

Undergraduate Student Government

Newman Vertical Campus 3-270
55 Lexington Ave, New York, NY 10010

✉ info@usgbaruch.com

📷 @USGBARUCH



Meeting 24

Meeting Date:	April 20, 2021	Meeting Time:	5:30PM - 8:09PM
Location:	Zoom Call	Note Taker:	Genesis Calle

Attendees:	
Tony Chen President	Briana Staten Executive Vice President
[Absent] Nancy Sea Executive Treasurer	Genesis Calle Executive Secretary
Taji Sanders VP of Academic Affairs	Richard Reyes VP of Legislative Affairs
Julia DiMarcello VP of Campus Affairs	Vacant VP of Student Affairs
Irine Thomas Chair of Appeals	Kristina Khabarov Chair of Arts
Alison Lee Chair of Clubs and Orgs	Lesli Cuamani Chair of Finance
Cindy Chen Chair of Graphic Design	Christine Gajdos Chair of Marketing
Osvaldo Garcia Chair of Philanthropy	Laiba Hussain Chair of Public Opinion
Tomasz Horczak Representative Senator	Raphael Berdugo Representative Senator
Alex Cuanal Representative Senator	Erika Cumbe Representative Senator
Zariana Gonzalez Representative Senator	Mayer Estinville Representative Senator
Matthew Sanchez Representative Senator	

Disclaimer/Trigger Warning

1. To those reading these minutes,

The content of these minutes include an impeachment trial against a USS delegate facing serious misconduct charges and the presentation of materials with inappropriate and inexcusable messages. We as a USG do not condone these actions nor are they a reflection of our USG as a whole. However, we also do not condone any hate towards the USS delegate, witnesses, or any other members as well.

Passing of the Minutes

1. Motion to pass Senate Meeting #22 minutes.
 - a. Motion passes, 16-0-1
2. Motion to pass Senate Meeting #23 minutes.
 - a. Motion passes, 15-0-2

Impeachment Trial

1. Briana Staten | EVP

- a. Briana: We will be going over ground rules for today's impeachment trial and that everyone must abide and follow these rules if staying in this meeting. The meeting hosts for the zoom meeting are Tony Chen (President), Briana Staten (Executive Vice President), and Genesis Calle (Executive Secretary). The EVP is Chair of the Senate and therefore will be facilitating the meeting. The meeting host(s) will utilize the "mute" function to eliminate background noise and ensure that participants do not speak over each other; the host(s) will "unmute" a participant when it is their time to speak. If anyone disrupts the meeting consistently, we reserve the right to remove them from the zoom meeting. Everyone will have the allotted time to speak from the beginning of a timer. Once the timer runs out, you will be muted. Participants who experience technical difficulties during the remote hearing, should use the VCP chat feature and send a private message to the host(s). I will be sharing the run of the show for the trial as well, and now Tony will be reading the charges.
- b. Tony: The Undergraduate Student Government of Baruch College has petitioned to impeach Joel De La Cruz of the position as the University Student Senate Delegate of Baruch College under Article IX, Section 1, a, ii of the Baruch College Undergraduate Student Government Constitution. "Serious misconduct, including negligence or repeated inattention in carrying out official duties."
- c. Briana: Thank you Tony. I will be sharing my screen right now for the run of the show.
- d. Aharon: Point of inquiry, has Joel received the petition of charges with the signatures?
- e. Briana: Yes, he received them on Wednesday, the run of show on Thursday, and a follow up on Sunday.
- f. Aharon: Okay, another thing is we reached out to Joseph, our liaison at CUNY to get the interpretation of what "serious misconduct" is and he couldn't clarify if this falls under that so I wanted to ask who did we refer to in this body to conclude this is an example of serious misconduct?
- g. Damali: USS does not have jurisdiction over what this USG considers their definition of misconduct. It is up to this USG's discretion what that is. Joseph does not have jurisdiction here and we have also spoken with him.
- h. Richard: I have taken the liberty of looking further into the broadness of "misconduct" and so will be reading the bearcat commitment. As stated, " Baruch College is committed to the values of Integrity, Excellence, Respect, and Engagement. In so doing, we encourage our students to uphold the aforementioned qualities to support a cohesive community and assure civility. As Baruch College Bearcats, each student commits to these ideals by noting: I will dedicate myself to learning and practice personal INTEGRITY and academic honesty; I will challenge myself and others to achieve the highest level of academic EXCELLENCE by taking responsibility for my success; I will value our culture of diversity, RESPECT those around me, and foster an inclusive community through inquiry, compassion, and celebration; I will promote ENGAGEMENT and involvement in our community and beyond through participation, leadership, and service; I promise to honor these values and lead by example." So serious misconduct goes in line with what was stated above and that applies to all students.
- i. Briana: Thank you Richard. We will now be moving onto opening statements. The USG side will go first and have 5 minutes on the timer for it. You are allowed to unmute yourselves.
- j. Osvaldo: Welcome Executive Vice President Briana Staten, guests, table, and executive members of the Undergraduate Student Government of Baruch College my name is Osvaldo Garcia, the current Chair of Philanthropy. I am appearing before you today to discuss the removal of the University Student Senate Delegate - Joel De La Cruz, as it is bestowed to us by the Constitution of the Undergraduate Student

