



## Cornell University

David J. Skorton  
*President*

June 12, 2009

Mr. Rodney Orme  
Chair, University Assembly  
Cornell University  
109 Day Hall  
Ithaca, NY 14853

Dear Rodney,

Thank you for agreeing to extend the time for this response so that I could confer with members of my senior staff regarding the University Assembly's Resolution 8.

I recognize and support the import of the UA's proposed amendment to the Campus Code of Conduct. However, it is equally important to harmonize this proposed revision with another part of the Campus Code which makes it an offense "to interfere with the lawful exercise of freedom of speech . . . or other right of an individual." Thus, to avoid confusion and to provide the proposed necessary guidance, it is important to clarify that *lawful* discrimination would not be a violation of the Campus Code.

Consequently, I urge that the UA reconsider the proposed amendment to Title Three, Article II.A.I.c., and provide a clarifying footnote along the following lines:

"Title Three, Article II.A.1.c. To harass **or discriminate against** another person in a manner that would violate Cornell University Policy 6.4 if it were applicable.\*"

To assist the UA in reconsidering and resolving this important university policy issue, I have asked senior staff colleagues Provost Kent Fuchs, University Counsel Jim Mingle, and Vice Presidents Susan Murphy and Mary Opperman to be available to meet with the UA leadership.

I appreciate the efforts of the University Assembly and its Code and Judiciary Committee in bringing these recommended changes forward.

Best regards,

A handwritten signature in cursive script that reads "David J. Skorton".

David J. Skorton

cc: Susan H. Murphy  
Mary Beth Grant  
Kent L. Hubbell

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\* Actions protected under legal principles made applicable by University policy, including principles of free speech, freedom of association and religious freedom shall not constitute a violation of this provision.