

University Senate Plenary

May 24, 2024



University Senate

Proposed: May 24, 2024

Adopted: May 24, 2024

PROPOSED AGENDA

University Senate

Friday, May 24, 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 May 8, 2024
3. President's report and questions
4. Chair's report and questions
5. Old business:
 - a. Update on events
6. New business:
 - a. Statement Regarding the Presence of NYPD on Campus (Commission on Diversity)
 - b. Statement on Campus Access (Campus Planning and Physical Development)

MEETING OF MAY 8, 2024

Executive Committee chair Jeanine D'Armiento (Ten., VP&S) called the Senate to order at 3:30 pm on Zoom. Fifty-nine of 77 current senators were present during the meeting, along with 519 spectators and other participants.

Sen. D'Armiento welcomed all present. She reminded everyone that only senators have a voice and a vote at plenaries. She added that there would be no voting at the present meeting, but she emphasized that only senators were entitled to speak. She said there would also be no chat function for everyone at the meeting. But she said a spectator could relay a message to any of several meeting co-hosts, who could relay that message to senators, in case there was a question that needed to get to the floor.

Sen. D'Armiento said that at the last plenary, on May 3, she had promised to provide updates on any new developments. She appreciated that people had come again to hear those updates. She promised to keep the present meeting briefer than some recent meetings.

Adoption of the agenda. The [agenda](#) (Plenary Binder, page 1) was adopted as proposed.

Motion to suspend the rules. Sen. Greg Freyer (TTOT, Public Health) moved, as he had at the previous plenary on May 3, to suspend Senate rules to extend speaking privileges to non-senators who are members of Senate committees, and to senators whose terms have ended but whose successors have not yet been elected. The motion was seconded. The Senate then approved the motion by a vote of 40-0, with two abstentions.

After conferring off-line with Senate director Geraldine Mc Allister, Sen. D'Armiento answered questions that had been submitted earlier.

The first question was, To whom are the Trustees accountable? Sen. D'Armiento said the Trustees are accountable to the community, which certainly includes the Senate. But she didn't have a more specific answer.

A second question was, How was the decision made to cancel University commencement ceremonies, and who was consulted in the making of that decision?

A third question was, What measures will be taken to ensure transparency between students and the administration?

Sen. D'Armiento said the cancellation of Commencement was announced on Monday, May 6. Many Columbia people first learned of the cancellation from the newspaper. The Senate was not consulted for that decision.

She said the administration's earlier statement was that they were shutting down the encampment to protect Commencement. It was unfortunate that the actions the administration did take with the encampment clearly contributed to the cancellation of Commencement.

Sen. D'Armiento invited a question from Minhas Wasaya, whose term as a Business School student senator had just ended.

Mr. Wasaya pointed out that the administration stated that they had reached out to all members of the Student Affairs Committee, and asked them to confer with the student councils and then report back. Did anyone actually recommend either canceling commencement or moving graduations off campus? SAC members found that only the Architecture School (GSAPP) did that. Was there some conversation with that School's administration in which the students recommended not having their graduation on the lawns because of the visuals? GSAPP did have their class day moved to the chapel, but as far as Mr. Wasaya was aware, there was no other conversation with student leadership anywhere in the University that indicated that this is what the students wanted. He said students did not know why the University was saying it consulted with student leadership in order to make this decision. Mr. Wasaya said that was not true.

Sen. Lisa Rosen-Metsch (Admin., Dean, GS) said she was aware that senior class presidents from Columbia College, SEAS, GS, and Barnard, and possibly some graduate students were involved in consultations about these issues. She said these consultations may not have been directly involved in the decision about Commencement.

Sen. Jalaj Mehta (SEAS/Undergrad) said the context of those meetings was the issue of how to proceed. To his knowledge, it was never recommended by student council presidents or senior class presidents that Commencement should be canceled.

Sen. Rosen-Metsch confirmed that student leaders did not in any way make a decision. She thought administrators had asked for advice about how they could be responsive to student ideas. She wanted to make sure she was not misspeaking.

Sen. D'Armiento said there had been a lot of pressure on students, who were somewhat blamed for decision to cancel Commencement. She thanked Sen. Rosen-Metsch for her clarification.

Sen. D'Armiento said the present meeting would focus mainly on the Rules of University Conduct. She said that before turning over this discussion to the Rules Committee, she wanted to make a statement.

She explained, particularly for all present who were new to the Senate, that violations related to protests and demonstrations on campus have historically been addressed under the Rules of University Conduct, as set out in the University Statutes. The Rules have been in place for more than 50 years.

Sen. D'Armiento said charges under the Rules are heard by the University Judicial Board, which is also the sanctioning body. The UJB consists of an equal number of students, faculty, and non-instructional officers whose appointments are approved by the Senate Executive Committee. But the UJB is a separate body from the Senate.

