



# **Community Constitution**

Approved August 28, 2017

# Preamble

The faculty, student body, and staff of Reed College adopt this constitution in order to define how we may share responsibility for community governance. We declare our commitment to 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

### Community Representation

#### I. Section 1. The Student Body Senate

**I.1.A.** 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 or their designee shall preside at all meetings of the Senate.

**I.1.B.** The Senate shall have its composition, manner of selection, powers, and rules of procedure established in the Reed College Student Body Constitution and Senate Bylaws.

**I.1.C.** In accordance with the provisions of the 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, staff, 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.

**I.1.D.** In accordance with the provisions of the Reed College Student Body Constitution and this Community Constitution, the Senate shall have sole authority over the allocation and distribution of Reed College student body funds.

#### I. Section 2. The Faculty Community Affairs Committee

**I.2.A.** The Community Affairs Committee of the faculty shall be elected or appointed as outlined in the Bylaws of the Faculty Constitution. The Vice President for Student Life shall serve as an ex officio, non-voting member of this committee. A chair selected according to the Bylaws of the Faculty Constitution shall preside at meetings of the committee.

**I.2.B.** The Community Affairs Committee shall represent the views of the faculty to the student body Senate and to the staff of the college. The Vice President for Student Life 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. The student body Senate may meet with the Community Affairs Committee to discuss issues of mutual concern. In any event such a meeting should occur at least once per semester.

## **I. Section 3. The Staff**

**I.3.A.** The staff have direct representation during staff-wide community legislation meetings; the staff do not select or elect a representative body. Staff may participate as non-voting discussants during student body Senate meetings and faculty meetings, in accordance with the bylaws of the Faculty Constitution and student body Senate.

**I.3.B.** Staff shall have the opportunity to convene community legislation meetings. All staff employed by the college can participate as non-voting discussants in staff-wide community legislation meetings. During these meetings, staff shall have an opportunity to discuss specific policies that affect the college as a whole; to express concerns and make suggestions for potential changes; and to bring up new business concerning community governance.

**I.3.C.** Normally, at least one member of the student body Senate and one member of the faculty Community Affairs Committee will attend each meeting. The student and faculty representatives in attendance will invite staff input regarding college-wide legislative matters, and will share this perspective with their respective constituencies.

## **Article II**

### **Legislation Committee**

#### **II. Section 1.**

The Legislation Committee shall be composed of two members of the faculty, two members of the student body, two members of the staff, and an ex officio chair.

#### **II. Section 2.**

The faculty representatives shall be appointed by the faculty committee appointment process and shall include at least one member of the Community Affairs Committee. The student representatives shall be selected by the Senate committee appointment process and shall include at least one member of Senate. The staff representatives shall be selected by the staff committee appointments process. The Vice President for Student Life or Dean for Institutional Diversity shall serve as the ex officio chair.

#### **II. Section 3.**

The Legislation Committee shall meet to discuss issues of community governance and policy. The committee normally shall meet no less than twice per semester.

# Article III

## Community Legislation

### III. Section 1.

College legislation concerning community conduct may be created, revised, or abolished by the procedures enumerated in this article. All academic and curricular policies and policies that pertain to only one campus constituency (e.g. staff compensation, faculty grievance process, Student Union bylaws) shall normally proceed through alternative processes.

### III. Section 2.

All proposals for creation, revision, or abolishment of community-wide legislation as defined in Section 1 shall be forwarded to the Legislation Committee. This includes all proposals from the faculty, student body, and staff.

### III. Section 3. Legislative Drafting and Review

**III.3.A.** The Legislation Committee will have ten working days, counting only days when the college is in session, to review and formally respond with recommendations to legislative proposals. Committee recommendations shall be communicated to the Community Affairs Committee, student body Senate, and staff, regardless of who initiated the proposal. Recommendations may include consulting with experts and/or interested parties, forming an ad hoc committee for further evaluation, drafting legislation, or discouraging legislative actions.