Government. This is an unprecedented and solemn moment. However, this must be done in order to ensure that our student body is held to the highest standard with regard to Baruch's Code of Conduct and Ethics. On April 11th, 2021, the following was said *TRIGGER WARNING* the following comments have undertones that are profoundly egregious: "What is with you is that you are a hateful, spiteful creature. Impermeable to reason or any ability for foresight. Subservient to your base nature. I understand you hate Aharon but attacking the entire Jewish community doesn't even make sense; he's an atheist and doesn't even practice the religion." I have stated this before, and I will say it once again, the comments made by Joel De La Cruz are NOT representative of Baruch College, nor the Undergraduate Student Government that was elected by their DIVERSE student body. In this hearing, we will go over the FULL context of the conversation that prompted this inexcusable comment by Mr. De La Cruz. Witnesses will provide their testimonies. Screenshots will be shown. This will be a moment of full TRANSPARENCY and ACCOUNTABILITY. We will first hear from the Vice-Chair of International Students Vanella Douglas, who is a veteran U.S.S member and brings a unique perspective in the case. We will hear from the Vice-Chair of Evening and Part-time Affairs, Brandee Simmons, who was on the receiving end of the messages sent out by Joel De La Cruz. She will help give context and a timeline to the events that transpired. Finally, we will hear from a U.S.S delegate Devashish "Dave" Basnet. He will provide further information and clarity to the case. We will present screenshots from various chats. One chat will be the Steering Committee Whatsapp chat where the statement was made by Mr. De La Cruz. Another chat that will be shown is the Baruch USG's Executive Board chat with Joel De La Cruz where there was inconsistent communication given to our Executive Board. Remorse and action is an expectation that was not fulfilled in a timely manner to the respective party by Mr. De La Cruz. It will be shown that he thought of this as a "political attack" against him. That is inaccurate and we will prove this with a concise timeline. He was given multiple opportunities to respond and give an apology at USS Steering and Plenary meetings and decided not to speak up. For posterity's sake, it must be stated that this is an unprecedented event. Baruch's government has never had to impeach a member for any action, and there exists no prior occurrence upon which to base this evening's proceedings. For this, we humbly ask for patience from all parties, and that discussion is contained to the questions being asked and the immediacy of the subject. Thank you all.

- k. Briana: Thank you. Now we will be moving onto the defense's opening statement. Aharon, you will have 5 minutes for this.
- l. Aharon: Hello everyone. I want to start off by saying I am in no way condoning what Joel has done nor do I believe anyone in the USS is condoning what he's done. I think he should apologize, which he did, and I think it's objective to say if it was timely or not but I think that he did the right thing of apologizing whether he gets impeached or not. I'm glad that it was done. I do want to point out a few of the stuff that the prosecution has brought forward in their opening statement, calling on the 3 witnesses including Brandee, Vanella, and Devashish. I want to point out to this body that those 3 members, specifically Brandee and Vanella, have been on a slate with someone who is running against Joel, who is Alexis Fisher. This was sometime around December. Devashish is one of the delegates with Alexis Fisher who has been vocal for her and called out with Brandee and Vanella also claiming that Joel winning the position was misogynistic and everybody in USS who voted for Joel is a misogynist. I did send a recording to this body. I'm not sure if it was sent to everyone. It was a minute-and-a-half recording and it's still up on YouTube and if the chair allows me to, I can send it. My point in saying this is the witnesses that are coming forward, I really don't think, although it was wrong what Joel did, that it's fair that these witnesses are coming forward. It's literally bringing the people who ran against Joel to present

the case against them. This is so unprecedented and has never happened before that somebody goes straight to USG. Maybe I'm making a mistake and calling out something here but I am going to believe that somebody reached out to USG Baruch in order to tell them about Joel rather than USG Baruch figuring it out on their own what happened inside the USS meeting on Facebook. The reason for that is Hunter delegates, including Alexis Fisher and Devashish, have been the first people who went forward with the Articles of impeachment to the USS Ethics Committee. Alexis has been, since the beginning, she wanted the position, ran against Joel and claimed the entire time that he was misogynistic and that she didn't win because of that. She called every person who voted for Joel misogynistic and that the body is misogynistic and Devashish was all for it and after she spoke he said "yeah I'm really glad that you spoke up this body is corrupted" and what not and I just think that it's inappropriate that the 3 people who are speaking include Vanella and Brandee and ran on a slate with Alexis Fisher against Joel.

