of more than 100 Columbia faculty members—colleagues from across the University, who have come together because of their shared concerns over threats to academic freedom. As everyone at the present meeting understood, academic freedom in American universities is under threat from illiberalism. The illiberal forces have a right-wing component, largely off campus, and a left-wing component, largely on campus. The media is full of stories about this, and has been for years.

Sen. Applegate said the CAFC is hardly a threat to shared governance at Columbia. It is, in fact, a part of it. Its members are faculty senators' colleagues. There is no reason whatsoever why people who care about academic freedom and the future of American higher education need to confine themselves to a single organization. There are many people fighting on this. There are many points of view, and they should work together.

Sen. Bernofsky thanked Sen. Applegate for responding on the record. She noted that the alternate statement from the CAFC provides a more restrictive account of academic freedom than the resolution the Senate approved.

Sen. D'Armiento said interested senators could discuss this further.

Old business:

Resolutions:

Resolution to Endorse the Policy for Recording Classes (Education). Education Committee co-chair Letty Moss-Salentijn (Ten., CDM) said this [resolution](#) (Binder, 16-18) was unanimously

approved by the Education Committee. She said it is based on the principle that audio and video recordings within the University must be known and authorized by all the participants in any educational setting, and that the recordings must not be shared beyond that setting without the permission of all the participants who have been recorded. She said the committee felt that in the current environment, it was important to have that statement on the books.

Sen. D'Armiento said the Senate had given initial consideration to this resolution On February 2.

Sen. Greg Freyer (TTOT, Public Health) pointed out that in his school, as a matter of policy, all core curriculum lectures are recorded.

Sen. D'Armiento said the resolution was not referring to official recordings of classes.

Sen. Jalaj Mehta (Stu., SEAS) asked what changes had been made in the resolution since students raised objections to the version that came to the Senate before.

Sen. D'Armiento said the resolution had been slightly revised.

Sen. Moss-Salentijn said an important condition had been added: that nothing recorded in a Columbia class should be posted beyond the university environment.

Sen. Applegate added that this general issue had been discussed in the Education Committee for at least a decade. The point was that in classroom settings discussion should be as free and open as possible. Recording and posting these discussions would not only have a chilling effect on all participants, but would expose international students in some cases to trouble from their home governments. He said problems with illiberalism in this country are nowhere near as serious as in some other countries, where international students don't have to *say* something subversive to get in trouble at home. They just have to be present. Sen. Applegate said this issue is important.

Sen. D'Armiento understood that the policy was developed with particular concern for the student population.

Sen. Maria Martinez (Stu., CC) said the Student Affairs Committee has a subcommittee for diversity, equity, and inclusion, which she and Sen. Avalon Zborofsky-Fenster (Stu. Barnard) co-chair. The subcommittee was concerned about students who record their professors to protect themselves from inappropriate behavior or speech. She asked whether there are provisions in the revised resolution to protect such students.

Sen. D'Armiento welcomed the question. She said her understanding from the previous discussion was that the prohibition on recordings going beyond the classrooms would not apply to a student who records something a professor says or does in order to report it to an administrator. She asked Senior Vice Provost Soulaymane Kachani, who had presented the policy to the Senate, to comment.

SVP Kachani agreed that the policy is meant to prohibit external dissemination of recordings, not to deter students who may use recordings to file a discrimination complaint. He said the policy should also not be viewed as something static. He offered to work with Senate committees on

possible revisions to the policy as it evolves. He said this initiative is essentially a collaboration between the Provost's Office and the Senate. The policy was not meant to forbid the use Sen. Martinez had described.

Sen. Mehta recalled an earlier version of this proposal that included some disciplinary action against students who violate this policy. He asked for some clarity about that provision. What are the consequences for students of violating the policy?

Sen. D'Armiento said many policies include information about consequences for violations. She understood the policy to be not about punishments but expectations.

She noticed a question in the chat: How can the policy prevent violations? Her answer was that no one believes that writing a prohibition on paper will prevent all violations. The purpose of this policy, and others, is to set a culture of community.

Sen. Moss-Salentijn said the policy was drawing a boundary between the academy and the outside world. Concerns about an instructor's behavior should be dealt with within the academy, not on social media. Within the community people should be as open and free in their exchanges as possible. She asked for an example of a case where it is absolutely necessary to bring a complaint of this kind to the outside world.

Sen. D'Armiento said the administration should be considered as part of the community, an idea that was implicit in the current version of the resolution.

Sen. Cheng Gong (Stu., SEAS/Graduate), co-chair of the Student Affairs Committee, said that speaking as a student, he didn't want something *he* said in class to end up on social media. That was another reason to vote for the policy.

Sen. Sophie Gasparian Chinchilla (Stu., Bus.) asked if there was an explicit understanding that disciplinary action would be taken only if recordings were posted online, and not if the recordings are only shown to an administrator.

SVP Kachani said that is exactly the spirit of the policy. He also repeated that it would be possible to work further on this refinement over the next few months.

Sen. Jeanine D'Armiento said she was very comfortable with the intentions of the administration on this particular issue.

Sen. Gasparian Chinchilla said sometimes, over the course of a decade, the purpose of a policy might change. That's why she thought an explicit provision would be valuable.

