

Faculty Senate Meeting
January 21, 2026

JONATHAN OCHSHORN: Good afternoon. I'm Jonathan Ochshorn, Senate Speaker, Emeritus Professor of Architecture. And today, we have a special Faculty Senate meeting to discuss the agreement between the United States of America and Cornell University, which was effective November 7, 2025. I'll start with the land acknowledgement. After which, I'll turn the floor over to Cornell President Michael Kotlikoff. Provost Kavita Bala is also here, who will assist in answering questions and comments at the end. And when you have comments and questions, please remember to restrict them to two minutes if possible. Cornell University is located on the traditional homelands of the Gayogohó:nq (the Cayuga Nation). The Gayogohó:nq are members of the Haudenosaunee Confederacy, an alliance of six sovereign Nations with a historic and contemporary presence on this land. The Confederacy predates the establishment of Cornell University, New York state, and the United States of America. We acknowledge the painful history of Gayogohó:nq dispossession, and honor the ongoing connection of Gayogohó:nq people, past and present, to these lands and waters. We will approve the minutes of the December meeting at the next February meeting. President Kotlikoff.

MICHAEL KOTLIKOFF: Thank you, Jonathan. Good afternoon, colleagues, everybody. I hope everybody had a great break and everybody's back in the swing of things. It's great to see students back. So, I'm going to talk, actually, about three things today. And then, KB and I are here to answer questions. And my comments will be fairly brief. But I want to talk about security, I want to talk about the settlement, and I'd also like to talk about the code of conduct, which has been much discussed on campus. First of all, about security. The terrible events of the last month in Brown have underscored how important it is to have a campus that is prepared for emergencies of every kind. Like many other institutions, we're taking the moment to review our preparedness for events that we hope will never happen at Cornell with a campus-wide security assessment. You'll hear a message is going out later today on this to the whole campus community, but I wanted to present this to the faculty. Let me emphasize two aspects of what we're doing. One is working on training and preparedness of people, and the other is the readiness of our infrastructure. On the first issue, on preparedness of people, public safety works around the year to plan, train, and coordinate responses to potential emergencies. We have and we work on continued collaborations with local, state, and federal partners. These are very important. The importance of this was emphasized when we had the very unfortunate threat at the Center for Jewish Living in 2023, which we responded to very quickly. More recently, working with Brown and our Ivy colleagues, we are trying to learn from the recent events and share best practices among ourselves. We have individual preparedness. Some of this information will be in the document that we send around today. We have Cornell Alert, RAVE Guardian app, and evacuation routes that are illustrated on our websites. And as far as education goes, Cornell Police offers a number of training programs for workplace violence prevention and for self-defense. And leadership is going through another tabletop. We routinely go through tabletops to plan for events that, again, we hope never happen at Cornell. So, on the infrastructure side, we value an open and public campus at Cornell. It's something that's had a long tradition here and is part of our culture. We are more open as a campus probably than any of our Ivy peers because of our location and our benefits from that location. Difficult to get to and difficult to leave from. Unfortunately, in an environment where gun violence has become all too

common, we need to find a way to balance that openness with preparedness. What these situations have taught us is that some infrastructure is needed to be able to respond to emergent situations quickly. That is, the ability to lock down buildings, to access security footage, to rapidly understand critical events. Experiences at Brown have emphasized the importance of the ability to secure the campus rapidly and have ample video coverage. Some in our community have voiced concerns around the use of security cameras. And I want to be very clear that this is not about protests, it's not about internally evaluating what's going on on our campus. It is strictly around doing our job to protect those individuals that come to our campus. We're going to do an assessment now, and we'll be upgrading buildings in terms of electronic locks and cameras, concentrating on areas where students congregate in test-taking facilities and large lecture halls. So, we have a number of our campus buildings where we don't have swipe access. We don't necessarily need to implement swipe access, but we need to have those locks on our doors so that we can secure our facility when we need to. And we have a number of areas where we have a deficiency in video to be able to understand what's going on in our buildings and around our buildings. So, there will be an assessment that's taking place, and we will be making an investment to try and increase our security in the near future. So, I'd be glad to answer any questions about that. But let me now move to the settlements. So, the full agreement of the settlement and the FAQ that we issued following the settlement are online. I urge anybody, if you haven't seen the full settlement, to please read the settlement and the FAQ. Of course, negotiations went on for much of 2025. We drew red lines in the beginning of those negotiations, and we held fast to those red lines. I understand that everyone is not happy with the settlement. I'm not delighted with the settlement. I'm not thrilled with it, but I believe it was the best solution for the university given the position that we found ourselves in. We affirmed academic freedom, that's in the agreement, and we did not admit to any unlawful conduct as part of the agreement. No language is in the agreement about screening international students for their views. There are no artificial limits on international student enrollment. No language restricting free expression. No data provision other than that that is required by law. In fact, the education department has recently increased their IPEDS data submission. It is the data submission that every university has to provide on an annual basis. And those new IPEDS requirements are more rigorous, more onerous than what we've agreed to provide in terms of our own admissions data. No admissions or hiring changes to our policies at Cornell. No monitor or internal liaison that reports back to the Department of Justice. We preserved all of our policies, our autonomy, and our right to adjudicate our policies. The data that we provide is legally required. The guidelines that we provide are simply the government's view of Title VI. They are not required for this institution, but we are required to provide-- to make those accessible to our faculty, and we're moving forward with training processes that provide that view, that government view of Title VI, but makes clear what our requirements are by law for hiring to avoid bias in hiring. The survey that we agreed to do is essentially the survey that we did every other year. We'll now do it every year. We decide the questions for that survey, and you'll be seeing that in coming months. Now, many have said that we should have refused to agree to the settlement on principle, any settlement, whether it simply requires us to obey the law or not. I certainly understand that point of view. I was not pleased with the situation that we were in. But what we were facing was real significant damage to faculty, to faculty careers, to young people's careers, to graduate students and postdocs careers. And as I say, I believe that given that situation, we achieved the best outcome that we possibly could. Now, we also agreed, of course, to provide \$30 million over three years to the government. That will go into the Treasury. It's not used for any specific project. People