- m. Briana: Aharon please make your point relevant to the case, you're diverging the conversation.
- n. Aharon: I'm just thinking that it's really relevant because the people who are going to testify pose a conflict of interest. We only were notified about these witnesses coming forward after Sunday and at which point it was already too late to bring forth witnesses. My next point is I've never seen anybody actually in the country where the cart is going before the horse so that means instead of USS making a recommendation and telling USG that "this person is doing a bad thing, and we should remove him because that's how the procedure works," we're doing it the opposite way around and with all the respect to the body, and I think that Joel should respect whatever the body decides, the body does not know how USS works and I can try to give a rundown of it later on in the conversation but it's pretty clear that is going to be very hard to sum up an experience of 6 months of internal fighting inside USS in a 30 minute trial. I don't think that's possible. Joel was elected by the student body and by the plenary.
- o. Briana: We will be moving onto the presentation witnesses. The USG body will begin first. One thing to note is USG and USS are separate entities, and therefore we have our own distinctions.
- p. Richard: We believe that the witnesses today have important things to say, especially Brandee who was on the receiving end of the comments, and that they can set aside their differences to speak on the current situation at hand and not bring up anything else that might not be relevant here.
- q. Osvaldo: We will call forward Vanella Douglas, the Vice Chair of International Students.
- r. Alison: I think she might be having technical difficulties.
- s. Briana: Yes, I see her now. Hi Vanella, I will allow you to unmute yourself.
- t. Osvaldo: If you would like to give a quick introduction to the audience of who you are, what your position is, and how long you have been in the USS?
- u. Vanella: My name is Vanella Douglas. I am the Vice Chair of International Students for USS at City Tech. I've been in the USS for 2 years and started off as a volunteer and then I became a part of the plenary, so I've seen the USS from the outside and inside.
- v. Osvaldo: What was your reaction to what was stated in the steering chat by Mr. De La Cruz?
- w. Vanella: First and foremost, I'm going to say this. I'm coming to you today as a Black woman who has been called a creature and ugly because of my large nose and my big lips and my facial features so I just want to put that out there. The morning I read the chat and was like "okay where did that come from?" We've had arguments and been going at each other's head over resolutions and different issues for months but the disrespect that came out in the chat was astonishing and it made me uncomfortable. Being in the USS and dealing with the stuff that we go through, it's mentally draining and then having to wake up, knowing that we have a long day ahead for the plenary, we knew that was going to be long and then you have to read something like this towards somebody that looks like me. Especially dealing with

all the racism, sexism, and misogyny that we have not only going on within the USS but within our world and in our faces, those comments had me shook and I didn't know how to respond or what to say. I messaged Brandee right away to ask if she was okay because saying something like that, if she was an insecure woman, who knows how far this could have gone? That's bullying and people take their lives over stuff like that.

- x. Osvaldo: It is to my understanding that you are Joel's accountability partner. Do you mind explaining what that is?
- y. Vanella: Our chairperson assigns us accountability partners basically to check in with the person and keep them accountable for their work. I'm not going to sit here and say I was doing that with Joel because I was not comfortable speaking with him. Like Aharon mentioned, since the election, things have been tense. There's stuff Aharon doesn't know that we dealt with outside during our election because Juvanie chose to run on a slate of all women. There's the sexist and racist comments that were made that we ignored because we knew we had a goal to achieve so bringing that up now it doesn't even make sense. Just because we stay quiet sometimes doesn't mean that nothing ever happened. Dealing with the stuff that we deal with during elections, calling me a badge of the character I don't know, I don't care, I'm not going to speak to someone that I'm not comfortable speaking. We work together when we're in a group of people and that's it, but outside of that, I don't want anything to do with you. We're going to do our work and then we're going to keep it pushing and I explained that to Juvanie and she knew this and that was fine. Within my workplace I want to be comfortable and if I'm uncomfortable, I'm going to speak to the designated person.
- z. Osvaldo: Just now, you were explaining how the overall environment of the USS is sexist, misogynistic, borderline toxic. From your knowledge, has it always been this way?
- aa. Vanella: It was there, the feelings were present. It wasn't something we acknowledged. For this year, I don't know if it's the effects of the pandemic, but everything is just in your face and people are going through it, and, if that's an excuse, they don't know how to deal with things or think before they speak, but for me, this past year has been the worst. It's more in-your-face. People are choosing to go a different route with their advocacy and others don't like that. People are entitled to their own opinions and have their own agenda and I think when things don't go your way that's when you start seeing the true colors. I feel like USS has been like that but not to this point where we're calling people creatures to their face.
- bb. Osvaldo: Just in general with your overall participation in the USS, do you interact often in the USS steering meetings and participate there? Why or Why not?
- cc. Vanella: I do and then I don't. There's certain situations I would speak up in, but sometimes I don't have anything to say, or I'm tired because we argue about the same thing and have long conversations and it's draining. What else is there for me to say? Some people are just stuck in their ways and they don't want to hear others' opinions and don't want to compromise so I'm not going to waste my breath going back and forth with you and you're not going to see where I'm coming from, even though I'm seeing where you're coming from, let's come to a compromise. Some people are not like that and I find that sometimes within our team so I prefer to stay quiet because I feel like it wouldn't get me anywhere, and I speak sometimes when things get disrespectful like I'm here now and things get out of the way.
- dd. Osvaldo: We know you're Joel's accountability partner but have you had previous interactions with Joel and how have those interactions been?
- ee. Vanella: We went on a field trip some time ago. We weren't buddy buddy but kept it professional. We spoke a bit during elections when we were running for steering.
- ff. Osvaldo: Thank you so much Vanella for coming out and participating in this case.

