52 UA Council 8 Agenda

July 23rd, 2020, 9:00-10:30 PM EDT, Zoom

1. Roll Call 9:00 - 9:05
2. Minutes Approval 9:05 - 9:10
3. JudBoard Bylaws 9:10 - 9:40
4. Student Leaders on Leave 9:40 - 10:00
5. Emergency Disruption Clause 10:00 - 10:15
6. Diversity Council 10:15 - 10:30
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9:05 Minutes Approval

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17 yeses

9:10 PM JudBoard Bylaws
Bylaws sections are close to being finished; Fiona C. and Shelly Ben-David describe bylaws
- 5 sections include: Purpose, Composition, submission and acceptance of cases, working on cases, ruling on cases, and appeals
- Purpose
  - Resolve conflicts that may arise in UA
- Composition
  - New change being proposed; Reserve Pool they will represent the board as a person
- Submission & Acceptance of Cases
  - If one JudBoard member deems a case nonfrivolous, then it will be reviewed
- Working on Cases
  - Self-recusal is encouraged in the case of a conflict-of-interest
  - Hearing process involves a series of deadlines pertinent to the case; people involved, not JudBoard, are culpable for finding the evidence in a timely manner
  - Each side will have 30 min, including opening statements and questions; ruling will be discussed between 24 and 5 days later
- Ruling on Cases
  - JudBoard should attempt to find a consensus; Chair of the Board is responsible for sending out decisions
- Appeals
  - In the case of new evidence, the case goes back to JudBoard;
  - Bylaw violations will be reviewed by Council with the possibility of impeachment and then to a Board derived from the Reserve Pool;
  - Disagreement in interpretation will initially go to Council and then to a Board derived from the Reserve Pool
- Reserve Pool System
  - Fiona C. says that there are still questions regarding this body of people
  - Reasons for a Reserve Pool
    - Conflict of interest
    - Appeals may require a new set of individuals
  - Options:
    - Outgoing president nominates both JudBoard individuals and reserve pool
    - IFC, Panhel, Dormcon, and dorm judicial boards form the reserve pool; possibly disproportionate representation
    - Members of Council each nominate one individual and then the number of members of the reserve pools will match the number of Council members
- Feedback/ Comments
  - Danielle G. adds that members should be acknowledged
    - Council: Jaya, Albert, Yara, Kate
    - JudBoard: Shelly, Roy, Eric
  - Fiona wanted to clarify that edits are still being made, so vote will likely be at next Council meeting
  - Kelvin G. has concerns about involving other organizations in the JudBoard appointments;
    - He wonders what sort of documentation would be required and feels that independence in appointment may be more beneficial
    - Kelvin also prefers the lack of Council presence (especially in cases of new evidence) unless necessary (mishandling)
    - Fiona adds that the misinterpretation issue should have an additional step to vet individuals but does not want the process to be overly tedious
  - Stephanie Z. was curious if there was a process to determine which members of the reserve pool would be selected in the case of an appeal or conflict of interest
    - Fiona replies that they normally exclude anyone who was previously involved for selection
  - Options
    - Generally, positive reception to appointment through in option 1
    - However, many council members unofficially voted against Option 2, which involves IFC, Panhel, Dormcon, and dorm judboards to form a reserve pool
      - However, Jaya K. still feels that randomization would avoid conflict of interest and Jaya feels that IFC is very experienced in handling cases
      - Miana S. expresses that the dorm and IFC/Panhel chairs handle cases of different natures than that of JudBoard
Shelly B. feels that reserve pool is more of a safety net than a frequent necessity
- Stephanie Z. explains Panhel judicial board, but she explains that one individual from each chapter is selected; however, she adds that a proportionately smaller number of cases are dealt with than the aforementioned organizations
- Shelly B. adds that Maseeh board usually handles cases individually; Summer V. adds that she has no knowledge of any handling of cases by Maseeh
- Sarah E. adds that the Dormcon judboard has not been active for some time
- Fiona C. wanted to get a sense of the activity of judboards: Afeefah K. adds that McCormick Judboard is active, but handles more complaints than judicial issues
- Yara K. also feels that a recommendation system could be implemented, and therefore, the endorsement would not necessarily be required
- Danielle G. is wondering about the timeline of recommendations:
  - Fiona C. says that if no one has people to recommend (if it is not required) then there will be a lack of endorsements
  - Fiona feels that the outgoing president could nominate people to the reserve pool; they could be nominated both independently and from the organizations to supplement the number of applicants

