

Reed College Community Constitution

Amended January 1990 by the faculty.

Amended 19 April 1992 by the faculty.

Amendments proposed by the CAC and approved by the faculty and students
November 2011.

Approved by the Board of Trustees February 4, 2012.

Amendment proposed by the CAC and approved by the faculty and students
May 2012. Approved by the Board of Trustees August 28, 2012.

Preamble

The academic and administrative Faculty and the Student Body of Reed College adopt this constitution in order to define how we may share responsibility for the government of community affairs. We declare our commitment to responsible and honorable conduct in academic and community affairs, and we reaffirm one another's rights to freedom of inquiry and expression in coursework, scholarship, and the day-to-day life of the Reed Community. Since such freedom requires an atmosphere of trust and mutual confidence, we further declare that dishonesty, intimidation, harassment, exploitation, and the use or threat of force are incompatible with the preservation of this freedom.

Article I. The Student Body Senate

Section 1. The Student Body shall select a Student Body Senate, which shall be the representative body of the students of Reed College. The President of the Student Body shall preside at all meetings of the Senate.

Section 2. The Senate shall have its composition, manner of selection, powers, and rules of procedure established in the Reed College Student Body Constitution.

Section 3. In accordance with the provisions of the Reed College Student Body Constitution, the Senate shall have authority to initiate and review community legislation on behalf of the Student Body; shall represent the interests of the Student Body to the Faculty, Administration, and Trustees of Reed College; shall establish policy for the use of the Student Union Building; shall receive reports from all committees of the Faculty and the College that have student membership; and shall oversee the official boards, committees, publications, and recognized organizations of the Student Body.

Section 4. In accordance with the provisions of the Reed College Student Body Constitution, the Senate shall have sole authority over the allocation and distribution of Reed College Student Body funds.

Article II. The Faculty Community Affairs Committee

Section 1. The Community Affairs Committee of the Faculty shall be elected or appointed as the Faculty shall choose to specify in the Bylaws of its Constitution. The Dean of Student Services shall be an ex-officio, non-voting member of this committee. A Chair selected as the Faculty shall choose to specify in the Bylaws of its Constitution shall preside at meetings of the committee.

Section 2. The Dean of Student Services shall use this committee as a forum for testing and seeking advice about faculty opinion on issues and policies regarding the conduct of that office, and on general matters of student welfare.

Section 3. The Community Affairs Committee shall represent the views of the Faculty to the Student Body Senate, and shall review all enactments of the Senate, except for allocations of Student Body funds.

Section 4. At the request of either body, the Community Affairs Committee and the Senate shall meet jointly for discussion of issues of mutual concern. In no event will meetings be less frequent than once each month when the College is in session.

Article III. Community Legislation

Section 1. The Senate shall forward in writing all bylaw changes, policies, and other enactments, except for allocations of Student Body funds, to the Community Affairs Committee of the Faculty.

Section 2. The Community Affairs Committee shall approve, suggest revisions to, disapprove, or declare its lack of jurisdictional interest in all forwarded enactments of the Senate, but shall normally approve or disapprove only those enactments which would affect the regulation of community conduct.

Section 3. Legislation at Student Senate Initiative

A. The Community Affairs Committee shall have fifteen working days (counting only days when the College is in session) to review and respond to enactments of the Senate. Any Senate enactment for which the Community Affairs Committee has declared its approval or disapproval shall be presented for discussion at the next regularly scheduled meeting of the Faculty. It shall stand approved if by the end of that meeting the Faculty or the President takes no action.

B. Faculty action may be a vote of approval or disapproval, or deferral until the next regularly scheduled Faculty meeting, pending additional consultation between the Community Affairs Committee and the Senate. In the event of a vote, the will of the Faculty shall be expressed by simple majority, a quorum being present.

Section 4. Legislation at Faculty Initiative

A. At the behest of the Faculty, the Community Affairs Committee may propose legislation for the consideration of the Senate. If approved by the Senate, any such enactment shall be presented for discussion at the next regularly scheduled meeting of the Faculty. It shall stand approved if by the end of that meeting the Faculty or the President takes no action.