- gg. Vanella: I would like to say one thing before I leave. It's the fact that I'm sitting here and I'm offended as a Black woman trying to defend Brandee, another Black woman, and Aharon is going to use and say that this is biased. It's not because I'm coming from the aspect of being a Black woman, and being called a creature, being profiled whenever I walk down the street because of the color of my skin. I'm coming from the aspect that when you call me a creature, you're basically calling me a monkey because of my facial features. I'm actually late for class but thank you for having me and for hearing me out. This has been emotional. I've been in places that I work in and been respected and this actually hurt.
- hh. Osvaldo: Thank you for coming and sharing your experience.
- ii. Richard: The next witness we have is Brandee Simmons. Before we start, I want to ensure that Brandee is comfortable speaking.
- jj. Brandee: Thank you so much Richard for even asking that question. This is something that is dear to me and has been hard for me but yes, I am.
- kk. Richard: Perfect. Brandee, we're going to go through the timeline of the events through what transpired. I'm going to start sharing my screen and start from the beginning to give everyone a full context because I think that's important and that at any point of what happened, it never prompted for these comments to be mentioned and understood though the prior as well. We will start off with the screenshot here and then we can go down into the comments that were mentioned.
- ll. Brandee: Like Vanella had mentioned, we're going into a meeting. This first text was sent on Saturday, April 10th, and I started here because this is the message that I responded to that inflicted Joel De La Cruz's violent words to me in a work setting. We were going into a meeting. I've talked to one of the steering members who was bringing in forth one of the authors of this resolution, and it wasn't Joel because I didn't think he was the best source of an anti-semitist resolution. We've been involved in all of this but I didn't have to feel like I needed to tell Joel who I speak to. So everyone was stressed out and trying to figure things out but this is how he chose as a leader to respond in this space. "Is this some sick joke. Why is there something on the agenda that explicitly wasn't approved by the steering. This isn't some petty dictatorship. If things go on the agenda without steering approval what is the point of our meetings? If it serves no actual function are we just justifying our stipends? Is that all that we do in those meetings? The agenda doesn't even include important things like the nomination and election of our vice chair of disability affairs which we are required to do. We aren't clowns, we're the entire circus." This is a leader in your space not reading the room or understanding that we're all trying to get to a resolution of something that a lot of our CUNY members feel so passionate about as they should. This is how he chooses to represent himself and Baruch. Then Sarah decides to share: "Some of us are not receiving stipends for all of this. I'm talking \$0 for all of this. Hardly worth it, when one considers the drainage of time and energy, and most devastatingly the toll on our mental health." We hear that word a lot, "mental health." We can move on to the next relevant message. Sara says, "Thank you for bringing this up Joel" and some other things, but then I see Joel had been roped and I responded, "What is with you and your choice of words? You truly are a wonder, I would love to learn your life perspective." Joel responds, "What is with you is that you are hateful spiteful creature" and literally I shake every time but this is something that I'm willing to stand up and speak about this and because, as Vanella stated, this is not something that Aharon can be the best character witness for, I got to be honest with that. There's been a lot of things that has been going on that have been unsaid and also at the end, I do have a statement but I do want to respond to 2 things he said for clarity's sake. Continuing with Joel's response, "What is with you is that you are a hateful, spiteful creature. Impermeable to reason or any ability foresight. Subservient to your base nature. I understand you hate Aharon but attacking the entire Jewish

