

Guide for Submitting Complaints to the Judicial Boards

modified 2011-01-20 AHM; 2013.04.22 KK

This guide is designed to help you understand the requirements for submitting complaints to either the [Student Judicial Board](#) (J-Board) or the [Sexual Misconduct Board](#) (SMB). In addition to consulting this guide while composing your complaint, it is strongly recommended that you acquaint yourself with the [Judicial Board Code](#) as well as any pertinent community policies or constitutions, all of which are located in the [Guidebook to Reed](#) and on the Reed website. Note that the [complainant](#) does not need to be the alleged victim.

Section A (i) of the Judicial Board Code states that:

“Any current or former student(s), faculty member(s), or staff member(s) of Reed College may bring a complaint of an apparent student violation of the Honor Principle, community rules or College policies, rules, regulations or contracts to the Judicial Board.”

There are five components to a formal complaint (Section 3 paragraph D of the Judicial Board Code):

“The written complaint must state: (1) the grounds on which the complainant(s) believes that a violation has occurred under paragraph A.(i); (2) a brief description of the actions that the complainant(s) believes do constitute a violation as specified in paragraph A.(i); (3) a list of the names of the persons believed to have committed a violation as specified in paragraph A.(i), if the names of such violators are known to the complainant(s); (4) a list of witnesses with information pertinent to the case; and (5) a statement of why informal mediation was unsuccessful or did not occur.”

Sections 3.A and 10.A of the Judicial Board code specify which board to submit a complaint to:

3.A: “The Sexual Misconduct Board shall concern itself with all complaints that essentially involve an accusation of sexual misconduct, as construed in Section 10.A, while the Judicial Board shall concern itself with all other complaints.”

10.A: “Sexual misconduct includes sexual assault, sexual harassment, and any other form of dishonorable conduct of a sexual nature.”

This guide is designed to provide a formal structure for submitting a complaint to the Judicial Boards. It is by no means necessary to follow this guide in formulating an official complaint; however, any complaint that does not clearly address all five points as identified in Section 3 paragraph D of the Judicial Board code will be considered incomplete.

If at any time you have any questions, please do not hesitate to contact the J-Board (J-Board@lists.reed.edu) or the Sexual Misconduct Board (SMB@lists.reed.edu)

The Guide

A Judicial Board complaint resembles a letter. Very generally, it should have

- a heading, including your name, the date, and your contact information,
- an introductory paragraph,
- a body that addresses the five criteria of a formal complaint, and
- a concluding paragraph, and
- your signature.

Your signature will indicate that i) you agree to keep confidential the details of the judicial process that you are now participating in, and ii) you consent to the complaint document being shared with the respondent(s) in the case. If you submit the complaint document electronically via email, please indicate, in the body of your email, that you agree to these two conditions regarding confidentiality and document sharing with the respondent(s).

If the complaint involves sexual misconduct, please send the finished complaint to the chair of the Sexual Misconduct Board. Otherwise, send it to either of the J-Board Chairs. For a list of the current chairs, see the [Members of Judicial Boards](http://www.reed.edu/honor_principle/protected/boardmembers.html) webpage on the Honor Principle website: [<http://www.reed.edu/honor_principle/protected/boardmembers.html>](http://www.reed.edu/honor_principle/protected/boardmembers.html)

A short introduction may be the best way to begin your complaint. This may include, though is by no means limited to, a general statement of your conception of the applicable governing force that you feel was violated (“Honor Principle, community rules or college policies, rules, regulations or contracts.”) This may also be the most appropriate place to explain your general motivation for bringing the complaint (personal injury, on behalf of the community, and so on).

The body of the complaint should address the five criteria of a formal complaint as outlined in the Judicial Board Code. For clarity, please devote at least one paragraph to each criterion, which are as follows:

I. “The grounds on which the complainant(s) believes that a violation has occurred...”

This should provide a brief outline of what specific action you feel constituted a violation. This section should also include what specifically the action violated (i.e., Honor Principle, policy, contracts, and so on). In order to distinguish this section from section II (which is more concerned with the facts and events as they occurred in time), you might want to focus on what about the action was a violation. For example, instead of saying that public mockery occurred, therefore violating the Honor Principle, in this section you would say why in particular *this instance* of public mockery constituted an Honor Principle violation. Additionally, if you feel that there was a violation of community rules or College policies, rules, regulations or contracts and also feel that the same action or set of events was a violation of the Honor Principle, please make explicit why in particular this instance constitutes an Honor Principle violation.

II. “A brief description of the actions that the complainant(s) believes do constitute a violation...”

This section is intended for a more comprehensive detailing of the events leading up to, including, and following the violation(s). Please try and include as much contextual information as possible, such as dates, places, persons involved, etc.

III. “A list of the names of the persons believed to have committed a violation...”

If there is more than one respondent, please outline each respondent’s role in the events and address how each respondent may have committed the violation(s). Please include any contact information you have for the respondent(s).

IV. “A list of witnesses with information pertinent to the case...”

In addition to their names please include a few sentences explaining what relevant information each witness may be able to provide. Please also provide any contact information you have for each witness. It is important to note at this juncture that while all parties are strongly encouraged to submit a list of requested witnesses, the Judicial Board has the authority to evaluate each request and to decide who will appear as a witness (J-Board Code, 4.J). The J-Board also assumes full responsibility for contacting all witnesses and you are asked not to contact any witnesses regarding this case. Additionally, if you have any evidence (emails, letters, and so on) that you would like to submit, please attach this evidence to your complaint. If there is evidence you do not have access to, but would like us to try and procure (CSO reports, academic history, and so on) please let the J- Board know at the earliest opportunity in order to provide the Board with as much time as possible in which to obtain such evidence. It is not your responsibility to try to obtain this evidence yourself.

V. “A statement of why informal mediation was unsuccessful or did not occur.”

Informal mediation, as stated above, includes informal discussion as well as mediation with the assistance of a neutral third-party. The Judicial Boards believe that a sincere attempt at informal resolution is a strong prerequisite for submitting a complaint. There are of course exceptions to this. In some cases informal resolution is inappropriate or impossible, including violence, sexual assault, and academic misconduct (see the [Honor Council Code](#)), and need not be attempted before you submit a complaint. If you feel that your case is an additional exception, please explain why. The Judicial Boards reserve the right to determine whether or not another means of resolution would best suit the circumstances, and either Board may return a complaint and request an attempt at another means of resolution prior to moving on to a formal hearing.

The conclusion of your complaint is not a necessary component, however you may find it useful to address any issues that you feel have not been adequately covered in any of the previous sections, or to briefly summarize your main points.

Your signature on the complaint is the final component. By signing the complaint (or by communicating your agreement in an email containing your complaint), you are acknowledging

that you understand and agree to keep confidential your role in the judicial process. You are also consenting to the sharing of your complaint document with the respondent(s) who you have identified in the complaint.

The issues surrounding confidentiality for judicial proceedings are described in detail here:

http://www.reed.edu/honor_principle/j_board/confidentiality.html

The following is an excerpt from that website:

Confidentiality in relation to honor case proceedings binds individuals involved in an honor case to refrain from speaking about the nature of their involvement.

[a further excerpt]

Confidentiality covers:

any details about the case proceedings, including the other participants or any participant's role;

any new information gained during the case's development, including written and oral testimony from all parties, and any evidence submitted."