CSL Meeting on 12/05/2014

Minutes

1) Members and People Attending:
   a. Members present: Helen Marrow, Jamie Kirsch, Andrew Ramsburg, Anne Poncet-Montange, Consuelo Cruz, Mickey Toogood, Bruce Reitman, Philip Starks, Ece Kocak
   b. 2 outside observers of the TCUJ informational session: Bryson Wong (a student senator with interest in this, bryson.wong@tufts.edu) and Dustin Robbins (dustin.robbins@tufts.edu)
   c. Minutes taker: Ece Kocak

2) Review and approval of 11/21 Minutes

3) TCUJ by-laws: Informational session on changes currently being implemented
   - Bruce Reitman informs us that CSL “owns” this and “delegates” it to TCUJ; so we must vote to approving any newly proposed system for it to go into practice for the TCUJ.
     a. Goal is not necessarily to vote on whether or not we agree with them, but whether or not TCUJ is acting within prevailing law and university policy to make changes and implement new proposals. In other words, he says there are 2 things to consider:
        i. Are there clear grounds for TCUJ to change these bylaws (ie, are there rules and are they made “clear”)?
        ii. Are whatever rules that are put in place fair, nondiscriminatory, and not disadvantageous to certain groups over others (ie, are the rules and their implementation “fair”)?
     b. No vote will be held today because we do not have a quorum. We will pick this back up in January.
   - Bylaw Amendments Summary by Jon Zifra (Vice Chair of TCU Judiciary)
     a. TCUJ recognizes new clubs & allocates budget ($1.5 million) through the Treasury (a 1-person position) and Allocation Board
     b. Group organizations have increased from 50 to close to 300, running out of space & resources. Thus, goal of changes is to keep system of group organizations vibrant but also viable; to encourage the most active and engaged of all groups with resources, but not cut other groups off from more informal ways of meeting/participating
     c. Recognition allows 3 things:
        i. Reserving reservable spaces
        ii. Using the Tufts name
        iii. Access to apply for funding
           1. Recognition without funding: not eligible to receive funding from TCU Treasury through annual budgeting, but can apply for supplemental funding
2. Recognition with funding: eligible to receive funding from TCU Treasury through annual budgeting

d. Old by-laws
   i. 15 members (minimum)
   ii. 3 events (was vague)
   iii. Constitution

e. New changes in by-laws
   i. 15 members, hand-written list
      1. Proof of actual & active participants across various class years (the latter to show potential for sustainability)
      2. 1/3 of executive board should consist of underclassmen
   ii. Must be active for at least one semester prior to the fall semester which they are applying to be recognized
      1. This is intended not to discourage groups from becoming active, but to see they are creating an initial track record that shows some evidence of interest and sustainability into the future. If have ties to a national organization, Tufts wants proof of recognition by that national organization as well.
      2. Now need proof of 2 events, rather than just activities. Is trying to be a way to ask for “more” than just activities like postering, chalking, and tabling; say yes that’s a good start but how else can you engage the community
      3. Wide-spread event that engages community some way

f. Changes for re-recognition
   i. 2 proof of events from last 6 months
   ii. List of regular membership
   iii. Contact information for future leadership board
   iv. Constitution
   v. Summary of future plan

g. Appeals of student group recognition decisions: must meet one of criteria
   i. Denial of fair process
   ii. New evidence
   iii. Severity of sanction

h. Additionally, however: CSL can always consider “broader” questions relating to the following while considering any appeal, and make policy recommendations based on our deliberations; in fact, Bruce Reitman reports that anyone can bring such questions to our attention for consideration, including but not limited to appeals based on lack of fair process:
   i. Unreasonable recognition standards
   ii. Constitutional challenges

i. Concerns emerging:
i. From students: Changes in by-laws only announced Nov 19, 2014, leaving many potential student groups unable to prove 2 “events” during the Fall 2014 semester in time for re-approval in the spring 2015 semester. May be able to, but may also have to scramble as were operating on old by-laws. So can implementation of new policy be delayed at least 1 more semester to allow for transparency and event organizing during the Spring 2015 semester instead?

ii. From students and also CSL members: Does the recognition with funding and recognition without funding distinction effectively create a 2-tiered system of student organizations? It existed under the old by-laws too, but why is this even necessary? We fear several groups will initiate appeals just to become funded groups instead of unfunded but recognized groups. So can’t there just be one “recognition” status, and then the Treasury and/or the Allocation Board figure out a better mechanism for deciding out the funding to each recognized group after that, and also including language that is more specified and less vague (for example, perhaps use an ordinal points system where organizations get “points” for each element they have or prove in their application, and sums up points for final funding tallies, etc.)?
   1. Jonathan Zifra says will have to talk to the Treasury and Allocation Board about this; does not know how they could make this change
   2. But it seems important; right now funding seems to just be “as we see fit”.

iii. From CSL members: Vague language. The idea that “we’ll know what’s reasonable when we see it” is understandable but also vague and leaves open many possibilities for appeals. Better to do this well and slowly.
   1. For example, how exactly will you use and implement your discretion surrounding membership numbers? Right now it seems to be “15 members unless a group is too small to achieve 15 numbers”. Can you clarify more precisely how you will implement discretion to make exceptions here, so that language is clear, and fewer appeals start coming through?
   2. Also: Need to think harder about rationale for why demand 1 semester of prior activity to be recognized. CSL members worry this may effectively privilege larger and better-networked organizations over smaller or more niche ones. We already have one appeal based on lack of fair process that is essentially trying to challenge its denial of recognition by this standard. So – is this recognition standard fully reasonable, and also fair and
non-disadvantageous to certain groups over others, on its own? If so, does the rationale for it need to be strengthened further, so that it can be easily applied to all groups with fewer chances for appeals? Or vice versa, does the TCUJ need to re-think this requirement because of the “fairness” issue in any way?

j. We end the discussion encouraging TCUJ to do three things:
   i. Reconsider the two different standards of funding (maybe have 1 recognition standard and less vague way of assigning funding amounts within it)
   ii. Clarify vague language about membership requirements, particularly in areas that currently give large “wiggle room” for discretion by TCUJ and thus open up avenues for appeals to (particularly but not limited to the 15-person minimum, and the 1-prior semester of activity requirements)
   iii. Consider delaying implementation by a semester, so that changes can be announced in January 2015 but begun to be applied in Fall 2015. May be frustrating and slow but ultimately more effective as policy change

4) Appeals
   a. CSL can forward the urgent appeals to the designated person by the Dean of Arts and Sciences (currently John Barker), since it is close to the end of the semester and quorums are hard to reach for students once exams begin.
   b. CSL will consider the spring 2015 suspension appeals quickly then
      a. Today consider one appeal: CSL concluded that there was not ground for appeal based on severity of sanction; but encourages Mickey to include clear language in the letter to the student and his parents that he is encouraged to return to Tufts in Fall 2015
      b. At next Dec 12 meeting will attempt to consider the requests for appeals for 5 other cases.
         i. If cannot reach a decision on Dec 12 may decide to forward their cases to John Barker, or do e-votes
   c. Other appeals can probably wait until our January meetings.
      a. Mickey will check with each student to see if their preference is to wait until Spring for a full CSL review or get the case decided quickly
      d. In general, CSL members want to discuss the pros/cons of forwarding so many appeals to a single person in the future