community doesn't even make sense; he's an atheist and doesn't practice the religion.” Then we had one of our steering members Amber Rivero defend me rightfully. Mind you, this is the first time so many women have been leading within the USS, so this is damaging to speak like this to anyone, no matter leadership positions or not. I commend Amber for standing up because I know that's not an easy thing to do in spaces like this. We're doing real work to break down these barriers and to create our own sacred space in a world that has created policies and systems that have actively rejected us. Then I have to walk out of my house, deal with the hate of being a Black woman in this society, turn on the news and see bodies dropped based off of the dehumanization of them and explaining that away and no accountability for that. Then I got to come to work, where I'm supposed to feel happy to represent the students of CUNY and I get spoken to like this. It's unacceptable, this is our sacred space in a world that has denied us. We cannot let this type of language creep into this space. Because how can any of our students trust us to protect them when we can not be protected within us here? This is very emotional so thanks for listening to that because this is insane, and then Aharon goes to say, “I disagree, some people do not like me, it's just a fact I'm not saying it's not my fault but still.” My response was sent when I finally saw that in the morning of the important meeting that we were supposed to have and by then everyone had responded and was talking to one another. I missed the whole thing and Joel's going back and forth, responding to Amber out of context, he told Alexia Christopher that everybody's going to be laughing at her for her crimes and then he was pressuring, bullying, and harassing us about this resolution that morning. In that context, I said ‘You need to focus on what type of leader you are,’ and even that, me having to go into a 6 hour meeting with a smile on my face, holding all of that stuff inside and still being in the chat, it's mind-blowing. Are we still going over these text messages?

mm. Briana: I'm going to let Aharon jump in really quickly.

nn. Aharon: We have a small development. Joel has just sent in his resignation and is not interested in pursuing this case. I believe he sent it to Tony. I would like to call for a recess to confirm before I leave.

oo. Briana: I received the letter. Ultimately, we will not be continuing with this trial, and will have to appoint our next USS delegate next week.

pp. Richard: I just want to say I'm just in shock that in this moment, seeing that Joel was given multiple opportunities to take accountability, and where Brandee is sharing her experience and the trauma she's facing, I'm distraught that this is what's happening now with this resignation. Thank you Brandee for coming and sharing this with us and making sure there is accountability and none of this was in vain.

qq. Briana: Brandee, you're welcome to speak. I want to thank everyone for coming, the USS reps who came to speak, and I would love to continue the relationship between our USG and the USS. This is not a representation of our USG and I'm very sorry Brandee for what happened.

rr. Brandee: Thank you so much. Y'all move faster than the adults and that's what we fight for everyday. That's the magic that we can create. That is attention to one another based on love that we can hold one another to have. That's it, and I applaud your leadership here because this wasn't easy and it was very uncomfortable especially for me as a victim and having one of my steering members, Aharon Grama, on this meeting and kind of silence the victim, saying that it's absurd that I can speak in my own case. In light of all this news, I don't want Aharon or Joel to have the last word here because now it's happened at my expense. I've had to go to counseling sessions I took up at BMCC because I don't know the subconscious ramifications this might have on me. My chest is all tight, my hands are clammy. This is bigger than just me so I'm going to take my power back. I know this trial is over but if possible, I would still like to read my statement.

ss. Briana: Go ahead.

