

## The 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 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.

### I. 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, ex-officio student members. 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 student gatherings.

#### 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, one (1) faculty member, one (1) staff member, two (2) additional voting student members, and six (6) ex-officio student members.
2. The Mediation Subcommittee shall consist of one (1) staff chair, one (1) faculty member, and one (1) voting student member.
3. The Community Rights Subcommittee shall consist of one (1) student chair, one

(1) faculty member, one (1) staff member, and 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. Additionally, one Honor Council faculty member will be appointed to serve on the Appeals Board. In consultation with the subcommittee chairs, the Honor Council Chair will appoint each faculty member to serve as a voting member on one subcommittee. The 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. In consultation with the subcommittee chairs, the Honor Council Chair will appoint one staff member to serve as the chair of the Mediation Subcommittee. Each of the two remaining staff members will be appointed as voting members on either the Education or Community Rights Subcommittees.
3. Student Senate appoints Student Members at the recommendation of the Appointments Committee the semester before serving on Honor Council. Appointees serve on the Honor Council for a one-year term. Members should be appointed as follows:
  - a. During the fall semester the Senate shall appoint two (2) voting and three (3) nonvoting student members to the Honor Council. Their term shall begin the following (spring) semester and shall last for one year.
  - b. During the spring semester, the Senate shall appoint one (1) voting and three (3) nonvoting student members to the Honor Council. Their term shall begin the following (fall) semester and shall last for one year.
  - c. The student members who do not seek re-appointment shall assist the Appointments Committee in filling the available voting and ex-officio student positions.
  - d. If a student member of the Honor Council resigns, then the Senate shall appoint another student to finish the remainder of the term. If the resigning student is a voting member, then a current ex-officio member will be appointed to fill the voting member position and a new member will be appointed to serve as an ex-officio member.

## II. Training:

Training will occur whenever new members are appointed to the Honor Council. Students, faculty, and staff members may all attend training. The Student 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.

## III. Full Honor Council Meetings:

The full Honor Council (students, faculty, and staff) shall hold a meeting open to the community at large at least once a month. Each of the subcommittees shall report on its actions since the last meeting. Additionally, events planning and general concerns brought to the attention of the Honor Council should be discussed. The Honor Council 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.

## IV. 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 ex-officio members as needed. 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 violations of the college's Sexual Assault Policy, Sexual Harassment Policy, and situations when there is a risk of imminent harm.

## V. 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 may be kept for Honor Council records.

#### 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. It is preferable that the student assigned this role lives in Portland for the summer so that he or she may work closely with the Orientation Coordinators.
- 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 also 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 *At Reed* and *The Quest*. These communications may take the form of white papers and should seek to stimulate campus wide discussion of the Honor Principle and the use of the community grievance procedures in adjudicating honor violations.
- c. The Education Subcommittee maintains and publishes 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.

- c. Each student member will be assigned an area group or dorm for which he or she 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 qualified members of the community. Training shall include review of mediation procedure, mediation techniques, Honor Council guidelines, and confidentiality requirements. The Honor Council may invite up to eight additional people to be trained and to serve as mediators. These individuals 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, violence, and academic misconduct 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.

#### 4. Filing a Mediation Request:

In order to begin the mediation process, one party to a conflict must complete a mediation request form and submit it to the Honor Council. Mediation request forms are available outside of the Honor Council Office. Completed forms can be submitted to any member of Honor Council or slid under the Honor Council Office door. The Chair of the Mediation Subcommittee will process this form. The Chair will select an acceptable mediator and forward the mediation request to the mediator. The mediator will then schedule a convenient time for the mediation.

#### 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.

#### 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 his or her 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 his or her 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 relating to possible sexual assault, violence or academic misconduct is disclosed).
- 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. Dog Policy,

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 details about the mediation process. This policy applies to Honor Council members, selected mediators from the community, and any and all parties involved in the dispute. Any information surrounding the incident known before the mediation took place is not bound by confidentiality. Exceptions to the strict confidentiality of Honor Council consultation include violations of the college's Sexual Assault Policy, Sexual Harassment Policy and situations when there is a risk of imminent harm.
- b. Information may be shared with individuals involved with the particular mediation (e.g., Honor Council Chair, Mediation Subcommittee Chair, selected mediators). Additionally, a summary of the nature of the conflict and specific details of the mediation process (but not names of the disputants) may be shared on a limited basis between mediators and members of the Honor Council for training purposes.
- c. All documentation of the mediation will be placed in a confidential file maintained by the Chair of the Mediation Subcommittee. The chair of the Honor Council and the Chair of the Mediation Subcommittee may access these records as needed. 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.
- d. 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.