have asked me, "Is that going for the new addition on the White House?" As far as I know, it's like electrons into the grid, you can't tell where those dollars are really going. And we agreed to provide \$30 million in internal research over the next three years in areas of agricultural technology. Those are areas where we already concentrate, it's an area where Cornell leads the country, and I was pleased that we invested in ourselves and not more money outside of Cornell. And then, finally, the agreement does give us the legal basis to sue if actions like this are taken again by the federal government. So, it constrains the federal government from doing what they have done in the past to Cornell and other institutions. So, that's my summary of the agreement. I'd be glad to answer any questions about it. I will say one update I got yesterday. Some of you may be worried or curious about where we are with indirect costs at the university. All four of the appropriation bills for the major agencies have now passed Congress as of yesterday, and all four have language that restricts the government's ability to arbitrarily cap indirect costs. We have a number of-- academic institutions have a fair proposal that's in front of the government that has not been adopted. There's an alternate proposal from OMB that's much more onerous. But in the near term, we're protected by these bills that prevent the government from acting arbitrarily. So, we'll fight this out over the coming year in terms of how we calculate indirect costs in the future. The last subject I'd like to just say a few brief things about is the Code of Conduct. So, we have a process in place. It's a process that is actually outlined within the Code of Conduct to review the code every year. We have a process that has a committee. That committee will issue a report, will be a public report. The faculty Senate will have a chance to opine on that and provide its own views about that report. But it's very important for the university to have an efficient and accountable process to protect the community, including from unlawful discrimination and bias. We need a process that's rapid, and efficient, and provides us legal protection from civil and federal lawsuits. I'm sympathetic to the complaints about the extreme delays in adjudication of code violations. Part of what we've asked this committee to do is try to address that to make this a much more rapid process that gets us to a solution earlier, that limits the extent of emergency measures that we take. Part of that is limiting the ability to spread this out over many, many months. And I'm hopeful that this report will provide some remedies that allow us to get to a solution much quicker. Let me say one final personal thing about this, and that is that in this process, we're hearing a lot from student groups and others around this code process. That's fine. But we're also seeing certain individuals whose job it is to adjudicate the code personally attacked in social media and in print media, and attacked in a way in which they're identified, they're accused of things. This is really inexcusable to attack somebody who's really simply doing their job. So, I hope that everybody will restrain themselves, and particularly this sort of ad hominem approach to individuals that are simply doing what they're paid to do and really bearing the brunt of criticism that is unfair. So, with that, I'd end and be glad to take any questions.

JONATHAN OCHSHORN: So, if you're in-house, come up to this microphone on my left, on your right. If you're on Zoom, raise your digital hand. I don't see anyone on Zoom, so we'll start in-house. Identify yourself and try to keep it to two minutes.

PAUL GINSPARG: Paul Ginsparg, Information Science. So, thanks, Mike, for that overview. You started out by saying you weren't at all happy with it, but then when you enumerated everything, it sounded as though, other than what sounds specious of people didn't want any agreement at all, it sounded like the only thing to be unhappy about was half of that \$60 million,

the \$30 million, which disappears into the coffers of the government. So, the first question is, am I right? Was there anything else to be unhappy about? And then, the second question is, if you've unlocked all of that money, should we still be prepared for a decade of austerity, or can we come out of it? For example, here in this room is where we usually have the physics colloquium. We're not permitted to have external people coming, so a month from now, I'll be giving the colloquium. It will be entitled, I invite everybody to come, "The Rise of Slop", and it will be about the attack on communications research infrastructure, which might be of interest to you. Anyway, those are my two questions.

MICHAEL KOTLIKOFF: Thanks, Paul. Yes, I largely agree with your analysis of the document. I was happy with the language and what we were able to achieve in the language, which was different from a number of other settlements. Simply, I was happy that we did not need to compromise, and we would not compromise our fundamental principles as part of the agreement. Well, I think a lot of the other agreements had components of the language that were unacceptable to me. I would agree with that. But in addition to the \$30 million, I think I'm not happy about the position that Cornell and other universities were placed in, that is, in an extrajudicial fashion, to have our grants terminated or not paid and place us in a position where we had to evaluate, are we going to settle with the government over something we think they haven't proven or even brought any evidence forward on or not? That's also a part that I was unhappy about, that sort of negotiating at the point of a gun, but that's something I couldn't control. On your second question, I wish it were the fact that the only financial stresses facing the university was the federal government's holding of our research funding. We really have grown at a rate that is not sustainable. We've seen costs escalate across the university in a way that we can't cover with tuition. We really, I think, and we've seen legal fees that are just enormous both here and at Weill Cornell Medicine. All of this has put us in a situation where we're at a razor's edge in terms of our budget, and we really need to be able, as a university, to make sure that we can withstand the buffets that are coming. And those buffets are coming. We're seeing issues in federal government in terms of international student enrollment. We're seeing issues on loan caps and tuition. I think we escaped a bullet on Pell Grants this year, but I think that'll be attacked in the future as well. So, all of these things, I think we have to prepare for. And I think, really, we owe it to ourselves and to the public to run this place as efficiently as possible. I think something faculty would agree on. We are a university that has multiple duplicative units where everybody has decided they need their own X or Y or Z. We can do that in a way that I think is much more efficient, we can lower the pressure on our tuition, and provide the kinds of reserves that I've mentioned.

