SGA Meeting
February 22, 2015

I. Attendance

All members present; proxy for Senator Sohn (Proxy April Poole).

II. Acceptance of Minutes

Senator Toy: Motion to amend the minutes as such: on page 11 of the PDF, it says we are “against increasing tuition beyond CPI+1” but it should say “against increasing tuition beyond CPI+1 without student input.”
Senator Hussein: Seconded.
All aye.
Motion passes.

Senator Brook: Motion to accept the minutes as amended.
Senator Medina: Seconded.
All aye.
Minutes accepted.

III. Announcements

President Custer: Congratulations to returning Senator Brady, Senator Allis and Senator Edwards. Both of the elections were contested, so you are unique among this crowd.

Director of Membership Nick Warren: You all got the email I sent out earlier today with the elections report. I’m happy to answer any questions. There were 182 votes on the Referendum, which was only 6.5% of the student body. The judiciary repeal passed by a margin of 19 votes; you can interpret that however you want. The Cook Senator election had 100 votes, which was a 20.4% turnout. I appreciate that six people used the “none of the above” option, which is new this year. There were 127 votes in the Feb Senator election, which was 32.2% of all of the Febs.

Senator Berlowitz: Have you thought about ways to increase voter turnout?

Senator Edwards: I think that having elections on Fridays or Saturdays is a bad idea

Director of Membership Nick Warren: That’s not how it is in the regular Spring: in the Spring, it has to take place totally on weekdays. The reason it’s the case now and with the First Year elections is that we want to have it happen before this Senate meeting so that the new Senators can be seated as soon as possible. This is something that I have thought a lot about, especially with low turnout and it’s something keep thinking about.

VI. Committee Reports

a. Community Council Update (Co-Chair Bogin)
Co-Chair Bogin: In Community Council, we talked about Honor Code amendments. We didn’t talk about the second bill put together by the SGA Honor Code Committee but we did talk about the first bill and we have talked in the past about the ideas in the second bill. We’ll discuss those later in the meeting.

V. Old Business

a. Thanksgiving Break Extension Resolution (S2015-SB2) (President Custer)

President Custer: Sorry that I was sick last week. After reading over the minutes, Danny gave a good introduction to something that I ran on, which was extending Thanksgiving Break. The feedback from the survey motivates the reason why this should be changed and that is twofold. The first part is that there are quite a few students who reported their professors cancelling or rescheduling a class. That is disruptive to the academic flow. The second part is that many students decided to leave early. About one-third of students left early and skipped a class that was not cancelled. That can be really problematic. Think about being in a discussion group with ten students and three of them not being there. That detracts from the academic quality of the class and those students end up playing catch up. At the same time, I don’t want this to seem like a request for more vacation time. We want to learn and be here as many days as possible so I put in the resolution that we would add two days to the beginning of the Fall semester.

Senator Toy: I am hesitant to say that we will add two days to the beginning of Fall semester. We don’t know what is possible or where these days will be added. I would vote yes on this if it wasn’t specifically adding days to the beginning of the semester.

President Custer: What if we say that we want to extend break without reducing the number of class days? I want to make sure that they couldn’t take away Fall Break. That was overwhelmingly something that students did not want. They would rather keep it as it is than get rid of Fall Break. I think we should either add two days to the beginning or end of the semester or one of each. I don’t care which of the three of those are chosen. I am happy to change it if you have the wording.

Senator de Toledo: I was going to make the Fall Break comment, but it’s already been made.

Senator Berlowitz: I don't support this bill. I don't support extending break. Those days are important and I think that having a full week off would be actually “disruptive to the academic flow,” to use your words, President Custer. That week is usually when professors have the time to get one last exam or paper in before finals. It’s the last push and I think that having a week off and then only one or two weeks of class before finals would be incredibly disruptive.

President Custer: I disagree and based on the results from the survey, I would say that a majority of students would also disagree with that.

Senator de Toledo: It’s already happening in practice according to the survey results, so why not just change the schedule to what is already happening?
Speaker Brady: As someone who has to travel by air to return home for Thanksgiving, it can be frustrating to make that work, so a full week would be beneficial for students who don’t live nearby.

