

The Constitution of Students' Association

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Article II. Preamble

Section 2.01 Name

The name of this association will be the Students' Association of Haverford College.

Section 2.02 Membership

All students enrolled at Haverford College and all Bryn Mawr College undergraduates residing in Haverford dormitories are ipso facto members of the Students' Association.

Section 2.03 Powers

All powers herein defined derive from the Students' Association and are delegated by it to such bodies of its own creation as are needed to carry out the functions of student self-government.

Section 2.04 Rights of Self-Government

The Administration of Haverford College grants the right of student self-government to the Students' Association provided that the Students' Association maintains the standards of the College to the satisfaction of the Administration.

Article III. The Honor Code

Section 3.01 Preamble

As Haverford students, we seek an environment in which members of a diverse community can live together, interact, and learn from one another in ways that protect both personal freedom and community standards. For our diverse community to prosper, we must embrace our differences and be mindful of our varied perspectives and backgrounds; this goal is only possible if students seek mutual understanding by means of respectful communication. The Honor Code holds us accountable for our words and actions, and guides us in resolving conflicts by engaging each other in dialogue.

Section 3.02 Introduction

Our adherence to this written expression of our shared values establishes an open environment of learning and growing through personal and community responsibility. Because we subscribe to these values, we commit as members of the Haverford community to follow the Honor Code.

We uphold the Code by engaging with the values upon which our community depends: mutual trust, concern, and respect for oneself, one another and the community. These values form the basis of the Honor Code, yet improve our community only if we incorporate them into our daily lives.

Section 3.03 Jurisdiction

The Honor Code applies to every aspect of student life at Haverford College, academic or social. All students at Haverford, including Bryn Mawr, Swarthmore and University of Pennsylvania students enrolled in Haverford courses, are obligated to adhere to the Code, and are under its jurisdiction while on this campus and while doing work for Haverford courses. Haverford students studying at other institutions are similarly compelled to conduct themselves in accordance with the Code.

Our community also includes the faculty, staff, and administration. For this reason, the student body asks that these members of the community work with us in the spirit of the Code.

Section 3.04 Responsibilities

(a) Academic

As students we are responsible for proper conduct and integrity in all of our scholastic work. We must follow a professor's instructions as to the completion of all academic work, and must ask

for clarification if the instructions are not clear. Students should not give or receive aid when taking exams, unless the professor specifies this practice as appropriate.

A student commits an act of plagiarism as defined by the Faculty Handbook by representing “another person’s ideas or scholarship” as that student’s own work.

To avoid plagiarism, students are expected to properly cite all sources, including memorized and reproduced material, used in the preparation of written work, including examinations, unless otherwise instructed by the professor who assigned the work. These should be properly cited according to the standards of the discipline. Moreover, each student has the responsibility to learn and uphold exactly what each professor expects in terms of acknowledging sources of information on papers, exams, and assignments.

Academic dishonesty includes, but is not limited to, acts of plagiarism, improper collaboration, and using more time and/or resources than allotted. We expect that students take extreme care when they approach their academic coursework. In moments where they struggle with their academics due to distressing experiences, students should be in as much communication as possible with professors in order to avoid breaches. Additionally, we ask that the faculty be open to dialogue when students’ concerns are brought up in advance.

By committing an act of academic dishonesty, such as plagiarism, a student separates themselves from our community values and thus, juries will strongly consider separation from the college, in addition to a recommendation of a grade change, while taking into account both the severity of the violation and the student’s circumstances.

A Haverford College education depends upon academic freedom (as defined in Section III of the Faculty Handbook), and therefore encourages both respectful, open dialogue and free inquiry. We, as a Haverford community, strive to foster academic spaces that are inclusive for all students. We also recognize that the academic environment benefits from a willingness on the part of the community to lean into discomfort.

At the same time, we aim to create academic spaces that foster equity and are equally accessible to students across all aspects of identity, including but not limited to race, gender, sexual orientation, class, disability, citizenship status, religion, national origin, accent, or dialect. In moments when acts on the part of students or faculty inhibit this goal, students and faculty should be open to dialogue in order to repair the classroom climate. We expect that this dialogue should take the form of a meaningful discussion aimed at mutual understanding.

A student who feels that a professor has not upheld the values expressed here is encouraged to share the concern with that professor and see if a mutual understanding can be achieved. If the student is not inclined to raise the issue with the professor, or if mutual understanding is not

achieved, the student may bring the concern directly to the faculty member's department chair, to the Provost, or to the Title IX Coordinator. They could also discuss the issue with an Honor Council mediator or a Community Outreach Multicultural Liaison (COML). Mediators and COMLs are required to uphold the confidentiality that is expected of them in all other cases. The purpose of meeting with the Honor Council mediator or COML would be to direct students to the appropriate resources to address the problems that have arisen, which could include talking to the faculty member, the relevant department or program chair, their Dean, the Provost, or the Title IX Coordinator.

If a student feels that there has been serious misconduct by a faculty member, the student should bring a complaint directly to the department chair, the Provost, and/or the Title IX Coordinator.

The foregoing guidelines regarding students' pursuit of concerns with faculty should not be interpreted as a substitute for the College's Sexual Misconduct, Stalking, and Relationship Violence policies or the related policies and procedures explained in the Faculty Handbook. All community members have rights and responsibilities under those policies and Title IX, and the principles described here are collateral to, but do not replace, those rights and responsibilities.

In the event of amendments to either the Academic or the Social Code, students, faculty, and staff should be made aware of the changes.

(b) Social

As a community, we understand that the Social Honor Code is a guide to respectful conduct between ourselves and the rest of the Haverford community, both in academic and social spaces. We must consider how our words and actions, regardless of the medium, whether they be online or in person, may affect the sense of acceptance essential to an individual's or group's participation in the community. We recognize this is exceptionally pertinent when it comes to protecting students from marginalized backgrounds including, but not limited to, students of color, students with disabilities, queer and trans students, first generation students, low-income students, survivors of sexual assault, and international students. With this in mind, we strive for the equality of opportunity among all Haverford Students.

Our community's social relationships are based on mutual trust, concern and respect. We recognize that trust, concern, and respect are not passive, and require profound and daily thought for the betterment of our community within individual and collective interaction. Furthermore, we recognize that the values in this Code apply not only to how we act towards other students, but also to our relationships with staff, faculty, and guests of the college.

In our interactions with others, we must consider how the particular privileges each of us holds affect our words and actions towards others. Understanding this, we strive to foster an environment that genuinely encourages respectful expression of differing values in honest and open discussion. However, as a community, we recognize that this dialogue is not always possible, and that the safety of all students should be paramount. Thus, the Code requires discussion that is active, inclusive, responsible, and safe for all students. We understand conduct that is not in line with these values inherently damages the community and thus violates the Code.

In particular, we recognize that acts of discrimination and harassment, including, but not limited to, acts of racism, sexism, homophobia, transphobia, classism, ableism, tokenism, cultural insensitivity, discrimination based on citizenship status, discrimination based on religion, and discrimination based on national origin, accent, dialect, or usage of the English language are devoid of respect and therefore, by definition, violate this Code. We understand that these discriminatory acts can take many forms, and smaller acts such as microaggressions are also devoid of respect and thus violate the Code.

We also recognize that there are a range of political opinions at Haverford College. Thus, we expect that when expressing or encountering others' political beliefs, students will be respectful of community standards as befits adherence to this Code.