JONATHAN OCHSHORN: We'll try to alternate between the Zoom people and the in-house people. So, we'll go to Zoom now. Nathan Matias.

NATHAN MATIAS: Hello. Nathan Matias from Communication. Thank you for sharing, President Kotlikoff. I was encouraged to hear that the data the university will be providing to the government is not more detailed than what IPEDS is asking for as someone who's worked with the IPEDS data. I'm wondering if it might be helpful to help reassure the university community who's been worried about this issue for the university or Senate to receive a description of the data, maybe the columns that will be shared. Obviously, the data itself might have some sensitivities to it, but I wonder if a description could be produced.

MICHAEL KOTLIKOFF: Great question. Let me look into that. I'm inclined to agree and to provide that. I've recently looked at it. So, it simply is-- Now, it is by college, but it simply is an identification number, which is our number, which is opaque to anyone else, a GPA, test score, race, gender, and the results of admission matriculation. That's the extent of the data. So, you can imagine what could be done with those data, but what can't be done is identifying any individual. So, let me look into if there's any legal impediment to doing that. I'd be inclined to do that. I don't know if you have a thought about that, KB.

JONATHAN OCHSHORN: Go ahead, identify yourself.

BILL KATT: Bill Katt, Molecular Medicine. I have two questions. One, I'm just curious if you can speak to how the agricultural investment ended up in the negotiations. It just kind of seems like it came out of nowhere. And two, can you tell us, has the federal government actually done all the stuff they're required to do as part of the negotiation, or are we still waiting on some of that to happen?

MICHAEL KOTLIKOFF: So, the second part of your question, we've gotten all of our grants turned back. So, they've really acceded to everything they agreed to do. How did the agriculture-- That was, frankly, our suggestion. Frankly, we knew that they were trying to inflict some monetary pain. The bigger the number, the bigger the headline. So, we tried to offset that as much as possible with investment in ourselves and investment in something that would be mutually acceptable as a self-investment.

JONATHAN OCHSHORN: Chris Schaffer.

CHRIS SCHAFFER: Hello, Mike. Chris Schaffer from Biomedical Engineering. As you know, back in December, the Senate passed a resolution that I was actually a co-sponsor of calling for disbanding the current committee that is looking at the code of conduct and forming a new committee very much in the mold of the expressive activities committee, where various shared governance bodies use a democratic process to nominate individuals to the committee. I think one of the strengths of the expressive activities committee was the very open, transparent, and democratic process used to create its constituency gave it a degree of, I don't know, deference to it and a degree of validity or something that I think a straight appointed committee can sometimes lack. I believe the Student Assembly, the GPSA, and the Employee Assembly have all passed similar resolutions. And I would just be curious to hear your thoughts about modifying the approach taken to making-- I appreciate the notions you spoke about for revisions to the code. I agree with them, but I'd be interested to hear your thoughts about trying to do something that very much modeled the expressive activities committee, which I think emerged with an unusual degree of legitimacy and a controversial finding, in part because of the thoughtful makeup of the committee, which you led.

MICHAEL KOTLIKOFF: Thanks, Chris. I find the description of the expressive activity committee a bit amusing because that committee was also attacked when we first set it up. Again, it was we want certain individuals appointed from certain assemblies, which was not the way that committee was set up, but we did have representation as has this code of conduct

committee. And I just point out that this is specified in the code, how this committee is established. It's a committee that is simply reviewing the current code and making recommendations for modification of the code. It is not de novo whole cloth redoing the code. So, to ignore what was passed within the code as a way to revise it over time, I think just doesn't make sense, Chris. And I would also say that as with the expressive activity committee, which went through a process, as you know, serving on it, went through a process, was publicly distributed, went through, got public comment, revised it, went through another public process, and came back, the same thing is going to happen here. So, I find the heat around this confusing because I think it will be a very thoughtful process, and it will certainly be an open and transparent process. And they've done a lot of work by this point. So, to tear it up and to say, "We're going to do something ad hoc separately to completely redo the code of conduct, I just don't think makes sense. CS And Mike, in that case, just a quick follow-up question. Do you have an estimate of the timeline on which there would be publicly available information from this committee, the opportunity to provide constructive criticism and otherwise try to weigh in on the process?

MICHAEL KOTLIKOFF: Yeah, I expect by the end of this semester we'll have something. And I think you'll see it's incremental, Chris. It's not, as I say, revolutionary.

CHRIS SCHAFFER: One more small follow-up. The dominant complaint in the faculty senate resolution was a perception of overuse and sometimes capricious use of the interim suspension policy. Would you commit to exercising more constraint in the institution's use of those policies until these new revisions have been made?