Senator Hussein: This doesn’t say that students would have to leave. They could stay on campus for that Monday and Tuesday, but they would have the option to leave. To Senator Berlowitz’s point, if students think that the break is disruptive, then they can stay on campus for Monday and Tuesday and leave on Wednesday as would normally be the case.

Senator Berlowitz: I think that staying on campus when it’s officially a break is not the same as having class. It’s not the same environment.

Senator Fisher: I appreciate the term “academic flow.” I am someone who the idea of skipping class gives anxiety, but at the end of the day, as Senator de Toledo pointed out, the reality is that students are doing this. It is much less sexy to miss the first two days of school, but the two days where your friends are going off to Cancun for Thanksgiving Break or wherever the hell they are going, that’s pretty sexy. I think students would rather be in school at the beginning of the semester and I am in support of this bill.

Senator Toy: I know that Thanksgiving Break is one of the breaks where the dining hall closes, so if break were longer, would the dining halls close earlier?

President Custer: That would be something we would have to work out with the administration. That’s one potential drawback to this that I hadn’t thought about. Other than that, I don’t think there is too much to object to. It would take more discussion with administration to see how many people would be on campus and see if they would be able to keep the dining halls open. That’s a good point.

Senator Allis: You listed a couple of other NESCAC schools who have a full week off for Thanksgiving. I’m wondering about when their Fall semester starts. I feel like we start a little bit later than other schools to begin with, so that could be an argument in favor of adding more days to the beginning of the semester. Students would be more likely to attend those days than the Monday and Tuesday of Thanksgiving Break. I’m not sure if we actually start later than other schools, but I think that it’s true.

Chief of Staff Zhang: If you give me a few minutes, I can look that up for you.

Senator Jahan: Have you talked to the Calendar Committee?

President Custer: No I haven’t. I’ve talked to Katy Smith-Abbott and Community Council. For the resolution, we are just saying that in principle we would like to see this happen but if it would cost an exorbitant amount to do or would interfere with Language School or something, we would understand that. It makes it easier for me to get on the agenda if I have something from the Senate that says that in principle, this is something that students want to see. The short answer to your question is no, I haven’t talked to the Calendar Committee.
Senator Medina: I like this bill but unless the two days are Monday and Tuesday, then I’m concerned as to how effective this would be in preventing people from leaving before the actual date. Why would that prevent professors from cancelling class? I think that students would make the same decisions unless the days were Monday and Tuesday.

President Custer: You think that people would leave the Thursday or Friday before Thanksgiving Break if we had the whole week off? The days that we don’t have off currently for Thanksgiving Break are a Monday and Tuesday.

Senator Medina: Oh, it’s a Monday and Tuesday? Okay.

President Custer: The reason that people are leaving early now is because if they leave on Thursday or Friday, they can extend their break by four or five days. We are removing that incentive by not having class on Monday and Tuesday. This will just be confirming with policy something that is already happening. It came up at Community Council and we didn’t think there would be any more rollback after that. I don’t think that anyone would skip class Thursday and Friday before the break if it was a week long.

Senator Gogineni: In reference to where to add the two days to, another complaint would be that after the break you have one or two weeks more of class and then you’re thrown into finals week. Would it be possible to add more days before finals start?

President Custer: That would just be adding two days at the end of the semester. I would have to talk to the administration and see what is feasible but hopefully we can get this passed in favor of the principle of extending break without taking away from class time. In terms of when we add the days back in, I do think it makes a lot of sense to have them at the end of the semester.

Senator Toy: I would like to make a Friendly Amendment to change the last statement to say that we want Middlebury College to look into extending Thanksgiving Break to a full week, without getting rid of Fall Break.

President Custer does not accept Senator Toy’s Friendly Amendment.

President Custer: I didn’t accept that because I think we should keep the stronger of statement of saying that they should extend break instead of saying that they should look into extending break.

Senator Toy: I would like to make a Friendly Amendment to delete “by adding two days in the beginning of the Fall semester” and add “without eliminating Fall Break” instead.

