

SGA Minutes 4/30/17

I. Attendance

Senator Wilson was not present at the time of attendance but arrived at 7:07.
Senator Lantigua was not present at the time of attendance but arrived at 7:20.
All other senators are present for today's meeting.

II. Acceptance of the Minutes

Senator Pustejovsky motions to accept the minutes from last week.
The motion is seconded.
14-0-0
Senator Ou was not present at the time of voting.
The motion passes and the minutes from the previous week are recorded.

III. Announcements

President Toy makes the first announcement about Staff Appreciation Day. She stresses that it "went very well" and that "they will definitely do it next year." She states that they put a 5 thousand dollar allocation in the budget for next year so people are "expecting it." She also thanks the campus for "the centerfold."

She goes onto to discuss the forum on free speech and states that it went "pretty well." She goes on and says that next time they should probably go over some "ground rules" because there were a couple "tense moments." She finishes by discussing that she will pass on "notes" to the next President to consult for the next year.

Finishing up the announcements, President Toy goes over the schedule for the next two meetings of the SGA. She states that the final meeting will "hopefully" just be to ratify the cabinet for next year's cabinet and she states that she will be ordering "a lot of food" for it.

IV. Senate Check-ins

Senator Pustejovsky begins by stating that she sent a survey out to the Junior Class about the housing process and she received about 115 responses. She asks Doug where she should send the information because people "are frustrated." She states she wants to utilize the data to help the process for the upcoming years. Doug Adams tells the senator to send the data to him.

President Toy asks Adams if there is "anything else about housing." She then yields to Adams.

Adams responds and states that "there was a glitch in the system." It did not affect the rising juniors and seniors but with the sophomores it ended up with some "empty suites." He states that any new housing process is going to take a while to work out and that they are looking into how they can better prepare next year's process.

Senator Pustejovsky replies and says that the "biggest complaint" was no information or tutorial beforehand. Senator Pustejovsky yields to Adams.

Adams replies and thanks the senator for her feedback. He continues and says that they want to work with students on the new system.

President Toy then asks Co-Chair Sanderson if he had any comments on the email he sent over the past week about the food in the dining hall.

Co-Chair Sanderson begins by stating he has received a "great spamming of hate mail." He continues by stating that his email should have "clarified" better of what unanimously passed

in the Community Council. He states that the legislation had “no specific things on it” but that the email sent out was just “examples.” He questions the “controversial” nature of this bill because the bill passed unanimously during the Community Council meeting. He states that the bill was just looking into “cultural appropriation” and microaggressions on campus and in the dining halls.

President Toy then states that the EatReal bill will be proposed next week and she strongly recommends that the senators talk to their constituents about it. She also brings up the survey that went out in the beginning of the year regarding the EatReal bill.

Senator Pustejovsky asks Senator McCarthy if she has the results of the survey.

Senator McCarthy states that she sent it to the senators.

Senator Aaron questions if Dan Detora will accept the legislation if it is passed.

President Toy says she is unsure but that the EatReal people have been in contact with him and they are ready to present the legislation.

President Toy motions to move the Endowment Affairs Report up the agenda.

The motion is seconded.

16-0-0

The motion passes.

Colin Mackintosh begins by going over the “highlights” and if any of the senators have any questions they are welcome to ask. He states that he met with David Provost and they had a “great conversation.” The endowment is not in a dire situation but that it has had “a couple of bad months” to which it has been pretty much “recouped.” He states that one of the problems was the private equity which is invested and then the money is “locked up” for sometimes more than 5 years and you can’t release it; this has an effect on the performance of the endowment. Over the past couple of years the college has also been running a deficit and some of the value loss was not truly about losing money but some of property, like McCullough, losing its value. He finished by talking about the sustainability portion of the investments and the endowment. He states that the current invested is around 3 percent and they increased investment to sustainable energy to around 8 percent. He closes by stating that Middlebury is “very secure” and there will be “no drastic cuts.” He also commends The Campus for their reporting on the deficit.

