SGA Minutes 3/12/17

I. Attendance
Senator Lantigua is absent with no proxy. Senator Cohen takes her role as Speaker for this meeting.
Senators McCarthy and Duran are absent but have sent a proxy in their place.
All other Senators are present.

II. Acceptance of the Minutes
Senator Pustejovsky motion to accept the minutes.
The motion is seconded.
15-0-0
Senator Wilson was not present during the vote.
The minutes from the previous week are accepted and recorded.

III. Announcements
President Toy asks the body if they are interested in going to the NESCAC Conference, which will be the 7th to 9th at Bowdoin to raise their hands if they are interested. Senators Aaron, Wright, Co-Chair Sanderson, and possibly Senator Fleischer note that they are interested in going to the conference. She states that all costs will be taken care of and that they might just go on Saturday for one day of the conference.
President Toy also makes an announcement about Student Leadership Awards can be nominated using the site “go/slanomination.” She states that there are not usually too many nominations and so “the odds are in your favor.” The nominations should be in by March 23rd.
Also, President Toy makes an announcement about the opening of 10 o’clock Proctor which will open Monday.

Senator Cohen asks the body if there are any Senate checkins.
Senator Aaron states that she has been talking to a few people on Community Council about having gym equipment somewhere else on campus. She states that it is sometimes difficult to make the trek over the gym.
Co-Chair Sanderson replies and states that he is working on putting it in the agenda for Community Council.
Senator McCormick gives an example of space that could be used. He states the YouPower studios in the International Center could possibly fill that role.

Senator Ou states that he received an email and it had many senators on the email. It was about “educational psychiatry” and focusing on the concepts dealing with the studies of IQ and race based IQ analysis.
Senator Wilson and President Toy urge Senator Ou to forward the email to the rest of the body.
IV. Old Business

Senator Pustejovsky states that she met with her ad-hoc committee today and discussed many ideas about this bill. They want to discuss the different sides and making sure that the student side gets a platform to have these conversations with the institution. The language is “pretty the same” as last week’s bill and they just want to make sure the community standards are upheld with the appeals process. It would the students of a speaker three weeks prior to their class and then they can request to have the speak on a panel or have some more input on the speaker. It would, the appeals process, would be like a jury between students and it would be random. “So, all parties involved to present a case.” It was give a platform for the institution to listen to the ideas of students.

Senator Cohen yields to Phil Hoxie, a representative from AEI, I’m happy this body is open the conversation and moving from limiting or diluting speech more. He states his discomfort in the “random sampling” because this campus is about 7% republican and the jury will statistically be majority liberal. You have to look at power as if it was being used by “people you didn’t like.”

Senator Fleischer questions the logic of the panel.

Senator Pustejovsky answers the question by stating the panel would allow for other speakers to be invited and have a more diverse range. It could have a more open breadth of ideas.

Co-Chair Sanderson responds to the guest from AEI. He doesn’t agree with his argument on the random sectioning of the jury. He also recommends to Senator Pustejovsky to note the importance of co-sponsorships from departments and should make sure they uphold community standards.

Senator Pustejovsky states the rareness of the Charles Murray case and states that this bill should reflect everyone and she would “hate to speak for anyone.” She is also worried about the cosponsorship of departments as well and hopefully these committees could work on it.

Co-Chair Sanderson again states the importance and impact of sponsorships beyond that. He suggests possibility of changing the language over the bill.

Senator Cohen states her concerns that this might add another layer to the “bureaucratic hoops” that the college operates on. She also does not want to discourage departments from inviting speakers.

Senator Pustejovsky agrees and states that the main sentiment in her bill was to give a platform that wasn’t there before the Murray talk.
Senator Aaron questions the feasibility and she states that we should question rejecting speakers and the process for that. Senator Aaron states though that we should not suspend conversations and keep working on this topic.

Senator Wright states that we should keep working on the broader conversation and ask ourselves. He questions that we should discuss the tone and scope of the situation. He questions the hope of the body and passing this legislation. “We should be engaging with individuals and having a wise piece of legislation.” He states that we should define what it means to be controversial and what’s beyond that. What kind of statement does this body want to make?

Senator Goldfield states that he supports the idea of passing nothing and continuing the conversation and making a bold statement.

Senator Aaron states that we should keeping reflecting as an institution and continuing the conversation about making a statement.

Senator McCormick questions the jurisdiction of the sga over clubs and that we shouldn’t have that much of a dominant role. He states he questions how far it could go.