MICHAEL KOTLIKOFF: Well, I respectfully disagree, particularly with the adjective capricious. The individuals that underwent emergency measures or intermediate suspensions were found to have violated the rights of other individuals, either through preventing them individuals to access a work fair, job fair, or shutting down speakers, or interrupting classes. So, that's something I have to say I'm very pleased, as of the last semester, we've not seen any of. In fact, I'm extraordinarily pleased that, I hope tomorrow between 12 and 1, as last semester, we've had demonstrations in front of my office at Day Hall between 12 and 1, time, place, and manner consistent, not preventing people from expressing their political views, but also not preventing people from going to a job fair or going to class. So, I think we're in a good place. I can't commit to something that-- You know, if somebody violates somebody else's rights, that's something that, first of all, puts the university in legal jeopardy, is completely unfair to the individuals whose rights are being violated, and may need to be adjudicated appropriately.

CHRIS SCHAFFER: Thank you, Mike. I apologize for my use of capricious. I'm having trouble finding the right words today. But to quibble with your words, the individuals who were given interim suspensions had not by our processes been determined or found to have violated anything. There was a decision that did not go through our adjudication processes. So, they were not yet found to have violated our rules at the time that the interim suspension was made, and that is where the concern lies. I think we share the concern around the pace of adjudication. And I am not advocating for violating people's speech rights. I don't want to see this.

MICHAEL KOTLIKOFF: Well, I don't think we're that far apart, Chris.

CHRIS SCHAFFER: I agree.

MICHAEL KOTLIKOFF: I would just mention that there is a process associated with an interim suspension. It's not without due diligence and a process. But I agree with you. It didn't go through a process. And our joint aim, I think, is to compress that so that we don't have to do this.

CHRIS SCHAFFER: I would love to partner with you to dramatically reduce the use of interim suspensions, except in cases where there's a real risk of violence, because we can confidently do that knowing that our processes are quick enough to avoid civil rights litigation and the like. Thank you.

MICHAEL KOTLIKOFF: I think we should end this, but I would say that violence is not the only measure here.

CHRIS SCHAFFER: Agreed.

MICHAEL KOTLIKOFF: Restricting other people's rights is important. Protecting people's rights and protecting them from unlawful discrimination is an important value of this university.

CHRIS SCHAFFER: Agreed, and I hope we can do it through regular order.

JONATHAN OCHSHORN: Okay, we're going to move on. Identify yourself.

BRYAN SYKES: Bryan Sykes at Brooks Public Policy. I have a question about the certification process. It states that the president of Cornell University will certify, to the best of their knowledge and after reasonable review and investigation, that the university has maintained and implemented policies and procedures, as well as training programs to ensure material compliance. And I had a question around what does reasonable review entail and what institutional supports, policies, and procedures will you rely on in making this certification or attestation?

MICHAEL KOTLIKOFF: Yeah, good question. So, each one of these now has a sort of work stream associated with it. So, for example, the data of student admissions data. That has a work stream that goes through, gets oversight, gets passed to me before it goes in that I'm assured that we have provided-- it gets legal review, we have provided what we've said. The same thing on our commitment to providing these guidelines as a resource. We will document to the federal government how we provide them as a resource. So, each one of these areas-- And for example, the \$30 million. We've already cut a \$10 million check, but we certify that and we will certify that we've expended \$10 million internally in research associated with agricultural technologies. So, your question is a great one. I'm on the line criminally here because I'm signing it. And I am assured by the individuals responsible for each one of these work streams that they've done what they've needed to do to provide the government what we've promised. Does that answer your question?

JONATHAN OCHSHORN: Go ahead. Identify yourself.

TODD SCHMIT: Todd Schmit, Applied Economics and Management. Thanks for coming, Mike and Provost. So, I appreciated your comment about how the internal investment, instead of external investment to the government, was part of your bargaining chip. I'm wondering if you can talk-- This is the first I heard technology as part of the agriculture investment. I was wondering if you could talk any more about what's under that umbrella, and what type of process would you see going forward, like, you know, the Hatch internal process that we already have, or something to that align? Thanks.

MICHAEL KOTLIKOFF: Yeah. I'll let KB fill in that one.

KAVITA BALA: Thanks. So, this is going to-- Thank you. It's going to be administered by Gary Koretzky, our VP for Research. And we have two different processes we have stood up. We're standing up an advisory board that is going to be run by the deans of CALS and VET, external advisory board of people from the farming communities, from the dairy community, et cetera, and across the country to give us advice on projects that they think will have impact on their communities. So, that's one piece. That's an advisory board that's coming externally. Internally, we have stood up a faculty committee that has about 18-odd faculty. If we haven't yet already posted it on our website, we will shortly. We are going to run two RFPs per year. It's going to be \$10 million per year. They're going to be split into RFPs where anybody in our community can apply for grants, like an internal grant. This committee will adjudicate how we give out the grants. They're going to look at the impact on farmers exactly as we had said in the agreement, right? We said we will work on having an impact on farming communities, and it did mention that it was with AI and technological innovation was one piece, but that's not the only piece. So, the committee is going to-- This, as a faculty committee, is going to decide how they're going to, the call for-- As I understand it, the RFP is going to go out in a week or so, early February, but the proposals are due two months later. So, people will have-- the whole community will have an opportunity to understand it, work together. We will not-- Many of these grants are often-- Many of the projects we do are with external collaborators. This will not fund external collaborators. We will keep the funding to the Cornell community. And so, the RFP is coming out pretty soon. So, keep your eye out for it, and look out for emails from the VPR's office because that's where we'll advertise it. And it's being called-- Actually, I won't tell you what the name is because I don't remember. But that's one piece. There's also going to be projects that are calling a little more ready to have immediate impact on farming communities that will probably come from the dean-led, but will also have an immediate impact on farming. That's the core mission. That will also be vetted by a group similar to this group. Thanks.