It is important, too, that we maintain respect for our shared spaces. It is our responsibility to clean up after ourselves in areas like the Dining Center and The Coop; to uphold respect by cleaning our own spaces and making the jobs of people working in Maintenance easier; and to respect others' property and, in the event of damage to it, be honest with them. Acts of disrespect against staff members and student workers are in violation of the Honor Code.

Upon encountering actions or values that we find degrading to ourselves and to others, we may initiate dialogue with the goal of repairing the damage that our actions or words may have caused while also encouraging the restoration of trust.

Section 3.05 Community Standards

As part of the Haverford community, we are obligated to reflect on our own actions as well as the actions of those around us in light of their effect on the community and confront others when their conduct disturbs us. We must also report our own breaches to Honor Council if it becomes clear through self-reflection or through expressions of concern by others that our academic or

social conduct represents a violation of community standards. We are obligated to report ourselves even if doing so may result in a trial and the possibility of separation from the college.

Section 3.06 Confrontation

Confrontation, in the Haverford sense, refers to initiating a dialogue with a community member about a potential violation of the Honor Code with the goal of reaching a common understanding by means of respectful communication. It should be understood that achieving a common understanding does not necessarily mean reaching agreement.

Though face-to-face confrontation is beneficial and preferable in most circumstances, there may be times when it is infeasible and/or unsafe for a harmed party to directly interact with a party in need of confrontation. In these cases, the harmed party—which can include anyone present for a potential violation—may initiate respectful dialogue through *private, direct* electronic media. Harmed parties are not required to confront their peers. If the best plan for their healing would not be to confront their peers, they should not do so. The systems below are exclusively intended for moments where harmed parties feel a need or desire for themselves or others to intervene. This only applies to social cases. In academic cases, parties *must* confront those in violation of the Code.

This process is a dialogue, in which each party first tries to understand the personal standards and values of the other in order to create a restorative process. The Code and confrontation with the intent for a trial are not to be used as a threatening device. To do so would go against the spirit of the Code and the goal of achieving mutual understanding.

Should a student feel safe enough to confront their peers, they are encouraged to do so.

However, the Code recognizes that for various reasons—including, but not limited to, power imbalances and mental health concerns—students may not feel safe approaching their peers and confronting them. Insofar as confrontation should be understood as both a process of self-healing for the harmed party and a process of restoring the confronted party, active bystanders ought to intervene. Though a bystander may not be present at the moment when the Code is breached, harmed parties have the opportunity to solicit external assistance from their peers. That is to say, the harmed party may turn to another student and request that they serve as the confronting party in their place.

Active bystanders should not speak for others without their consent. By this we mean that active bystanders can act on their own accord and initiate a confrontation on behalf of themselves.

However, they should not overpower the voices of harmed parties and/or should not talk on behalf of the harmed party.

Should a harmed party who asked for active bystander intervention feel comfortable with re-approaching the confronted party, they are encouraged to do so. However, in recognizing that harmed parties may still feel uncomfortable and unsafe in situations with the confronted party, no further interaction between the two is required. Instead, active bystanders should first discuss with the harmed party what they feel would be an appropriate resolution. The active bystander should then initiate a dialogue with the confronted party in order to reach some form of mutual understanding and communal restoration. Dialogue need not end with a single exposure, nor should there be explicit time constraints on reaching mutual understanding. Rather, confrontation should take place in a timely fashion and should encourage the sustained conversation between all parties in order to ensure that, when possible, each feels that the results are truly satisfactory.

As active bystanders, we cannot always expect to feel at ease when confronting another student. However, it is our responsibility as Haverford students to confront those who have violated the Code. It is therefore crucial that active bystanders step in and assist their peers.

Should an active bystander themselves not feel safe confronting another student, however, they are by no means *required* to do so. Instead, they are encouraged to acknowledge and validate the feelings of the harmed party. They should also assist the harmed party in finding a party to confront on their behalf. Because violations of the Social Code often constitute a breach of trust with the community, it is crucial that students who feel safe and comfortable doing so become involved in the process of confrontation.

The goal of active bystanders is not to create a system of surveillance, but to create systems of support for students who have felt harmed by their peers. When we say that violations of the Honor Code are breaches of the *community's* trust, we translate individual experiences into communal harm. In turn, we should expect the community to play an active role in the process of education and restoration, for the confronted party has been disrespectful. By fostering spaces for balancing respectful confrontation with the needs of harmed parties, the Code affirms its promotion of healing, education, and mutual reciprocity.

In the case of social concerns, conflicts can ideally be resolved through this initial stage of respectful communication and dialogue; Honor Council should convene a trial only in situations where the trust of the community as a whole may have been violated or where the perceived breach defies the parties' abilities to resolve the situation on their own. However, we recognize that Honor Council, Customs team members, and the Multicultural Liaisons can serve

instrumental roles as mediators in conversations surrounding the Honor Code. We therefore encourage students to seek outside help as they look to establish safe spaces and maintain respectful dialogue.

An initial confrontation should also occur in the case of academic concerns. Academic violations of the Code cannot be resolved between the confronted and confronting parties alone because such violations also constitute a breach of trust with the community. Therefore, unless it is indisputable that an academic violation did not occur, the confronted student must report the situation to Honor Council.

If a confronting party has asked a confronted student to report to Honor Council, and Honor Council has not acknowledged this report to the confronting party within one (1) week of the request, then the confronting party is obligated to report the matter to Honor Council.

Members of the faculty follow a similar procedure in cases of suspected academic violations. They first discuss the problem with the student; then, if not satisfied that a breach of the Code did not occur, urge the student to report to Honor Council. If the student does not do so within one week, the faculty member reports the matter to the Honor Council.

As confrontation is often a matter between two individuals or parties, it is advisable to exercise discretion and respect privacy accordingly when initiating a dialogue. In cases where an active bystander or other confronting party is solicited, students should still remain conscious of and respect as much of the privacy of the confronted party as possible. Should no active bystander be present and/or no confronting party be found, a member of Honor Council, a Multicultural Liaison, or other *trained* student facilitator may also act on behalf of another student in an initial confrontation.

Section 3.07 Upholding the Honor Code

(a) The Pledge

We realize that as part of the Haverford College community, our actions affect those around us. We understand that membership in the Haverford community is dependent on our commitment to the Honor Code, and we proclaim this by signing the Honor Pledge, which states:

“I hereby accept the Haverford Honor Code, realizing that it is my duty to uphold the Honor Code and the concepts of personal and collective responsibility upon which it is based.”

We all must sign the Honor Pledge prior to our admission or readmission to the college, and our withdrawal from this commitment will result in separation from the community.

(b) Honor Council

While the success of the Honor Code is dependent upon each of us actively engaging with the Code's ideals, some administrative responsibilities must be carried out by a community body. In addition, we may sometimes be unable to resolve conflicts with others, or actions may occur which breach the trust of the community in a particularly serious way.

Honor Council's task is to manage the administrative aspects of the Honor Code and to help resolve difficult situations and apparent violations of the community's trust. Honor Council is charged with interpreting the sections of the Code that leave room for flexibility. It is, for example, Honor Council's responsibility to decide if a situation warrants the convening of a trial or if it can be resolved through other means of dialogue and restoration.

