

UA: August 24, 2010 Charter Draft

CHARTER OF THE CORNELL UNIVERSITY UNIVERSITY ASSEMBLY

Preamble

After consultation with members of the university community, and to effect more extensive involvement in campus governance through a University Assembly and constituent assemblies representatives of faculty, students, and employees, the President, through the authority granted him by the Board of Trustees, hereby establishes this Charter for the University Assembly of Cornell University.

Article 1: Name and Definitions

1.1 Name

The name of this organization is the University Assembly of Cornell University, hereinafter referred to as the Assembly or the UA.

1.2 Definitions

academic year

The academic year begins with the first day of instruction in the fall semester and ends on commencement day in May of the following year.

constituency

A constituency is a population represented by one of the constituent assemblies.

constituent assembly

Any one of the following campus governance units of the university may be considered a constituent assembly Student Assembly, Graduate and Professional Student Assembly, Employee Assembly, or Faculty Senate.

session of the Assembly

A session of the Assembly begins June 1 and continues through May 31 of the next year.

Article 2: Object

The object of the Assembly is to improve and sustain the involvement of the campus community, consisting of the students, staff and faculty of the Ithaca and Geneva campuses, in the governance of campus affairs affecting the broad university community by establishing open, effective, and efficient channels of communication between and amongst the community and university administration.

Article 3: Authority and Responsibilities

The Assembly, by delegation from the President has the following authority and responsibilities:

3.1 Authority over conduct

The Assembly must review and approve each proposed change to the Campus Code of Conduct in consultation with the units responsible for enforcement before the change may be implemented. Additionally the Assembly must recruit and maintain an adequate pool of student, faculty, and staff volunteers to serve in the hearing and review panels convened to resolve cases arising under the code.

3.2 Authority in policy development

The Assembly reviews current and proposed administrative policies affecting the wider university community, including but not necessarily limited to the following subjects:

- campus planning;
- diversity and inclusion;
- environmental impact and sustainability;
- family support;
- health services;
- information technology;
- public safety; and,
- transportation and commuter policies.

Responsible administrative units must consult with the Assembly as they review and revise such policies, allowing the Assembly an opportunity to offer recommendations on behalf of the university community. To assure effective and informed fulfillment of its role, the Assembly may:

1. seek pertinent information from appropriate University officials; and,
2. establish specific reporting guidelines and regular channels of communication for responsible administrative units.

3.3 Legislative actions

The Assembly may propose specific changes to policies of other units of the University within the scope of its authority through legislative actions. In preparing such actions, the Assembly must make a reasonable effort to identify and consult with stakeholders, including the management of units that maintain or carry out such policies.

The Assembly must report each legislative action to the President of the University. The President must respond in writing within one calendar month, taking one or more of the following actions:

1. adopt the proposal or any portions deemed acceptable;
2. reject the proposal or any portions deemed unacceptable;

3. remand the proposal or any portions for reconsideration; or,
4. defer action on the proposal in whole or in part to the earliest practical date if circumstances do not allow an adequate response before the prescribed date.

The response must include an explanation for the actions taken. If the President remands the proposal or any portion, the Assembly must reconsider such proposals or portions in light of the President's response, before reporting them again. If action is deferred, the President must specify the date by which he or she will respond. Unless the President responds before the prescribed date or the deferred response date, the proposal is presumed to be approved.

Pursuant to New York State Education Law § 6430, also known as the Henderson Act, the Board of Trustees must additionally approve proposed changes to those sections of the Campus Code of Conduct where its approval is required, including the Rules for Maintenance of Public Order.

3.4 Confirmation of certain administrative offices

The Assembly must approve each appointment or reappointment by the President of the University to the following offices: the Judicial Administrator, the University Ombudsman, and the Judicial Codes Counselor. In the event of a vacancy in any of these positions, the President or a designee will appoint a search committee to which the Assembly may appoint a representative. Incumbent occupants of each office may serve any number of consecutive terms; however, no single term may exceed two years in duration.

3.5 Internal operations

The Assembly has authority in matters concerning its internal operation and maintenance, including provisions for the creation of bylaws, procedures and amendments to this charter.

3.6 Public hearings

The Assembly conducts public hearings and forums as needed to inform its actions.

3.7 Establish committees

The Assembly establishes standing committees and ad hoc committees as needed to perform its duties.

Article 4: Membership

4.1 Composition and terms

The Student Assembly, Graduate and Professional Student Assembly, Employee Assembly, and Faculty Senate (the constituent assemblies) may respectively appoint four, two, four, and four members from their constituencies to serve staggered terms as

voting members of the Assembly concurrent with two consecutive sessions of the Assembly. Additionally, the presiding officer of each constituent assembly serves as a voting member of the Assembly concurrent with his or her term of office.

