

The Reed College Honor Council Code

PREAMBLE

The Honor Council of Reed College is a group of appointed students, faculty, and staff that educates, advises, and mediates among members of the Reed Community regarding the Honor Principle. The Honor Principle is not a constitutional system but rather a guiding principle that seeks to ensure honesty and mutual trust in the academic and social spheres of Reed College (Statement of the Faculty, 1973). Furthermore, the Honor Principle entrusts the responsibility of acting in accordance with one's personal sense of right and wrong to each member of the Reed community (Student Body Constitution, 1919) and requires all members of the community to maintain their academic integrity and contribute to an environment that promotes inclusivity and is free from harassment and prejudice. One of the distinctive features of a community run partially under an Honor system, as opposed to a community run exclusively under a system of written laws, is the expectation that those governed under the system play an active role in seeing that the community runs smoothly. The Honor Council exists to foster a culture of Honor and Honorable behavior at Reed College.

1. COMPOSITION AND APPOINTMENTS

A. Overview

The Honor Council shall consist of nine (9) voting members: three (3) students, three (3) faculty members, and three (3) staff members. In addition there shall be six (6) nonvoting student members. In addition, the Honor Council shall have a non-voting staff advisor from Human Resources to assist the Council in matters concerning mediating Honor among staff and faculty. A member of the faculty chairs the Council. The Chair is responsible for organizing meeting times and preparing the agenda; faculty members speak for the Honor Council in faculty meetings and produce written documents related to faculty legislation; staff members communicate with the larger staff about the Honor Council's purpose and functions; and student members facilitate communication with student groups and publicize Honor Council events.

B. Committee Assignments

The Honor Council shall internally appoint each of its members to a subcommittee according to the following specifications:

1. The Education Subcommittee shall consist of one (1) student chair, two (2) faculty members, two (2) staff members, the two (2) additional voting student members, and the six (6) non-voting student members.
2. The Mediation Subcommittee shall consist of one (1) student chair, the staff advisor from Human Resources, and an additional non-voting student member.

3. The Community Rights Subcommittee shall consist of one (1) student chair, (1) faculty member, one (1) staff member and the two (2) additional voting student members.

C. Appointments of New Members

1. Faculty members shall be appointed according to the specifications of the faculty constitution and in agreement with the Dean of Faculty and the Committee on Academic Planning and Policy. One of the appointed faculty members will serve as Honor Council Chair. Another Honor Council faculty member will be appointed to serve on the Appeals Board. Honor Council faculty appointee to Appeals Board cannot also serve on the Community Rights Subcommittee.

2. Staff members shall be appointed according to the specifications of the staff handbook and in agreement with Human Resources. Two (2) of the staff members will be appointed to serve on the education subcommittee as voting members. One (1) staff member will be appointed to serve as a voting member of the Community Rights Subcommittee.

3. Student Senate appoints student members at the recommendation of the Appointments Committee. Appointees serve on the Honor Council for a one-year term. Members should be appointed as follows:

a. The Senate shall appoint all student members of Honor Council. Students appointed become members for a term of one year.

b. Current student members and student members who do not seek re-appointment shall assist the Appointments Committee as advisors during Honor Council appointments and deliberations.

c. If a nonvoting student member resigns, applications for a non-voting position will be solicited at the soonest appointments held for positions open due to term expiration.

d. If a student voting member resigns, then a current non-voting member will be appointed as soon as possible to fill the voting member position. They will serve as voting member for the remainder of the resigning student's term. Upon expiration of the resigning student's term, the voting position will be appointed by the Senate. If the resigning member's term is shorter than the member appointed to the open position, the appointed student can choose to apply for the open voting member position or opt to reassume their ex-officio position for the remainder of their term.

2. TRAINING

The Chair of the Education Subcommittee is responsible for introducing new members to the structure and responsibilities of Honor Council. Furthermore, there will be an extensive training at the beginning of each semester organized by the voting members of Honor Council. Staff, students, and faculty members of Honor Council are expected to attend at least one extensive training per term served.

3. FULL HONOR COUNCIL MEETINGS

The full Honor Council (students, faculty, and staff) shall hold a meeting open to the community at large at least 3 times each semester and at least once per quarter. The agenda of the meeting will be set by the Chair of the Honor Council but must include a report of each subcommittee's actions since the last meeting. The contents of these reports are still bound by the confidentiality of the individual committees. Additionally, events planning and general concerns brought to the attention of the Honor Council should be discussed. The student secretary will take minutes in this general meeting. Community members may contact the Chair of the Honor Council to access minutes of full Honor Council meetings.