#### C. Community Rights Subcommittee (CRS):

##### 1. Overview:



This subcommittee addresses honor issues affecting the Reed 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 his or her 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 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 CRS.
- b. Following consultation, the concerned party may choose to bring the issue forward to CRS. To do so, a written description of the issue must be provided to the Chair of 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 CRS and a meeting will be held to discuss the issue.

- c. During the preliminary meeting, CRS holds a majority vote to determine if there is enough available information to continue deliberation. If it is voted that there is sufficient information, CRS may proceed to the next step in deliberation. 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.

- d. When it has been decided that there is enough information, further deliberations are held to decide whether CRS should participate in the case. The decision to either accept or decline CRS participation is decided by two majority votes.
  - i. The first vote is to determine whether the Honor Principle is relevant to the incident. This is not a vote on whether the Honor Principle or any College Policies have been violated.
  - ii. The second vote is to determine whether CRS is well suited and an appropriate body to bring the case forward. One consideration is whether the issue affects the community at large or is unlikely to be brought forward by any one individual.
- e. Once the CRS decides whether to raise an issue, the CRS Chair will notify the complainant whether CRS has opted to participate in the case. If CRS decides not to participate, the party will also be informed of available options if he or she decides to continue with the honor process as an individual.

#### 4. CRS Procedure and the Honor Process:

- a. Once CRS has decided to accept an issue, CRS begins the Honor Process. Formal mediation is the normal first step for a CRS case. However, by majority vote CRS may opt to begin with informal mediation or an honor case. If CRS pursues an honor case directly, it should be confident that its choice to bypass mediation is well founded and defensible in presenting the case to the appropriate hearing board.
- b. In engaging the Honor Process, 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 CRS for approval by majority vote. If 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 an 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. A member of CRS may serve as a second during the hearing.

- 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 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 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 CRS cases are not disciplinary actions. The chair of the Honor Council and the Chair of CRS may access these records as needed. In consultation with the chair of 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 CRS may choose to recuse himself or herself from involvement in the proceedings if he or she perceives a serious conflict of interest, or is already proceeding or considering proceeding with formal mediation or an honor case regarding the issue at hand. Any member of CRS involved with proceedings past the initial vote may never individually raise the issue at hand through the honor process. If the chair of CRS recuses himself or herself from a case, a new chair will be selected from the remaining CRS members to handle the case. Recusal should be a last resort and not be taken lightly. If three or more members of CRS recuse themselves, in consultation with the remaining members of CRS, the acting chair of CRS shall appoint members of the community, preferably members of Honor Council, such that there are three active members to serve on 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 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 CRS business. The existence of a CRS case may be reported to the rest of Honor Council in summarizing the subcommittee's work.
- b. Community Rights Subcommittee members may access information

regarding previous CRS cases for training purposes and to preserve institutional memory. Any records accessed by CRS members are confidential.

- c. The Chair of CRS is responsible for maintaining documentation pertaining to CRS actions. CRS 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. New information learned during mediation may not be shared with a hearing board, unless agreed upon by the respondent and the representative of CRS. This new information may, however, be shared as needed with the other CRS members.
- e. Any breach in confidentiality will be dealt with via resignation and/or via the honor process.

#### 7. Publicity:

The CRS will publish a summary report, not violating confidentiality, regarding any matter following any formal mediation that occurs under the auspices of the CRS. Within two weeks of the CRS proceeding, summaries should be sent to the editor(s) of the Quest and to any other regular campus publication that requests a copy. The report shall contain a statement by the CRS of the method used to resolve the case and shall give an overview of the outcome. The relevant hearing board will publish summaries of issues resolved through adjudication and note that the CRS brought the case. All efforts should be made to maintain the confidentiality of the respondent.