**III.3.B.** If the Legislation Committee recommends drafting legislation, the recommendation will include suggestions for potential authorship. Authors may include faculty, students, staff, and other subject matter experts, depending on the specific focus of the legislation. The formation of any committee to draft legislation will proceed in accordance with existing processes.

**III.3.C.** Upon completion of a legislative draft, the Legislation Committee will present the proposal to the Community Affairs Committee and student body Senate for initial review. This period of review will normally last no more than ten days.

**III.3.D.** When this period of initial review is completed, the Legislation Committee shall incorporate feedback—with assistance from the authors of the legislation—into a revised draft of proposed policy language to be presented to the Reed community for review and discussion. The period of review will normally last no longer than fifteen working days and must provide accessible avenues for comment from all faculty, students, and staff:

**III.3.D.i.** The Legislation Committee will present the draft proposal to the faculty for discussion at a faculty meeting. The purpose of this initial presentation is to invite discussion, and there will be no formal vote on the legislative proposal at this faculty meeting.

**III.3.D.ii.** The Legislation committee will present the draft proposal for discussion to students at an open student body Senate meeting.

**III.3.D.iii.** The Legislation Committee will present the draft proposal to the staff for discussion at a staff-wide community legislation meeting.

**III.3.E.** After the period of review, the Legislation Committee will draft a final proposal and a summary of the feedback from the community.

### **III. Section 4. Legislative Actions**

**III.4.A.** The creation, revision, or abolishment of community-wide legislation normally requires two votes of approval: one from the student body Senate or student referendum, and one from the Faculty.

**III.4.B.** Following the period of review, the Legislation Committee will present the final proposal (as referenced in Section 3-E) to the Senate along with a summary of opinions of the faculty and staff (including a summary of views that represent dissent from the majority). The Senate shall then hold a vote of approval or disapproval.

**III.4.C.** The Legislation Committee will then present the final proposal (as referenced in Section 3-E) to the faculty along with a summary of the opinions of the Senate and staff (including a summary of views that represent dissent from the majority). Members of the Legislation Committee may participate as non-voting discussants during faculty consideration for proposed community legislation. Faculty action is limited to a vote of approval or disapproval.

**III.4.C.i.** If the Senate has approved the proposal, it shall stand approved if by the end of the faculty meeting the faculty approves, and the President takes no other action.

**III.4.C.ii.** If the Senate has opposed the proposal and the faculty opposes as well, and the President takes no action, the proposal fails and deliberations are concluded.

**III.4.C.iii.** If the Senate and faculty votes disagree, the Senate may initiate the student referendum process (Section 4.D). If the Senate decides not to initiate the student referendum process, the vote of the faculty shall stand.

**III.4.D.** Upon referral by a two-thirds vote of the Senate, a student referendum may be held. The referendum must be held not more than 45 days following the faculty vote, and must be complete before the end of the academic year. If the referendum process is not complete by the end of the spring semester of the academic year in which the legislation is proposed, the proposal will be tabled until the beginning of the following fall semester, when the issue will once again be put to a referendum. The referendum requires at least one-half of the enrolled student body to participate for the vote's outcome to be valid.

**III.4.E.** 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, the previous action by the faculty stands. If reaffirmation fails, the vote of the student referendum stands.

### **III. Section 5.**

All current policies, rules, and regulations concerning community conduct shall be published and updated on the appropriate Reed college website.

# **Article IV**

## **Initiatives and Referendum**

### **IV. Section 1.**

Apart from the procedures in Article V, faculty, students, and staff of the college reserve the prerogative to legislate for the community in the following manner: twenty percent of the resident faculty, twenty percent of the enrolled students, or twenty percent of staff may file a petition with the President of the college and the student body President proposing creation, revision, or abolishment 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 students 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 V**

## **Judicial and Grievance Procedures**

### **V. Section 1.**

Members of the Reed community are encouraged to seek informal resolutions of disputes, grievances, and breaches of honor before formal steps are taken, except when law or college policy prohibit such forms of resolution. Procedures for mediation shall be as enacted by the Honor Council Code, Faculty Handbook or Staff Grievance Resolution Process. Unless all persons involved in a dispute agree otherwise, such procedures shall preserve strict confidentiality about both the complainant and respondent.