- tt. Brandee: This is a powerful message not only focusing on this and why we're all here but just so we can wrap it up on a note of some level of positivity and that you guys are doing what your ancestors fought for you to do. I come before you all today to share a story and yes while it is something that I have personally harbored and had to deal with and process since this particular incident took place on April 11th, it is the same exact story of people of color in America and throughout the world. We know language is powerful and that is why we use it. For far too long I have felt sort of helpless in this fight to be seen as a woman, a man, a human. A fight that has been in session long before any of us in this room have even been born. But yet here we are in 2021, fighting the very same ideologies that have kept all of us from truly thriving. Within the very very sacred space we have come together to create and protect one another. Acknowledge and protect our students from a world that has actively rejected them and us. My question is this: do we want to be the actual change we would like to see in the world that we fight for every day, or will we allow for the very same white supremacist delusion ideologies to creep into our space? You all are the future and I deeply believe that we all need to be the ancestors that the future will need. This isn't easy for me, not one bit. My chest is tight, I might look confident but my chest is tight, my hands are sweating. I'm nervous and I didn't eat all day because of stress and yet I still have to thrive. I continue my class work, meeting after meeting with a smile on my face. While we can't control other people's actions, I want to remind all of you in this room that we can control how we react and how we respond. I choose and challenge myself to stand up for everyone who has ever been made to feel less than human, less than exactly who you are, and if we are still having conversations in this day and age about whether it's acceptable to talk to anyone in that matter, knowing the deep history of using dehumanizing language to put those who dare to step out of line back in place, and the history of using dehumanizing language to place harm on Black and Brown bodies in America. We are the City University of New York and we must continue, no matter how uncomfortable, to reflect that. I want to leave this off with beautiful words from Dr. Bernice King, Martin Luther King Jr's daughter. She says, "Many invoke my father to call for false or negative peace, which is solely about the tension in the protests and inconvenience going away, but as he said, true peace is not merely the absence of tension. It is the presence of justice and we can get to true peace all together." Thank you so much.
- uu. Briana: Thank you Brandee for being here and sharing that. Would anyone else like to speak?
- vv. Devashish: Yes, I just want to first let Brandee's words ring through the zoom room. I see you Brandee and I'm always here rising in your defense and everyone else's. I have a clarification question and would also like to state something for the record. Aharon Grama, opening up his speech with a direct political attack against myself and Alexis Fisher is a gross mischaracterization of Hunter College delegates. I am personally offended that there is a characterization of us treating this as a political moment or wanting to push personal agendas. Comments that were made have been seen by you all. People chose to respond in their own ways, and that was the way Hunter College delegates chose to respond. I will never apologize for standing up for Black women, but to say that it's a political motivation and to dismiss our comments and attack our integrity, Aharon chose to make these comments by acknowledging the harm and then dismiss additional commentary on it because of so-called political motivations. We are elected student leaders, and honor integrity and Black students at Hunter College. My question for the Baruch USG is following the resignation, is there still opportunity for Joel De La Cruz to hold office in the future? How does that process work now that there is not a formal impeachment trial? Is he still eligible to run for office in any student positions?
- ww. Briana: I'm going to let my USG advisor answer that for further clarification.

- xx. Damali: At this point, we're going to hold off on any of the back and forth because I want this to stay about the facts. I don't want this to be an Aharon versus Hunter and it was very important for Brandee to speak because she is the person whose name has been dragged through this entire thing. I want to say I know this was not easy for you. I commend you guys for showing up as student leaders and you did what you thought was right even though it was difficult. That being said we are currently in contact with the Dean of Students' office. I do believe there's an opportunity, if the table so chooses and this is once again up to the Baruch USG if they want to just let it live and just be done for the rest of the semester, that is an option. We're trying to get in contact with the Dean of Students' office to see if USG can bring it to the table where Joel is no longer able to run or participate in USG because it's not in the constitution. Once we know we will give you further information. I don't have an answer on that right now but I will ask that everyone respect whatever it is the Baruch USG decides to do.
- yy. Briana: As we close off this trial, I want to address once more the charges of the trial. Joel was being impeached in accordance with Section 1, a, ii of the Baruch College Undergraduate Student Government Constitution. "Serious misconduct, including negligence or repeated inattention in carrying out official duties." During the trial, he did resign in the middle of the trial. I will be adjourning this trial.
- zz. Damali: I will also ask that all the documentation that was submitted for this trial be part of the minutes as they were introduced and submitted for future USG's references.

Recess starts at 6:26p.m.

Recess ends at 6:31p.m.

Reports

1. Briana Staten | EVP

- a. Briana: Richard I see your hand is up. Would you want to say something first?
- b. Richard: Yeah. I want to take another opportunity to thank Brandee and the witnesses for offering their time. This was a moment to ensure accountability was being taken, and that none of this was in vain. I want to extend a hand to Brandee to ensure if you ever need anything, you always have friends here at Baruch College to offer you support.
- c. Osvaldo: Thank you very much Brandee for sharing your experience. I know it must've not been easy to have to relive all of that. I also want to thank the witnesses and the people who worked in USG on the team. We took this very very seriously. We were working until late hours and to make sure the procedure was correct and information and research was being done. We made sure that everything was being done in order and correctly.
- d. Briana: I do want to echo Richard and Osvaldo. Thank you both, and Raphael, for working on this case. Thank you so much again Brandee and it's unfortunate we had to meet under these circumstances, but regardless you will always have our full support.
- e. Brandee: Thank you so much team. I can never thank you enough. I am so moved by the leadership in the room, and want to extend my thanks and gratitude to how you all handled this call to action and taking this so seriously because these are the moments that matter. I want to commend you and you will always have friends at BMCC and at USS.
- f. Briana: Moving onto reports, I wanted to bring up our vacancy for VP of Student Affairs. The application has gone live and will close next Monday, April 26th, with elections taking place next senate,

In addition to that, we will also be voting on the Greek Life Moratorium. My last thing is that I've been working with OSL to order merch for Baruch's seniors. I submitted invoices to the right vendors, and we will be giving away merch to our graduating seniors as a congratulations from USG. I had a call last night with Cindy who is working on the graphics. I do remember Yudi brought something up in the USG All chat about the false notification of students being reported on cheating. I wanted to bring it up to everyone's attention to see how we as a USG can respond to it. I do think this is unfortunate that our faculty is choosing to choose their route to combat cheating.