Anonymous feedback form: tiny.cc/bylaws-feedback

9:39PM Student Leaders on Leave
- Danielle G. adds that leaves of absence (LOAs) will likely drastically increase this year
  - Yale University announced that unenrolled students may participate in clubs as both members and leaders
  - Yale wanted to avoid LOAs from impeding on extracurricular involvement
  - No one is paying for student life fee which removes a point of differentiation from enrolled and unenrolled students
- Groups Consulted
  - Directly
    - UA Advisor
    - DSL
    - ASA
    - Faculty Governance
    - Boston Intercollegiate Government
  - Indirectly
    - David Randall, Senior Associate Dean for Student Support and Wellbeing
    - MIT Senior Leadership
- Danielle and Yu Jing spoke with ASA leaders about new rules
  - 50% of executive board will no longer need to be MIT students (excluding the president and treasurer)
  - Organizations will still need registered students serving as President, Treasurer, and financial signatories
  - MIT students on leave may continue to participate in MIT activities that are open to the MIT community
  - Megan X. wonders if there are two co-presidents and one is unregistered; Danielle responds that one student would officially be president, but the other student would be involved in running the organization
- Anonymous Poll: Who is thinking about taking leave?
  - https://forms.gle/e6NipHgGWRdLuEi6
- Roughly 23 no’s and 3 yeses. However, Danielle G. adds that this number is by no means representative of the MIT population
● UA Leadership Positions
  ○ Positions
    ■ Principal and Assistant Officers
    ■ JudBoard
    ■ Stand and Ad-Hoc Committee Chairs
    ■ Election Commissioners
    ■ Off Campus Rep (in general UA Council voting members are determined by their respective governing documents. However, there is an exception for Off campus rep)
  ○ Danielle G. wonders about Council stance on committee members serving while taking a LOA:
    ■ Sarah A. feels that there is no reason to prevent unenrolled students from being committee chairs, especially given the specificity of the situation
    ■ Afeefah K. feels that turning over leadership will not be productive, and feels that this should be a temporary policy
    ■ Nico S. wonders if there will be a distinction between an on-campus LOA versus off-campus LOA
    ■ Danielle feels that discontinuity of experience is fairly generalized
    ■ Stephanie Z. worries that being on leave may prevent students from dedicating time to their position (as they will not be spending time on classes)
  ○ Yu Jing C. adds that while this change is not permanent, it will set a precedence for the future
  ○ Megan X. wonders how the ASA rules apply to UA; Danielle adds that UA is unaffected
  ○ Fiona C. wonders if policy may depend on positions, in regards to loss of community and effects of social distancing
  ○ Megan X. prefers to have UA officers to be currently enrolled students; if UA is representing all undergraduates, then there should potentially be students on LOA involved
  ○ Stephanie X. feels that because such a significant percentage of students will be on leave, it may be helpful to include representation from students on LOA
  ○ Nico S. asks if there are any positions that require officers to be on campus or registered.
    ■ For example, Nico mentions that he is on the commencement committee, so his position is tied to his enrollment
    ■ Danielle feels that the UA education committee is discussing similar issues.
    ■ Furthermore, Danielle feels that the issue largely pertains to institute committees
  ○ Megan X. feels that cases should be dealt with on an individual basis to determine that the person on leave has the necessary time to devote to their role

10:00 PM Emergency Disruption Clause
● Significant Disruption
  ○ Danielle mentions that the UA definition includes full-time students
  ○ Faculty governance committee has a significant disruption policy (put into place in order to change the grading scheme)
  ○ Kelvin G. describes policy 2.102 for significant disruption which delineates extreme cases that would lead to a decision such as this.
    ■ Changes must abide by a list of criterion including: confirmation to recommendations of administration and health of students
● Where could it have helped?
  ○ Nominations
• Institute Committee
• JudBoard
• Election Commission
  ○ Elections
    ■ UA President and VP
    ■ Class Council
    ■ Off Campus Rep
• Where can it still help?
  ○ Membership
    ■ Include LOA students as UA Members (for leadership)
• Where it can hurt?
  ○ Bad actors
    ■ Stipulations should limit abuse of policy
• Kelvin feels that the faculty governance policy would be replaced by UA specifications
  ○ https://facultygovernance.mit.edu/rules-and-regulations#2-102
• Sam A. wonders who would make decisions about what denotes significant disruption
  ○ Danielle adds that the president would consult with Council and make a decision
• Megan X. wonders if faculty stops significant disruption, would UA follow suit?
  ○ Danielle feels that UA would probably make a similar decision, but not necessarily be tied to faculty decisions
  ○ Danielle adds that even if academic groups return to normalcy, student groups may still require significant disruption circumstances
• Gauging interest
  ○ No council members gave response.
• Danielle wants an official vote to approve UA officers looking into the issue

10:10 Vote for UA Approval to find a way to accomplish this
Sarah A. motions. Laura M. Seconds

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Motion Passes.

10:12PM Motion to add update on diversity council
Sarah A. Motions. Jaya K. Seconds

10:12PM Update on diversity council
- Kelvin G. adds that there is a timeline of August to start progress; ideation of charter and bylaws are currently underway
- Open to all student groups (identity based, interest based, etc.)
- He adds that he hopes to give an additional update at the next council meeting
- ICO background
  - Diversity and Equity at MIT
    - Will be crafting a 3-5 year action plan; thinking about the future
- Danielle presented a question of what structure can support this effort?
  - Kelvin hopes to enlist students from all communities to garner feedback from a variety of sources

10:17PM Motion to Adjourn.