President Custer accepts Senator Toy’s Friendly Amendment

Senator de Toledo: Motion to end discussion and vote on S2015-SB2. Senator Medina: Seconded. All aye. Motion passes.
Vote on S2015-SB2
Ayes: President Custer, Senator Gerstenschlager, Senator Gogineni, Senator Medina, Senator Toy, Senator Allis, Proxy Poole (for Senator Sohn), Senator Brook, Senator Vaughan, Senator Hussein, Senator Edwards, Senator Fisher, Senator de Toledo, Co-Chair Bogin, Speaker Brady
Nays: Senator Berlowitz
Abstentions: Senator Jahan
15-1-1
S2015-SB2 passes.

b. Bylaws Amendment: Weekly SGA Coffee Hour (S2015-SB3) (President Custer)

President Custer: I wasn’t here last week, so I’m making up for it by talking even more this week. This is in response to what people had against the office hours act in the beginning of the year. This is an effort based on statistics from the survey where a disconcerting number of students didn’t know who their elected representatives were. The bill essentially sets up a coffee hour or two that the SGA will hold each week that members of the Senate are obligated to attend. Each week you have two options of which coffee hour to attend. If you miss three weeks, then as soon as you miss the third one, you are removed from office. I want this to be an entrenched responsibility, different from office hours. Hopefully, food will attract people. I’ll stop here for now and see what everyone has to say.

Co-Chair Bogin: I have a feeling that some of my points will be echoed so I don’t know how much I should say now. I think this is pretty problematic, especially the part about impeachment. The only thing now that you can get impeached for is not coming to Senate meetings. Not coming to office hours is a different level of disregard. It makes sense that if you don’t attend Senate, you cannot be a Senator. I think that having two times and only having to go to one of them makes it easier for us to be able to go to one of them, but at the same time there are screenings most days of the week and Friday and Saturday are inopportune times to hold these. There is a potential for some of us to have to miss many weeks. We could get pushed into proposing times that work for the majority of the Senate, but there still being Senators who cannot attend either of the times. It will be a logistical nightmare trying to plan these things. I support the spirit of the bill, but I don’t think that anyone will come to these. I actually had someone contact me recently about a bill and I think that kind of communication will continue to happen.

Speaker Brady: I just want to remind everyone that if what you are going to say has already been said, recognize that and give your time to another Senator.

Senator Berlowitz: I agree with Co-Chair Bogin. We have a bulletin board with our photos and contact information and that gets updated at some pace, maybe not as fast as needed. As long as our faces are up there with our email addresses in the student center, I think we are accessible enough. I don’t think this will be effective and I think that no one will come even if there is food.

President Custer: People will definitely come if there is food. In terms of accessibility, I apologize that your information took a while to get updated, we were in transition in the cabinet. In terms of being accessible, 80% of students who responded said that they couldn’t name their
Feb/Class Senators. It’s an enormous problem. If people don’t like coffee hours, I can see why, but I urge you to recommend a different solution. It’s easy to say, “I don’t like this” but it’s harder to say “I don’t like this and here is a better solution.”

Senator Gerstenschlager: Do we really want to spend $3,300 a year on this? The Publicity Committee could do more to make sure that we are known and are accessible. The election on the amendments wasn’t publicized at all by the Publicity Committee.

Senator Gogineni: What if instead of having weekly meetings, we had a forum twice a semester? I think those would be better attended.

Senator Toy: I agree with Senator Gogineni and still have food there to make sure that people come. Also, 4b specifically calls out Senators when it should be referring to any member of the Senate.

President Custer: Sorry, that was a mistake.

Speaker Brady: I don’t think we are accessible, I disagree with that. Only 19% of respondents were able to identify the Co-Chair of Community Council and it’s just as bad for Senators. I am more open to the idea of it being more sporadic—the high frequency is a bit drastic. We can’t ignore the issue of us being inaccessible. I am accessible to my friends but not to a lot of my constituents. I don’t think that many of us are. We actually got this from Hamilton and it really helped them. It doesn’t seem like there are many more ideas about increasing accessibility, so I am willing to give this a try. I see the grievances about the “3 and out” rule, but there needs to be bite.

Senator Medina: I think there should be something in the bill about if someone is unable to make both of the meetings. We should give those people certain leeway if they have a good excuse. If they are participating in another activity, they are probably around their constituents. Making them come to these office hours might draw us away from our ultimate goal of accessibility.