Sen. Applegate said again that the principle behind the policy is, What is said in the classroom stays in the classroom. Such a principle allows people to try ideas on in class, decide whether the ideas fit, and perhaps discard them, without having those comments live forever on social media or haunt them in job interviews. If you record Professor Applegate because you feel that he is making racist or anti-semitic remarks in class, and you give the recording to the administration, that is essentially acting as a whistleblower, and you will be covered by whistleblower

protections. Whether or not Prof. Applegate is found guilty of these accusations is another matter. If, however, you feel the administration's handling of your complaints about Professor Applegate is inadequate, and then you give the recording to the Wall Street Journal, and they publish an article about Applegate's anti-semitic remarks in class, you do that at your own risk.

Sen. Applegate said he thought the policy was well thought out.

Sen. Margaret Corn (Stu., GSAS/Hum) identified a two-step process in the proposed policy. Either all recording is prohibited (setting aside cases of students with disabilities), or the external dissemination of recordings is prohibited, a policy that implicitly allows recordings for whistleblowers. The problem is that a policy prohibiting external dissemination of recordings cannot stop a student from externally disseminating a recording after graduation.

Sen. Corn stressed her support for the policy and recognized its function as a guideline. But she also noted that the unenforceability of such a policy would not only free an alumnus from posting a recording from one of their undergraduate classes, but it would also leave other students who were recorded in those classes unprotected from later scrutiny by social media.

Sen. D'Armiento said again that the goal of the resolution was to establish a community of trust, a shared understanding that posting recordings is not what people should do. It would be necessary to follow the experience of the policy and the evolution of social media. Taking Sen. Corn's point, Sen. D'Armiento said the policy was a good first step in the right direction.

Sen. Corn reaffirmed her support for the policy.

Sen. Mehta, referring to Sen. Applegate's last remarks, put the case that a professor is found by a Columbia administration adjudication process to have said something discriminatory. Would the student who had presented a recording demonstrating this to the administration then be free to disseminate it in the outside world?

Sen. D'Armiento said the University was trying to protect its classrooms. Such an action by a student would be unacceptable.

She said these days there is a lot of focus on the issue of punishment for conduct violations of various kinds. Her preference would be to step away from this preoccupation and focus on establishing a community in which people don't commit the violations under discussion. She said the scenario that Sen. Mehta had described—publication of the material after the University had ruled on it internally—would not be appropriate.

She wished that more people would think about how to protect the University as it addresses current challenges.

Sen. D'Armiento requested and received a motion and a second to adopt the resolution. She explained that Sen. Brendan O'Flaherty (Ten., A&S/SS), the parliamentarian, does not vote. The Senate then approved the resolution by a vote of 52-1 with 3 abstentions.

New Business:

Resolutions.

Resolution to Establish an Academic Program Leading to the Master of Science in Climate Finance (Education). On hand to answer questions about the [resolution](#) (Binder, 19-43) were Jeffrey Shaman, Interim Dean of the Climate School, and Business School Dean Costis Maglaras.

Sen. Applegate presented the proposal. He said the program would be based in the Climate School, but is a collaboration with the Columbia Business School. It is a three-semester, 39-credit degree, with a 24-point core curriculum. Fifteen points in the core curriculum are Climate School classes, 6 are two finance courses that are part of the Business School core, and the other 3 are for a capstone project. The remaining 15 points are electives drawn from the curricula of the Climate School, the Business School, and other schools, including SIPA.

Sen. Applegate said the Education Committee reviewed the program and approved it after some discussion. He urged the Senate to approve it as well.

Sen. D'Armiento called attention to letters of support in the proposal's supporting material from Engineering School Dean Shih Fu Chang and SIPA Dean Keren Yarhi-Milo.

Sen. Applegate said the usual institutional arrangements for cross-registering would also be in place. He said such arrangements are essential for collaborative degrees, where the electives are based in different schools, so that students have the needed access and can be confident about graduating on time.

Sen. D'Armiento invited discussion.

Sen. Vishal Manve (Stu., Climate School) said he was in the school's Climate and Society M.A. program, and climate finance has been a focal point in global conversations about such subjects as climate adaptation and igniting innovation through private equity in mitigation.

He said the present proposal directly addresses the surging demand within the Climate School's current and also prospective student population, which he had encountered directly as an admissions intern.

Sen. Ruth DeFries (Ten., Climate School) said she would wait to comment until Deans Shaman and Maglaras had spoken.

Dean Shaman said he was pleased to be at the meeting and to say that he and his colleagues had been working on this proposal since before the inception of the Climate School. He said there is enormous market demand for climate studies, with recent estimates that 500,000 jobs will be created in the climate sector within the next eight years, many of which involve climate finance.

Dean Shaman said a successful transition to a net-zero economy will need financiers, entrepreneurs, people who understand green economies and how the transition will work, and who can use the levers of the market. He said the present proposal offered a wonderful

opportunity to pair with the Business School and to build out the program so that it will address both market need and student demand, and attract the participation of other Columbia schools.

Business School Dean Costis Maglaras echoed the sense of the previous speakers about the scale of the challenge of the necessary climate transition. Every sector of the economy needs to be changed in major ways, along with societies and people's lives. Innovative financial and business models will be needed to implement such solutions at scale.

He said the collaboration with the Climate School could also serve as a model for other Columbia schools interested in partnering with the Business School. Dean Maglaras said there was a lot of work to do in developing support programs for the new degree in student services, student support, career management, etc. He said the new degree would also connect to several other schools within the University that are working in similar spaces.

