

April 29, 2024, Revised May 1

CALL FOR A SENSE OF THE SENATE RESOLUTION CONDEMNING THE SUSPENSION OF FOUR STUDENTS

This Sense of the Senate Resolution condemns the Cornell Administration's temporary suspension of four students.

Background: On 4/28, The Office of Student Conduct and Community Standards temporarily suspended four students for **alleged** violation of Cornell's Code of Student Conduct connected to the encampment on the Arts Quad. Specifically, the following:

- making unauthorized use of university property by engaging in or facilitating outdoor camping on the Arts Quad without approval;
- repeatedly failing to comply with the lawful directives of university officials to remove the unauthorized encampment from the Arts Quad;
- leading or repeating chants throughout the day, this unreasonably loud behavior created a risk of disruption to the University community;
- failing to disperse from the Arts Quad when directed to do so by a university official;
- remaining on the Arts Quad past 8pm on April 25, 2024, which was the time the event was registered to end.

(The initiator of this resolution (Harold Hodes) has read the notification of suspension that was sent to one student. It is reasonable to infer that the content of the suspension letters for the other three suspended students are similar to it.) They were singled out for punishment because they acted as representatives of the students involved in that encampment. This by itself is objectionable scapegoating.

The letter that I read **did not provide any statement of conditions, sufficient or necessary, for lifting her suspension.** In correspondence with this student's advisor, Michael Kotlikoff wrote "Please note that XXX's temporary suspensions can be lifted if the encampment is ended or moved, but that window is closing." Apparently an end to or relocation of the encampment **could** be sufficient for revocation of these suspension. But would it?

Analysis: Assuming that the administration regards an end to or relocation of the encampment as also a necessary condition for revocation, Provost Kotlikoff's

treatment of these four students is a case of hostage-taking. It makes the four students' academic standing and enrollments hostage to whatever purposes motivated the issuing these suspensions. Moving or ending the encampment is not within the control of these students. If the administration were to say, e.g., that they will not lift her suspension until they publicly recant and advocate for the removal of the camps, then that would be grotesque and morally repugnant, but it would at least be coherent. Making public statements is something that they can do, all by themselves. Moving or removing the encampment is simply not a thing that any one of them can do, and so it is not a thing that each should be punished for not doing. Their fate is in the hands of the other protestors and of the administration.

Perhaps the administration does not regard the above as a necessary condition for revocation. In the letter to student advisor cited above, the Provost also wrote that "to avoid the significant harm that you outline, she simply needs to indicate that she will no longer violate our policies ..." This offers a second sufficient condition for revocation. To be applicable to any one of these students, that one would have had to have in fact violated Cornell policies. In the letter of suspension that I read, the purported violations are marked as allegations. It seems that, for at least one of these students, the Office of Student Conduct has not followed the procedures required by the [Student Code of Conduct Procedures](#) document to ascertain guilt.

As far as I have been able to determine, no preliminary hearing on the matter has been conducted. Granted, the suspension is called "temporary". But the administration should not have unbridled discretion to impose any penalties it likes, including disproportionately severe penalties, just by labeling them "temporary".

Provost Kotlikoff is standing behind this unjust situation. We ask the Faculty Senate (1) to condemn these suspensions, and (2) to urge the administration to revoke them.

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