One of the senators asks about how donations are doing to the endowment.

Mackintosh states that they are “good and at the average” place they should be.

Senator Fleischer brings up the divestment movement and cites a current survey that started that over 80 percent of Middlebury students are for divestment.

Mackintosh replies and states that they understand that “there’s a large push” for the movement and that David Provost is meeting with the group soon to talk about the future.

President Toy motions to move “Form SLSEA Search Committee” up the agenda.

The motion is seconded.

16-0-0

The motion passes.

President Toy then states that the application is open for the SGA Liaison to the Endowment Committee and that they need to form a group of senators to go over the the applications. She states that the group will be made up of herself, William Weightman and

possibly two other senators. She also states that it should not require that much work since they have only received two applications thus far.

Senator McCormick, Fleischer and Wilson volunteer to be on the committee.

President Toy then announces that they will now present the budgets over 10k by alphabetical order.

First is Crew.

Senator Pustejovsky motions to accept.

The motion is seconded.

17-0-0

The budget is passed.

Second is Dolci.

Senator McCarthy motions to accept.

The motion is seconded.

17-0-0

The budget is passed.

Third is Equestrian.

Senator Pustejovsky motions to accept.

The motion is seconded.

17-0-0

The budget is passed.

Fourth is MCAB.

President Toy “pauses” and opens up the floor for discussions since “a third of our budget” goes towards MCAB.

Senator Ou questions the budget for the “Film Fridays.”

Senator Pustejovsky answers, as a member of MCAB, states that the rights to show films are expensive and can sometimes go for two thousand for more “blockbuster films.” She also states that they are “very well attended.”

President Toy remarks that if there is a way to partner with the Marquis to reduce ticket prices and to reduce the amount of money allocated in the budget. She states that it would be something interesting for people to look into next year.

Senator Lantigua likes the idea and brings up a time where she was subsidized for the ticket and started that it was “fun” and cheap.

Senator McCormick questions the “roller rink.”

Senator Pustejovsky states that it was really well attended and occurred during Fall Family weekend.

Senator McCormick then questions the high price of Zumba.

Senator Pustejovsky states that the instructor is someone from town.

Senator Fleischer remarks that he met with MCAB and discussed the large concerts. He starts that “it’s good the way it is now” but that he hopes to have a larger discussion in the future about what the student body “wants and the quality of the performer.”

Senator Ou motions to accept the budget.

The motion is seconded.

17-0-0

The budget is passed.

Fifth is MILC.

Senator Pustejovsky motions to accept.

The motion is seconded.

17-0-0

The budget is passed.

Sixth is Religious Life.

Senator McCarthy motions to accept.

The motion is seconded.

17-0-0

The budget is passed.

Seventh is Men's Rugby.

Senator Pustejovsky motions to accept.

The motion is seconded.

17-0-0

The budget is passed.

Eighth is Sailing.

Senator McCarthy motions to accept.

The motion is seconded.

17-0-0

The budget is passed.

Ninth is the Service Cluster Board.

Senator Pustejovsky motions to accept.

The motion is seconded.

17-0-0

The budget is passed.

Tenth is SGA.

President Toy reminds the body that everything is pretty much the same except there is now the funding towards Staff Appreciation Day, J-Term Workshop Fund, and the first year committee receiving only one thousand dollars.

Senator Fleischer questions the subsidizing of the FOO trips by the SGA.

President Toy states that it was an "old agreement" and that it should be discussed next year about how the future will go about regarding FOO.

President Toy motions to accept.

The motion is seconded.

17-0-0

Eleventh is The Campus.

Will DiGravio, a rep from The Campus, is yielded to by President Toy. He begins his statement by stating that when he takes a new leadership position next year that he is going to be looking at finding a new and hopefully cheaper printing facility. He states that currently the printing is done in New York and he is looking into printing facilities around Middlebury. He states his sincere commitment to reduce the printing budget and bring the printing back to Vermont. He also presents the new online site for The Campus at "middleburycampus.com."