Although Honor Council trials are not intended as punitive proceedings, there are repercussions for violating the Code. The goals of Honor Council proceedings are threefold: to hold any individual who violated the Code accountable, to educate the individuals involved, and to restore individuals who violated the Code to the Haverford community. Such proceedings should also take into account the needs of the community.

Honor Council is a self-regulating body; therefore, members are obligated to confront each other and the administration regarding errors and points of dissent with proper procedure in relation to the Honor Code and Council's internal affairs, especially if they feel they are not fulfilling their community responsibilities or fully abiding by the Code. Honor Council members are responsible to the entire Haverford community to do so.

(c) Consensus

The Haverford community recognizes consensus as a valuable decision-making tool. For this reason, all decisions made by Honor Council, including those approving Council publications, are made by consensus. This method depends on reaching unity, requiring patience and open-mindedness.

It should be noted, however, that unity does not necessarily require unanimity. When discussion has reached a point when a proposed decision clearly has the support of the "weight of the group," remaining dissenters may stand outside consensus in order to achieve unity. In Honor

Council proceedings, there may be no more than two such dissenters. If the disagreement is fundamental and a matter of conscience, a dissenter may block consensus and discussion must continue with the object of finding a solution that is satisfactory to all.

(d) Confidentiality

As confrontation is often not a public matter, Honor Council cases will be kept in the strictest confidence. This allows individuals in the community to bring issues to Honor Council without fear of attaching a public stigma to parties involved. However, Honor Council must balance this need for confidentiality with the community's right to be informed. One way of maintaining this balance is through pseudonymized abstracts of trial proceedings.

Section 3.08 Ratifying the Honor Code

At Spring Plenary, there must be a vote by two-thirds of those present in favor of opening ratification of the Code. If this occurs, the electronic ratification system will be open the fourth and fifth days following Spring Plenary.

If two-thirds of those assembled at Plenary do not vote to open ratification of the Honor Code, the Code fails the first round of ratification. To subsequently ratify the Code, students must create and circulate a petition requesting the convening of a Special Plenary to enable ratification to open. Forty percent of students must sign this petition conveying their desire for such a Special Plenary and pledging to attend.

During the ratification period, Honor Council will schedule eight hours each day of tabling to answer any questions and receive any criticism of the Honor Code which might arise. This council member will have a computer with network access which students may use to ratify the code. All students are strongly encouraged under the Honor Code to vote or to communicate to Honor Council reasons why they did not or could not.

Ratification ballots will have three options and a space for comments, suggestions, or criticisms. Filling in this space for comments will be required by the electronic ballot. The ballot will read as follows:

- A) I have thoughtfully considered my position on the Code and I vote for its ratification for the following reason(s):

- B) I have thoughtfully considered my position on the Code and I vote for its ratification, but I have the following objection(s):

C) I have thoughtfully considered my position on the Code, and I do not vote for its ratification for the following reason(s):

If more than two-thirds of the student body chooses option “A” or “B”, the Honor Code is ratified. If less than two-thirds of the student body chooses option “A” or “B” but more than two-thirds of the student body votes, the Honor Code fails, and a Special Plenary will be scheduled to modify the Code in such a way as to enable a two-thirds majority to vote for ratification.

If less than two-thirds of the student body votes, the Honor Code fails. Students should strongly consider the wisdom of convening a Special Plenary. Such a Plenary would be convened only if forty percent of the student body signs a petition not only asking for the Plenary, but pledging to attend. At a Special Plenary, three-quarters of the student body would constitute quorum, and votes in favor of ratification by two-thirds of the student body would be required for ratification to occur.

Should the Honor Code fail ratification, the Haverford Community will continue to observe the Honor Code’s rules and guidelines for a transition period of 6 academic weeks after the vote. A Special Plenary can be organized at any time within that period to ratify an Honor Code. If no Honor Code is ratified within that transition period, the Code will cease to be in effect. Further Plenaries may still be convened to ratify an Honor Code.

Upon its ratification, we renew our commitment to the Honor Code and we pledge to uphold these ideals through the conduct of our daily lives.

Article IV. Legislative Powers

Section 4.01 Regulations and Council Rules

The Students’ Association will make regulations governing the conduct of the students on campus consistent with the Honor Code. The Students’ Association delegates such legislative authority to Students’ Council as is necessary to carry out its functions herein provided for. Such legislation will be well publicized. The Students’ Association reserves to itself the ultimate legislative authority, to be exercised only in Plenary session.

Section 4.02 Meetings of the Association

The number of students required for quorum will be 66% of the Students' Association. When computing quorum, students studying away will not be counted when determining the total number of the Students' Association.

(a) Meeting Dates

The Students' Association will meet in Plenary session twice yearly. In the fall and spring the Association will meet on a Sunday within the first five weeks of the semester, unless that means Plenary will be held during a religious or cultural event. During the first week of each semester, Students' Council will choose and announce the date for Plenary, after checking with as many religious, cultural, and affinity groups as possible. From the time of announcement, students have 72 hours to notify the Co-Presidents of any conflicts with the proposed date and time of Plenary. In case of a conflict that impacts a significant number of students, the Co-Presidents can extend the five week period for up to two additional weeks.

(b) Plenary Day Activities

All Haverford computer clusters will be closed Plenary Sundays. The Co-Presidents of Students' Council and members of the community including faculty are responsible for asking all pertinent College offices to refrain from scheduling events (guest speakers, athletics, etc.) on the semi-annually scheduled Plenary Sundays. The Co-Presidents are strongly encouraged to take any additional steps in regards to communication with all pertinent College offices and faculty to make Plenary as accessible as possible. It is the responsibility of the Students' Council Co-Presidents and Class Representatives to establish methods that ensure that accessible participation in Plenary is possible for those with mental health concerns, claustrophobia, or other concerns surrounding accessibility brought to the attention of Students' Council. People for whom Plenary would otherwise be inaccessible should count towards quorum. These methods may include but are not limited to: introducing a livestream, the creation of a smaller overflow room, and digital question-and-answer systems.

(c) Resolution Meeting

Before Plenary, Students' Council will sponsor a publicized meeting on the issues to discuss and further shape the proposals. This meeting must occur before signatures are collected if changes to the proposals are to be made.

(d) Resolution Signatures

In order to bring a resolution to Plenary, the person(s) submitting the resolution must collect two hundred (200) signatures of the members of the Students' Association. Students' signatures will represent their support of the value of discussion of issues contained in the resolution, but may not necessarily represent a vote for the resolution. Resolution presenters are responsible for

collecting signatures before a deadline specified in advance by the Students' Council Co-Presidents.

(e) Resolution Presentation

Proposals must be submitted to a Students' Council-appointed Committee by a deadline specified in advance by the Students' Council Co-Presidents. This committee will review all resolutions and assure that proper research and preparation has been executed, including discussion with the administration on pertinent matters. This review completed, Students' Council will distribute the resolutions to the Students' Association in time for discussion.

(f) Resolution Review

If a meeting at which an issue is discussed is perceived by any member of the student community to be misrepresentative, this student can apply to the Students' Council Co-Presidents for a formal hearing before the full Plenary at the time of the relevant proposal. The Co-Presidents have vested in themselves the responsibility to assure that the prepared speakers at Plenary fairly, and completely, represent all views, including minority views.

(g) Plenary Agenda

The Plenary agenda and rules of order will be determined by the Students' Council committee in charge of Plenary.

(i) Previous Plenary Resolution Presentation

Directly following the presentation of the Plenary agenda, the Co-Presidents of the Students' Council will report on the current state of resolutions that were passed at the previous semester's Plenary.