Senator Allis: I disagree with the threat of impeachment. I would like to make a Friendly Amendment to reduce the frequency to once a week and only require that Senator’s attend two in a month.

President Custer does not accept Senator Allis’ Friendly Amendment.

President Custer: I’m going to reject that for now because I want to think about it more.

Senator Brook: We spoke about this when we discussed the office hour bill, but how successful would this be? Would you be open to visiting the success of this at some point regularly so that we don’t have to keep doing this if no one is showing up?

President Custer: Yeah, sure.

Speaker Brady: Was that a Friendly Amendment?

Senator Brook: Yes.
Senator Vaughan: I want to push back on the idea that all Senators have to be there. I don’t think that the benefit of having all of the Senators there is compensation for the cost of us having to take time out of our weeks. I think it would be enough to have one or two Senators at each coffee hour so everyone just has to do one or two a semester. If someone has an idea that they want to share, they probably don’t want to face the whole Senate. If there are just one or two of us, then those Senators can give their feedback to whoever their representative is. If there is ill will from the people who are going to have to do this, it isn’t going to go well.

President Custer: I disagree on the premise of that argument. My goal is to make it easier to access Senators. The entire Senate isn’t there; it will only be half the Senate at each one. In terms of reducing the workload of what a Senator has to do, I have very little sympathy for that argument having been a Senator myself last year. The only thing that you are required to do is come to Senate meetings, except for Commons Senators. That’s still not that much, so I don’t think that extending your commitment to three hours a week is a huge undue cost or burden to ask of you given what you can do as a Senator. I want to work it out so that everyone can make it and so that more often than not, someone will get to see their Senator there.

Senator Fisher: We have an accessibility problem, gosh darn it, and I think this could fix it. I disagree that no one will come to these. If there is food, they will come. I do agree with one of the dissenters, Senator Gerstenschlager, that it is expensive. I also appreciate the spirit of Senator Allis’ comment. That is dead on. $60 seems pretty high for coffee and donuts, so I would like to make a Friendly Amendment to slice it in half to $30.

President Custer does not accept Senator Fisher’s Friendly Amendment.

Senator Fisher: I think that a solution would be to keep them twice a week but to only ask Senators to show up to half of them. If there were 16 coffee hours, you should have to come to 8 of the 16. I think that coffee-centric office hours would be well attended. I would like to make a Friendly Amendment so that Section 4c says “any member of the Senate with fewer than 8 attendances.”

President Custer does not accept Senator Fisher’s Friendly Amendment.

President Custer: I think it is hard to tweak parts of this one at a time. I think I would rather go back and see the minutes from this meeting and see if there is a trend in the comments so that I could assuage everyone’s concerns. I do disagree with only having to go to half of them. It should be more than half.

Senator Fisher: I am not going to make a Formal Amendment because President Custer said that he will do his diligence and it has now been recorded in the minutes that he will.

Senator Hussein: The spirit of this bill is to increase accessibility, so what if instead of having people come to us, we go to them? I don’t have a concrete idea about this but we could go to different cluster meetings or different student organization meetings. I think that would be better than having a fixed place where they come to us.
Senator de Toledo: I am disappointed in this debate. This seems a lot more controversial than it should be. We aren’t doing our job well enough and the reaction to having to spend an extra hour a week is disappointing. If we are here to help the student body, then I don’t think another hour a week is too much. I also see that we have more things on the agenda and doesn’t seem like we are going to come to a conclusion on this tonight.

Senator de Toledo: Motion to end discussion and table S2015-SB3.
President Custer: Seconded.
Ayes: President Custer, Senator Jahan, Senator Gerstenschlager, Senator Gogineni, Senator Medina, Senator Toy, Senator Allis, Proxy Poole (for Senator Sohn), Senator Brook, Senator Vaughan, Senator Hussein, Senator Edwards, Senator Fisher, Senator de Toledo, Co-Chair Bogin, Speaker Brady
Nays: Senator Berlowitz
Abstentions: None
16-1-0
Motion passes.

c. Resolution Advocating Student Input in the Comprehensive Fee Process (S2015-SB1) (Senators Toy and Berlowitz)

Senator Toy: We changed the title of the bill. That was one of the big issues with the bill and was an oversight on our part. We got rid of the antagonistic language. The point of the bill is that we want to see a Comprehensive Fee Committee established.