JONATHAN OCHSHORN: Oh, I'm sorry. I didn't know you were waiting. Go ahead and identify yourself.

RICHARD BENSEL: Oops. Richard Bensel, Department of Government. Mike, I agree with Chris's comments. In fact, I think they were measured and mild compared to what I think the sentiment broadly conceived of the university community, the sentiment towards the committee you have appointed and the process and ways in which interim suspensions have been executed. As I understand from your comments and your response to Chris, you have rejected the resolutions that have come from the various assemblies. You have replaced with their often very

sincere and deeply held sentiments with your own opinion and the central administration's protection of its own policies. [Indiscernible] . I mean, you say it'll come before the Faculty Senate once you have a new process developed. Once you have a new process, it will come before the Faculty Senate. If the Faculty Senate and other assemblies were to reject it in a way that you've rejected the resolutions from the assemblies, reject that agreement, could we then proceed to a democratic, as Chris described it, a more democratic, open, and reasonable way of proceeding with discipline? That's the question.

MICHAEL KOTLIKOFF: Yeah, well, I would hope that the Faculty Senate would not reject-- So, just so we're clear on what actually is going to happen, we have a student campus code. There are going to be recommendations for modifications of the student campus code. That's what this review process that's within the code outlines requires. It's actually supposed to be done annually. I think this is the first time it's been done. They will propose recommendations. I would hope that what the Faculty Senate would do would be carefully consider those recommendations, opine on those recommendations, and if there are other recommendations that the Faculty Senate wants to bring forward, to bring forward those recommendations and argue for those recommendations, rather than simply saying, "We reject this. We want a different process." So, that, Richard, is my view of how this should work. I understand that a significant component of the university objects to the fact that we had a number of individuals that underwent a temporary suspension, either academic or non-academic. Most of these were non-academic suspensions, so they were allowed to continue in class, but they were restricted from coming to and participating in further demonstrations and infringements on people's rights. I understand that that's things that a number of the community would like to see not happen. I would like to see it not happen. But as I said, it's incumbent-- What we can't do is put this university in a situation where individuals' rights are infringed upon and the university cannot take the appropriate action to protect their rights. That both, as I said, does a disservice to the individuals who are here and exposes us to legal jeopardy, both civil and federal. And that's what we have to make sure. So, when you say an open democratic process, this has to protect the university community. And it's a careful balance that we have to make sure that we protect, protecting individuals from discrimination, but also not preventing individuals from expressing their First Amendment rights. That's what we've tried to achieve, and I think we're absolutely going to continue to achieve that. But I hope you would look at these recommendations in the spirit that they're made. And by the way, I did not appoint the committee. The committee was appointed by our Vice President for Student Campus Life, as is dictated in the policies themselves.

JONATHAN OCHSHORN: We have another comment in-house. Identify yourself.

VALLA FATEMI: My name is Valla Fatemi. I'm in applied engineering physics. You mentioned that the bills in Congress are setting forth language to prevent arbitrary changes to IDCs. Does that mean that we're still facing likely reductions in IDCs when the normal negotiation process continues? I think you commented on this at the previous town halls. Has that perspective changed at all?

MICHAEL KOTLIKOFF: So, where we are now is a little new because now we're at a position where the funding bills for this year contain language that prevents this year the government from capping IDCs. What we don't have is a longer-term solution. There is still negotiations on

this Fair Act and the OMB. The OMB wants an arbitrary reduction. If the Congress were to accept that, there's a lot of opposition to it. If the Congress were to accept that, in subsequent years, we would be faced with that. I think the fact that these bills have been passed with that language is a reflection of the support that the academic research institutions have gained in Congress.

JONATHAN OCHSHORN: Go ahead, identify yourself.

TOM FOX: Tom Fox, Molecular Biology and Genetics. So, first of all, I'm really glad to hear that we're actively responding to the environment that is manifested from the shootings at Brown. That's the first we've actually heard that, I think. My question is more of a curiosity with paying this \$30 million ransom to the federal government is affecting fundraising. Are donors wondering where their money's going, or are they sympathetic and spending more? I was just curious.

MICHAEL KOTLIKOFF: Thanks, Tom. We are on track to have the best fundraising year in the history of Cornell this year. And you'll hear further announcements in the coming days of really, really transforming gifts. So, I think the short answer is no.

JONATHAN OCHSHORN: Could you come up to the microphone?

MICHAEL KOTLIKOFF: Yes, yes. Yes, you can quote me on that, Paul.

JONATHAN OCHSHORN: We have a question or comment online. Sandra Babcock.

SANDRA BABCOCK: Hi. Thanks, Mike, for coming to speak to us. I have a question that is somewhat related to what Chris Schaffer had asked you about. I guess a week or two ago, you got a letter from five UN mandate holders asking about the treatment of two Cornell students, former Cornell students, Mamadou Tal and Amandla Thomas-Johnson, and the rapporteurs who are on the situation of human rights defenders, the right to education, the right to freedom of opinion and expression, peaceful assembly and of association, and the human rights of migrants expressed concerns about a variety of concerns. And of course, this addressed the situation of people at other universities as well. And they have a series of three questions that they posed to you, including asking you to provide information about the measures that the university intends to take to protect the rights of students and scholars who express their solidarity with victims of human rights violations in Gaza and the West Bank. And my question is whether the university intends to respond to this request for information from the UN mandate holders.