Sen. D'Armiento said the Rules are reviewed every 4 years by the Senate Rules Committee. The review process is deliberate and involves open hearings with the community. Any revisions to the Rules must be approved by super-majority votes of the full Senate, which are required for all Statutory amendments. Such votes also require Trustee concurrence. She said this is the process by which the Rules are established and maintained. Sen. D'Armiento said the University Senate stands by the Rules, as an essential framework for protests and demonstrations on the Columbia campus.

Report from the Rules Committee. Sen. D'Armiento said Rules Committee co-chairs Angela Nelson and Sen. Jaxon Williams-Bellamy (Stu., Law) would speak next, with comments from other committee members, followed by general discussion.

Ms. Nelson said that as part of its current review of the Rules, the committee wrote a [letter](#) (Binder, 2-4) to the University's Office of General Counsel (OGC) in mid-April, asking about the process for disciplinary actions undertaken by the Center for Student Success and Intervention (CSSI), and also about the process under Dean's Discipline.

Ms. Nelson said the committee's request was not related to any particular case, but was an attempt to understand the full range of the University's disciplinary procedures.

Ms. Nelson said the committee had not received a substantive response to its letter, but shortly before the present meeting, it did receive an email from the OGC, which she read aloud:

Thank you for the invitation to join today's meeting. We all recognize that the questions raised by the Rules Committee are critical as we think about a path ahead. The ongoing work of the Rules Committee is essential to this process. The detailed and thoughtful questions set forth in the letter will help structure a framework for discussion, and we so appreciate the opportunity to respond.

As you are aware, this letter was sent on the eve of the Congressional hearing while the General Counsel was in Washington, after which there have been a series of tumultuous events on campus which have preoccupied the administration.

The General Counsel has spoken with Angela and Dennis, and we are committed to addressing the questions that have been raised. Our belief is that these are best answered with a written response, followed by appropriate discussion with the right group.

We welcome the opportunity to have that important dialogue again. We appreciate the committee's questions and we'll work to provide a prompt written response.

Ms. Nelson said the Rules committee believes that conduct that may be a violation of the Rules should be disciplined under the Rules, and not under the CSSI. She said disciplining an individual under the CSSI for conduct that is listed as a violation of the Rules is contrary to the Statutes.

Ms. Nelson added that in the past there was an informal agreement between the Rules Committee and the Deans that if an individual was disciplined under the Rules, the Deans would not also discipline the individual under Dean's discipline for the same conduct.

She said it has been the understanding of the committee that in the past, if an individual was being investigated for violating a policy, it was customary not to suspend them as an interim measure, but to put a hold on their account during the investigation.

Ms. Nelson said the committee also wrote a [letter](#) (Binder, 5-6) to the Office of the President and the Office of Communications requesting a correction to information mistakenly provided about “disciplinary action” in their Update of April 29. The committee asked that the University’s next message to the community include a correction of the statement that the University Senate “holds jurisdiction over the Rules of University Conduct.” In fact, Ms. Nelson said, it is the Rules Administrator (appointed by the President) who is responsible for initiating disciplinary action under the Rules; the University Judicial Board is responsible for adjudicating charges of alleged violations.

Ms. Nelson said the committee had not yet received a response to this letter, or a correction.

She said that over the past 6 months the Rules Committee and the Senate have maintained a spirit of cooperation with the senior administration, even as the committee rejected some of the actions taken by the administration to sidestep the Senate. Moreover, she said, the committee had laid out its hope in recent plenaries for some kind of course correction from the administration, and a strengthened commitment to due process.

Ms. Nelson invited comments from other committee members.

Sen. Richard Smiley (Ten., VP&S) said he had made a few comments during the May 3 plenary that he thought were fairly moderate. But he had since received more emails from strangers than he had received in his entire life. He said he wanted to state clearly what the Rules Committee believes and what he believes.

Sen. Smiley said there are disagreements on the Rules Committee about the actions that have been taken by protesters and the administration in the past few weeks. He said he and some other committee members believe some of the student protesters should be punished rather severely.

He estimated that his position was somewhere in the middle of the spectrum of Senate opinion, perhaps a bit to the right. But Sen. Smiley said he did not see controversy within the committee on Ms. Nelson’s main point—that the administration is not following its own rules. He said this irony, at a time when the administration is charging students and some faculty with breaking rules, should not be lost on anyone.

Sen. Smiley said the CSSI process, which allows almost no representation—legal or otherwise—for students facing charges, is a very fast process, with very little time to prepare a defense. It has already been launched against some students. This process was first designed as an education remediation, for academic violations like cheating on exams, missing deadlines, and plagiarism. It was not designed for political protests, which is exactly what the Rules of Conduct *were* designed to address in the years after 1968.

Sen. Smiley said that it was a shame that the administration was not following its own rules, and that this failure would probably come back to haunt the University.