Senator de Toledo: I have a few questions. I appreciate the changes that you made. I fail to see the relevance of the second whereas this statement about the email being sent when students were not on campus unless we’re still going for the antagonistic feel. I like the idea of recreating the group to look over the CPI+1 and make a recommendation, but the first “be it resolved” creates opposition to something that likely will still happen. It ties our hands to oppose something that we have no control over.

Senator Berlowitz: Students used to have involvement in this process. We are asking for something old, not something new. To say that it can’t happen is ridiculous because it has happened.

Senator Toy: We are also going to be introducing a bill tonight to reinstate the Comprehensive Fee Committee.

Senator de Toledo: I don’t mean that it won’t work at all, but I don’t think it will have an effect on the most recent tuition hikes that have been announced. It’s probably too late to influence the current process.

Senator Berlowitz: This just says that we oppose the Board of Trustees going back on their promise. Ron has a really elegant blog post about the decision to limit the increase to CPI+1. As a result of their promise, we got rid of the Comprehensive Fee Committee. They broke their promise and we are saying that we oppose them doing that.
Senator Toy: We may not have that much power but this takes a stance and says that we don’t like the fact that they did this. We are here to do these kinds of things.

Senator Fisher: I appreciate the sentiment and I think that it comes through much more in this version of the bill, but I cannot support this bill because of the second “be it resolved” statement. We shouldn’t say that we should make it more affordable for students who are not on financial aid, many of whose parents are some of the richest people in the world. You can always apply for financial aid.

Senator Brook: I agree that it doesn’t seem like making Middlebury more affordable is what you want to achieve with this bill. That second “be it resolved” isn’t fluid with the rest of the bill.

Senator Jahan: I would like to make a Friendly Amendment to cut the line about making it more affordable.

Senators Toy and Berlowitz accept Senator Jahan’s Friendly Amendment.

Co-Chair Bogin: I’d like to make a Friendly Amendment to cut the second whereas clause.

Senators Toy and Berlowitz accept Co-Chair Bogin’s Friendly Amendment.

Senator Toy: Motion to end discussion and vote on S2015-SB1.
Senator Gerstenschlager: Seconded.
All aye.
Motion passes.

Vote on S2015-SB1.
Ayes: President Custer, Senator Jahan, Senator Gerstenschlager, Senator Gogineni, Senator Berlowitz, Senator Toy, Senator Allis, Senator Brook, Senator Vaughan, Senator Hussein, Senator Edwards, Co-Chair Bogin
Nays: Senator Medina, Senator Fisher
Abstentions: Proxy Poole (for Senator Sohn), Senator de Toledo, Speaker Brady
12-2-3
S2015-SB1 passes.

VI. New Business

a. Amendment to the Constitution of the Undergraduate Honor System (S2015-SB5) (President Custer and Chair of the SGA Honor Code Committee, Alison Maxwell)

President Custer: I’m going to turn it over to Alison Maxwell, the Chair of the SGA Honor Code Committee.

Alison Maxwell: I’m Alison Maxwell, Chair of the SGA Honor Code Committee and this is John Terhune, a member of the SGA Honor Code Committee. This bill is largely in response to the idea that students are not engaged in their Honor Code. They don’t own it and are largely apathetic about it’s existence. As a committee, we see this as extremely problematic. After a lot
of discussions, our conclusion was that we wanted to force students to decide how much they care about the Honor Code and the way to do that is to ask them to vote on it. We are proposing an amendment to the Honor Code Constitution’s text that would require that every two years, students would vote on the Honor Code and would have three options: keep it as is, force a revision process, or eliminate it. The revision process would be a two-week period with an open floor for any revisions by members of the student body. I’m not sure if our committee or some other body of the SGA would compile those reforms into a revised Honor Code. Then a final vote will be made with the choices being to keep the original Honor Code, the revised Honor Code, or abolish the Honor Code. I don’t think that this will result in the removal in the Honor Code. I’m glad to hear your comments and questions keeping in mind that we have acknowledged a lot of the main concerns, so if something has already been said, we don’t need to spend a lot of time talking about the same things.