Sen. Lisa Dale (TTOT, Climate School) said she co-directs the existing master's program, Climate and Society. She shared some of her observations of the program's classes. She teaches the climate change adaptation core course, and her students were keenly interested in the climate finance dimension. The proposed collaboration would help to meet a profound workforce need and the need to galvanize investment toward critical climate solutions.

Sen. Minhas Wasaya (Stu., Bus.) made three points in support of the proposed program:

1. Columbia often feels like a disjointed, siloed campus. The new M.S. will help to connect at least two schools, and may spur more partnerships within the University.
2. One of the long-term goals President Shafik announced for the University at her last plenary visit was that climate would be a big part of what Columbia does in the coming years. This program and the M.S in Climate were important early steps in that direction.
3. Sen. Minhas Wasaya said Columbia is at the forefront of climate education and the present collaboration would propel it even further, attracting the most talented faculty and students. This development will provide Columbia with an opportunity to be a model for other institutions. This is important because the climate challenge will require the contribution of many universities.

Sen. Nachum Sicherman (Ten, Bus.) said the Business School had been committed to addressing climate change for a long time, with a wide selection of climate courses that are in high demand. In addition, in every core course at the Business School, the professor is required to teach at least one class on climate change.

Sen Sicherman praised the proposed program as a vital addition to the Business School's roster of courses.

Sen. John Donaldson echoed Sen. Sicherman's point, saying he had read through all of the Business School's curricular materials related to climate, and was convinced that the Business School courses, combined with what the Climate School was offering, would make a truly excellent program.

Sen. Gasparian Chinchilla (Stu., Bus.) added her support. She said the market research that went into the proposal was particularly powerful. She was struck by the finding that 75 percent of a

group of employers who were polled said the Climate School program would provide many of the skills they are looking for. She said the M.S. in Climate Finance sounded to her like a very complete program.

Sen. Michael Gerrard (TTOT, Law) said he teaches climate change law, and many Law School graduates go into corporate finance. He thought a number of them would welcome the opportunity to take courses in this program.

Sen. Margaret Corn understood that an important selling point of the proposed program is that employers will be drawn to candidates with training from these two schools. So how do they list this degree in their resume? Are they getting a degree from both schools, or just one? And what impact would the answer to that question have on employers?

Dean Maglaras answered that it will be a Climate School degree, but the partnership with the Business School would be evident to recruiters, as it was in two recent Engineering School degrees.

He added that of the 900 M.B.A. graduates every year, 400-500 are passionately interested in taking climate-related courses. That's because a third of Business School graduates go on to consulting careers, and the highest growth area in consulting jobs now is in climate. He expected that pattern to hold over the next 10, 20, 30, 40 years.

He said the same is true in investment management in more traditional finance. The same trends will affect every industry that will need to decarbonize. The demand for these graduates will be huge, and it will increase dramatically. A young person who wants to place a 50-year bet on a career path can be confident that this sector will blow up.

Dean Maglaras said the Business School had learned from its in-partnership degrees with Engineering that these relationships are well understood by employers.

Sen. Corn asked how the Climate School sees the difference between the relationship spelled out in the proposal, and just allowing the CS students to take some courses in the Business School. Dean Shaman answered that the Climate School now, in its Climate and Society M.A., and even in its new M.S. in Climate with related certificates, does not have the elective space to provide the exposure to the Business School finance curriculum that the M.S. in Climate Finance allows.

Sen. D'Armiento asked for and received a motion and a second to adopt the proposed resolution. The Senate then approved the resolution to establish the M.S. in Climate Finance by a vote of 63-0, with 3 abstentions.

Resolution to Create a Dedicated Space for Columbia University's First-Generation Low-Income Students (Commission on Diversity, Student Affairs, Campus Planning and Physical Development). Sen. D'Armiento introduced Sen. Adrian Brugger (Research Officers), a member of Campus Planning who chaired a subcommittee, formed from the three sponsoring committees, that finished the report, as well as Sadia Safa and Sen. Maria Martinez, both Columbia College students, who drafted and developed the proposal. Sen. Martinez was on Student Affairs and the Diversity Commission; Ms. Safa served on Diversity and Campus Planning.

Sens. Brugger and Martinez and Ms. Safa then spoke at some length on the *proposal* that had been distributed in the Senate packet (Binder, 44-69; see also their *presentation* (Binder, 70-76). All questions and discussion are recorded here.

At the end of the presentation, Sen. Brugger was pleased to report that Scott Wright, Vice President for Campus Services, was now reviewing possible locations for an FLI space. Sen. Brugger hoped to have more to say about this at the April 26 plenary.

Sen. D’Armiento asked to have the resolution on the screen during discussion of the proposal.

Sen. Natalie Voigt (TTOT, Nursing), faculty co-chair of the Diversity Commission, expressed strong support for the resolution. She said Sen. Martinez had described how FLI students grapple with a lack of resources or guidance, a feeling of isolation and impostor syndrome. Providing a designated space tailored to these students’ needs would send a powerful message of validation and support. A dedicated space can be a hub of empowerment, a visible symbol of Columbia’s commitment to diversity and of the president’s strategic vision of a sense of community. She was delighted to see this project developed by brilliant students, led by Sens. Martinez and Ms. Safa, come to fruition. As a first-generation student herself, and now faculty member, Sen. Voigt could not express how a space like this might have transformed her own undergraduate experience.