MICHAEL KOTLIKOFF: Yes, Sandra, I'll certainly respond. One of the points I'll just outline here that was unfortunately confused in that letter was that the university took no action against those two individuals that in any way suppressed their ability to articulate their support for individuals in Gaza or individuals whose rights were suppressed around the world. What we did was take action against individuals who had violated the rights of others. And in this case, as you know, it was in the shutdown of the career fair. So, absolutely, we are not about suppressing free speech, and we support the ability of individuals to express their views, however controversial. What we don't support is individuals who violate the rights of others. There are consequences for

those actions. And that's what played out in this place. I'm very sorry that we lost to graduate students from the university. The issues, the enforcement issues from the federal government that led to that were not actions of the university.

SANDRA BABCOCK: Just to quickly follow up on that. Understanding that there might be factual, or differences about the factual record in those two cases, but I think what this letter outlines is that the university has an obligation not just to refrain from causing harm, but a positive obligation to protect the free speech rights of people on this campus who may want to express their views about a number of things happening in this country and around the world at this given moment. And earlier in your remarks, you suggested that you were pleased that there were so many fewer protests and demonstrations on campus that were taking place in a way that restricted the rights of others, I think, in your words, and that were taking place within the allotted time of 12 to 1 PM in front of Day Hall. But I think that the lack of student protest is in part a reflection of the intimidation, harassment, and fear that is prevalent, particularly among the international student community, and I'm not laying the blame for that at your feet, but the blame certainly comes from the, US government at this moment. And I think that what this letter reflects is that this is a time where we not only as a university community should be playing defense, but we should be also playing offense when it comes to affirmations of the rights of our students and that the university will be doing everything in its power to protect students, even those who voice opinions that may not be favored by the US government at this time.

MICHAEL KOTLIKOFF: So, Sandra, you're being very careful there, but let me just say very clearly, this university protects the rights of everyone to express their views. And we affirm that, and I have affirmed that time after time, virtually every time I've spoken about this issue. But what you're saying, if you're expecting the university to protect individuals that infringe upon the rights of others, that is an expectation that will not be met. I can't protect individuals who violate our rules, violate the law, or infringe on other people's rights. That's why we have policies. And if these individuals expect the university to differentially enforce its regulations, think about the implications of that. Think about the implications of giving a president the ability to decide, "Oh, you violated our rules, but it's OK because you're doing it because you believe this. But you violated our rules, and it's not OK because you believe that." What we are committed to is protecting free expression, but also having rules and regulations that protect everyone's rights.

JONATHAN OCHSHORN: Mats Rooth online.

MATS ROOTH: Hi, this is Mats Rooth, linguistics. Somehow I was appointed to a committee, the campus codes committee, which has sort of the same charge as the committee, which is doing all this stuff. And, you know, this has been going on for a year, and we have no ideas what the problems with the current campus code are. A committee has been appointed by the administration, which is going to work this out, and then submit it to the assemblies, and then we say yes or no. Why not tell us what the issues with the current campus code are? I appreciate that it's complicated because of compliance mainly, but yeah, why'd we only get input at the last step?

MICHAEL KOTLIKOFF: So, are you on the committee that Ryan Lombardi is-- MB: No, no, I'm not. I'm on another committee.

EVE DE ROSA: This is the university assembly.

MICHAEL KOTLIKOFF: Oh, you're in the university assembly. I see. I don't-- When you say the administration appointed that committee, I think you're mistaken there. I think the university assembly is involved in that. But I will answer your question in terms of what I think are the issues around the student campus code, and Chris alluded to it, and others alluded to it, and that is, can we improve a situation in which the time to adjudication of a violation of university policies can last more than a year? Can we more rapidly come to a conclusion? And will that in itself limit the use of these emergency measures that protect the community while these things are being adjudicated? That's, I think, one of the major issues that we need to resolve. I will also say that I think that we also need, within the framework of Title VI and protecting students from unlawful discrimination, or anyone in our community from that, we need a consensus around the standard of proof, standard of evidence, which needs to be consistent, needs to be something that's consistent with federal expectations of universities. You know that this was an issue with Title IX many years ago during the Obama administration where the standard of evidence in a Dear Colleague letter was changed. We need a consistent process here where everybody's on the same page about how we're adjudicating these infractions. So, that's the major issue, Mats. I don't know-- I'm very unaware, I'm completely unaware of what your committee is doing and why it hasn't met.

MATS ROOTH: If I can just reply briefly. So, I'm in a committee, which has existed for, I guess, from what I can tell, 15 years of the university assembly, which has essentially the same charge of administering the campus code. I've gone in the last year or two like five meetings of this, and we have no idea what to do except for wait for this other committee to tell us what's going to happen, and then I guess we can suggest yes or no. Why do it this way? Why not pass along the information to me, or you know, if I'm doing this out of my precious time, why should I go to these meetings?

MICHAEL KOTLIKOFF: Well, I think, again, I'm a little ignorant of what's going on in the University Assembly on this point, but I would say that what it sounds like is the student campus code used to be a combined code that was faculty and students, and it was administered by the University Assembly. That changed three or four years ago under Martha, that code was revised. The responsibilities for the code were replaced within these code administrators. The university assembly, it sounds like still has a committee that perhaps is the vestige of the previous code. And I think what's going to happen though is that you will get, the university assembly will get the recommendations from this committee that's now in, you know, it's specified in the existing student faculty, student-- sorry, student campus code. And you will get those recommendations, and your committee would evaluate those recommendations just like the faculty senate, hopefully agree or disagree with those, modify them, opine on the language, et cetera, et cetera. So, that's probably the best I can do.