(ii) Students' Council Agenda

The Co-Presidents of Students' Council will present the Students' Council agenda for the current semester to the Students' Association. This shall take place prior to the presentation of resolutions. There shall be a fifteen minute pro-con discussion of the agenda which may be extended based on the accepted rules of Plenary. Students' Council shall provide a forum for further discussion of the agenda at the Students' Council meeting directly following Plenary.

(h) Voting Procedures/Rules of Order

(i) Quorum

In order for quorum to be reached, at least 66% of the students living at Haverford must be present at Plenary. When computing quorum, students studying away will not be counted when

determining the total number of the Students' Association. If quorum is lost at any point during Plenary, the meeting will be suspended until quorum is again reached. After 30 minutes without quorum, the Chairs may evaluate the situation going forward.

(ii) Voting Options

When voting, students may choose one of three options: "Yes," indicating approval of the matter at hand; "No," indicating disapproval and "no Vote," indicating a conscious decision to not vote.

(iii) Majority Rules

The outcome of all votes is determined by the proportion of students present at Plenary voting in the affirmative. Ratification of or amendments to the Alcohol Policy, the Plenary Rules of Order, and the Students' Constitution will require a two-thirds (2/3) supermajority. Ratification of all other resolutions and amendments will require a simple one-half (1/2) majority.

(iv) Informal Votes

For every matter that requires a vote, the Students' Council Co-Presidents may conduct a vote using an informal method (e.g. raising of packets). If the outcome of the vote is abundantly clear in the eyes of the Co-Presidents, they may proceed as if that outcome were decided by a formal vote. After any such determination, the Co-Presidents will call for any dissent as to the adjudication of the vote. If eight (8) or more members of the Students' Association come forward, then a formal vote must be conducted.

(v) Formal Votes

In the event that the result of an informal vote is unclear or dissented, a vote must be conducted by a formal method (e.g. paper ballot) whereby the number of votes for each position is precisely counted.

(vi) Amendments to the Plenary Rules of Order

These may be presented and voted on prior to the presentation of the first resolution. Any portion of the agenda may be changed.

(vii) Pro-Con Debate

During any given pro-con debate a person will not speak for longer than 90 seconds at any given interval, nor shall they be recognized by the chair more than two times. Upon each extension of a pro-con debate, a person may be recognized by the chair one (1) additional time.

(viii) Amendments

Plenary may add “Friendly Amendments” or “Unfriendly Amendments” to a resolution by a vote of the majority. All friendly and unfriendly amendments must pertain to the current resolution as seen in the eyes of the chair. Once an amendment has been approved it may not be reversed, nor the resolution be withdrawn.

(ix) Recusal

To speak to the content of a resolution, a chair must step down until the proposal is resolved. The Co-Vice President(s) shall then preside for the remainder of that resolution.

(x) Time Limit

The time limit for Plenary shall be four hours. If this time limit expires, the assembled Plenary shall vote to extend the time limit for half an hour no more than two times. If the assembled Plenary fails to extend the time limit by majority vote, the pending resolution (if any) will be voted on immediately, without further discussion.

(i) Administrative Review

Within seven (7) days of the close of the Plenary session, the Co-Presidents of Students’ Council will present all passed Plenary resolutions to the President of the College and all senior administrative staff for review. Within thirty (30) days, it is the responsibility of the Co-Presidents to gather a formal written response from the President of the College regarding the state of each resolution and to distribute the statement to the Students’ Association. If the President of the College approves a resolution it will take effect as soon as possible unless otherwise stated in the resolution. Should the President of the College not approve a resolution, the Co-Presidents will hold a discussion session about the resolution. In cases where a resolution explicitly impacts faculty, staff, or the institution as a whole, the President will have the following options: (a) accept completely; (b) accept, with a stipulation for changes; and (c) reject altogether. The President will also be asked to articulate more fully the reasons for their decision. In case (b), the resolution proposers have the ability to either make the changes proposed by the President or they can choose not to make the changes. If the proposers do make a change, the resolution will go back to the community during the next Plenary. Assuming the Students’ Association re-approves the amendment, it will once more turn to the President for feedback. If the proposers choose not to make the changes requested, however, the President will only have the option to accept or reject the resolution as proposed. A new Plenary may be called by petition of twenty percent (20%) of the members of the Students’ Association, or by the Co-Presidents of Students’ Council where a revised resolution may be presented.

(j) Failure of Quorum

Should quorum not be reached at the scheduled Plenary session of a given semester, everything to be ratified at that Plenary session fails. When this occurs in the spring semester, the Honor Code fails. If quorum is lost at any point, no more resolutions may be passed until quorum is regained.

(k) Further Plenary Sessions

Further Plenary sessions may only be called when the Co-Presidents of the Students' Association receive a petition signed by forty percent (40%) of the members of the Students' Association calling for such a Plenary. Quorum for this Plenary must be seventy-five percent (75%) of the Students' Association. Such Plenary sessions will be held at the soonest available opportunity.

(l) Honor Code Resolutions

Resolutions passed in the fall that require changes in the Honor Code will be withheld from use until Spring ratification.

(m) Copies of the Constitution and Honor Code

It is the responsibility of the Co-Presidents of Students' Council to ensure that all students have access to an unabridged copy of the Constitution and Honor Code. If the version of the Constitution and Honor Code published for all students is incomplete or abridged in any way, specifically including the omission of changes made at Plenary, then a new, corrected and unabridged version must be available to all students within one month of the distribution of the abridged version at the expense of the Students' Council operating budget. If this new version is still abridged, new versions will be published and distributed until a complete version is available.

Article V. Executive Powers

Section 5.01 Students' Council

The executive power of the Students' Association is vested in Students' Council.

Section 5.02 The Mandate of Students' Council

(a) Broad Duties of Students' Council

- 1) Complete the business of student government

- 2) Serve as a bridge between the Students' Association, the administration, and the Board of Managers
- 3) Work closely and communicate with administration and faculty
- 4) Empower and support student leaders and initiatives
- 5) Take a proactive and forward-looking approach to identifying student issues and developing effective policy
- 6) Ensure that its actions abide by the Constitution

Section 5.03 Membership of Students' Council

The members of Students' Council will be the Students' Council Co-Presidents, and the elected officials of Students' Council, namely the Co-Vice-Presidents, Co-Secretaries, Co-Treasurers, Officer of Academics, Officer of the Arts, Officer of Athletics, Officer of Campus Life and the Officer of Multiculturalism. In order to ensure that each class year sees representation on Students' Council, each class will have one (1) Class Representative serve on Students' Council for a total of four (4) Class Representatives. There will also be a Representative of International Students elected by the body of international students on campus.

Section 5.04 Meeting of Students' Council

The Presidents of Students' Council will call a meeting at least once every two weeks. A quorum of the Council will consist of two-thirds (2/3) of the membership. If any members are unable to attend an upcoming meeting, they must notify the Co-Presidents in a timely manner. If any members accumulate two (2) unexcused absences over the course of one (1) semester, they will be asked to step down by the Co-Presidents. Upon written request of at least five (5) members of Students' Council, an official meeting of the body will be called immediately. Special Meetings of Students' Council shall serve as an open forum for community discussion and discussion of their business should be limited. All meetings of Students' Council, except those concerned exclusively with appointments and awards, will be public.