Co-Chair Bogin: Something that came up in Community Council was that the faculty seemed wary of the option to eliminate the Honor Code. President Custer said that he would fight for it if that was the way we wanted to go and I think it’s important to have an SGA President who will fight for what we want. Sometimes the faculty doesn’t care who is fighting or how hard, but it’s something worth considering. I like this a lot.

Senator Berlowitz: I have two issues with this. The first is that two-thirds of students are necessary for both votes if there is a revision. We spent two weeks very heavily promoting a survey and got just over half of the student body to respond. I don’t think that getting two-thirds is unreasonably high and I want that many students involved, but I don’t think it’s likely. My second question is how necessary ranked voting is? I wonder how many people would choose “maintain, eliminate, revise” or “eliminate, maintain, revise.” If you choose “eliminate,” you probably would want to revise before maintaining. It makes sense if someone chooses revise, but it still doesn’t seem that necessary.

Senator Gerstenschlager: I wanted to respond to Co-Chair Bogin’s point, but he isn’t in the room. If students created the Honor Code, shouldn’t we have the option to get rid of it?

President Custer: I agree with that, but the Honor Code has to be an agreement between students and faculty. To go in and change something, we also need to get the approval of the faculty. We could say that the faculty can’t even be in the same building as us while we are taking an exam. That’s a crazy example, but say that it got support and the faculty didn’t agree to it. We definitely get a say in the Honor Code but it isn’t just us alone.

Alison Maxwell: About the two-thirds vote issue, we are totally open to changing things if need be. I don’t really get voting things. If you decide that another method would be better, we are open to that. It was a debate between consistency with the rest of the Honor Code and what we thought was reasonable. We didn’t start with ranked voting but because we want to avoid the situation where a lot of students choose revise, but for some reason it gets eliminated even though most of the students who wanted to revise it would have rather kept it than eliminated it. That would be a drastic outcome, but it can be avoided with this slightly more complicated process.
President Custer: Since there are three options, you can imagine that 40% of students are for eliminating the Honor Code, but 60% of the student body are for maintaining or revising, and they could be split 30% for revising and 30% for maintaining. In that situation, without ranked voting, “eliminate” would win even though a majority of the student body wouldn’t want that. That’s what ranked voting resolves.

Senator Hussein: In terms of how to make it more accessible and to ensure that we get enough votes, what if you attached it to course evaluations? It might work best during J-Term where students are only taking one class. I’m curious as to what you think about that.

Senator Jahan: In reference to the two-thirds argument, I think that’s a perfect place to be. The Honor Code is an integral part of student life, whereas the survey wasn’t a required part of our experience here. We have the Publicity Committee for a reason and they should do their job.

Senator Toy: What happens if we don't get two-thirds?

President Custer: This is something that I wanted to change. There are a few ways to go about the default. I think that if we don’t get two-thirds, then the Honor Code should be gone. If you cannot get enough people to vote on the Honor Code, then we shouldn’t have one. We should have to actively fight to keep the Honor Code if we want to get the benefits of it. If voting on the Honor Code isn’t worth ten seconds of someone’s time, then it isn’t integral to the community.

Senator Berlowitz: I disagree, I think that if people don’t vote it’s because they are satisfied and I think that the Honor Code should be maintained in that case. People should want to defend it, I agree, but if they aren’t opposing it or trying to revise it, that means they are okay with it.

President Custer: This could be a difference of principle but I wouldn’t be okay with passing the acceptance of the Honor Code if people don’t care about it. If there were the potential for me to lose the things that are the most valuable in my life, then I would actively step up and fight for them. We will say that if you don’t participate in this vote, there is a chance that you will lose the Honor Code. If they hear that and still don’t vote, it shows that they don’t care strongly enough about the Honor Code. If it really has a cultural impact, then we should fight and defend it.