Sen. D'Armiento offered corroboration for Sen. Smiley's remarks by noting the **statement ??** in the plenary binder, anonymously provided by a student who had been charged, that when students asked to bring a lawyer to their hearing, they were told that this was an "educational process."

Sen. Smiley said the Rules Committee had also been given to understand that CSSI hearings are a "conversational" process. Sen. Smiley said he didn't understand that.

Law professor David Pozen, a Rules Committee member, pointed out that the model that the CSSI describes as educational and conversational is not appropriate for the grave charges some protesters are facing. Defendants in these cases have very few procedural rights: they can't have an attorney; they can't have witnesses; they can't make opening or closing statements; their advisor can't speak on the record. Such a "non-adversarial" approach to student discipline has no place in a situation where students face expulsion. He said such disciplinary situations are inherently adversarial.

In addition, Prof. Pozen pointed out, these students are all facing parallel criminal charges, mainly for trespass. That makes the need for a more robust adjudicative process more urgent. Under the CSSI process, students are expected to confess and repent, and that's an invitation to self-incrimination for someone in their situation.

A third issue, Prof. Pozen said, is that these students received warning letters from CSSI that prejudice their cases. He read aloud from one of these [letters](#) (Binder, 7-8): "As an interim measure, you have been immediately suspended and banned from Columbia University with the expectation that you will be permanently expelled after an expedited hearing." Prof. Pozen said that any students who receive a letter like this could fairly say that they do not expect fair treatment from the CSSI.

Prof. Pozen's fourth point, which he said Ms. Nelson had raised, was that the Rules of University Conduct, developed after 1968, explicitly address all the relevant issues, including time, place and manner restrictions, and violations of those restrictions. A passage in the guidelines to the Rules of Conduct says, "In the event of an ongoing alleged violation of the Rules, for example, protesters occupying University facilities or other sustained disruptions, the Rules Administrator may initiate proceedings....". Prof. Pozen understood this passage to say that the guidelines explicitly envision one example of how the Rules might be applied. And that was a situation that arose in the course of the recent student protests.

Prof. Pozen's fifth point was that the Rules had been used consistently since 1968 for disruptive student protests of all kinds, and have been established as custom and the norm. This has been the Columbia way for 50-plus years now, when there are serious protests, including building occupations. He said Sen. D'Armiento and Ms. Nelson had addressed this point.

Finally, Prof. Pozen mentioned the Rules Committee's request three weeks earlier for information about the functioning of the CSSI. With the failure of the OGC to respond, Prof. Pozen said the committee could take the position that it would not consent to any use of the CSSI in any disciplinary proceedings unless and until the committee's questions about its operations have been answered.

Prof. Joseph Slaughter, another Rules Committee member, agreed with Sen. Smiley's comments about the unanimity of the committee on the administration's approach to disciplinary proceedings. He thought the Senate should take a strong position now on this point, and declare the CSSI disciplinary procedures illegitimate, for all the reasons Prof. Pozen had outlined.

Prof. Slaughter stressed that all the points he and other Rules Committee members were making were supported by the documents in the plenary [binder](#).

He said that in the Congressional hearing on April 17, when President Shafiq was asked what she had learned from the demonstrations of recent months, she said she had learned that the Rules were not made for the present moment. Prof. Slaughter said the president had said explicitly that the Rules were designed to deal with students cheating on an exam. Prof. Slaughter said that was clearly not the purpose of the Rules of University Conduct. They were, instead, designed precisely for events like building occupations and encampments. What wasn't designed for such events was the CSSI process, which has been developed in an ad hoc way, bypassing the Senate, in effect liquidating the Statutory authority of the Rules going back more than 50 years, and gutting the very principle of shared governance. He suggested that the Senate clearly endorse the principle of due process for all students who are charged with violating the Rules. He said Rules Committee members can disagree about outcomes, but their job is not about outcomes. It is about protecting the process from various threats, including the CSSI procedures.

Prof. Slaughter's final comment was about the interim events policy, which was created by the senior administration, after what he had been told was deep consultation with the Senate Executive Committee. He said this policy was not produced according to regular Senate procedures, which would have gone through the Rules Committee, instead of the senior administration. He called attention to the Statutory language of the Affirmative Statement that is the preamble to the Rules, particularly the statement that "the University reasonably regulates the time, place, and manner of certain forms of public expression." He said "the University" in this case must refer, on any reasonable reading, to such University organs as the Rules of Conduct, the Senate Rules Committee, and the Senate itself.

Candice Kail (Libraries), a nonsenator member of the Rules Committee, read a [statement](#) of her own (Binder, 19) on the damaging impact of recent administration actions, which she said would require much more than a course correction.