Sen. Bruce Goumain (Stu., GS) offered huge thanks to the senators who had initiated this resolution. He said a space like this would have transformed his first years at Columbia as well.

Sen. Avalon Zborovsky-Fenster (Stu., Barnard) said that she had seen the benefits of an FLI space at Barnard, and was shocked that there wasn’t a counterpart at Columbia. As a student leader, she also noted a large proportion of FLI students in governance positions, including the Senate. She said FLI students are foundational to the direction of the University. The proposed center would provide scaffolding for their aspirations.

She also noted that three years ago she started an organization called The One Sixteenth Initiative, which is not formally affiliated with Columbia or Barnard, but which has supplied more than \$100,000 in financial and material resources to mainly FLI students. The initiative was a student-to-student redistribution of resources, established partly because there were no spaces of this kind at the time. And so it warmed her heart now, as a senior, that Columbia is able to respond to that need in a substantive way. A proposal that helps Columbia students stay in school should be a top Senate priority.

Sen. Margaret Corn recalled that discussion of this proposal in the Student Affairs Committee had accepted expansive definitions of FLI status, including graduate students whose parents went to college but not to grad school, and international students whose parents went to college in their own countries, with vastly different experiences. So she was surprised to see only the narrow definition of FLI status—low-income students whose parents did not complete college—in the resolution now before the Senate.

Sen. D’Armiento, noting that time was getting short, said she would hear questions first, and then seek the answers.

Sen. Donaldson expressed unconditional support for the resolution.

Sen. Thiru Senguttuvan (Stu., Public Health) appealed for consideration of related needs for students at the Medical Campus.

Sen. D'Armiento acknowledged this point. She said that in further discussions with the administration she would be sure to bring up this request.

Sen. Gong expressed pride in the work of his Student Affairs Committee peers. His one suggestion was that FLI students might not want to have their income level highlighted in the name of their center.

Sen. D'Armiento said this remark was related to the concern expressed by Sen. Korn. Sen. D'Armiento said a more general name would expand eligibility to FLI programs to more students.

Sen. Rosalba Savage (Stu., SW) said that she was a grad student in 2015 before Forbes magazine highlighted the effect of food insecurity on Columbia students. She mentioned an estimate that 49 percent of college students have to weigh decisions between eating and paying for school expenses. She mentioned research showing a strong link between food insecurity and student retention and graduation rates.

Back in 2015, two Columbia students set up an app that managed transfers of meal swipes from students who had more than they needed to others who didn't have enough. This arrangement helped to destigmatize food insecurity on campus for a number of FLI students. She said the mere fact that FLI students are here at Columbia is a demonstration of their ability not only to survive, but to rise from a kind of adversity not experienced by many classmates.

The benefit of centralizing basic resources and making them consistently available with help makes FLI students feel supported by their university, instead of having to wait for another set of students like Sen. Martinez and Ms. Safa to care deeply enough to address the needs of this population.

Sen. Henry Ginsberg (Ten., VP&S) said a wonderful next step after the center is established would be to involve faculty members of all ranks and Columbia schools who were themselves FLI students. He said many, including himself, went through that experience. These faculty could support current FLI students with advising and mentoring.

Sen. Wena Teng (Stu., CC) said that as an FLI student she finds solidarity with other FLI students. That was an additional reason for her support of the proposal. She also repeated the point made earlier by Sen. Zborofsky-Fenster that many student leaders are FLI students. She thanked Sen. Martinez, Ms. Safa, and other FLI leaders who she had been working on this issue before the present school year even started.

Sen. Brügger asked if he should try to answer the questions in order.

Sen. D'Armiento said students had already addressed Sen. Corn's concern in the chat, referring to the text of the proposal.

Sen. D'Armiento requested and received a motion and a second to adopt the resolution. The Senate then approved the resolution to establish an FLI space by a vote of 55-0, with 3 abstentions.

Committee Reports and Updates

Update on the 2023-24 review of the Rules of University Conduct (Rules of University Conduct). Sen. Jaxon Williams-Bellamy (Stu., Law) said the Rules Committee, which he co-chairs, launched a quadrennial review of the Rules at the end of February, holding three listening sessions, and soliciting comments from the Columbia community through an online form.

The committee asked for comments not only on the Rules of University conduct, but also on the Guidelines for the Rules of University Conduct, and the Interim Policy for Safe Demonstrations.

The committee received a large quantity of diverse responses. It expected to continue to review them and consider options for updating the Rules and Guidelines for the remainder of the semester and to continue this work into the fall.

Sen. Williams-Bellamy said the committee also received many comments from faculty, students and staff about the Safe Demonstrations policy, expressing great concern and distrust. Many of the criticisms concerned what was seen as the arbitrariness of the restrictions on the time and place of demonstrations. Another complaint was about the burden placed on counter-protests by the notice requirement and some of the opportunities for gamesmanship that it creates. Still another problem was the involvement of the Center for Student Success and Intervention (CSSI) in the disciplinary process. Sen. Williams-Bellamy expected the committee to share more details of these complaints soon. It has also reflected more deeply on Columbia's system of shared governance and how it is outlined in the University Statutes.