Section 5.05 Co-Presidents of Students' Council

The Co-Presidents of Students' Council will serve as the chief officers of Students' Council. They will preside at all Plenary sessions of the Association. They will set the agenda and preside over meetings of Students' Council and oversee the business of its members. It is their responsibility to ensure that the actions of Students' Council abide by the Constitution. The Co-Presidents shall serve as the primary bridge between the Students' Association, the administration, and the Board of Managers. The Co-Presidents are strongly encouraged to meet regularly with the President of the College, the Dean of the College, the Dean of Student Life,

and the Provost. The Co-Presidents should attend all of the Board of Managers meetings to which they have been invited. The Co-Presidents are strongly encouraged to deliver a statement regarding Students' Council activities at the Student Affairs Committee meeting. The Co-Presidents are responsible for planning events and implementing projects to identify what campus-wide issues Students' Council should address. The Co-Presidents oversee, certify, and publish the results of Students' Council elections, specifying the names of the candidates and making vote tallies available upon request. Each year the Co-Presidents will supervise the presentation of the system of student self-government to the first-year class. In the absence of any one of the Co-Vice Presidents, the Co-Secretaries, or the Co-Treasurers from any Plenary session, the Co-Presidents can appoint from other members of the Council a Co-Vice-President, Co-Secretary, or Co-Treasurer pro tempore. The Co-Presidents shall release monthly reports of Students' Council's activities to the student body.

Section 5.06 Duties of Students' Council

(a) Presiding and Agenda

The Co-Presidents shall set the agenda and preside over meetings of Students' Council.

(i) Plenary Resolution Follow-Up

The Co-Presidents shall gather a formal written response from the President of the College regarding the state of each passed resolution and distribute it to the Students' Association within thirty (30) days of the close of the Plenary session. The Co-Presidents are then responsible for following-up on the implementation of passed Plenary resolutions and will release a report at the end of the semester on the state of the resolutions. The report will be presented at the subsequent Plenary session.

(ii) Updating the Constitution

The Co-Presidents will be responsible for updating the constitution with approved resolutions and for ensuring that there are no inconsistencies in language or formatting (e.g. the language of the Constitution shall be kept gender-neutral).

(b) Co-Vice-Presidents

The Co-Vice-Presidents of Students' Council shall serve as the Chairs of the Appointments Committee. The Co-Vice-Presidents shall communicate and work with student representatives to faculty-student committees.

(c) Co-Secretaries

The Co-Secretaries of Students' Council shall record the business of Students' Council. The Co-Secretaries shall be responsible for the distribution of minutes, the Weekly Consensus, and the Weekly Work. The Co-Secretaries shall be responsible for updating the Students' Council website and maintaining the Haverpedia page. The Co-Secretaries must distribute the Mass Email Policy to the Association and faculty and approve mass emails adhering to it. The Co-Secretaries must preside over the Students' Council Awards Nominations and Deliberations at the end of the academic year. The Co-Secretaries shall assist the Co-Presidents in preparing for Plenary. The Co-Secretaries will serve as Co-Chairs of the Facilities Fund Allocation Committee and are strongly encouraged to meet regularly with the Director of Facilities Management.

(d) Co-Treasurers

The Co-Treasurers of Students' Council shall disburse the funds of the Students' Association and shall keep a permanent record of all transactions. Prior to budgeting each semester, the Co-Treasurers must hold a Student Club Meeting with the Officer of Campus Life. The Co-Treasurers must abide by the rules set out in the Budgetary Guidelines (Section 5.10). When retiring from office, the Co-Treasurers shall post or publish for the inspection of the members of the Students' Association a summary of his or her the Co-Treasurers' accounts. The Co-Treasurers must keep regular office hours (at least once per month) to disburse funds and field requests and questions from the student body.

(e) Officer of Academics

The Officer of Academics shall be responsible for voicing student concerns pertaining to academics. This officer shall serve as the primary bridge between departmental majors and Students' Council. The Officer of Academics shall serve as Students' Council's representative to all faculty meetings and shall serve as one (1) student representative to the Educational Policy Committee (EPC).

(f) Officer of the Arts

The Officer of the Arts shall be responsible for voicing student concerns pertaining to the arts. This officer shall serve as the primary bridge between Students' Council and the Hurford Center for the Arts and Humanities, the James House Board, the Fine Arts Department, and student groups with a focus on the fine and performing arts. The Officer of the Arts shall encourage collaboration among various art groups and be responsible for planning and implementing projects that will support the arts community on campus.

(g) Officer of Athletics

The Officer of Athletics shall be responsible for voicing concerns pertaining to athletics. This officer shall serve as the primary bridge between varsity and club athletic teams Athletics and Students' Council, and shall work closely with athletic teams and administrators of athletics when invited to do so. The Officer of Athletics shall attend Advisory Committee meetings and is encouraged to meet regularly with the Director of Athletics. The Officer of Athletics is responsible for planning events and implementing projects that will support the athletics community on campus.

(h) Officer of Campus Life

The Officer of Campus Life shall be responsible for voicing concerns pertaining to student life on campus. This officer shall serve as the primary bridge between Students' Council and activities, and shall work closely with the Students' Council Special Events Committee, the Director of Student Activities, and the Dean of Student Life. Prior to budgeting each semester, the Officer of Campus Life must hold a Student Club Meeting with the Co-Treasurers, and shall work closely with student clubs. The Officer of Campus Life shall serve as the point person for dorm concerns from students, and shall work with the Director of Facilities Management, the Director of Residential Life, the Coordinator of Residential Life, the Graduate Assistants, and the Dorm Resource People on pressing dorm issues and major facilities projects. This officer is responsible for planning events and implementing projects to improve the quality of campus life.

(i) Representative of International Students

The Representative of International Students shall be an international student responsible for voicing perspectives and concerns pertaining specifically to the needs and desires of other visa students on campus. They shall serve as the primary bridge between Students' Council and international students, and will be responsible for keeping their classes informed about and involved with Students' Council. The Representative of International Students shall meet at least once a month with the International Students' Services Office (ISSO) and continue to work with all offices and administrative bodies on campus to ensure the inclusion, representation, and equality of international students in relevant policy and decision-making. The representative of international students shall be elected by the body of international students.

(j) Officer of Multiculturalism

The Officer of Multiculturalism shall be responsible for voicing student concerns pertaining to multiculturalism. This officer shall serve as the primary bridge between Students' Council, the Office of Multicultural Affairs and work closely with affinity groups on campus. The Officer of Multiculturalism is encouraged to meet once a week with the Office of Multicultural Affairs staff, and the Dean of Multicultural Affairs. The Officer of Multiculturalism shall meet at least once a month with the heads of affinity groups and encourage collaboration among them. The

Officer of Multiculturalism is responsible for planning events and implementing projects that promote multiculturalism and diversity in the Association.

(k) Honor Council (Co-)Chair(s)

The Honor Council (Co-)Chair(s) will serve as coordinator(s) of Honor Council and will carry out Honor Council's responsibility in working with the Dean of the College and other administration and faculty.

(l) Class Representatives

Class Representatives shall be responsible for voicing perspectives and concerns pertaining specifically to the needs and desires of students in their respective class years to Students' Council. They shall serve as the primary bridge between Students' Council and their classes, and will be responsible for keeping their classes informed about and involved with Students' Council. Class Representatives shall serve as Students' Council's representatives to JSAAPP, the Campus Safety Committee and other offices and committees not directly represented by other Students' Council members.