Senator Cohen states that the idea about censoring and cutting funding “was never floated.”

Senator Pustejovsky states that we should continue talking about the effectiveness with the panel and should talk about the issue of problematic language that has no sufficient impact and when the language was debunked from that speaker.

President Toy yields to Charles Rainey. Rainey wants to state that the Murray talk was not just a conversation about academic discourse. A panel would not have been sufficient.

Alex Kahn, a representative from AEI, raises an issue with the panel too and question its “fairness.” He states that he states most speakers would not be able to change the format of their talk just because of a request. He states that he is still worried about the mechanics of the appeals process as a whole. He does not want to limit the opportunities of students and their expression.

Co-Chair Sanderson states that we should question the amount of silence for conversation before the protest and there was no real outlet. He said that we need to do steps that give the platform for conversation in the first place. People wanted to express their upset in not giving a voice to them. He also states that we need to find something effective for giving feedback.
Senator Wright states that he “wants to agree with the Co-Chair.” He states that we should change the conversation to how we engage in having a realistic impact. He questions the definition of “accountability” in regards to the protestors. He states that they felt threatened but there was no true outlet for them to engage and we should question the illustration of the Murray talk as “academic discourse when it threatens people’s personhood.” We should also look at the policy’s around the protestors and the judicial affairs. We should have a conversation about who feels welcomed on this campus.

Senator Aaron states that we seem to be “back to the same place.” She states that she does not see the answer in Senator Pustejovsky’s bill. We should continue talking about “limiting free speech and that relationship with clubs too.” She reiterates that she doesn't she this bill as being the “solution.”

Senator McCarthy’s proxy addresses the members of AEI and states that we should be putting our comments but the truth is that racism exists on both sides of the political spectrum. He questions the ideologies of the speech and the spin by the media about the protests. He agrees with continuing the conversation with in mind that racism exists everywhere.

Senator Wilson states that she appreciates the comments and the conversation and that we should be focusing now on a resolution and expressing our support for the students of this campus.

President Toy states that she is in favor of “the spirit” of the bill in giving students a voice but states the bill does not get to the solution. She states that we should not vote on the bill but open up debate more and more. She yields to Katy Smith Abbott.

Abbott states that there is a similar conversation and ideas occurring between faculty, and some conversations that are occurring in community council too. She states that it’s a great time for SGA to join a broader conversation.

Senator Pustejovsky asks for those contacts of the members who are having these conversations so we can have a broader conversation.

Miguel Fernández, Chief Diversity Officer for Middlebury, states that the faculty council, an elected body of about five faculty, share their suggestions and are talking about policies in regards to speakers. He states that many people are wanting to exploring having this conversation.

Senator Cohen motions to table the bill.
The motion is seconded.
16-0-0
The bill is tabled.
President Toy states that the body will motion to present Senator Fleischer’s bill. She reminds the body that the agenda is set on Thursday. She urges for Senator’s to send the bill to President Toy and Senator Lantigua on thursday by 5 at the latest. She also states that bill’s will be watermarked from now on.

Senator Aaron makes a comment about not feeling comfortable about voting on Senator Fleischer’s bill because she has not had time to talk to her constituents.

Senator Fleischer introduces his bill and thanks the body for letting him introduce the bill which is condemning any disciplinary action against nonviolent protestors at the Murray talk. He states that student get away with underage drinking, illegal drugs, steal from the dining halls and the worst disciplinary action is a citation. He states there were about 200 non-violent protesters performing their right of civil disobedience. He also urges the body to think about how this might affect the future of activism on campus. He cites himself as a member of the protests and states he feels as if “he is putting his neck out there.” He then discusses that this body has the responsibility to take action in this event. Senator Fleischer yields to Charles Rainey.

Rainey states that he “couldn’t say it better than Senator Fleischer.” He states that this is the way the Senate can be relevant in this issue. He states that this body should support the actions of the protesters because they did not want to engage in “academic discourse” that erased their identity.

President Toy yields to Baishakhi Taylor, Dean of Students at Middlebury. Taylor cites the letter she sent out last Friday. She states that judicial outcomes will be on an individual basis and that the judicial process is an influence of many factors. She stresses the importance of community and the trust in the judicial process.

Senator Fleischer cites suspension specifically and asks if it is “off the table.” He states it was mentioned in her email and that many of the protesters now fear the judicial process because it what they did was out of “love and peace” and does not call for a harsh rule.