He began with the fact that the Senate is the University's chief legislative body. Section 23 of the University Statutes establishes the Senate as a policymaking body empowered to consider the broad range of questions that touch on more than one Columbia school. Sen. Williams-Bellamy said this investiture of legislative power in the Senate is structural pillar of trust in the Columbia community. It's designed to ensure that major questions of legislative policy will be decided by a body that represents every University constituency. Moreover, this legislative process ensures transparency in policymaking at the university. Senate business is done in full view of constituents, with many pathways for both formal and informal community feedback.

Sen. Williams-Bellamy said all of these factors inform the structural design of Columbia's system of shared governance. And it is when the University strays from this design that the foundations of community trust begin to break down. He said the committee saw signs of this tendency in the comments received so far during the committee review.

He said it is the determination of the Rules Committee that the responsible regulation of the time, place, and manner of public expression on Columbia's campuses is a major question of legislative policy, and the answer to that question is entrusted to the Senate. Sen. Williams-Bellamy made clear that he was not saying that there is no role for the administration in setting these policies. The administration is, of course, the Senate's partner in shared governance, and plays a crucial

role in proposing legislation to this body and developing rules and regulations to implement the legislative acts of the Senate. But he also believed that the Senate has policymaking authority, in order to promote trust and transparency in the community. So important policies like the Interim Policy on Safe Demonstrations must come before the Senate to be voted on by the community's duly elected representatives.

Sen. Williams-Bellamy stressed that the committee wanted to invite the administration to work not just with them, but with the Senate more broadly, to ensure that these policies are created through the proper pathways, and that the concerns expressed by people across the University are addressed. He invited questions.

Sen. Wasaya said students have been receiving reports that some students are being prosecuted both through both the Rules of Conduct and the Safe Demonstrations policy for the same alleged violations. Sen. Wasaya understood that this kind of double jeopardy was explicitly banned in the final version of the Safe Demonstrations policy. He asked for some clarity on this question, He said this problem should be investigated. He knew the Senate Executive Committee was supposed to oversee the Safe Demonstration policy.

Sen. Williams-Bellamy said the Rules Committee review process had certainly yielded comments on this issue. One important response is to look at the bigger picture. A key goal of the Rules is to apply the same process to the same conduct, to make sure there is no venue shopping for alternative adjudicatory processes, such as the Safe Demonstration policy or the CSSI, that gives the prosecutor (or Rules Administrator) an unfair advantage.

He said a key problem is that the Safe Demonstrations Policy—particularly its time and place restrictions—does not comport with the Rules. One example is that the Rules have no blanket ban on demonstrations in academic buildings. He said demonstrators may be silently holding signs in the back of a lecture hall during a speaker event, expressing their discontent with the speaker. Such a demonstration does not violate the Rules but does violate the Safe Demonstrations policy. This is an overlap that doesn't work, a situation conducive to venue shopping.

Sen. D'Armiento disagreed with Sen. Williams-Bellamy's interpretation. She said she and other members of the Executive understood the reference to disallowed public expression in the Safe Demonstrations policy to mean some sort of vocal speech or noise. The purpose of the provision was to prohibit disruption of people who are essentially studying. So she didn't see the inconsistency between the Rules and the Safe Demonstrations policy on the point that Sen. Williams-Bellamy had identified.

Sen. Williams-Bellamy said this point highlights another aspect of the interim policy—the imprecision of some of its language. The legal context for discussion of these issues is a sense that conduct can have expressive value and count as speech, whether that conduct makes any noise or not. The threshold issue for the Rules Committee is that this drafting and this writing, along with the approval of such a policy, should be done by the University's legislative body. This is a legislative function, and a question of legislative policy. The process of considering the Statutes holistically, and fitting the different pieces of the Statutes together, is a function entrusted to the Senate.

Sen. Minhas Wasaya said one takeaway from this discussion is that interpretations of the Safe Demonstrations policy can go in different directions. And so there is an urgent need for more clarity on who is adjudicating the policies and ensuring that there is one “law” that applies here.

Sen. Wasaya added that there are also troubling events that the University can host that do not violate any rules or policies because the Rules interpret freedom of speech so broadly. An example is an Islamophobic speaker who came onto campus on March 21, invited by student organizations at Columbia College and the Business School. Many people were opposed to hearing this speaker. Sen. Wasaya urged the Rules Committee to look for a way not to prevent an event like this, but to consider ways to respond to hate speech on campus.

Sen. Williams-Bellamy said his committee has been reviewing many comments from faculty, students and staff, but also from the Task Force on Anti-Semitism, and others. The committee would be considering whether to make changes to the Rules and Guidelines. This work would likely continue into the fall, but the Senate may hear from the committee before the end of the semester.

Sen. D'Armiento said the Executive Committee would be reviewing the Interim Safe Demonstrations policy, probably at its next meeting, and could report at the last plenary, not on confidential information, but on its general sense of what is happening. A review of this kind is called for in the policy.

She assured senators that the Executive Committee wanted to hear from them.

Adjourn. Sen. D'Armiento adjourned the meeting at about 2:55 pm.