Margaret Corn (Stu., GSAS/Hum.), another Rules Committee member whose Senate term had just ended, said she generally agreed with the views already expressed, particularly about due process. But she noted that someone could believe expulsion is an appropriate sanction for someone legitimately found to have occupied Hamilton Hall without accepting the presumption of expulsion prior to the start of a disciplinary process, which prejudices the outcome of a disciplinary process whose purpose is to determine whether or not any wrongdoing was in fact committed. She also said that before issuing a universal condemnation of the CSSI, the Senate should at least get a response from the Office of the General Counsel. There is precedent for the functioning of the CSSI as a kind of prosecutorial arm of Deans' Discipline, which is also laid out in the Statutes, and therefore the Senate should not just blow up this process. She made clear she was not endorsing the CSSI.

She said the Statutes, in Section 445b, may provide some justification for a kind of prosecutorial role for the CSSI under Dean's Discipline. She also said the relationship between different disciplinary processes in the Statutes is also unclear. The big question is how to determine which process has priority over the others in which situation. She said all of the charges contained in the letter to the student that Prof. Pozen had read are authorized under Dean's Discipline, even though that process was designed mainly for academic violations. Sen. Corn said that before accusing the CSSI of failing to follow due process, the Senate should understand how these different arrangements are supposed to work together under the Statutes.

Sen. D'Armiento invited Sen. Jaxon Williams-Bellamy (Stu, Law, and Rules Committee co-chair, to comment.

He thought there was some misunderstanding of Section 445b, which he said clearly does not empower delegates to take responsibility for an entire disciplinary process. He said the main point, which his fellow committee members had already touched on, is that the purpose of the Rules is to regulate protests; Dean's Discipline was designed for another purpose.

Sen. Corn asked to respond briefly. She said the kind of rules in Dean's Discipline do cover more than just academic violations, including offenses like vandalism and property damage, and blocking access and egress, which are also covered under the Rules. She recognized the point about the main purposes of the different disciplinary processes. But she questioned the idea that rules under Dean's Discipline were not applicable to violations that are typical in protests.

Sen. Bernofsky said she agreed with much of what earlier speakers had said, but mainly disagreed with Ms. Corn. But Sen. Bernofsky said she wanted to add some important context. She said the administration had emphasized that the departure from the University's regular procedures for disciplining student protesters was caused by a kind of state of emergency resulting from highly unsafe conditions on campus since demonstrations began last fall.

Sen. Bernofsky pointed out contrasts with some previous political actions taken by student activists. In April 1985, when students were protesting to divest from South Africa, they blockaded Hamilton Hall for three weeks. In 1996, when students were protesting for the establishment of an ethnic studies department, they occupied Hamilton Hall for 4 days. The University tolerated such protests, continued to negotiate, and the Rules were found adequate for these longer sieges. Sen. Bernofsky said these precedents show that the Rules can still serve today. In both of these older cases, moreover, the University did, at first, refuse to take the actions that students were demanding, and in both cases they eventually did what the students were asking for.

She also noted the importance for students of having legal support in a disciplinary process like the CSSI, where they can be exposed to self-incrimination in parallel criminal proceedings.

Sen. D'Armiento said she had never thought of this point before Prof. Pozen brought it up earlier in the meeting.

Janie Weiss, another non-senator member of the Rules Committee, said she agreed mostly with what Sens. Smiley and Corn had said. She agreed with the committee about the critical importance

of due process, and said the Senate must find a better way to explain the Rules. She said that if the Senate needs lawyers and third-year law students to explain the Rules, then it must also be true that many students and others don't know how to follow them.

Sen. D'Armiento gave a brief shout-out to the Rules Committee for working so hard and productively throughout the academic year, with three open listening sessions (one entirely in person). She said the Rules Committee made a major effort to convey the Rules along with the process for applying them.

Ms. Weiss added that she had put the Rules into Chat/GPT to explain them to her in a way simple enough for her to understand.

Sen. Jalaj Mehta (Stu., SEAS/Undergrad) said he had planned to raise a similar issue. He said it took him 4-5 months to really understand the Rules. He thought it was highly unfair to put students in the position of having to master the Rules a couple of weeks after their first exposure to them. He said this was a significant defect.

Sen. Mehta also said he was shocked by the response of the OGC to the Rules Committee's letter from three weeks ago on the morning of the current meeting. He understood that life on campus had been hectic in recent weeks, but if it was this hard to provide legitimate answers to the simple questions the committee had asked, then there must be something seriously wrong with the CSSI procedure.

Sen. Jeffrey Gordon, the first non-member of the Rules Committee to speak about the Rules at this meeting, said he wanted to consider something President Shafik had said at the beginning of a visit with the Senate, which was that the University would have to take on Title VI, with its related rules, with the same seriousness that that it applied to Title IX.

Sen. Gordon said he had heard reports that the Rules of Conduct broke down partly because of good lawyering—opportunistic tactics taking advantage of some of the timing requirements in the Rules. So part of the problem was the way in which the Rules were applied. The Rules were unable to deliver the degree of review that was the goal. That might suggest the need to look at the Rules again and try to figure out if these procedural issues were the reason why the administration looked for alternative ways to protect students against what they have regarded as harassing behavior.