- g. Tomasz: I reposted the screenshot of the email that was sent out. I got a couple of responses from students who didn't even know if it was a thing. I feel like, at the bare minimum, it did help spread the word and it was a pretty easy way of doing so.
- h. Taji: I was shocked to see this and thought it was a very disingenuous thing. Baruch talks so much about integrity and then they go and lie to student's faces, I think that's crazy. I was going to bring it up during the next Faculty Senate on May 13th from 12:30p.m. to 2:15p.m. It is the week before finals week so that's going to be very interesting. Usually they would have it the first week of the month but this time it's going to happen 2 weeks in so I mean it is tough.
- i. Briana: I believe it would still be good to bring it up to the faculty senate. There should be mindfulness of this for students' sake. Tom, are you able to pull up the email? I don't have it.
- j. Tomasz: I don't have the email, either. Yudi sent a screenshot in the USG chat.
- k. Briana: I will look for what was sent.
- l. Julia: I want to comment that when I heard about the accusations from Ted Joyce, as a student I was not surprised. I had him for microeconomic last semester and as a student, it was extremely mentally draining because I know the professors are teaching at home and student learning at home and it's hard on everybody and I feel like in that class there was no pull or shove on his end where he continued to teach the class as if we were in person and he made things brutal to the point where I drained every single second of his class and I'm not surprised. I think at that next faculty meeting, although tomorrow is never promised, and currently some of us are enrolled in in person hybrid classes for next semester, if we do end up going 100% online again, I think at that faculty meeting it should be addressed that professors need to tweak their classes and their syllabi because we are not in classrooms. We are in our living rooms and bedrooms and professors cannot teach these real classes like we're in school because as a student, that class was brutal and we can't have that happen again for any student going forward and that needs to be recognized so I just wanted to comment on that.
- m. Briana: I found the screenshot and will share it with you all. It states that, "A description of the meeting is as follows: The rapid increase in online instruction in higher education has heightened concerns about cheating. We use a randomized control design to test whether informing students that we can detect plagiarism reduces cheating. We further test whether informing students they have been caught cheating reduces subsequent cheating. We find informing students about our capability to detect plagiarism has no effect on cheating. Notifying students that they have been caught cheating and are on a watch list reduces subsequent cheating attempts by roughly 75 percent. We test for peer effects but conclude we cannot credibly identify peer effects distinct from own-cheating propensities." My question for OSL: is this allowed?
- n. Damali: Have you sent this to Dean King and the Provost?
- o. Briana: We haven't. Do you recommend that we do so?
- p. Damali: Yeah because this is my first time hearing about this, and I'm not sure they were aware of this.
- q. Briana: I will do so then after this meeting. I personally think this is unethical of them to do.

- r. Tomasz: I got the exact same message of cheating notices in my management class last semester. I don't know if they're reusing the messages purposefully and testing it to see if it's effective.
- s. Erika: I think it's very unethical and it places unjust hardship on students and stresses them out with these notices, on top of the stress we're dealing with the online format already. We are going into finals week and it's already stressful enough without having to worry about false notices of cheating.
- t. Briana: I will be following up on this with Dean King and keep you all updated.

Unfinished Business

1. Richard Reyes | VP of Legislative Affairs

- a. Richard: Ozzy and I have an Earth Day event coming up this week.
- b. Osvaldo: Yes, please promote the event. The flier is out. It is this Thursday at 1:00p.m. Lizbeth Luna and Sandy Garcia, our vice chairs, will be hosting this event. There's going to be giveaways and Kahoot prizes, so please come through if you can.
- c. Richard: We got creative with the prizes. For the Kahoot game, we are getting a Baby Yoda chia pet.
- d. Osvaldo: We have succulents and gardening kits to give away too.
- e. Richard: Yes please pop out. Ozzy has been killing it with this.
- f. Osvaldo: You too, Richard.