4. ADVISORY ROLE

A. Members of Honor Council act as advisors to the campus community about the Honor Principle and Honor Process. In seeking the advice of a Council member, community members can expect to gain knowledge about their options in seeking resolution of disputes, grievances or breaches of Honor. When consulted, Honor Council members should attempt to neutrally present all available options and resources to aid in resolution of a conflict.

B. Community members wishing to contact the Honor Council either verbally or in writing can obtain the names of Council members from the switchboard operator. Names of voting members should be distinguishable from non-voting members. In seeking advice, the community member may remain anonymous.

C. When giving advice, members of the Honor Council will not attempt to investigate the validity of the accusation, nor will they promote a particular result, but rather will discuss the processes through which a resolution might be reached.

D. In no way will the Honor Council or any of its members seek to take sides in advising or in mediating a particular dispute. Members of the community that have been accused, either formally or informally, of an Honor violation may discuss the matter confidentially with a member of the Honor Council.

E. Normally, all communication between Honor Council members and community members relating to Honor Council business is confidential. If a member of the Council is unclear on the proper advice to give an inquiring member of the community, the Honor Council member must gain permission from the community member before seeking the advice of other

Honor Council members or other officers of the College. The exceptions to the strict confidentiality of Honor Council consultation are situations when there is a risk of imminent harm.

5. SUBCOMMITTEE OPERATION AND PROCEDURE

A. Education Subcommittee

1. Overview:

The Education Subcommittee serves to educate the community about the Honor Principle and Honor Process. To educate the community, the Education Subcommittee organizes community discussions about issues relating to the Honor Principle and hosts events for new members of the Reed community. The subcommittee works with college offices and student groups including Residence Life and the Judicial Board to facilitate community education. The Education Subcommittee will make available to the Reed community information regarding other committee functions and practices by means of mediation documents, procedural flow charts, confidential consultation regarding Honor issues, and information regarding how to procure mediation or how to bring an Honor issue to the Community Rights Subcommittee. In addition to all responsibilities listed below, the Subcommittee may undertake additional endeavors as befits its educational mission.

2. Meeting Structure:

The student members of the Education Subcommittee will meet once a week. The Education Committee Student Voting Member will plan the agenda for each meeting. Minutes shall be kept for Honor Council records and made readily available to all members of Honor Council.

3. Orientation:

a. The Education Subcommittee provides an introduction to the Honor Principle at student orientation. The Honor Council will work with Student Services and Orientation Coordinators to create a program that adequately introduces the Honor Principle to new students and engages them in thoughtful discussion with returning students and other members of the Reed Community.

b. Honor Council members participate in House Adviser Orientation to emphasize their availability to advise, to educate, or to mediate concerning issues related to dormitory life.

4. Educational Events:

a. Student Honor Council members will work with the Residence Life program to hold informal discussions in the residence halls in cooperation with the student Judicial Board members for the purpose of continuing to educate students about

their options for resolving Honor concerns. The Honor Council may also hold similar sessions for interested students who live off campus.

b. The Education Subcommittee will plan at least one event per semester for the general education of the community about the Honor Principle and Honor Process.

c. In addition to educating students on a regular basis, the Subcommittee may hold events directed at the faculty and/or staff. These programs aim to foster an awareness of the Honor Principle and its practical application for faculty and staff, targeting specific areas that need clarification (e.g., academic misconduct, grievance procedures, etc.).

5. *Publications:*

a. The Subcommittee shall maintain the Honor Principle website by updating relevant information and adding documents as necessary.

b. The Education Subcommittee may compile annual reports summarizing the Council's activities for the year. The Council may periodically report to the community about larger issues and problems concerning Honorable conduct through articles published in relevant community publications. -

c. The Education Subcommittee shall maintain and publish the *Living With The Honor Principle* booklet in digital and paper form.

6. *Information Gathering and Liaisons:*

a. The Honor Council may solicit information from the community at large through surveys, forums, or any other means deemed appropriate. When possible, community members should be given the option to provide information anonymously and all care should be taken to maintain privacy.

b. Student members of the Education Subcommittee will serve as liaisons to various campus groups and offices. Each ex-officio member should have at least one such liaisonship. The Chair of the Education Subcommittee determines the liaisonship roles.

c. Each student member will be assigned an area group or dorm for which they is the Honor Council dorm representative. The dorm representative will work with the Residence Director and Housing Advisors to help educate residents and encourage engagement with the Honor Principle and Process.