Respectfully submitted,

Tom Mathewson, Senate staff

University Senate Plenary

Creation of Dedicated Space for Columbia University's First- Generation, Low-Income Students



March 22, 2024



Overview

- Joint Subcommittee established by Commission on Diversity, Campus Planning and Physical Development, and Student Affairs committees
 - Sen. Adrian Brügger (chair), Sen. Maria Martinez & Sadia Safa (co-vice-chairs), Sen. John Donaldson, Sen. Natalie Voigt, Sen. Rosie Savage
- Need for FLI Dedicated Space
- Integrating Existing FLI Resources at Columbia University
- FLI Resources at Peer Institutions
- Forward Thinking the FLI Experience

What is FLI?

- FLI: First-Generation, Low-Income Student
 - Students whose parents, guardians, or other custodial family members have not completed a four-year college degree
 - Encourage self-identification
- Significant portion of student population
 - 21% of College & Engineering¹
 - 34% of General Studies¹
 - Variable across graduate schools
- FLI status is a function of student's economic status, not of race, ethnicity, gender, or other demographic identifier.

¹ Source: OPIR - Office of Planning and Institutional Research

Need for FLI Dedicated Space

FLI student challenges and strains

- Financial constraints, responsibilities to family
- Lack of network/experience in family to support college student

Dedicated Space

- Social Nexus to Connect & Network
- Basic Necessities
- Healthcare Assistance
- Food Insecurity
- Transportation Resources
- Social Work Assistance

Integrating Existing FLI Resources at Columbia University

FLI Director to coordinate existing programs and advocate for FLI students.

- FLI @ Columbia
- First in Family Programs (FIF)
- Academic Success Program (ASP)
- FLI Partnership Library
- UpLIFT House
- Food Pantry
- Dean's Assistance Funds

Current position of FLI advisor in Office of Multicultural Affairs does not align with needs of FLI cohort

FLI Resources at Peer Institutions



U-FLI Center (Brown)



Penn First Plus (UPenn)



Access Barnard (Barnard)



FLI Student Success Center (Stanford)



(Yale)

(Dartmouth)



(Princeton)



Forward Thinking the FLI Experience

1. FLI students urgently need a space of approximately 2,000 sq.ft. (185 m²) in which they can convene, interact, socialize, and network. Beyond a central hub for support and resources, the provision of an FLI student center would engender concrete recognition of this unique student group by the University. The University's celebration of a group with unique challenges, perspectives, and experiences will empower and enrich the entire Columbia community.
2. The broad palette of University programs that potentially benefit FLI students are not well-coordinated. As such, coordinated access to these programs for FLI students remains a major unanswered need. A dedicated FLI space director would empower FLI students on this front through networking but also advocacy, thereby providing a much-needed voice for this group within the Columbia administration.
3. Various programs such as the food pantry, library lending program, et cetera, remain underfunded and struggle to support the growing FLI population. Having a single location where these shortfalls would be apparent and swiftly addressed would greatly ease the challenges faced by FLI students

The three parent committees unanimously endorse this proposal.

University Senate Executive Committee Report

April 25, 2024

Over the past few months, the University administration has taken many actions and decisions that have harmed Columbia University. The following is a non-exhaustive list of these actions and decisions.

1. Not utilizing long-established disciplinary processes in Fall 2023, including the Rules of University Conduct, as set out in Chapter 44 of the University Statutes.
2. Changes made to University Policies in Fall 2023 without consulting the University Senate:
 - a. The decision to rewrite the University Event Policy, moving demonstrations under the University Events Policy from the Rules of University Conduct.
 - b. The decision to revise the University Event Policy to include new, unclearly defined, and opaque disciplinary processes.
 - c. The decision not to develop interim policies within the shared governance framework, despite demonstrations falling under the purview of the Rules of University Conduct.
 - d. Subversion of University Senate processes and student and faculty voices throughout the year as outlined in (1a), (1b), and (1c).
3. Opaque processes of discipline under the CSSI-Dean's Discipline:
 - a. CSSI-Dean's Discipline disciplined students without following University Senate and fundamental due process procedures.
 - b. "Dean's Discipline" was conducted with only limited involvement of deans after respondents were sanctioned.
4. Misrepresentation and suspension of recognized student groups without respect for established:
 - a. Suspension of Jewish Voice for Peace (JVP) and Students for Justice in Palestine (SJP) with no clear process outlined for reinstatement.
 - b. Misrepresentative public statements about JVP and SJP published on Columbia's official website "Columbia News", with the same prominence as announcements of Pulitzer and Nobel Prizes, and research discoveries.
5. Calling NYPD onto campus multiple times without consultation with the University Senate Executive Committee.
6. Failure to defend our institution in the face of external pressures:

- a. Revealing confidential information about ongoing investigations concerning faculty.
 - b. Disparaging student protestors and faculty.
 - c. Failing to defend academic freedom in the face of external pressures.
7. Hiring of an aggressive private investigation firm:
- a. Investigators' harassment of students and intrusive investigation methods.
 - b. Investigators' attempt to enter student rooms and dormitories without students' consent.
 - c. Investigators' unlawful demand to see students' phones and text messages with threats of suspension for noncompliance.
 - d. Additionally, the coercive use of investigation and disciplinary frameworks, including immediate suspension and eviction under interim sanctions for failure to meet with investigations within an condensed time-frame.
8. Arrest of student protestors:
- a. Authorization of NYPD access to campus around 1:00 pm on Thursday, April 18, 2024, without consulting the University Senate Executive Committee, to arrest over 100 student protestors that had established an encampment on South Lawn.
 - b. Misrepresentation of nonviolent student protestors, as corroborated by the NYPD.