Sen Gordon said he thought this key element was missing from the present discussion. He said that in prior times of political activism on campus there were three main groups: the energized students, the disengaged students, and the administration. Columbia had a set of rules to deal with that basic set-up.

But since the fall of 2023 the alignment of forces has been different, Sen. Gordon said. At least some students feel now that other students are attacking them and, in the course of their political activity, harassing them.

Sen. Gordon doubted that the Rules work well under conditions like those. He said he hadn't thought systematically about what might provide a better system, but he did think that part of the

careful review of the past year that Sen. D'Armiento had suggested should include consideration of the question whether Columbia has the right procedures to deal with scenarios in which the administration is not protecting a building, but other students.

The University may see it as a legal duty to enforce Title VI, but also a moral duty as part of the commitment to provide an educational experience. Sen. Gordon said that unless the Senate takes that challenge seriously, it will undercut the seriousness with which the administration ought to take the views of the Senate.

Sen. D'Armiento responded that a misinterpretation had occurred. For four months the administration did not use the Rules. No one was charged. She said there were a number of potential Rules violations during demonstrations over the course of the year, and students involved should have been processed under the Rules. But if the administration doesn't charge under the Rules, it can't then turn around and say the Rules don't work.

Mr. Wasaya said one thing that the Rules Committee has said, correctly, is that in something like the CSSI, administrators can serve as prosecutor, judge, jury, and executioner all at once. And that's not due process at all. Mr. Wasaya said one doesn't have to be a lawyer to figure that out.

Mr. Wasaya acknowledged the earlier comment in the discussion that the question of the jurisdiction of the Rules and the CSSI over political demonstrations is quite convoluted. He saw this as a kind of bureaucratic smoke screen to ensure that no one really grasps what's going on.

He asked what power the Senate actually has in this situation. Is there a way to stop the administration from following through with these actions and expelling these students? The hearings have been underway since Monday, May 6; the machine is moving.

Resolution to Address Concerns Related to Student Disciplinary Processes. At this point the Senate began to discuss a possible resolution. Sen. Smiley had written a draft. He proposed a motion with two components: a demand for a response from OGC to the committee's letter from mid-April asking about CSSI functioning, and, if no response is forthcoming, a call for suspension of all CSSI disciplinary proceedings.

Sen. D'Armiento suggested combining Sen. Smiley's draft with the following language that someone had just sent her: "It is our position that Columbia should adhere to the University Statutes, which serve as our constitution."

Over the next half-hour, on the spot, the Senate drafted, edited, debated, and moved a [resolution](#) (Binder, 20) based on Sen. Smiley's outline. Because the resolution had emerged without the regular procedure of Executive Committee review, Sen. D'Armiento consulted Sen. Brendan O'Flaherty (Ten., A&S/SS), the Senate parliamentarian, about the proper way forward. He said the Senate needed a simple-majority vote to approve a motion to conduct a vote on the resolution. The Senate approved such a motion, and then approved the Resolution to Address Concerns Related to Student Disciplinary Processes by a vote of 40-0, with five abstentions and the parliamentarian not voting.

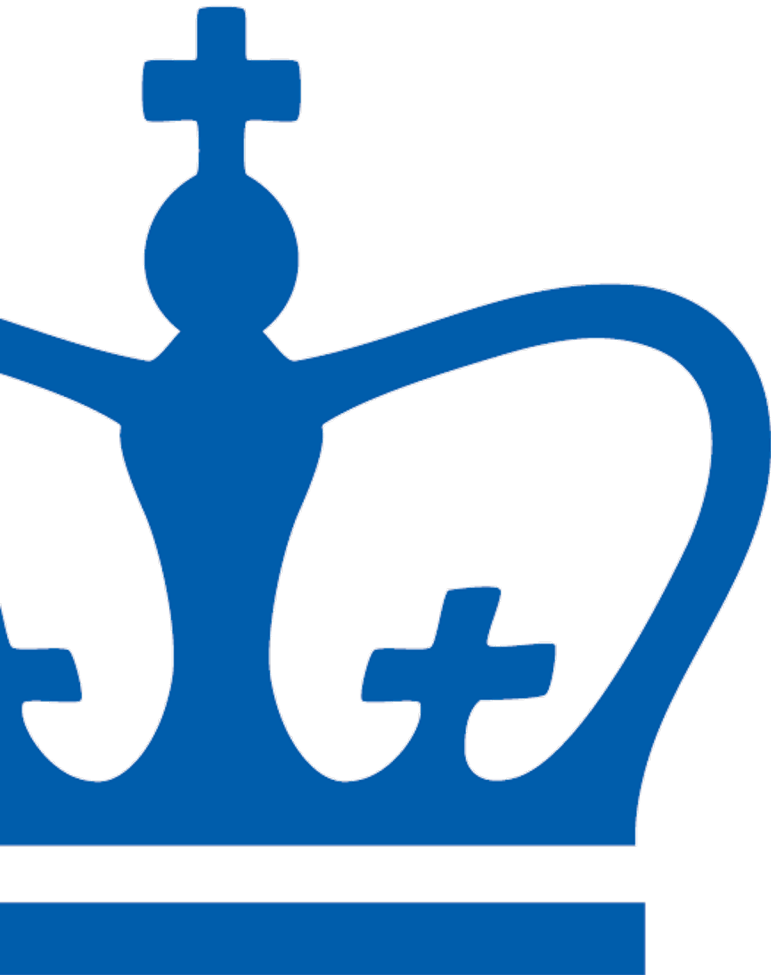
Adjourn. Sen. D'Armiento declared the business of the meeting completed, but said she would remain to hear from any senator who still wanted to speak. She said the Senate had demonstrated its capacity, despite significant differences over matters of policy, to unite behind a shared commitment to a fair process.