B. Mediation Subcommittee

1. *Overview:*

The first attempt at resolving disputes at Reed should be informal mediation. When such discussion fails to resolve disagreements, members of the Reed community, including students, faculty and staff, are expected to resolve disputes, grievances, and breaches of Honor through formal mediation before pursuing an Honor Case. When members of the community involved in a disagreement have difficulty speaking to each other or find that they cannot resolve their dispute, they may find a mediator useful. Mediation is entirely voluntary, and can be broken off by any disputant at any time. In seeking resolution to conflict, any community member may contact the Honor Council for advice.

2. Mediator Training and Selection:

The Mediation Subcommittee shall provide mediation training to the Reed Community at least once per year. This training shall be open to all members of the community. Training shall include review of mediation procedure, mediation techniques, Honor Council guidelines, and confidentiality requirements. Community members that complete this training will be listed alongside Honor Council members on the mediation request form.

3. Scope of Formal Mediation:

Despite the wide applicability of mediation to resolving conflict at Reed, some disagreements are not suited to formal mediation. Disputes about grades or other formal evaluations of student work and disagreements arising from formal personnel evaluations are not subject to mediation. Cases of alleged sexual assault or violence are also not subject to mediation. In order to address such a case, a complaint should be conveyed directly to either the Dean of the Faculty, the Dean of Students, or another designated officer of the College, or otherwise addressed according to the relevant College Policies.

In cases involving workplace conflicts, the Chair of Mediation may opt to consult the Human Resources staff advisor. The names and associated offices or administrative bodies of either of the involved parties will not be disclosed. Enough detail to convey the situation to the Human Resources staff advisor will have to be shared, but no more than absolutely necessary.

4. Filing a Mediation Request:

a. The mediation process begins once a mediation request form has been submitted to the Chair of the Mediation Subcommittee. All further proceedings are strictly confidential.

Mediation request forms are available outside of the Honor Council Office and online on the Honor Council website. The forms can be returned to the mailstop of the Chair of Mediation or the appropriate online submission interface.

b. The Mediation Request Form shall include an opportunity for the requesting party to exclude any eligible mediator from mediating their conflict.

c. The Chair of the Mediation Subcommittee will contact both parties regarding the mediation. In the notification sent to the respondent, a list of eligible mediators shall be provided and the respondent given opportunity to exclude any eligible mediator from being assigned to their mediation.

d. The Chair will then select an acceptable mediator and forward the mediation request to the mediator. The mediator will contact both parties separately to schedule a convenient time for the mediation. The Chair of the Mediation Subcommittee must contact both parties within five (5) working days from the submission of the mediation request form.

5. Pre-mediation Meetings:

Prior to formal mediation, the mediator may schedule a preliminary meeting with each party individually to discuss the issue. If these meetings occur, the mediator must meet with all parties to the mediation. If either party decides they are uncomfortable with a mediator as result of the pre-mediation meetings, that party may contact the Chair of the Mediation Subcommittee, who shall assign another mediator to the case. For future training purposes, the party requesting the change is encouraged but not required to give the motivation behind their request. If reasoning is given, that information is considered confidential between the requesting party and the Chair.

6. Formal Mediation Process:

a. No one may be present at mediation except the disputants and the mediator(s). The mediator begins by establishing ground rules for the mediation. Both parties must agree to these ground rules before mediation can proceed further.

b. Each party is given the opportunity to present their side of the story without interruption. While endeavoring to keep the environment respectful and attentive, the mediator then directs each party to respond to the other's comments. The mediator does not take sides in the dispute. The mediator may occasionally rephrase a statement in an attempt to attain greater clarity but not in an attempt to argue any side of the issue at hand.

c. Mediation should continue as long as the parties make progress towards a resolution. Either party may leave mediation or ask to resume at another time. Additionally, the mediator may end mediation or recommend a break at their discretion. The mediation process should be stopped if it becomes evident that the dispute is of such a nature that it must bypass mediation and go to the Judicial Board (e.g. in cases where new information relates to possible sexual assault or violence.)

d. Upon completion of mediation, the parties involved in the dispute and the mediator will sign a mediation summary statement that states the date mediation occurred; that preliminarily describes the mediation as successful or unsuccessful; and that

attests to the nature of the dispute. The nature of the dispute may be summarized broadly (e.g. dorm life, posters on campus, vandalism). The community member who initially requested mediation should not be identifiable as such from the mediation summary statement.