Overall, the fundamental lack of good-faith engagement with all campus constituencies and groups has exacerbated the situation and has served to divide our community.

University Senate Executive Committee
April 25, 2024

RESOLUTION ADDRESSING CURRENT EVENTS

WHEREAS the University Senate affirms the principles of academic freedom, the safety of all members of the Columbia University community, and civility despite differences of opinion; and

WHEREAS current events, and the University administration's responses thereto, have made studying, teaching, and research increasingly difficult for many students, faculty, and other members of the Columbia community; and

WHEREAS external entities have sought to interfere in the internal affairs of Columbia University in ways that undermine traditions of academic freedom and shared governance; and

WHEREAS section 23 of the Charters and Statutes of Columbia University (hereinafter "Statutes") states that the "University Senate shall . . . (c) work for the advancement of academic freedom and the protection of faculty interests" and "(d) work for the promotion of student welfare and the enhancement of student life"; and

WHEREAS section 22 of the Statutes states that "It shall be the duty of the University Senate . . . (b) to submit such proposals to the Trustees or to the President or to the several Faculties as in its judgment may serve to increase the efficiency of University work;" and "(c) to consider any question that may arise as to the conduct or efficiency of any officer of administration or instruction, and to report thereon to the Trustees through the President"; and

WHEREAS the University Senate is obligated to fulfill its duties under the Statutes;

THEREFORE BE IT RESOLVED:

1. We unreservedly condemn external interference in the internal affairs of Columbia University that undermines the traditions of academic freedom and shared governance.
2. We find the following actions of the University in recent months contrary to the norms and traditions of this University and counterproductive to its mission:

- (a) **Jeopardization of Academic Freedom:** In their statements to external bodies, representatives of the University have taken actions that significantly undermine the principles of academic freedom. Statements that threaten faculty job security and discount faculty rights to free inquiry raise questions about institutional commitment to academic freedom, a fundamental tenet of academia.
 - (b) **Breach of Privacy and Due Process:** The University administration has demonstrated disregard for the privacy and due process rights of individual students and faculty members. These actions show little respect for clearly established protocols.
 - (c) **Violation of Shared Governance Principles:** The decision by the University administration to call for police intervention on campus, after the Senate Executive Committee told the administration that the Executive Committee did “not approve the presence of NYPD on our campus at this time,” has raised serious concerns about the administration’s respect for shared governance and transparency in the University’s decision-making process. The University Senate’s “Resolution Reconfirming Our Commitment to the Principles of Academic Freedom and Shared Governance” explicitly states that "University policy in general should not be set by, or in deference to, entities external to the institution," emphasizing that governance decisions should originate from the University Senate and administration through collaborative processes.
3. The Executive Committee of the University Senate shall report on the actions of the University described in section 2 of this Resolution, and the events surrounding and leading up to those actions, to the Trustees through the President pursuant to Section 22(c) of the University Statutes.
 4. The University Senate demands that the administration take affirmative steps to address the problems enumerated in section 2 of this Resolution.
 5. In order to monitor the corrective actions of section 4 of this Resolution, the Senate shall hereby establish a Task Force under the auspices of the Executive Committee that shall present its findings and recommendations to the University Senate for possible further Senate action.

Proponent: Executive Committee

University Senate

Proposed: April 26, 2024

Adopted:

RESOLUTION CONCERNING SUMMER POWERS

BE IT RESOLVED that the Executive Committee be empowered to represent the University Senate in all matters within its jurisdiction from today until the first meeting of the full Senate in September 2024, and that the Executive Committee act, insofar as possible, on the basis of policies already established by the University Senate, and

BE IT FURTHER RESOLVED that in matters pertaining to University Senate constituencies with no representation on the Executive Committee, the Executive Committee will consult with the senators from these constituencies.

BE IT FURTHER RESOLVED that at the University Senate's first meeting next fall, the Executive Committee report fully to the University Senate on any actions taken under summer powers.

Proponent:

Executive Committee

COLUMBIA UNIVERSITY
IN THE CITY OF NEW YORK

UNIVERSITY SENATE

April 15, 2024

Via Email

Felice B. Rosan, Esq.
General Counsel
Columbia University
Low Library
535 West 116th Street
New York, New York 10027

Dear Ms. Rosan:

We write on behalf of the University Senate's Committee on Rules of University Conduct. The Rules Committee and its remit are described in Section 440-452 of the Statutes of the University.

Section 452(d) of the Statutes provides that the Rules Committee "shall, at least every four years, facilitate a public discussion, engaging faculty, students, and staff, about whether revision of the Rules is merited." The Rules Committee is now undertaking this process and may propose changes to the Rules to the University Senate for approval and then submission to the Trustees for acceptance, as per Section 452(c).

Section 445(c) establishes the University Judicial Board (UJB); Section 446 sets forth the rights of respondents in disciplinary proceedings; Section 448 specifies the UJB hearing process; Section 449 indicates the sanctions that the UJB may impose; and Section 450 provides for appeals from the UJB's decisions.