### **V. Section 2.**

The Honor Council shall be responsible for educating members of the community about the meaning and importance of responsible and honorable conduct at Reed College. The Honor Council shall be chaired by a member of the faculty and composed of an equal number of faculty, students, and staff, each appointed according to the specifications of their respective committee appointment processes. Members of the Honor Council shall provide information 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.

### **V. 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 concerning community conduct and the college's grievance and judicial procedures.

### **V. Section 4.**

If informal procedures fail, every member of the faculty, student body, and staff has the right to bring a formal complaint against a member of the Reed community in accordance with the relevant established grievance processes. 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, or as otherwise specified in the Judicial Board Code or final sanction letter, complainants and respondents shall preserve strict confidentiality about the content of such notification.

### **V. Section 5.**

The Student Judicial Board and the Title IX 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.

### **V. Section 6.**

The faculty (or individual members of the faculty) may delegate to the Student Judicial Board authority to both judge cases of academic misconduct, and to recommend penalties in accordance with the Judicial Board Code. Nothing in this section shall be construed to relieve a faculty member of the responsibility of assigning grades to any student in their course.

### **V. Section 7.**

Formal complaints against members of the faculty shall be heard in accordance with the procedures set forth in the Bylaws and Rules of Procedure of the Faculty.

### **V. Section 8.**

Formal complaints against staff by students or faculty shall be initiated by contacting the staff member's supervisor or Human Resources. Formal complaints against staff by another staff member shall be heard in accordance with procedures set forth in the Staff Grievance Resolution Process.

### **V. 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 office of the Vice President for Student Life shall keep, maintain, and protect such records for students, the office of the Dean of the Faculty for faculty members, and the office of Human Resources for staff members. Disciplinary records shall be

maintained for the duration of enrollment or employment at the college, or longer if legally required or stipulated by college policy, and shall be destroyed at the end of that period.

#### **V. Section 10.**

The Rules of Procedure of the Faculty, the Student Judicial Board Code, and staff policies on the Human Resources website may specify circumstances in which the Dean of the Faculty, the Vice President for Student Life, and the Director of Human Resources may provide appropriate hearing boards and committees with information from the files in their respective official custody.

#### **V. 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.

#### **V. Section 12.**

Enforcement of policies, rules, and regulations concerning community conduct shall normally follow the processes established by means of this article. Student conduct may 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 VI**

### **Committees**

#### **VI. Section 1.**

Apart from committees established under the Bylaws of the Reed Institute, there shall be only three kinds of standing committees at Reed College: those established under the Constitution and Bylaws of the Faculty, those established under the student body Senate Constitution and Bylaws, and those established under this Community Constitution.

#### **VI. Section 2.**

Except for committees dealing primarily with personnel issues (such as the Committee on Advancement and Tenure), committees dealing with student academic standing and awards (such as the Administration Committee and the Fellowships and Awards Committee), or committees dealing with programs not designed for undergraduate students (such as Graduate Studies), 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.

### **VI. 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 normally meet together at least once each semester and routinely send to their counterparts relevant working documents and recommendations, except those pertaining to confidential information or closed meetings.

### **VI. 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 normally 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.

### **VI. Section 5.**

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, with the exception of the dissolution of the Legislation Committee.

## **Article VII**

### **Publications and Public Occasions of Expression**

#### **VII. 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, faculty, student body Senate, or staff. Official publications of the college, however, shall be subject to editorial control by appropriate institutional officers.

#### **VII. Section 2.**

Editors and contributors 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 V.

## **Article VIII**

### **Amendment**

#### **VIII. Section 1.**

The Community Affairs Committee, student body Senate, and staff may amend or propose amendments to the Community Constitution in the manner described in Article III. Any amendment must be approved by a majority vote of the enrolled student body and resident faculty, a quorum existing in each case, and by the President and the Board of Trustees. Amendments to the Community Constitution shall take effect the semester following their approval.

## **Article IX**

### **Ratification**

#### **IX. 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, and by the President and the Board of Trustees.

#### **IX. 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.