New Business

1. Julia DiMarcello | VP of Campus Affairs

- a. Julia: I wanted to comment on the fact that Joel resigned mid Brandee's testimony. I don't know how it works going forward on amending the constitution but as a team, is there something we can do to prevent someone from resigning in the middle of their impeachment trial? I think that was just ridiculous in my opinion and we should do something about it.
- b. Richard: I second that. I'm really pissed off. This was so messed up. Brandee had to talk about her trauma and to be cut off midway with this resignation, I have no words for it.
- c. Julia: They were so vulnerable. They don't even know who we are. Brandee and Vanella, thank you Genesis for their names, had to explain what they went through and then someone who represents Baruch resigning in the middle of their testimonies is just upsetting. Something like that going forward should not be valid.
- d. Matthew: I had a question. Briana, earlier on you mentioned that some of the rules that we established for the impeachment trial were in the constitution. Is there any way to add new rules there to have that precedent there for future USGs?
- e. Briana: I wanted to diverge to Damali on how amendments to the constitution would work.
- f. Damali: All amendments to the constitution have to go through a referendum which would've needed to be submitted when the election materials were submitted. The new USG can always do a referendum in the Fall if they would like to. I do think you need to update the constitution based on the language that needs to be updated. We can have further discussions on this, but I would not put in there things like, "documentation has to be submitted 48 hours prior." We can take a look at what CUNY has in its bylaws and to give each USG leeway to manage it because it was something that was so strict, you might have wanted to have it in person even though we're online. You want to have room for flexibility. I've seen things where students don't get their due process because of this language.

- g. Richard: I know Joel has resigned but I want to address if he can run for elections still?
- h. Damali: As of right now, because no disciplinary actions have been taken against him as a Baruch student, based on Baruch Conduct codes, it might have to be taken to the Dean of Students' office and be found guilty there. They will need to check and enforce the due process because even if you don't agree with his actions, Joel still has his rights as a student and thus must be respected.
- i. Erika: As we have with other past resignations, is it possible we can get it forwarded it us after senate?
- j. Briana: Yes, I can forward it.
- k. Richard: With what Felix said in the chat, I know the impeachment process was broad, but it was already started and his resigning midway, I just don't understand.
- l. Damali: Yeah but you guys don't have anything in your constitution that prohibits it, so.
- m. Kristina: I wanted to reiterate what was said. I know that it wasn't in the constitution, but realistically he had plenty of time to resign before the trial. He didn't even choose to resign at the beginning, but midway while these people were pouring their souls out and that just says a lot about him.
- n. Raphael: Aharon has sent me a text speaking on his behalf that Joel has decided to step away from student government permanently. Currently, he was in the race for USS delegate but he's removing himself from that now.
- o. Taji: Are we still making a statement? Him resigning during the impeachment process doesn't sit well with me. I'm not trying to attack him, but him removing himself from student government, I know he still might be doing other similar things and I just feel like he should be held accountable and he kind of almost tried to dodge it. If you look him up, you might not find mention of his impeachment trial, but I just think we should still release a statement saying we don't condone his actions or something.
- p. Julia: Would we be able to look at the constitution regarding impeachments? I kind of am still triggered by this, and I feel like justice still needs to be done. Joel could've resigned way beforehand and him resigning midway just upsets me.
- q. Briana: We can look at the constitution more so during the executive session, but I do want to say that our E-board did give him the opportunity to meet with us and resign almost 2 weeks before the trial and he never reached out to us on that.
- r. Alison: Tony just forwarded his resignation letter. It seemed a little rushed.
- s. Richard: In talking with E-board and proceeding with the research, it was made clear that there were attempts given to Joel to resign prior. As Ozzy mentioned, we took this very seriously and we did not have any biases at hand. We did our internal research and spoke to witnesses to get more background knowledge. His resignation basically undermined our efforts and Brandee's voice, and I'm angry. I don't want to make any speculations but I'm pretty sure it was conversations that occurred in this meeting that prompted his abrupt resignation.
- t. Osvaldo: Adding to the fact we all worked so hard for this and I'm very heated still. Richard, Raphael, and I worked so hard to come up with our statements and questions for the witnesses. We tried to make sure that we came to this trial as fair as possible for Joel. We did this for him as of respect. The fact that we did all of this and he goes around and resigns midway is completely disrespectful and rubbed me the wrong way. I'm angry that we put our time and resources into respecting his reputation as a student and he turns around and he does this to us. It's completely upsetting. I also want to look at the constitution in depth. I'm annoyed and angry that Vanella and Brandee had to relive that trauma again and again, which was not easy for them. I'm just really heated.

Executive Session

1. Motion to enter Executive Session and allow Damali and Savanna to join at 7:05p.m.
 - i. Motion passes, 16-0-0

Adjournment

1. Motion to adjourn Senate Meeting #24 at 8:09 PM. Motion passes, 16-0-0