Respectfully submitted,

Tom Mathewson, Senate staff

University Senate Plenary

Chair's Report

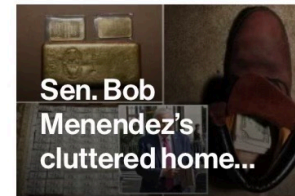
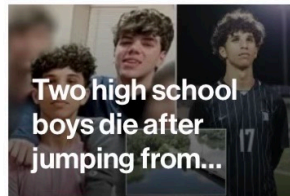


May 24, 2024





NEW YORK POST



Columbia professor has mic cut after warning university infiltrated by 'groups who are supporting terrorists' at faculty meeting

By [Jon Levine](#)

Published May 11, 2024, 11:22 a.m. ET



Shai Davidai ✓ @ShaiDavidai · May 11



There are professors at @Columbia who don't want the world to know what's really happening on campus.

Just another associate dean who is "only doing her job".



[From nypost.com](https://www.nypost.com)



Myron Magnet
@MyronMagnet

Follow

An example of how such DEI apparatchiks as this “associate dean of gender equity” subtract rather than add value to higher education. Fire the lot of them. Perhaps the outrageous rise in college costs might slow as a result. Certainly learning will increase.



ivan
@cardonaivando

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Columbia is infected by Marxists as in other universities.



New York Post 🌟 @nypost · 4d

Columbia professor has mic cut after warning university infiltrated by ‘groups who are supporting terrorists’ at faculty meeting trib.al/hcldgM2



Saw your university Senate clip. You are quite the Nazi. "My meeting...my meeting".

You should get out of your ivory tower, get into the real world where you would get punched in the face for being so rude to a colleague...who happened to be right. There are not only terrorists from outside on Columbia's campus but from inside as well. You appear to be one of them
Sunlight is a great disinfectant.

Eric
Sent from my iPad

Subject: [EXTERNAL] Hey look!

Date: May 11, 2024 at 9:48:32 PM EDT

To: jmd12@columbia.edu

[You don't often get email from jtrobbins58@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

It's a fat Nazi Jew hater!
Sent from my iPhone

Subject: [EXTERNAL] Muting

Date: May 11, 2024 at 12:08:07 PM EDT

To: jmd12@columbia.edu

[You don't often get email from john.ingram@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

I'm sure you would have muted someone who spoke out against Israeli protestors, white supremacists, etc. You're an absolute joke but judging your appearance it's not a surprise.

Sent from my iPhone





Luz @LoTooky · May 11

Jeanine D'Armiento, from #Columbia_University when she hears something she doesn't like 🤔



University Senate Commission on Diversity

Statement Regarding the Presence of NYPD on Campus

Last revised May 22, 2024

Dear President Shafik and Members of the Columbia University Community:

Our letter emerges from a statement we presented at the December 8, 2023 plenary. Our current state of affairs concerning student protests and subsequent disciplinary action requires reiteration of our prior statement as we feel our voiced concerns have been ignored.

In December, we implored the administration to remain resolute in its commitment “[to enhance the quality of life for the Columbia community by maintaining a secure and open environment where the safety of all is balanced with the rights of the individual](#)”¹, and bring attention to existing policies and the University’s recent harmful deviation from them.

Since this statement, our community stood witness as the NYPD became an increasingly larger presence on campus, cat calling and otherwise harassing our students and employing excessive physical violence on those who were engaging in resistance activities that are as much a part of Columbia’s legacy as the world-class education we provide.

The Diversity Commission is tasked with identifying best practices and recommendations to support the University’s [Diversity Mission Statement](#) to recognize and draw upon the talents of a diverse range of outstanding faculty, research officers, staff, and students and to foster the free exploration and expression of differing ideas, beliefs and perspectives through scholarly inquiry and civil discourse. We also aim to illuminate the experience of our constituents and work to alleviate harm done based on differences. As such, over the past years, the Diversity Commission has collaborated diligently with other communities and administrators to further support and develop various initiatives across the University.