7. Confidentiality and Recordkeeping:

a. Any mediation that takes place as part of the Honor Process will be held in confidence, unless all parties agree otherwise. The Honor Council defines confidentiality with respect to mediation as an agreement not to release the names, the nature of the conflict, or any details of the mediation. This policy applies to Honor Council members and selected mediators from the community.

b. The Chair may opt to involve the ex-officio student member in the logistics of coordinating the mediation.-

c. A summary of the nature of the conflict and specific details of the mediation (with names redacted) may be shared on a limited basis with members of the Honor Council solely for training purposes. If the details of a mediation are being used for training purposes, the mediation must not have occurred within the last 12 months.

d. By participating in formal mediation facilitated by Honor Council, all involved parties are expected to keep any information regarding the details of the mediation confidential; this includes the name of the other parties/party, the nature of the conflict, and any information discovered during mediation. Any information surrounding the incident known before the mediation took place (i.e. either party's personal, individual account of the conflict held prior to mediation) is not bound by confidentiality. Exceptions to the strict confidentiality of Honor Council consultation include situations when there is a risk of imminent harm.

e. All documentation of the mediation will be placed in a confidential file maintained by the Chair of the Mediation Subcommittee. Mediation documentation should include the mediation request form and the Mediation Summary Statement. The parties may mutually agree to maintain additional mediation documentation including but not limited to any written pre-agreed ground rules, any written agreements resulting from mediation, or other documents.

f. If either party files an Honor Case after formal mediation occurs, the chair of the hearing board may request a copy of the Mediation Summary Statement. The mediator may not serve as a witness for the hearing board and all new information gained by either party during formal mediation cannot be shared with the hearing board.

g. At the last full Honor Council meeting of every semester, the Chair of Mediation shall report the number of mediations occurred since the last report given and whether or not they were successful.

C. Community Rights Subcommittee (CRS)

1. Overview:

This subcommittee addresses Honor issues affecting the Reed community or a community as a whole. While the entire community is ultimately responsible for ensuring that the Honor Principle is respected and upheld, the CRS pursues Honor issues impacting the community at large in cases where no individual is willing or able to take action on their own behalf. Upon receipt of a complaint from a community member, the CRS will initiate action in accordance with the procedure outlined in section 3 below.

2. Meetings:

The CRS meets as issues arise. Additionally, it must convene at the beginning of each semester as a procedural refresher. This meeting may focus on a hypothetical situation.

3. Raising Honor Issues through the CRS:

- a. Any community member may bring an issue to the CRS. The first step for an individual bringing an issue to the CRS is to consult with a voting member of the Honor Council. This consultation should include a comprehensive review of options for resolution of the issue and the procedures for bringing a case to the CRS.
- b. Following consultation, the concerned party may choose to bring the issue forward to the CRS. To do so, a written description of the issue must be provided to the Chair of the CRS. This should include:
 - i. The grounds on which the individual believes that a violation of the Honor Principle or of college policies has occurred.
 - ii. A brief description of the actions that the complainant believes constitute a violation.
 - iii. A list of the names of the persons believed to have committed a violation, if the complainant knows the names of such violators
 - iv. A list of witnesses with information pertinent to the case.
 - v. A statement of why the issue is relevant to the community at large.

This information will be sent to all members of the CRS and a meeting will be held to discuss the issue.

c. During the preliminary meeting, the CRS holds a simple majority vote to determine if the case should be accepted on the basis of meeting the following three conditions:

1. There is enough available information to proceed with the case.

If it is voted that there is not enough information, the committee may decide to solicit further information from the initial complainant or potential witnesses. In the course of soliciting further information about the issue, the list of potential witnesses may be expanded as needed. It is never appropriate to solicit information from a potential respondent.

2. The Honor Principle is relevant to the case.

The CRS does not vote on whether or not an Honor Principle or college policy violation occurred, but rather that the dispute is related to the Honor Principle and is an appropriate matter to seek resolution through the Honor Process.

3. The CRS is well-suited and an appropriate body to bring the case forward.

The CRS considers whether the issue affects a community at large or is unlikely to be brought forward by any one individual.

d. Once the CRS decides whether to raise an issue, the CRS Chair will notify the complainant whether the CRS has opted to pursue the case. If the CRS decides not to pursue the case, the party will also be informed of available options if they decide to continue with the Honor Process as an individual.