(m) Students' Council Librarian

(i) Status

The Students' Council Librarian is not a full member of Students' Council and will be appointed by the Students' Council Appointment Committee from among the student body for a three-semester position. The librarian will not be a current serving member of Students' Council. The Students' Council Librarian is required to have one (1) year of previous Students' Council experience.

(ii) Responsibilities

The Librarian of Students' Council is responsible for assisting the Co-Secretaries of Students' Council with the upkeep of the Council website as well as maintaining an updated and documented record of the Council's structure, meeting procedures, projects, and plenaries. This record should consist of all meeting minutes and publications referencing Students' Council. This record will remain accessible to all community members. The Librarian is also responsible for going through archives and having a thorough understanding of Students' Council history. This can include but it is not limited to reaching out to Haverford College alumni who served on Student Council and looking through past work by on-campus news organizations.

(iii) Additional Responsibilities

The Librarian may be given additional responsibilities that Students' Council agrees are within the scope of the Students' Council Librarian position.

Section 5.07 Nomination and Election of Students' Council

(a) General Procedures

Nominations for the following offices of Students' Council — Co-Presidents, Co-Vice-Presidents, Co-Secretaries, Co-Treasurers, Officer of Academics, Officer of the Arts, Officer of Athletics, Officer of Campus Life, Officer of Multiculturalism, Representative of International Students, and Class Representatives (one (1) elected representative from each class) — will open the last Friday of March and will close at a time specified by the Elections Coordinator. An announcement by the Student Elections Coordinator will be made on the first Friday of April with those who will be running for office, although the election poll will not be made available at this time. Any Student Council or JSAAPP officer running can begin campaigning with the money available from the Student Council as soon as the nomination period opens for office. The Representative of International students must be a student who falls under Haverford's definition of international students: "in addition to F-1 visa holders, students from Puerto Rico, the U.S. Virgin Islands, students with multiple citizenships, U.S. Permanent Residents residing abroad, and U.S. citizens who completed high school outside of the U.S. Mainland are considered international students and may benefit from the resources offered by the ISSO." The Class Representative for the incoming first-year class will be elected within the first four weeks of the next academic year by a date specified by the Elections Coordinator. All candidates for office must supply a written statement outlining his or her reasons for running and objectives for their term to be eligible to run for office. The election will begin on the 2nd Friday of April for 48 hours, closing by Sunday evening at 11:59 p.m. The Elections Coordinator has the power to extend it if not enough Haverford Students vote to meet quorum. An announcement will then be made by the Elections Coordinator on who has won their offices. Current Student Council members must meet with the winners to discuss more information on their role. Nominations and elections for the officers of Students' Council will be restricted to members of the Students' Association who intend to be enrolled at Haverford College for the duration of their term in office. A nominated Co-Vice-President, Co-Secretary, or Co-Treasurer may consist of no more than two (2) individual members of the Students' Association. A nominated Officer (Officer of Academics, Officer of the Arts, Officer of Athletics, Officer of Campus Life, or Officer of Multiculturalism) may consist of no more than one (1) member of the Students' Association.

(b) Campaign Rules

(i) Everyone running for Student Council and JSAAPP Office will have money be made available for their use to campaign for election. Student Council will have \$600 from

their Student Council budget be made available for campaigning, divided equally among every candidate. The use of this money can be, but is not limited to, Facebook advertisements, posters, activities to meet the candidate etc.

(ii) The food policy in the Budgetary Guidelines (Section 5.10 - e -iii) will apply, which means funds may not be used toward food.

(iii) Candidates are also not allowed to use their own money or outside money to fund their campaign. If they do, they will forfeit their candidacy. Anyone who believes that someone has done so will go to the Election Coordinator within 2 weeks, once the election results are announced.

(iv) The money will be sent to StuCo Treasurers of that year and be paid for before the start of the next semester.

(c) Voting Procedures for Students' Council, JSAAPP, and Class Representatives

(i) Members will vote on a secret ballot for one (1) of the nominees for each office, may write in the names of members of the Students' Association in the space that will be provided, or may abstain.

(ii) The ballot will include the following choices:

1) The name of each nominated candidates

2) A space for write-in vote (if a write-in option is selected but no candidate is written in or the student is not a member of the Student's Association, the vote shall be counted as a "no vote.")

3) A "no vote" option (voting for this option shall count towards quorum)

4) An opportunity to abstain from voting in that particular election (voting for this option shall not count towards quorum)

(iii) If no one candidate for an office receives forty percent (40%) or more of the votes cast, a run-off election will be held within twenty-four (24) hours with the names of the two candidates receiving the highest number of votes appearing on the ballot.

(iv) If "no-vote" wins, nominations will be re-opened and the elections re-run.

(v) If for any office fewer than forty percent 40% of the members of the Students' Association cast valid ballots, the election will be invalid and re-run. Uncontested elections, meaning elections with only one (1) candidate, will not be required to reach quorum.

(vi) Elections may be re-run once to fill the positions of the Officer of Academics, the Officer of Arts, the Officer of Athletics, the Officer of Campus Life, and the Officer of Multiculturalism and Class Representatives for which no nominations are received. If no nominations are received in the re-run, the Co-Presidents shall appoint a member of the Students' Association to fill the position with the approval of Students' Council.

(vii) In the event of a tie-vote for any office, a run-off between the tie-vote receivers shall take place. The Elections Coordinator shall set a forty-eight (48) hour period for elections to take place. The elections shall be re-run with all due haste.

Section 5.08 Appointments

(a) Appointments Meetings

(i) Composition

Appointments Meetings shall be chaired by the Co-Vice Presidents and be composed of the Officer of Academics, the Officer of the Arts, the Officer of Athletics, the Officer of Campus Life, the Officer of Multiculturalism, and the four Class Representatives. The Co-Vice Presidents must contact all current committee administrative advisors to determine the necessary appointments for the upcoming year. After contacting standing committees, the Co-Vice Presidents should plan a tentative calendar of appointments within the first five weeks of each semester. The Co-Vice Presidents shall make applications for committee positions available to the Association. The Co-Vice Presidents shall make applications for open committee positions available no less than one week before appointing representatives to fulfill those respective positions.

(ii) Consensus

All appointments shall be conducted by consensus. If consensus cannot be reached, the appointment, at the discretion of the Co-Vice Presidents, may be re-opened for applications immediately or at a future date.

(iii) Attendance

At least five members of the Appointments Committee shall be present at all interviews.

(b) Student Representative Responsibilities

(i) Contact

All appointed student committee representatives must maintain contact with Students' Council, specifically the office of Co-Vice Presidents, throughout the year.

(ii) Release of Reports

When the Co-Vice Presidents release the annual Appointments Report, all student representatives must submit committee reports to the Co-Vice Presidents in a timely matter.

(iii) Attendance

All appointed students shall be required to attend as many meetings of their committees as possible.

(iv) Attendance Description

Members of the four standing committees – the Long Range Planning Committee, the Educational Policy Committee, the Administrative Advisory Committee and the Faculty Committee on Admission, will be required to attend meetings of Students' Council upon request.

(v) Communication

All student committee representatives must continually involve the Haverford Students' Association in all discussions being held in respective committees. Forums and other pre-arranged opportunities to speak with student representatives are highly encouraged.