Alison Maxwell: Just to add to what President Custer said, a lot of what we want to get out of this is not just the people who want to see it changed but also to stir up the people who support it. If we want people to feel passionately about this, I think everyone needs to care and that is one of the goals of having this vote. We are making people think about it. In response to Senator Hussein’s comment, attaching them to course evaluations wouldn’t work logistically because not everyone has a J-Term class and we would want the vote to be every two years and occur in early April. We are open to an alternative way of getting people to vote though.

Senator Allis: I have no explicit opposition to this bill, but I am afraid that abstentions would be due to the disillusionment with the SGA and not actually have to do with the Honor Code. If people aren’t going to participate because of that, then there should be a default that keeps it the same as it is. We should address the culture behind these school-wide votes before we do something drastic because the complacency may have more to do with us than with the Honor Code.
Senator Toy: Before passing this, I would like to see more thought put into it, like for what the default option should be. If the students choose revise, they need to get feedback from the students about how to revise it. It also seems like a really short period of time to revise an Honor Code.

Alison Maxwell: I don’t think that a longer period of time would cause more people to give their input.

Senator Toy: Will there be a way to give input?

John Terhune: The idea is that we will have a go/ page where students can submit their ideas as well as having an open forum.

President Custer: And that is already in the bill: it says that there will be an online mechanism through which to submit revisions.

Alison Maxwell: Whoever is in charge, whether it be the SGA Honor Code Committee or the SGA in general, will recognize the urgency of the situation and will take into account all of the revisions and do it well. It can be scary to add that much flexibility, but there is some trust that needs to happen.

Co-Chair Bogin: I want to echo the idea that the default should be that it passes. I heard Senator Allis loud and clear when he said that people might not vote out of apathy for the SGA and not for the Honor Code. I think that just having the option of “eliminate the Honor Code” is enough of a scare tactic to get people to vote. You said that there would be a low likelihood of the Honor Code being eliminated, but if the default is to eliminate it, then I think there is a pretty high likelihood. That isn’t the point of this bill and that scares me and it will be hard to convince faculty of. I’d like to make a Friendly Amendment for the default, if fewer than two thirds of the student body vote, for the Honor Code to remain unchanged. If that’s the only thing that is keeping us from voting on this then I will make a Formal Amendment, but if there are more questions, we can wait.

President Custer doesn’t accept Co-Chair Bogin’s Friendly Amendment.

President Custer: I would say we should hold off on voting. I want to get more conversation about the voting and whether it makes sense merits more discussion than we can give it tonight.

Co-Chair Bogin: Motion to end discussion and table S2015-SB5.
President Custer: Seconded.
Ayes: President Custer, Senator Jahan, Senator Gerstenschlager, Senator Gogineni, Senator Toy, Senator Medina, Senator Allis, Proxy Poole (for Senator Sohn), Senator Brook, Senator Vaughan, Senator Hussein, Senator Edwards, Senator Fisher, Senator de Toledo, Co-Chair Bogin, Speaker Brady
Nays: Senator Berlowitz
Abstentions: None
16-1-0
Motion passes.

b. Resolution to Include the Community Standards in the Honor Code (S2015-SB6) (Co-Chair Bogin)

Co-Chair Bogin: The language of this bill is pretty complex, so what I did is sent Danny a copy of what it would do in terms of the Honor Code. It feels pretty powerful to change the Honor code and track those changes. Some notable changes: I change the word dishonesty to dishonor. I don’t know if you are all familiar with the Community Standards but they are what we derive the Student Handbook from. All the rules about respecting public safety come from these four guiding principles. They are posted exactly from the website. The beginning of this section includes some of the sentences that our found on the website. I get that morally is a problematic word to include in this, but if you go down in the document, you can see that I am using parallel language to what was already in the Honor Code. The word morally makes it so that it isn’t breaking the Honor Code if you don’t do it, so you can’t be charged with a violation if you don’t intervene. I don’t think it should be the case that anyone gets charged for not intervening, there should be some leeway. I also say intervene directly or indirectly. We are moving towards the language of bystander intervention. You don’t have to get directly involved in a dangerous situation. You can intervene indirectly. That could be calling Public Safety or talking to someone about it later. I removed the word academic in here a few times. I added the word academic to say that academic infractions are punishable by suspension because I wanted to keep that the same. I deleted the dashes from the word email because I think that word looks stupid with the dash in it.