Today, and once more, we specifically remind the University Senate of [Section 444.f. of the University Statutes](#), our constitution. The genesis of said statute resulted from the social and political discord that reverberated through our community in 1968, a situation further addressed in 2020 and 2021 with regard to ongoing racism, marginalization of BIPOC communities, police brutality, and the murders of George Floyd, Breonna Taylor, and Ahmaud Arbery, with the Commission on Diversity’s “[Report on Columbia University Public Safety and Restorative Justice](#)”².” As a result of this and other work aimed at supporting

¹ (<https://publicsafety.columbia.edu/content/community>)

² The Commission’s April 2021 *Report on Columbia University Public Safety and Restorative Justice*, opened in noting that “In the summer of 2020, concern about police violence and accountability, as well as the structural nature of racial discrimination within criminal justice institutions at large, rose to the forefront of American public

an inclusive environment, and efforts to increase diversity-based justice, the [Inclusive Public Safety Advisory Committee](#) was [announced](#) in January 2022. The relevance of this committee deserves special attention in this moment. The presence of law enforcement is not reassuring to all students and it tacitly conveys a threat where one may or may not exist. The presence of NYPD on our campus has caused a resurgence of fear among constituents who hail from communities where interactions with law enforcement can be called many things but just, and have engendered new fears among students who until their time here at Columbia had no such reference. We must once again reaffirm and acknowledge the lived experience of our diverse community members and ensure that they are seen and heard, especially if we hope to heal and move forward.

In Section 444.f., the University Statutes ensure that when external authorities, namely the NYPD, of particular interest at present, are being considered to support the safety efforts of the university, the President consults the Executive Committee before deciding that a situation presents a clear and present danger. The only exception to this policy involves a clear and present danger where the president would bypass this consultation with the Executive Committee and act to ensure campus safety in conjunction with an external body, in this case, the NYPD.

We believe the labor put into this Statute remains necessary and prudent today in the context of recent decisions to collaborate with the NYPD and how these decisions are contrary to our ability to “create space for our scholars to fill with their own moral and intellectual conversations, an essential function in a world in which that space is narrowing, (Office of the President 2023)”. The space referred to has felt non-existent of late for scholars who not only fail to feel reassured by the presence of police, for those from marginalized communities with a long history of suffering at the hands of police, for those whose anxiety and fears were confirmed by their presence, and now, for those who have suffered at the hands of the police as a direct result of recent decisions.

This excessive police presence made our academic environment, one that boasts its support of free speech, dissenting opinion, and free exchange of ideas, instantly transform into an environment presenting the same criteria as a police state, extinguishing any idea of a safe space for any member of this community. In addition to our scholars and faculty, we also must consider the impact of these actions on our community and the steep cost to taxpayers and our neighbors. The NYPD must leave our campus immediately.

discourse. Such concerns were raised largely in response to the killings of George Floyd, Breonna Taylor, Ahmaud Arbery, and countless others by police and vigilante actors. The consequence has been a national call for change in approaches to policing and public safety in general, including demands for accountability and transparency in addressing racism and its effects within institutions. Institutions of higher learning have been among those to take seriously this national call for redress of racial injustice and, on July 21, 2020, the Office of the President of Columbia University released a statement entitled, “*Columbia’s Commitment to Antiracism,*” locating this community in response to the national public discourse and setting out actions to be taken.

As not only our Columbia community, but the world, continues to bear witness to uncertainty, crises, and wars, we must remain true to our resolve of our guiding principles, and use our platform to express, debate, and advocate in a manner that is inclusive of all in our community. Our collective concern is not only representing and protecting diverse members of Columbia but also the significant deviation from Columbia's Statutes, Rules, and Policies' due processes and guiding principles by the administration.

It is clear that social justice violations in existence for hundreds of years in this country are inextricably intertwined with the history of this university. We must acknowledge this history and recommit to adhering to the policies put in place to redress in some way the wrongs of our past and present. These concerns remain paramount today. No entity should be able to unilaterally bypass our existing policies. What is this administration showing us if the very same entity that empowers us, can at any moment strip our power? Only that we are subject to the whims of authority. Does that not align with this country's hideous past?

We must remain vigilant of the Statutes, Rules, and Policies that were crafted by those guided by this very institution to ensure that all faculty, staff, and students feel safe. Undermining adopted policies with impunity only sets our community back. We specifically seek the following:

1. Shared Governance. President Shafik, in her role as presiding officer of the University, should regularly attend plenaries and engage in the practices of our shared governance, and
2. Adherence to Rules. The administration must consistently adhere to the properly established Statutes, Rules, and Policies, and their due processes.