(c) Confidentiality

(i) Discussion

All student committee representatives should discuss confidentiality guidelines with committee Chairs at the beginning of each academic year.

(ii) Disclosure

All discussions, information, statistics, minutes, and reports not deemed confidential within committee shall be made available to Haverford Students' Association.

(iii) Requests

Haverford Students' Association shall be given an opportunity to request specific, non-confidential information from student representatives.

(d) Grounds for Impeachment

(i) Review

Appointed students are selectively chosen to serve as the Haverford Students' Association's liaison and voice on specific college committees. If a representative repeatedly fails to attend meetings without valid reason for absence, an Appointments Committee may be convened to review the status of appointed student.

(ii) Involvement in Discussion

Appointed students must involve the Haverford Students' Association in all relevant discussions. Repeated failure to do so sufficiently may result in an Appointments Committee Review.

(iii) Failure Review

Repeated failure to follow given guidelines regarding confidentiality and releasing public information may result in an Appointments Committee Review.

(e) Appointments Committee Review

(i) Appointments Committee Discussion

Appointments Committee may hold a meeting to discuss impeachment and termination of a student committee representative's appointment to a certain committee.

(ii) Due Process

Appointments Committee should speak with a representative before any discussion of impeachment occurs.

(iii) Last Resort

Impeachment shall be a last resort in all matters of ineffective student representation. Appointments Committee is encouraged to speak to and work with representatives in question, to attempt to improve their qualities of representation.

(iv) Impeachment

If Appointment Committee deems that the student representative is not effectively serving the Haverford Students' Association, the Committee has the power to impeach the representative, using consensus.

(v) Impeachment Voting Procedure

When a representative is impeached, the matter shall be brought to Students' Council to be discussed and voted upon by the entire body.

(vi) Impeachment Voting

A two-thirds majority of Students' Council present is required for removal of the representative. Appointments Committee shall fill the open appointment as soon as possible, at a date and time selected by the Co-Vice Presidents.

Section 5.09 Special Events Committee for Students

Students' Council Special Events Committee for Students shall consist of two co-heads appointed by Appointments Committee for a one-year term, as well as 4 to 6 recruited members who shall serve a year-long term. The co-heads shall recruit members who represent a range of classes for the committee. The Special Events Committee is responsible for the planning of special events and shall work closely with the Director of Student Activities to plan and advertise special events for Students' Council. The delegation of responsibilities is left to the discretion of the co-heads; however, a structure that assigns committee members specific tasks is recommended.

Section 5.10 Budgetary Guidelines

(a) Responsibility and Powers of the Office of the Treasurer

(i) Treasurer Responsibilities

The Students' Council Office of the Treasurer is responsible for the fair and impartial distribution of Students' Council funds to the organizations and clubs of the Haverford Student Body and Bi-Co community through the Budgeting Committee. The Budgeting Committee shall be chaired by the Co-Treasurers and shall consist of the Officer of Academics, the Officer of the Arts, the Officer of Athletics, the Officer of Campus Life, the Officer of Multiculturalism, Representative of International Students, and the class representatives.

1) The Budgeting Committee will take into account the following when considering requests for funding: the degree to which funding will benefit all students of the college, the number of participants in or contributors to the activity, the degree to which the funding will fill an unrepresented niche, past financial practices (i.e. unreasonable overspending or under-spending), attendance at the Student Club Meeting, and the student demand for such an activity, product, or service.

2) The Office of Treasurer is empowered to issue loans, upon its discretion, providing it does not compromise Students' Council's ability to fund the student organizations of the Haverford and the Bi-Co community.

3) The Office of the Treasurer is empowered to enter into contracts with student organizations concerning the employment of student labor, i.e. HITT, BLAST, etc.

(ii) Additional Treasurer Responsibilities

The Office of the Treasurer is responsible for keeping an accurate account of the Students' Council treasury and ensuring its financial stability.

(iii) Coordinator of Student Activities

To ensure the fiscal responsibility of the Office of the Treasurer, the Director of Student Activities will also be included on the Students' Council account in a purely advisory capacity.

(iv) Development of Surplus Monies

The Office of the Treasurer is empowered to develop a separate fund or investment policy for surplus monies provided that it operates within the rules governing the budgeting process and the Office of the Treasurer and does not undermine the stability of the treasury.

1) Any policy regarding the use of surplus monies is contingent upon the achievement of consensus within Students' Council and approval of the administration.

(b) Fund Utilization

Student organizations should utilize all sources of financial support available, i.e. the Deans' Office, President's Office, academic departments, Office of Multicultural Affairs, the Hurford Center for the Arts and Humanities, the Center for Peace and Global Citizenship, Students' Council, etc.

(c) Required Financial Information

(i) Disclosure

Any group that requests funding from Students' Council must fully disclose all sources of financial support including total balance of assets existing in external accounts.

(d) Eligibility Requirements

(i) Membership Publicizing Requirements

Organizations must appropriately publicize opportunities to become a member of the organization.

(ii) Funding Publicizing Requirements

Organizations must appropriately publicize events held on campus that are funded by Students' Council.

(iii) Official Contact

All organizations that wish to receive Students' Council funding must designate one (1) individual member as the official contact. The Budgeting committee will consider this contact financially responsible for any of his or her organization's overdrafts. This member will be responsible for keeping accurate records of their organization's spending. Due to this responsibility, only this member may submit check requests for the organization.

(iv) Reimbursement of Funds

No individual of any organization will be reimbursed by funds allotted by the Budgeting Committee without the presentation of a receipt or proof of purchase.

(v) Student Club Meeting Attendance

At least one member from each organization applying for Students' Council funding must attend the Student Club Meeting to be held at the beginning of each semester. This meeting shall be led by the Co-Treasurers and Officer of Campus Life and attended by the Co-Secretaries. The purpose of the meeting is to inform clubs about the budgeting process, and facilitate communication between clubs and Students' Council.

(e) Governing Rules

(i) Submission of Budgets

- 1) Any group requesting Students' Council funds must submit a detailed itemized budget to the Budgeting Committee by the designated time.
- 2) Any budget delivered after the designated time will not be considered during the normal budgetary process. Late budgets will be reviewed after the initial budgetary process.
- 3) Any budget not completed in an acceptable fashion will be discarded, and the organization will be informed of the necessity of submitting a new budget.

(ii) Travel Expenses

Travel expenses may be subsidized by the Budgeting Committee according to the following criteria:

- 1) The Budgeting Committee shall consider both the number of participants and the distance traveled, and evaluate the necessity of both in the travel expense allocations.
- 2) That traveling is essential to the stated goals and purposes of the organization.
- 3) That a skill, information, or other benefit received by the participants in an off-campus activity will make a valid contribution to the community.

(iii) Inappropriate Use of Funds

Students' Council funds may not be used for food and drink at parties or events funded or funded in part by Students' Council unless the food or drink is essential to the event and goals of the organizing group. The purchase of alcohol or drugs using Students' Council allotted money is strictly prohibited.

- 1) Organizations such as JSAAPP, where the purchase of food and drink is essential to the goals and functioning of such an organization, are not restricted by (iii).

(iv) Personal Investment

Any use of Students' Council funds for personal investment or profit is prohibited.

(v) Political Campaigns and Religious Organizations

Students' Council funds may not be used to directly contribute to political campaigns, external political organizations (not limited to political parties), external religious organizations, or any other external organization such as charities.