Apparently apart from the UJB procedures, the Center for Student Success and Intervention (CSSI) has recently been taking disciplinary action against students, including in connection with various recent demonstrations and protests on campus. We have a number of questions about CSSI that, as part of our Section 452(d) review, we request that you clarify:

1. What is the basis under the Statutes of the University or otherwise for the disciplinary actions that CSSI has been taking?
2. What are CSSI's rules for notice, hearings, appeals, and other due process protections?
3. What are CSSI's rules concerning the ability of students to bring counsel or other representatives or advisors to CSSI hearings, and for those persons to speak at these hearings?
4. Which disciplinary actions go to CSSI? Who makes that determination? On what basis do they make that determination?

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IN THE CITY OF NEW YORK

UNIVERSITY SENATE

5. What sanctions may CSSI impose? Are there interim sanctions and permanent sanctions? If they differ, what are the respective due process protections for each?
6. What are the names and positions of the individual(s) who make final decisions for CSSI?
7. We have heard that deans may opt into, or perhaps opt out of, their school's participation in the CSSI process. Is the default opt-in or opt-out? Which deans have opted in or out, as the case may be?
8. What is the volume of disciplinary cases that CSSI has been handling this academic year, and how does this compare to the volume of cases in previous academic years?

We understand that there is also something called Dean's Discipline. We have the same questions about Dean's Discipline that we have about CSSI; we ask you to answer those as well.

If there are any other forms of student discipline that are currently being employed, please answer the same questions about those, too.

What is the relationship among UJB proceedings, CSSI proceedings, Title VI investigations, Dean's Discipline, and any other student discipline currently being employed?

For our statutorily mandated review process, it is vital that we understand the full landscape of disciplinary procedures currently being used at the University. And it is our understanding from discussions with numerous deans, faculty, and administrators that the Office of the General Counsel is the entity best equipped to provide this information.

We request a response to these questions by Monday, April 22, 2024. We realize this is not a great deal of time, but given the dynamic environment on campus, we feel that these issues must be addressed promptly. As you can discern from the above questions, concerns about CSSI have been raised to us by numerous individuals. Before we share those concerns with the broader University community, along with an update of the Committee's review process, we wanted to give you an opportunity to clarify these matters.

Thanks very much for your attention.

Sincerely,

Angela D. Nelson
Co-Chair, Committee on Rules of University Conduct

Jaxon Williams-Bellamy
Co-Chair, Committee on Rules of University Conduct

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Cc:

Jeanine D'Armiento

Chair, University Senate Executive Committee

Dennis A. Mitchell

Executive Vice President for University Life

Claudia Marin Andrade

Associate Vice President for Student Success and Intervention

Dear Gillian,

We have recently learned that the Center for Student Success and Intervention (CSSI) at Columbia University has brought charges against ten law students in connection with a protest that took place at the law school on February 29, 2024. We are deeply troubled by the absence of procedural protections in the conduct of these investigations and proceedings.

The newly invoked CSSI procedures breach basic due process norms. They depart from widely shared procedural norms cherished and taught by law professors – including adequate notice, a fair hearing, and appeal rights. It also appears that the CSSI procedures deviate greatly in the protection they afford students from the Rules of University Conduct procedures, which have historically been used to adjudicate student expression, association, and demonstration. In addition, the CSSI procedures as applied to law school students' free speech are potentially in tension with Columbia Law School's obligations under ABA Standard 208 – especially 208(a)(3)'s requirement to afford due process in disciplinary proceedings that involve freedom of expression – and more generally with our responsibility as a professional school to oversee the ethical instruction of our students and their preparation for admission to the bar.

It is our understanding that under the CSSI procedures, students may not use their own attorneys or professors as advisors or counsel at the hearing; they may use only administrators who work for the institution (and as such may have a conflict of interest), and even then, their advisors may not serve as advocates. We further understand that the specific charges are disclosed only at the hearing itself; that students are encouraged to submit a written statement to the hearing officer in advance of the hearing even though they do not know the specific charges being brought against them; that students have been told they may only review the file, but not the charges or possible sanctions against them, two days in advance of the hearing; and that the students may not appeal the substance of the findings by the hearing officer. Furthermore, the fact finding has been outsourced to a law firm retained by the University, and the powers of the fact finders have been amplified by stripping the requirement to prove intent from sanctions for discrimination.

These new procedures depart from our understanding of basic due process protections that have been the hallmark of Columbia University's disciplinary and discrimination procedures, and that undergird our responsibilities not only as academics and teachers, but also as lawyers. Our law students are particularly at risk, more so than other students on campus, because they have to go through the character and fitness process to be admitted to the bar. We believe that the legitimacy of these proceedings and the status of Columbia Law School are at stake. We therefore urge you to ensure our students are not subjected to the CSSI procedures and to take all necessary actions for the law school to comply with ABA Standard 208.

The CSSI procedures acknowledge that “[a]lthough ultimate authority on matters of student discipline is vested in the Trustees of the University, the Deans of the schools, and their designee(s) are given responsibility for establishing certain standards of behavior for their students beyond the regulations included in the Charters and Statutes of the University and for defining procedures by which discipline will be administered.” Center for Student Success and Intervention, Standards and Discipline, 1 (Aug. 28, 2023). In light of our concerns, we urge you to exercise your discretion by suspending the CSSI process regarding law students until such time as there has been an opportunity to assure procedures that afford adequate due process.

We are writing to you because of the urgency of the situation but would be happy to meet with you to discuss our concerns further.