Senator Berlowitz: I think that the words “indirectly” and “morally obligated” are too vague. I have no idea how to intervene indirectly. If you talk to someone else, is that their Dean or a professor or an RA? The word indirectly confuses me. Do I have to walk in and break up a fight? Also procedurally, can we pass this bill? How do we actually go about revising the Honor Code?

Co-Chair Bogin: This would go through the same process that the last bill before us would have to go to. We would pass them here first, then have forums about them for the student body, and then we would have an all-student referendum on either or both of these bills. The amendment process works so that we would need two-thirds of the student body to vote and that would be the process for both of these bills. To your first point, what I am going for are the three Ds of bystander intervention: direct, delegate, and distract. There are ways to interrupt the situation without putting yourself in danger. I am happy to make changes, but I don’t want to say that anyone is obligated to directly intervene in something.

Senator Jahan: Can we go to Article 3, Section e? I’m curious as to why you want to add the word “academic” there. I assume that those things would go to CJB anyways.

Co-Chair Bogin: So we don’t have a social Honor Code, nebulous or otherwise. This is an academic procedure and I think that the AJB is created in here. I’m unsure of the technicalities, but I think that the CJB might even be a procedure around the Honor Code that isn’t mentioned in here. If I didn’t have the word “academic” in here, then it sets up violations of the social Honor Code to be normally punished by the suspension from the College. AJB hearings and
sanctions are still punishable by suspensions from the college, but it wouldn’t apply to the CJB, which is being added in here a little bit.

Senator Fisher: Thank you Co-Chair Bogin for bringing this beautiful bill to us all. I love this and I don’t say that lightly. I serve as a CA in Ross Commons and when I’m telling that guy, who is drunk off his “a double-s” to stop peeing in the hallway, I want to tell him that he is not cultivating respect for himself or his community right now and that I am morally obligated to intervene. It’s about time that we codified that. This is beautiful. “Morally obligated” is the best part. You shouldn’t be prosecuted in a formal way for not intervening, but if you can’t agree to these things, you have no place at Middlebury. I don't wanna be sycophant but I love this bill.

Senator Fisher: Motion to end discussion and vote on S2015-SB6.
Senator Gerstenschlager: Seconded.
All aye.
Motion passes.

Vote on S2015-SB6.
Ayes: President Custer, Senator Jahan, Senator Gerstenschlager, Senator Gogineni, Senator Berlowitz, Senator Toy, Senator Medina, Senator Allis, Proxy Poole (for Senator Sohn), Senator Brook, Senator Vaughan, Senator Hussein, Senator Edwards, Senator Fisher, Senator de Toledo, Co-Chair Bogin, Speaker Brady
Nays: None
Abstentions: None
17-0-0
S2015-SB6 passes.

c. Bylaws Amendment: Reinstating the Comprehensive Fee Committee (S2015-SB4) (Senators Toy and Berlowitz)

Senator Berlowitz: We’ll table this until next week, but since this is a bylaws amendment and we’ve introduced it this week, we could vote on it next week.

Senator Berlowitz: Motion to table S2015-SB4.
Senator Toy: Seconded.
All aye.
Motion passes.

d. Compensation for Minute-taking Bill (S2015-SB7) (Senators Berlowitz and Gerstenschlager, Nick Warren)

Nick Warren: I would like to table this if my sponsors agree.

Senator Berlowitz: Motion to table S2015-SB7.
Senator Gerstenschlager: Seconded.
Ayes: Senator Jahan, Senator Gerstenschlager, Senator Gogineni, Senator Berlowitz,
Senator Toy, Senator Medina, Senator Allis, Proxy Poole (for Senator Sohn), Senator Brook, Senator Vaughan, Senator Hussein, Senator Edwards, Senator Fisher, Senator de Toledo, Co-Chair Bogin, Speaker Brady

Nays: President Custer
Abstentions: None
16-1-0
Motion passes.

VII. Adjournment

Senator Berlowitz: Motion to adjourn.
Senator Toy: Seconded.
All aye.
Meeting adjourned.