B. If the Senate does not approve the proposed enactment, and if no negotiated agreement is reached, the Community Affairs Committee shall report the question to the Faculty with a recommendation for further action.

C. Faculty action on the proposed enactment may be either a vote of approval or disapproval, or deferral until the next regularly scheduled Faculty meeting, pending additional consultation between the Community Affairs Committee and the Senate. In the event of a vote, the will of the Faculty shall be expressed by simple majority, a quorum being present.

D. A vote of disapproval by the Faculty will close further consideration of the proposed enactment. A vote of approval may be tested by student referendum in which at least one-half of the enrolled Student Body participate. Upon referral by a two-thirds vote of the Senate, a student referendum on the disputed enactment may be held not more than 45 days, in session, following the Faculty vote.

E. The outcome of the referendum shall be reported to the Faculty. If two-thirds of the students voting in the referendum vote to disapprove the previous Faculty action, the Faculty must vote by an absolute majority of the Faculty not on sabbatical or other leaves of absence to reaffirm its previous action. If reaffirmed, further consideration of the matter will be closed. If reaffirmation fails, the previous action will be rescinded.

Section 5. Representatives of the Senate, nominated by the Student Body President in consultation with the President of the College, may participate as non-voting discussants during Faculty consideration of proposed community legislation. Senate representatives shall participate at such meetings at the invitation, and under the sponsorship, of the President of the College.

Section 6. College policies, rules and regulations concerning community conduct may be reviewed, amended, or rescinded by the procedures enumerated in this article. Such review will be initiated by consultation with the responsible institutional officer; or, in the case of a Faculty action, with the Community Affairs Committee.

Section 7. All current policies, rules, and regulations concerning community conduct shall be kept on file with the Dean of Student Services and published each academic year.

Section 8. Enforcement of policies, rules, and regulations concerning community conduct shall normally follow the processes established by means of Article IV below. Use of substances in violation of college policies or applicable local, state, or federal law can be adjudicated through alternate procedures, established through the processes of Article III of this constitution, subject to the limitation that only a board set forth in the Student Judicial Board Code may recommend the suspension or expulsion of students.

Article IV. Judicial and Grievance Procedures

Section 1. Members of the Reed Community are bound in good faith to seek informal resolutions of disputes, grievances, and breaches of honor before formal steps are taken. Procedures for mediation shall be as enacted by the Student Senate and the Faculty according to the processes established in Article III of this constitution or as stated in the Staff Handbook. Unless all persons involved in a dispute agree otherwise, such procedures shall preserve strict confidentiality about both the complainant and the accused.

Section 2. In consultation with the Student Body Senate and the Community Affairs Committee of the Faculty, the President of the College shall at the beginning of each academic year appoint an Honor Council, chaired by a member of the Faculty, and composed of an equal number of students, faculty, and members of the staff. The Honor Council shall be responsible for educating incoming members of the community about the meaning and importance of responsible and honorable conduct at Reed College. In accordance with the procedures referred to in Section 1 of this article, members of the Honor Council shall provide advice to persons seeking informal or formal resolution of disputes, may serve themselves as mediators in disputes, or may refer disputants to designated mediators. The Chair of the Honor Council shall receive confidential reports of the progress and outcome of mediation undertaken under the Council's auspices.

Section 3. The Honor Council shall provide the Community with routine summaries of its activities, and shall from time to time report to the Community about larger issues and problems concerning honorable conduct and the College's grievance and judicial procedures.

Section 4. If informal procedures fail, every member of the Faculty, Staff, and Student Body has the right to bring a formal complaint against a member of the Reed Community, and have that complaint considered by an appropriate hearing board. Persons filing formal complaints shall be notified by the hearing board about the progress and outcome of their complaints. Unless all persons involved in a dispute agree otherwise, complainants shall preserve strict confidentiality about the content of such notification.