President Toy states that it's pretty much the same proposal proposed last year except for the increase in web hosting. She states if they need more money they can request it.

Senator Fleischer questions how many copies are usually printed. He yields to DiGravio

He states that they also send copies to the Monterey campus due to a new partnership and the Office Manager handles "those numbers."

President Toy comments that it is very popular on the Monterey campus.

Senator Fleischer comments that he does want to pass the budget today but that he would like to examine it further later and he looks forward to working with The Campus.

Doug Adams makes a point about five years ago The Campus looked into new printing and they were based on the recycling and lowest price overall. He remarks that they did "a great job."

Senator Aaron motions to accept.

The motion is seconded.

17-0-0

The budget is passed.

Twelfth is WRMC.

Senator Pustejovsky motions to accept.

The motion is seconded.

17-0-0

The budget is passed.

Thirteenth is YouPower.

President Toy states that the increase is due to 3 new bikes and the replacement. She states that it is more than the capital expenditure which was amended earlier in the year. However, it will set in for the next year and so it should be fine to approve and pass. President Toy motions to accept the budget.

The motion is seconded.

17-0-0

The budget is passed.

President Toy introduces the Bylaws Amendment. She asks if there are any issues. The points out that every “year senator, including feb” will sit on a cabinet committee but not the commons or first year senators.

Senator Pustejovsky asks if the senator gets to choose the committee they sit on.

President Toy states that the President gets to appoint the senator but that most likely the president will consult the senator to figure out their strengths.

Senator Pustejovsky motions to pass the Bylaws Amendment.

The motion is seconded.

17-0-0

The Bylaws Amendment passes.

Senator Goldfield presents the “Academic Freedom and Viewpoint Diversity Bill.” He begins by stating this as a resolution regarding discourse thoughtfully. He states that he has been working with Senator Aaron and Ivan Valladares and listening to a “broad spectrum of perspectives.” They are looking forward for the discussion today about their bill. He states that the time is important in helping Middlebury move forward. Senator Goldfield yields to Valladares.

Valladares thanks Senators Aaron and Goldfield for co-sponsoring the bill. He states that the bill focuses on fostering an environment for all backgrounds and viewpoints. Free speech is something that is important to foster a place that upholds free speech for all and all viewpoints. He also cites the law as acknowledging the importance of free speech. “As a non-native and immigrant,” Valladares feels blessed with the opportunity to speak when others can’t. He remarks how he wants to defend his right to free speech and he questions a president of censorship infringing on peoples rights and public discourses. He reaffirms this universal right that we must recognize. “Limiting speech is not the solution.” He questions anything that jeopardizes our right to be authentic and honest. He cites the ACLU as “agreeing” with his statements.

Senator Cohen questions the intent of the resolution and what it is doing.

Valladares states that it is reaffirming fostering diverse ideas on campus and not supporting censorship.

Senator Pustejovsky states her “problem” with the legislation. She thinks it's a difficult conversation to have and she cites the rights the campus can do as a private institution. She does not want to restrict speech but she does say that there are limits to it especially when it dramatically affects a community.

Senator Aaron questions the last “last point” of Senator Pustejovsky. She states that it's important for the senators and their roles to reaffirm people’s right to free speech.

Senator Fleischer states that he is “opposed” to the bill and he questions if this “nullifies” the body’s ability to make decisions because of the legislation that was passed last week. He also brings up when people protest and use their voice should that not be known as “free speech” too?

Senator Wright says that he “would like to speak on the intention” of the bill. He speaks about the “redundancy” of the bill since it is started in the protest policies already. He calls the intentions of the senators who drafted the bill “admirable” and he tells the body that he met with senators to discuss an earlier draft of the bill. He then argues that the college employs students and due to a federal law employers can not allow a “hostile” environment and that means when student employees feel discriminated against or in a hostile environment. He also cites “due process” which guarantees people the right to free speech but he also argues that it also upholds the right for marginalized people to not live in a hostile environment and when people’s speech create a hostile environment the body has the position to talk about it. He also states the “abstract” argument that occurs when talking about the first amendment.