4. The CRS Procedure and the Honor Process:

a. Once the CRS has decided to pursue a case, the CRS begins the Honor Process. Formal mediation is the normal first step for a CRS case. However, by majority vote the CRS may opt to begin with either informal mediation or an Honor Case. If the CRS chooses to solicit a hearing by an adjudicating body (i.e. the Judicial Board or Sexual Misconduct Board), it should be confident that its choice to bypass mediation is well founded and defensible in its case proposal. Once the CRS has begun bringing the case forward through the Honor Process, the original individual who proposed the case to the CRS is no longer privy to any confidential information as detailed in the Honor Council and Judicial Board codes beyond being notified that the case has been accepted by the CRS.

b. In engaging the Honor Process, the CRS will appoint one or more of its members to act on behalf of the subcommittee. The appointee will proceed through the Honor Process as if the issue were raised by an individual, following the stipulations below:

i. If a resolution is reached through mediation, the outcome is presented to the entire the CRS for approval by majority vote. If the CRS members do not accept the mediated solution, the respondent should be notified that the

resolution was found unsatisfactory and offered an opportunity to re-engage in mediation. If no resolution is reached, then a Honor Case may be brought to an appropriate hearing board.

ii. In presenting an Honor Case, the CRS member(s) must prepare a written complaint as described in the Judicial Board Code. The witness list may be updated and additional information related to the case may be solicited prior to submitting the written complaint. If the case is accepted by the hearing board, the CRS member(s) acting for the committee will serve as complainant in the Honor Case following the procedure in the Judicial Board Code-

iii. Upon completion of the Honor Case, the decision is presented to the entire CRS. An appeal of the hearing board's decision can be pursued by unanimous vote of the CRS members. The procedures for appeal will be followed as described in the Judicial Board Code.

c. At the conclusion of a CRS case, the chair of the CRS or a designee thereof will write a summary of the CRS involvement in the case. All documentation of the case will then be placed in a confidential file. Mediated resolutions to the CRS cases are not disciplinary actions. The chair of the Honor Council and the Chair of the CRS may access these records as needed. In consultation with the chair of the CRS, the Dean of Students may view and/or release summaries of the records or details of a particular case to any faculty member or other officer of the college whom the Dean of Students believes has a reasonable need to know in order to ensure the safety of the campus community and to avoid redundant proceedings.

5. Recusal:

Any member of the CRS may choose to recuse themselves from involvement in the proceedings if they perceive a serious conflict of interest, or are already proceeding or considering proceeding with formal mediation or an Honor Case regarding the issue at hand. Any member of the CRS involved with proceedings past the initial vote may never individually raise the issue at hand through the Honor process. If the chair of the CRS recuses themselves from a case, a new chair will be selected from the remaining the CRS members to handle the case. Recusal should be a last resort and not be taken lightly. If three or more members of the CRS recuse themselves, in consultation with the remaining members of the CRS, the acting chair of the CRS shall appoint members of the community, members of Honor Council, such that there are three active members to serve on the CRS for the duration of the case.

6. Confidentiality:

a. All Community Rights Subcommittee meetings are executive sessions. The Honor Council defines confidentiality, with respect to the CRS, as an agreement not to release the names, the nature of the issue, or the procedure used to reach resolution

except as needed to complete the CRS business. The existence of a CRS case may be reported to the rest of Honor Council in summarizing the subcommittee's work.

b. Any current Community Rights Subcommittee members may access information regarding previous the CRS cases. Any records accessed are confidential.

c. The Chair of the CRS is responsible for maintaining documentation pertaining to the CRS's actions. The CRS's records shall be maintained for the duration of the respondent's enrollment at the college and seven years thereafter, and shall be destroyed at the end of that period.

d. If an Honor Case is brought forth by the CRS as a result of a prior unsuccessful mediation, any relevant information learned during mediation (i.e. any information not made evident prior to mediation or via the initial Mediation Request Form) may not be shared with a hearing board, unless agreed upon by the respondent and the representative of the CRS. This information may, however, be shared as needed with the other the CRS members.

e. Any breach in confidentiality will be dealt with via resignation and/or via the Honor process.

7. Publicity:

Following the resolution of a Community Rights case, the CRS chair shall write a summary report of the case. The summary report shall include the general topic of the issue, the process by which the issue was addressed, and the outcome of the case, but shall not include specific details, such as names, dates, or any other confidential or identifying information.

The CRS as a whole shall review this summary to ensure that it contains no confidential or identifying information. Upon review, the CRS chair will arrange for the summary report to be published in the Quest and any other regular campus publication that requests the report.

Any CRS case that resulted in a Judicial Board Hearing shall not be reported on by the CRS.