EVE DE ROSA: And I just wanted to confirm. So, the University Assembly Code Committee is made up from each of the other four assemblies. So, Faculty Senate, Student Assembly, GPSA, and the Employee Assembly, and our Nominations and Elections Committee appoints that. So, I just wanted to make that clear.

MICHAEL KOTLIKOFF: And the charge of the committee is?

EVE DE ROSA: So, the charge of the committee, I think, is vestigial.

MICHAEL KOTLIKOFF: I see.

RICHARD BENSEL: I was the--

JONATHAN OCHSHORN: Identify yourself.

RICHARD BENSEL: Oh, Richard Benson, Department of Government. I was the chair of the Campus Codes Committee of the University Assembly. And we revised the charter for the University Assembly after the code had been revised. So, that's--

MICHAEL KOTLIKOFF: So, it's not vestigial.

RICHARD BENSEL: Right, it's not vestigial, very much alive. And we named it the Campus Codes, plural, Committee...

MICHAEL KOTLIKOFF: I see.

RICHARD BENSEL: ...intentionally to cover issues such as the freedom of speech, academic freedom, and so forth. So, yes, I wanted to correct that. It's not vestigial. It's very much alive. And it is, in fact, in my, of course, I was the chair of the committee then, but if someone had asked me about a revision of the campus codes of this sort, it would have gone to that committee.

MICHAEL KOTLIKOFF: I appreciate that, Richard. That's not what's specified in the language of the code. But I do think that having learned of this committee that has representatives from all the governing bodies, shared governance bodies, I think the appropriate thing would be for the committee to receive this recommendation, this annual recommendation, and to, again, evaluate that and make recommendations based on those recommendations. So, I look forward to that.

CHELSEA SPECHT: Hi, Chelsea Speck, School of Integrated Plant Sciences and Plant Biology. I'm gonna go back to the \$30 million that are being spent internally with the agricultural focus. And as somebody who's agriculture adjacent, I see this as a way that there's a lot of potential for Cornell to really define what is the agriculture of the future in this country, and to take a leadership role, a really strong leadership role in defining that. And so sort of two questions with that. Is there any language in the agreement that, one, prevents us from really leaning into where we see agriculture of the future, including aspects of climate and social justice? And on the second part, as we see our partnership, not just ours, but higher education broadly, our partnership with the federal government being rewritten and less beneficial to the higher education, is this an opportunity where we can start finding partnerships with corporations, with foundations that might set our groundwork for the future so that this \$30 million isn't just invested over the next three years, but leverages partnerships that become sustainable into the next couple of decades?

MICHAEL KOTLIKOFF: Yeah, thanks, Chelsea. I think the answer is yes to both of your questions. The idea of the language of the agreement was actually to make US farmers, New York farmers, and US farmers more efficient, to prepare them for the future, to provide the technology to lead the nation and the world in agriculture out in the future. So, there's no specific language about climate justice, that sort of thing. I think this will be something that the committee evaluates in terms of, does this really provide a benefit to the farming community in a way that it makes the lives of farmers better and prevents this gradual decline, particularly family farms and independent farms in the country? On the collaboration outside of the university, absolutely. That's something that we work on quite a bit. The Atkinson Center is totally focused on trying to build those partnerships. I'm hopeful that this will set up the kinds of research and accelerate the kinds of research that will make this an attractive opportunity for investment, both from federal sources but also private sources.

JONATHAN OCHSHORN: We have about 15 minutes still allocated. If anyone wants to make final questions or comments, come up to the front or raise your hand on Zoom.

MICHAEL KOTLIKOFF: I've sufficiently bored everyone.

JONATHAN OCHSHORN: It's like in a seminar class. You have to wait a few seconds.

MICHAEL KOTLIOFF: I see.

JONATHAN OCHSHORN: Risa Lieberwitz.

RISA LIEBERWITZ: Hi. I just got here because I was teaching, and I just heard the question about the farm issues and the funding. And so, I apologize if this was already asked in relation to that. But I'll go ahead, and you can let me know. One of the concerns that I have, and certainly our AP chapter is raised as well, about the \$30 million to farmers is that there's nothing mentioned in there at all about farm worker rights and the farm worker program. For example, you know, labor saving devices obviously have to do with rights of labor. And so, it appears that this is strictly for farmers, whether they're small or large agribusiness. And so, perhaps you could respond to that.

MICHAEL KOTLIKOFF: Yeah, I think you're basically correct, Risa. There is nothing in there specifically associated with farm workers. Well, I think before you came on, KB described the process by which we will evaluate competitive, essentially an RFP request for proposals process within our research office where we'll evaluate proposals that will benefit agriculture. So, hopefully that'll be a broad panoply of proposals. But there's nothing specifically there for climate justice. There's nothing specifically there for farm workers. What there is is the desire, and this was, as I said, something that Cornell proposed, this was not from the government, the ability to strengthen US farming through the kind of investment in technology. That language is in there. It's not exclusive, but it's trying to strengthen US agriculture and strengthen US farmers to the extent that we can.

RISA LIEBERWITZ: If this was a proposal that Cornell came up with, then I wonder, you

know-- I mean, I just would say it seems to me that that would have been the opportunity to also talk about farm labor in terms of farm worker rights.

MICHAEL KOTLIKOFF: Yeah, whether it was an opportunity for that or not and how that would have affected the negotiations, I can't really comment, but it was not-- You know, I fully acknowledge it was not the focus of our negotiations.