Senator Wilson responds to Senator Wright and that she understands his argument about marginalized people and not suppressing their right to free speech, and their right to protest. She then talks about Senator Fleischer’s points about “sending a mixed message” to the student body if this legislation is passed and she does not agree. She states that they represent the whole student body and she does not think it would send a mixed message. Finally she also brings up the fact that the protestors could bring a legal suit against the college and they have that right to do that.

Senator Wright states that he understand that right but that it's their hope that filing a legal suit would not do a lot to fix this community.

Senator Pustejovsky agrees with Senator Wright’s comments that it would not fix the community. She also agrees with the bills sentiments to allow everyone to their own individual and different viewpoints. She states that she does not want to take away individual’s own agency but that this bill just reiterates what is already affirmed in the policy. The community needs to take a new step forwards and have a conversation about it, and the bill fails to take a true position in starting a new conversation.

Senator McCormick cites a UChicago policy that reaffirms their students right to the freedom of speech. He says that the body needs to clarify where “we stand in the debate.”

Senator Aaron “would like to point out” that this resolution is “not trying to solve or re-write laws.” She comments that the body is not full of “lawyers.” She reiterates that the “point of the bill” is reaffirming and standing for the support of free speech. Free speech should not be forgotten or taken advantage of so she does not understand the “controversial issues.”

Co-Chair Sanderson replies and states that he understands the “good intentions behind” the legislation. He questions the timing of the bill and does not want the bill to be interpreted as “hostile towards people facing trials and hearings” in regards to the Murray protest. He agrees that he is open to the idea of “viewpoint diversity” but questions the true intent of the legislation. He wants to prioritize that some viewpoints are hostile and oppressive, and he questions how this bill deals with that. Also, how this bill protects the rights of people to protest with their own speech.

Senator Fleischer reiterates his main concern about what message this bill would send if it is passed in contrast to the resolution passed last week. He also agrees with Co-Chair

Sanderson's point about the right for people to speak and protest when they feel oppressed or targeted.

Senator Aaron says that they want to recognize people's right to protest and to hear all points of views. She cites the "women's right to vote" and that movement as an example where people fought for their equality by protesting.

Senator Goldfield comments on the reaction by Senator Fleischer to Senator Aaron's comments. He calls for the body to "respect one another" and that petty actions like "rolling your eyes" does not send a respectful sentiment. He finishes by responding to the Co-Chair's comments and states that this bill does not "favor one side" but is in favor of all perspectives.

Co-Chair Sanderson questions who this resolution actually favors and who it prioritizes as having the right to speak over others.

The senators then argue, without decorum, about the action of disrupting a speaker and if that is a form of free speech.

Senator Pustejovsky first states that "utilizing the women's right to vote movement is not applicable." She states that the movement itself was problematic as it was based for "only white women" and left other voices out. She does question the "slippery slope" that this bill could produce because it does reiterate the current policy where the body should be having a conversation about incorporating new language because of the events that took place.

Senator Aaron agrees with the statements made by Senator Pustejovsky and she reiterates that she was trying to make a statement about movements where it was important to have that right to free speech and expression.

Senator Wright does not disagree we reaffirming the commitment to the freedom of expression but he wants to make sure that everyone has equal access to the platform. He brings up the women's right to vote movement and how it ignored many different narratives from other women. He wants to uphold the standards of this community and the equal access to expression.

Valladares does not think that "these two conversations have to be mutually exclusive." He hopes this bill and conversation leads to making sure that everyone has the equal accessibility to the right of expression and speech. He agrees that we should discuss rhetoric that produces hostilities in this community but that we should play a role in making sure all voices are heard.

Senator McCarthy reiterates the point about the timing of the bill when people are dealing with judicial affairs and what message this might send them. She also brings up the topic of "Free Speech" and then what is categorized as "Hate Speech" because without understanding or having a conversation about then the body should not pass the bill.