Section 5. The Student Judicial Board and the Sexual Misconduct Board shall hear formal complaints brought against students. The composition and procedures of the Boards shall be set forth in the Student Judicial Board Code, which shall be enacted and amended according to the processes established in Article III of this constitution. The deliberations and recommendations of the Boards shall be held confidential by their members. Formal complaints against students must be filed with the Chair of the appropriate Board, with a copy of the complaint to the Dean of Student Services. Decisions of the Boards shall be in the form of recommendations to the President of the College. Such recommendations shall be made in writing, and reported to the offices of the President and the Dean of Student Services. In accordance with procedures set forth in the Student Judicial Board Code, decisions of the Boards may be appealed to the Appeals Board. A final appeal may be made to the President of the College.

Section 6. The Faculty (or individual members of the Faculty) may delegate to the Student Judicial Board authority to judge cases of academic dishonesty and recommend penalties to the Faculty and the President of the College. In such cases, the faculty members of the Administration Committee of the Faculty shall review, and after consultation with the Chair of the Student Judicial Board, may amend the judgments and recommended penalties of the Student Judicial Board. Nothing in this section shall be construed to relieve a faculty member of the responsibility for assigning grades to any student in his or her course.

Section 7. Formal complaints against members of the Faculty shall be heard according to the procedures set forth in the Rules of Procedure of the Faculty. Formal complaints against members of the Faculty must be filed with the Provost.

Section 8. Formal complaints against College staff members shall be heard according to procedures set forth in the Staff Handbook. Formal complaints against staff members must be filed with the Director of Personnel Services, or with the staff member's direct supervisor.

Section 9. Records of the disposition of formal complaints, and of mediated disputes resulting in acknowledgment of injury to a community member or of a breach of honor, shall be kept in confidential disciplinary files separate from all other records pertaining to an accused party. The Dean of Student Services shall keep, maintain, and protect such records for students, the Provost for faculty members, and the Director of Personnel Services for staff members. Disciplinary records shall be maintained for the duration of enrollment or employment at the College, or longer if legally required, and shall be destroyed at the end of that period.

Section 10. The Rules of Procedure of the Faculty, the Student Judicial Board Code, and the Staff Handbook may specify circumstances in which the Provost, the Dean of Student Services, and the Director of Personnel Services may provide appropriate hearing boards and committees with information from the files in their respective official custody.

Section 11. The rules of procedure for initiating and pursuing informal and formal complaints against members of the Reed Community shall be published each academic year.

Article V. Committees

Section 1. Apart from committees established under the Bylaws of the Reed Institute, there shall be only three kinds of committees at Reed College: those established under the Constitution and Bylaws of the Faculty, those established under the Student Body Constitution, and those established under this Community Constitution.

Section 2. Except for committees (such as the Committee on Advancement and Tenure) dealing primarily with personnel issues, or committees (such as the Administration Committee and the Graduate Awards Committee) dealing with student academic standing and awards, or committees dealing with programs (such as graduate study) not designed for undergraduates, all committees established under the Constitution and Bylaws of the Faculty shall either have voting student members or shall work in relation to such parallel committees as may be established under the Student Body Constitution.

Section 3. When parallel committees (such as the Faculty and Student Committees on Academic Policy and Planning) have been established, the faculty and student committees shall meet together at least once each semester, and at any other reasonable time when either committee requests a joint meeting. Student committees shall routinely send to their faculty counterparts copies of all their minutes, memoranda, working documents, and recommendations, except those pertaining to meetings defined as "closed" to the community at large in the Bylaws of the Constitution of the Reed College Student Body. Faculty committees shall routinely send to their student counterparts copies of all their minutes, memoranda, working documents, and recommendations, except those pertaining to meetings defined as "closed" to the Faculty at large in the Bylaws of the Constitution of the Faculty.

Section 4. The Student Body Senate may recommend to any committee of the Faculty that it address a problem that has come to the Senate's attention. All committees of the Faculty that have student membership shall report to the Student Body Senate on their proceedings at least once each semester. Committees of the Faculty report their recommendations for action to the Faculty and/or the President of the College. Committees established under the Student Body Constitution report their recommendations for action to the Student Body Senate.

Section 5. Agenda Committee

A. The Agenda Committee shall consist of the President of the Student Body, the Chair of the Student Committee on Academic Planning and Policy, and a student member of the Honor Council, together with the Chair of the Community Affairs Committee, the Dean of Student Services, the Provost, and the Vice-President/Treasurer. The Committee shall select a chair from among its members, and its meetings shall be open to the community.