Taylor responds and states that her email was not focused around suspension but was focusing on the whole event, and nothing in particular. She states that there is also an independent party from outside the community coming into look at all the facts and findings too. She can’t state that “suspension is off the table” and every student’s case is different and will have a different outcome.

Senator Wright thanks Taylor for clarifying her comments on her previous email. He agrees on a certain level as he resents “any retaliatory action” against protesters that does not open
conversation and look at all the notions, and knowledge. He states that we should keep having collaborative and constructive conversations.

Taylor responds and states that her email’s intention was to about and ask for conversation. She stresses again that every individual case will be “different.” She states that we have policies regarding our conduct on campus and we need to open up a conversation about those policies.

Senator Wright states that he would love the conversation to talk about “accountability.”

Co-Chair Sanderson thanks Taylor for her clarification. He cites a protest against Trump that did not follow the college policy but the organizers had called public safety a couple hours ahead, and there was no real push back. He states that he agrees with the sentiments of policies for the construction of a good community but that we should really generate policies that illustrate unity all over.

Katy Smith Abbott states that the conversation should really start to look and examine the policies. She states we should turn the conversation to how we talk about the protestor policy but she also does argue that there are consequences when you protest. She cites the Keystone pipeline as a good example of a protest that is standing up vigorously but they are still fighting policy in place for protests. We need to know have a conversation about policy.

Senator McCarthy states she agrees that we should talk about policy but we should forget about this protest either because there are certain consequences that are due to the Murray talk. She states that there are still “emotions that need to be addressed.”

Senator Aaron questions the bill again and states that it seems to being addressing one particular issue and she is worried about the ripple effect this might have down the road for SGA. She still urges action from the body but does not feel comfortable voting on this bill until further conversation.

Senator Fleischer urges the Senators to think about the impact of action taken on protesters who were non-violent. He cites himself as an example. He states that he would open to changing the bill to look at maybe making sure no non-violent protesters are suspended. Senator Fleischer yields to Charles Rainey.

Rainey questions what this body might do to actually have in the conversation on policy. He states the policy does not seem appropriate. He cites the protest section as “laughable.” He asks the Senators to think about the reputation that the two hundred members of this community wanted to do is to leave a positive mark on this campus.
Taylor responds to Rainey and states that there is no outcome as of now. The conversation is just beginning and it is “complicated” and it will take a lot of different factors into consideration.

Fernández responds and exemplifies Taylors response by stating that they will look at a student with zero citations differently than a student who has a huge record and it’s not their first offense.

Rainey just urges the body to understand the situation as a whole and that non-violent acts by individuals were with good sentiment.

Smith Abbott thanks Rainey for his comments and states that there should be conversation about policy because it “does get updated every summer.”

Senator Cohen appreciates the conversation and states her concern about the “reactionary nature of this bill.” She wants to look at the long term effect this bill will have on the community.

Senator Wilson states that not voting for this bill is not a personal vote against another Senator.

Senator Goldfield seconds Senator Wilson’s comment and reiterates to look at the precedent this bill would have in the community.

Phil Hoxie, a member of AEI, states that the protest policy rules were started 3 times during the event.

Senator Wright also wants to state that he too does not feel comfortable voting on the bill as it in some contexts seems “reactionary and personalized.”

Senator McCormick states that people in general should know that there actions are accountable and this doesn’t always have to be in a negative fashion.

Rainey states his surprise of some Senator’s comments and states that this body has passed reactionary legislation before this.

Senator Pustejovsky also questions the precedent that the bill might leave on this campus and we should be talking about the policy. Also, we should just keep having a conversation about this bill.

Senator Fleischer states that there is a little bit of a personal reaction in the bill but overall it is tailored towards the talk. He states that he does not want this bill to be tabled for too long and we should do some action in regards to the talk.
Senator Cohen motions to table the bill.  
The motion is seconded.  
13-0-3  
Opposed are Senators McCormick, Fleischer, and Co-Chair Sanderson.  
The bill is tabled.  

Ratify the members of the Student Oversight Committee. President Toy motions.  
The motion is seconded.  
15-0-1  
Senator Fleischer abstains.  
The members are ratified.  

President Toy discusses to nominate one Senator to sit on the MiddView Planning Committee for 2018.  
Senator Pustejovsky is nominated and the motion to vote by President Toy.  
Motion is seconded.  
16-0-0  
All in favor.  

There is a motion to adjourn.  
The motion is seconded.  
15-0-1  
Senator Fleischer abstains.  
The meeting is adjourned.