President Toy thanks and commends the conversation about the legislation on the table. She also acknowledges that the "timing is poor" and wonders if this is conversation for next year and something the body should table to integrate into a bigger conversation for next year.

Senator Aaron thanks President Toy for her comments but does think the legislation is coming at a perfect time and that it would be important for the body to vote on next week. If senators disagree then they can "vote against it."

Valladares reiterates that the legislation should be voted on sooner because it is a topic a lot of people care about and that he does not want to lose the integrity of the bill.

Senator Duran quickly responds to the conversation and wants to reaffirm the sentiment about what message this legislation would send. He questions if it would be seen “as something positive” and he questions if the bill was a product of last week’s bill, and if it's contending that. He also states that he does not want to send mixed messages.

Senator Pustejovsky comments on the timing and states the seriousness of the “ongoing judicial reviews” and the message that this would send to the conversation that is occurring on campus.

Senator Wilson brings up the debate about “Free Speech” and “Hate Speech.” She cites a class she took on the topic and that she does not believe this body can truly solidify “one definition” that everyone would agree upon.

Senator Wright asks the authors of the bill if they would be in favor of any friendly amendments.

Senator Aaron affirms that she would like to vote on this bill in the next meeting and that they would be happy to discuss any amendments to the legislation.

Senator Ou shares his confusion to the body about what speech the body is vouching to protect. He questions if disrupting a speaker by using your own voice is a form of free speech. He states he does not have the answer but questions the legislation in vocalizing any opinion on the rights of protestors.

Senator Duran affirms that the legislation seems redundant to him because it does not keep in mind those who are restricted in their speech. He wants the legislation to reinforce the aspect of keeping in mind those voices that can’t be heard because of societal pressures. He also questions who truly has the right of the platform of freedom of speech and who this legislation prioritizes.

Senator Aaron states her “respect” for the senators comments and she thinks it's important that the body does make a stand in affirming the equal accessibility to the freedom of speech and making sure that it does not prioritize anyone group over another.

Senator Pustejovsky does not know if any friendly amendments can allow her to pass this legislation. She understands the sentiments of the bill but wants to make sure that the body takes a stand in the conversation that progresses Middlebury forward rather than reaffirming the ideas that seemingly pushed the institution backwards.

Senator Cohen agrees with Senator Pustejovsky’s comments and states her discomfort in voting on a bill during this time when many students are going through judicial review.

President Toy states that the outside media too is “closely watching” these conversation and it's important to bring as many voices into the conversation as possible. She also reiterates to the senators about “what the consequences are” and she urges the body to “read it line by line.” She motions to table for next week.

The motion is seconded.

17-0-0

The bill is tabled.

Senator Goldfield thanks the senators for their conversation on the legislation.

Senator Pustejovsky states her commitment to trying to have as inclusive a conversation as possible. She cites that she has received “hate mail” because of some her comments made in the senate but that she wants to reaffirm her commitment to these serious conversations and their difficulty.

Senator Duran reiterates the point made by Senator Pustejovsky and states that he also has received harassing emails and messages because of his comments. He states his concern about saying “All Voices Matter” because it culturally and historically always is one narrative that has been dominant.

President Toy yields to Dan Klemonski from the Educational Affairs Committee. He states that the bill on the table is discussing “Student Advisory Committees” in all major-departments and he states that after going around there are some departments that have them, some that have them but don’t utilize it, and then others who outright don’t have them. The bill would be asking for all major-departments to put contacts of those students on the committee on their site or make them available. If the department does not currently utilize it then they can put up some numbers of students to contact so people can't reach out and ask informal questions about the department.

President Toy questions where the bill will lead after it is passed by the body.

Klemonski states that it will reach out to the department heads and continue the conversation.

Senator Pustejovsky motions to pass the legislation.

The motion is seconded.

17-0-0

The legislation is passed.

There is a motion to adjourn.

The motion is seconded.

17-0-0

The meeting is adjourned.