B. The Agenda Committee shall facilitate communication among the various constituencies of the College on matters pertaining to the well-being of the Reed Community as a whole. It shall have the responsibility of ensuring that such matters come in a timely fashion before the representative and advisory bodies established by this constitution. It shall provide for appropriate publicity of the discussion of such matters, and of the conclusions reached. It shall receive minutes from the Student Body Senate and the Community Affairs Committee, shall keep these on file in the Deans' Office for one academic year, and shall subsequently deposit copies of these minutes in the Student Body Archives and in the Reed College Archives.

C. The Agenda Committee shall meet at least once every two weeks while classes are in session. When classes are not in session, the Committee shall meet at the call of its chair or of any two members, or of their designated proxies.

Section 6. In a manner consistent with the Constitution and Bylaws of the Faculty and the Constitution and Bylaws of the Reed College Student Body, the Faculty and the Student Body Senate may create and dissolve other joint committees as they see fit.

Article VI. Publications and Public Occasions of Expression

Section 1. Publications, exhibitions, public lectures, and public performances under the sponsorship of the College or of recognized organizations within the Reed Community shall not be subject to institutional censorship. Publications supported wholly by Student Body funds, or by Student Body funds supplemented by revenues external to the College, shall not be subject to censorship or editorial control by the College, by the Student Body Senate, or by any member of the academic or administrative faculty. Official publications of the College, however, shall be subject to editorial control by appropriate institutional officers.

Section 2. Editors of publications under the sponsorship of the College or of recognized organizations within the Reed Community, including publications supported in whole or part by Student Body funds, shall adhere to generally accepted standards of responsible scholarship and publication, and may be held accountable for the violation of such standards by means of the procedures established in Article IV.

Article VII. Referendum and Initiative

Section 1. Apart from the procedures in Article III, legislation may also be approved by a majority of the Student Body and a majority of the resident faculty voting on any legislation referred to each by the Senate and the Community Affairs Committee at any regular or general election, a quorum existing in both cases, provided that the President of the College does not disapprove said enactment within fifteen working days (counting only days when the College is in session).

Section 2. Apart from the procedures in Article III, the undergraduates and faculty of the College reserve to themselves the power to legislate for the community in the following manner, independent of the Senate and the Community Affairs Committee: twenty percent of the enrolled undergraduates or twenty percent of the resident faculty may file a petition with the President of the College and the Student Body President proposing deletion, alteration, or substitution of any policy, rule, or regulation concerning community conduct. The President of the College and the Student Body President shall then provide for a special election. If a majority of the undergraduates voting in the special election and a majority of the resident faculty voting in the special election, a quorum existing in each case, vote yes, and if the President of the College does not disapprove within fifteen working days (counting only days when the College is in session), such a proposal shall become rule, the Senate and the Community Affairs Committee notwithstanding.

Article VIII. Amendment

Section 1. The undergraduates and faculty of the College may amend this constitution in the manner described in Article VII, Section 2 of this document, provided that the President and the Board of Trustees also approve any such amendment.

Section 2. The Senate or Community Affairs Committee may propose amendments to this constitution that must be approved by a majority vote of the enrolled Student Body and a majority vote of the resident Faculty, a quorum existing in each case, and by the President and the Board of Trustees.

Article IX. Ratification

Section 1. This constitution shall take effect the semester following its approval by a majority vote of the Student Body and a majority vote of the resident Faculty, a quorum existing in each case, approval by the President and the Board of Trustees, and the election of the Senate and the selection of the Community Affairs Committee.

Section 2. This constitution shall become the instrument of the Reed College Community insofar as it is consonant with the Articles of Incorporation and Bylaws of the Reed Institute and the Constitution and Bylaws of the Faculty of Reed College. Nothing in this constitution prevents the Faculty, the President of the College, or the Board of Trustees from acting with the powers accorded to them by the Articles of Incorporation and Bylaws of the Reed Institute and the Constitution and Bylaws of the Faculty of Reed College.