The Assembly may provide in its bylaws for appointment of additional non-voting members to serve ex officio.

4.2 Exclusion

A voting member of the Assembly may not serve concurrently as a member of the Board of Trustees of the University.

4.3 Removal

Any member may be removed by affirmative vote of two-thirds of seated members of the assembly and consent of the constituent assembly responsible for his or her appointment.

Article 5: Officers

5.1 Positions

The officers of the Assembly are the Chair, the Executive Vice Chair, and the Vice Chair for Operations, who must be of different constituencies. Additionally, a ranking member must be appointed for each constituency not otherwise represented by the officers of the Assembly.

5.2 Terms

The term for each office is concurrent with a session of the Assembly.

5.3 Election

At the organizational meeting of the Assembly or at the first meeting after a vacancy arises, the Assembly must elect officers from its membership by secret ballot in closed session. Until a candidate receives a majority of votes cast, the candidates receiving the fewest votes must be eliminated and another round of ballots cast.

As soon as possible after the officers have been elected, seated members of any constituency not represented by the officers must caucus and elect, following the same procedure as provided for the election of officers, a ranking member to represent their constituency.

5.4 Responsibilities

5.4.1 Responsibilities of the Chair The Chair:

1. presides over meetings of the Assembly;
2. serves as the spokesperson of the Assembly; and,
3. transmits any formal recommendations or reports issued by the Assembly to the

appropriate recipients.

5.4.2 Responsibilities of the Executive Vice Chair The Executive Vice Chair:

1. presides over meetings of the Executive Board;
2. receives and tracks reports, resolutions, and other items of business from members of the Assembly and the chairs of its committees;
3. prepares and distributes the agenda for each meeting of the Assembly to all members of the Assembly and to the Office of the Assemblies at least twenty four hours prior to the meeting;
4. assists the Chair in compiling reports and materials as needed; and,
5. fulfills the responsibilities of the Chair in his or her absence or if the position is vacant.

5.4.3 Responsibilities of the Vice Chair for Operations The Vice Chair for Operations:

1. reviews and approves expenses under the discretionary budget of the Assembly;
2. monitors the activities of each committee of the Assembly;
3. assures that each committee of the Assembly is properly staffed, consulting with the Executive Board, the committee's chair, and the appropriate officers of the constituent assemblies as needed; and,
4. fulfills the responsibilities of the Executive Vice Chair in his or her absence or if the position is vacant.

5.4.4 Responsibilities of the Ranking Members Each ranking member:

1. serves as a voting member of the Executive Board;
2. represents the interest of his or her constituency in meetings of the Executive Board; and,
3. resigns from office in the event that another member of his or her constituency becomes an officer of the Assembly.

5.5 Removal

The Assembly may remove any of its officers upon an affirmative vote of two-thirds of the seated membership of the Assembly. Immediately thereafter, a new officer must be elected from among the voting members of the Assembly for the balance of the term of office.

Article 6: Executive Board

The Assembly has an Executive Board (the Board) to manage its daily operation and to provide continuity of operation outside of the academic year.

6.1 Membership

The Board consists of the officers and the ranking members of the Assembly.

6.2 Authority during the academic year

The Board:

1. prepares the agenda for each meeting of the Assembly;
2. calls special meetings of the Assembly as needed; and,
3. removes members from committees in cases where behavior or absence disrupts the sound of operation of those committees.

6.3 Emergency Authority

During periods between academic semesters and during university holidays, the Board may additionally:

1. speak on behalf of the Assembly on matters where, in the opinion of the Board, a delay would prevent effective exercise of the Assembly's authority or hinder the efficient operation of institutional functions for which the Assembly is responsible; and,
2. convene any ad hoc committees as needed to fulfill its responsibilities.

In taking any such actions, the Board must make a reasonable effort to involve all of its members, including those absent from campus, and to consult the chairs of any committees that the Assembly would ordinarily consult. The Chair must report such actions, including the results of any votes, at the first meeting of the Assembly that occurs after the actions are taken.

Article 7: Changes in the Charter and Bylaws of the University Assembly

An affirmative vote of a majority of the seated members of the Assembly is required to amend the Bylaws of the Assembly, and an affirmative vote of two-thirds of the seated membership is required to amend the Charter.

The Assembly may not adopt amendments to the Charter at the same meeting where they are introduced or modified, and the President of the University must approve such amendments before they may be implemented.

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