Our goal is to contribute to the solution and amend relationships with all communities that have been impacted by this institution. We consider it our duty, not only as faculty and scholars but also as members of this community.

We echo the sentiments of past senators on the Commission on Diversity in hoping that one day we will no longer need this commission as we hope the work being done here will one day be a natural and casual consideration alongside all others. Today, however, is not that day and we will continue to urge the university to hold fast to its promise of inclusivity of all members. We look forward to your response.

Respectfully,

Natalie Voigt, on behalf of the Commission on Diversity
Columbia University Senate

Statement from Sen. Joseph Howley, Arts and Sciences/ Humanities (Tenured)
University Senate Plenary | May 24, 2024

Those of us who pay taxes in New York City should be aware that NYPD spends every year \$100 million in settlements of lawsuits from New Yorkers for unjust arrest and abusive treatment. In 2023, police stopped 17,000 New Yorkers, 89 percent of whom were Black or Latinx. The presence of police on campus makes faculty and staff and students of color less safe. This is a demonstrable fact of policing in America and NYPD in particular. NYPD's track record of anti-queer and anti-trans bias and violence is clear, and the particular protest movement that some of our students have been part of has been the focus of especially egregious violence one need only look at recent events in Bay Ridge.

There has been much talk this year of feelings of unsafety on the part of some members of our community, and precious little talk of the feelings of unsafety on the part of other members. So let us be clear that the concern we must take seriously on behalf of all our constituents, on behalf of the **totality** of the university community, is a matter of actually **being** unsafe. It is a matter of it being a demonstrable fact, documented in peer-reviewed research, some of it done by our own colleagues, that the presence of police makes many, many members of our community unsafe. My Latinx colleague who has actually been stopped and frisked by NYPD on Broadway outside of campus is not feeling unsafe: he actually has had the experience of being targeted. The many Black faculty and staff who are right now not coming to the Morningside campus as long as police are present are not staying away because they feel unsafe but because they know, from both research and statistics and their own lived experience, that they and their families **are** unsafe.

Let us also remember two more things. Many faculty live around and effectively on our campus. Not just our workplace, but our neighborhood and our homes are being policed. but our neighbors are also being policed. When students occupied parts of campus in the 1968 protest movement, they were protesting not only the Vietnam War, and in support of the Civil Rights movement, but also Columbia's hostile treatment of our neighbors in Morningside Heights and Harlem. When our leadership brings police to our campus they bring police to our neighborhood and everything I have said about how our students faculty and staff are affected also goes for non-Columbia affiliates who live around and with us.

The worst injuries suffered by anyone on campus this year have been at the hands of

NYPD. Moreover police means firearms. Loaded firearms have no place on our campus. Period. Their mere presence is incredibly dangerous.

I have not yet spoken about the governance implications of this situation. I would think that to anyone familiar with the history of the institution it should be obvious that the intent of section 444f of the Statutes was that faculty should be involved in the decision to bring police to campus. On this I will just say that everything I have just said, and everything that is said in the statement before us, is informed and supported by expert knowledge and research and findings and professional practice. All year long, since at least November, university leadership has treated protests, speech, and prejudice on campus as exclusively operational concerns, to be decided by operational administrators. I say this not to diminish their efficacy or competence as operational administrators, but to highlight the exclusion faculty and faculty expertise from decision making.

Faculty should have a say not only because of the general principle of faculty governance but because faculty know things that are relevant to these considerations. This statement is an example of that. If we are to behave like academics we should allow ourselves to be guided by expertise. This is something the university has refused to do. It's not clear to me what the point is of a university that does not draw on the expertise of those who teach and work there.

Dr. Joseph A. Howley (he/him)
Associate Professor, Department of Classics
Paul Brooke Program Chair for Literature Humanities
Columbia University in the City of New York

University Senate Campus Planning and Physical Development Committee
Statement Regarding Campus Access
May 22, 2024

Acknowledging the necessity to rebuild trust and community at Columbia University, and recognizing the importance to this process of access to the Morningside Campus, the Committee on Campus Planning and Physical Development would like to make the following statement.

In light of the ongoing difficulties, the committee requests that the administration fully clarify the current procedures for determining access to the Morningside Campus. The committee underscores the vital importance of campus access not only to our ability to fulfill our mission of teaching, learning, and research, but also to fostering our University community and to meeting our commitments to the neighborhood and city in which we are located.

In light of the central importance of rebuilding our community, we recognize the necessity of planning for the coming academic year. Since physical access to campus itself and to individual buildings is a fundamental precursor to promoting community within the University and to the personal and professional well-being of its members, it is, therefore, of utmost importance for the University to establish procedures for the academic year ahead for determining this access, as well as a process by which the Campus Planning and Physical Development Committee will participate in the deliberations regarding these procedures.

Respectfully,

John Donaldson, on behalf of the Campus Planning and Physical Development Committee