JONATHAN OCHSHORN: I think we'll go in-house, and then we have one more on Zoom. Identify yourself, please.

LARRY GLICKMAN: Hi, I'm Larry Glickman from history. I'm not a faculty senator, but I was very interested in this discussion. And thanks again for the transparency, Mike, about everything. I guess my question is about universities in the United States in general and not just Cornell because as I understand it, you felt constrained to make this agreement, even though you didn't agree with all components of it. But as you know, and there was just an article in the New York Times today, the Trump administration sees this as an attack on an enemy of the administration. There was all this talk about anti-Semitism and other things they were gonna address. That doesn't really even come up anymore in their discussions. And so, I understand at the Cornell level why this might have made sense from your point of view. But what about your responsibility and our responsibility to defend higher education and civil society while it's being attacked? And this is seen by the Trump administration as another trophy in that attack. How do you feel this relates to your broader obligation as president of one of our most prestigious universities and defending higher education while it's under attack?

MICHAEL KOTLIKOFF: Thanks, Larry. I've spent a fair amount of time doing that, interviews on TV, talking about what higher education provides to this country, what a tremendous deal for this country higher education has been, magnet for genius, the creation of new knowledge and new products, educating a democracy, a citizenry for democracy. All of that I tried to express as much as possible. I don't think it was the responsibility-- So, let me also say that we have, in selective ways, also clearly opposed the administration. We were the only university, I think, that signed on-- or one of two universities that signed on to all three legal actions against the federal government's approach to IDCs. We also, as part of this agreement, I will say we have a pending EEOC, and some of you may have seen the action at the University of Pennsylvania in the last few days. We have a pending EEOC complaint. There was a desire to wrap that into this settlement. We refused to do that. We felt that setting up that would have caused the University to set up a fund to compensate individuals who we feel were not harmed in any way, where there was no significant harm. So, we said we're not going to do that. And we continue, I think, to articulate the importance of universities for this country. What we weren't prepared to do was take a political stand and say, "Because we oppose this administration and what this administration is doing, we will sacrifice faculty, students, postdocs, graduate students," to an effort to say, "We're not going to agree to anything." But what we did say was, "We're not going to agree to anything that violates our principles." And that's why I think I'm not thrilled by the agreement because of the \$30 million, because of what you've articulated, but I'm also not in a position, I think, as a president of the University where we can say we're going to take a political stand against an administration, even though we can settle a case that we can settle without violating our principles. And I'm sure there are others that disagree. And many, many people

who said to me they think we did exactly the right thing.

JONATHAN OCHSHORN: We have about six minutes more. Matt, Ruth, maybe you'll be the final question comment.

MATS ROOTH: Hi, Mats Rooth, Linguistics. First of all, thanks to you and KB for your work on this. I wanted to ask about what you said about infrastructure, the video surveillance, lockdowns, and so on. I think many of us would be comfortable with that if we could be assured of how the video would be used, like access to the video would be logged. Is that in place? Do we know how to do it?

MICHAEL KOTLIKOFF: Yeah, it's a great question, Mats. The video is overseen by Public Safety. So, it's under their-- It's all coordinated. It's monitored by Public Safety. Most of this isn't reviewed until something happens. And that triggers now either a look back, can we identify someone, or an immediate response? I think what we-- Your question is a good one. I think we owe the community some description of how this will be overseen and how it will be used. And I'll take that as a point to respond to the group on. So, thank you.

JONATHAN OCHSHORN: Well, we still have five minutes. Is there a final question, comment?

UNIDENTIFIED SPEAKER: [Indiscernible] .

BILL KATT: Okay, I don't think he's trying to interact with us. Bill Kat, Molecular Medicine. I guess I'll ask one last thing. So, we've talked a bit about the various protesters across campus. And as some of our faculty know, the Jewish students on campus in particular felt very under attack by some of these protests for a variety of reasons. Do you feel that the procedures in place currently are sufficient to protect their rights? Or will there be any increased focus on this particular population of students and making sure they have their full educational rights respected?

MICHAEL KOTLIKOFF: Yeah, thanks for that question. Let me answer in a couple of ways. Everybody has the right of access to our educational program, should be able to listen to speakers, should be able to go to job fairs, should be able to go to lectures. People that are subject to unlawful bias need to be protected, whatever their religion, ethnicity, color, whatever, period. What I have heard from individuals-- So, let's take, for example, this protest outside of Day Hall between 12 to 1 on Thursdays. People have said to me, "I don't like those protests. They scare me, they offend me. I don't want them here." My response is, "The job of this university and the job of the president is not to protect you from being offended, from hearing something that offends you. First of all, we can't achieve that. And if we could, it probably wouldn't do you any good because you'd leave this university, and you'd hear things that offend you. Our job is to protect your rights, and that's what we're going to do." But for anyone, and I've said this. We had this conversation where there was a comment about inviting the Ku Klux Klan to Cornell, and people were offended by that. What we need to do is be able to listen to individuals that think differently than us, maybe say things that are hateful, et cetera, be able to disagree with them, express our views, et cetera. That's what our democracy consists of. And that's what we're trying to establish at Cornell. It's not protection, an individual protection for any

special group that gets special dispensation. It's everybody's rights are protected. Everybody has the same right. I don't care. And that's the point I made about differentially enforcing our policies. How could you think of suggesting that with the implication that that would have? So, I hope that answers your question. Thank you very much for your attention. Thanks for coming. Thank you, colleagues, for everything that you're doing for Cornell.

JONATHAN OCHSHORN: Thank you all. We are adjourned.