Budgeting Committee allocations may only fund group meetings of campus religious or political organizations that are open to all and well publicized to the campus community.

(vi) Allocation Responsibilities

The Office of Treasurer is responsible for illuminating where the Students' Council funds have been allocated with regard to each individual group.

An organization may not use Students' Council funds for any other activity outside of those budgeted by the Budgeting Committee without prior notification of the Treasurers.

(vii) The Approval of the Budgets by Students' Council

After the Budgeting Committee has completed the budgetary process, the Office of the Treasurer is to present Students' Council with the finalized budget. The budget must then be ratified by consensus.

(f) The Transfer of Allotted Funds

(i) Check Pickup

The specified individual according to (d)(iii) may pick up requested checks during a time specified by the Office of the Treasurer or another time mutually agreed upon by the Co-Treasurers and the club contact.

Reimbursements will be distributed a maximum of 30 days after the original purchase. Club leaders with receipts over 30 days old will not be guaranteed payment for these costs.

For extenuating circumstances, funding will be allotted past the 30 day deadline only after formal written approval from the Co-Treasurers.

(ii) Check Refusal

The Office of the Treasurer reserves the right to refuse to honor a check request from an organization that does not adhere to the spirit and letter of the standing rules of Students' Council allocations. The refusal may be appealed to the Students' Council. This appeal will be directed to the Co-Secretaries of Students' Council, and a simple majority of Students' Council is necessary to overturn the Co-Treasurer's action.

(iii) Non-roll over

Budgeted money that is not used by student organizations during the semester will not roll over to the following semester's budget for the student organization. Instead, all remaining funds will remain in the Students' Council general budget to be redistributed through the budgeting process the following semester.

1) Funds may not be requested after the semester has ended.

2) The Office of the Treasurer withholds the right to cancel requested checks that are not picked up by the end of the semester.

(iv) Transference

In the unique circumstances where Students' Council funds are transferred to independent checking accounts, the organization that the account exists under must still provide a detailed description of how those funds are spent throughout the semester.

(g) The Speakers' Committee

The Speakers Committee will be budgeted a minimum of fifteen thousand dollars each semester.

The Office of the Treasurer is empowered to budget additional funds to the Speakers' Committee, upon its discretion, provided it does not jeopardize the stability of the treasury or act contrary to the obligations of the office.

Section 5.11 Duties of Students' Council Members

The Officer of Academics, Officer of the Arts, the Officer of Athletics, the Officer of Campus Life, the Officer of Multiculturalism, and the Class Representatives will serve on the Budgeting Committee until the semesterly budget is passed and on the Appointments Committee until the end of their term. They will be responsible for communicating the views of the members of their respective area of expertise to Students' Council or any of its committees. They will participate in Students' Council to make all policy decisions, to appoint all committee members, to allocate the budget, and to represent the Students' Association in every way shape and form, thereby making sure that every member of the community has representation. This representation may be academic, social, political, or any other manner in which the community feels it should be represented.

Section 5.12 Duties of the Honor Council of the Students' Association

The Honor Council of the Students' Association will administer all aspects of the Honor Code and be responsible for interpretation of specific matters pertaining to the Honor Code. Each year, the Honor Council will work in conjunction with the Honor Code Orienteer (HCO) Committee as both groups see fit to present the Honor Code to the First-year Class.

Section 5.13 Committees

Each Students' Council will have the power to establish such committees as it deems necessary to aid in the execution of its duties.

Article VI. Judicial Powers

Section 6.01 Composition of Honor Council

Honor Council is an elected group of 16 students (four from each class) that manages the administrative aspects of the Honor Code on behalf of the community. Council may be required to resolve difficult situations and apparent violations of the community's trust. Honor Council is charged with interpreting the sections of the Code that leave room for flexibility, are vague, or have contradictory readings. Among the administrative responsibilities of Honor Council are the following: producing literature about the Code for prospective students; introducing first year

students, transfers, new faculty members, administration and staff to the Code; publishing abstracts about past cases; advising faculty about specific situations they may discover; and informing the community of campus issues related to the Code.

Section 6.02 Responsibilities of Honor Council

(a) Responsibilities to the Community

(i) Abstracts

1) Abstract Release: In the interest of keeping the community informed, Honor Council will release abstracts with pertinent information about completed trials, Joint Student/Administrative Panels, SFPs, and potentially mediations. Abstracts are detailed enough to outline the issues, but vague enough to protect the confidentiality of the people involved. No names or revealing information such as specific dates, classes, instructors, or, in social cases, any detailed information which would identify any individual, are included.

2) Abstract Writing Timeline under Normal Circumstances: Trial chairs are responsible for taking notes during the trial process, or appointing a juror on Council to do so. These notes will be given to two or more jurors to aid them in writing an abstract. Abstracts will be completed by two or more jurors no more than two weeks after the notes are given to them. During this time, the abstract writers may consult other jurors and reference notes that other jurors take during the trial process. Once completed, the pseudonymized abstract must be sent to the Honor Council Co-Secretaries and the Chair of the Abstract Release Committee.

The Abstract Release Committee will be composed of five members of Honor Council. After receiving an abstract, the committee has two weeks to finalize the abstract, during which time they may ask any member of Council or the jury to provide feedback. The committee will then submit the revised abstract to Council in order for all of Honor Council to come to consensus towards releasing the abstract. Council may consent to delay the publication of the abstract if doing so will protect the confidentiality of trial parties, or if any party has requested a specific timeframe. This entire process should take no longer than 9 weeks in which classes are in session. Honor Council will acknowledge whether each abstract has been released within this timeline.

3) Abstract Delay: Abstracts must be released immediately upon Honor Council reaching consensus in approving an abstract for publication, unless one (1) or more of the individual(s) involved in a trial or panel requests that the abstract be delayed. If an individual(s) involved in a trial requests that the abstract be delayed, Honor Council will weigh the importance of keeping the community informed with the effects of immediate

release on the confidentiality of the involved individual(s). Honor Council will then reach consensus on whether or not to withhold the abstract. Abstracts will typically be withheld for no longer than one (1) year. Alternate procedures are followed for Dean's Panel abstracts. In cases where essential trial details threaten the confidentiality of the participants, the jury or the parties may request an additional delay from Honor Council. The delay will typically not exceed one (1) semester beyond the participants' graduation or permanent departure. A decision to delay an abstract may not be altered by subsequent Honor Councils.

4) Additional Abstract Procedure: Abstracts may be published for mediations and discussions as well if Honor Council feels that the community could benefit from their distribution. All abstracts are accessible to the entire community. Following the publication of the abstract, a community wide abstract discussion will be held by Honor Council so that community members can voice their questions and thoughts on the trial. Additionally, any member of the community who would like to speak to the Council about the trial can attend the next Honor Council meeting to discuss the trial.

(ii) Literature

Honor Council is responsible for making sure that an up-to-date and complete copy of the Honor Code and its guidelines are available to the community. It is also the responsibility of Honor Council to provide up-to-date and informative literature about the Honor Code for prospective students. The Council should keep the Admission Office informed of any changes or new developments that would be of interest to prospective students.

(iii) Outreach

Honor Council should be involved in the education of the community about social concerns such as alcohol abuse, sexual harassment, emotional stress and drug abuse. While Council members are not trained to be crisis counselors, Council can serve as a source of information where students can go for help. In addition, Council can serve as a consciousness-raising body, by holding discussions, sponsoring collections and lectures, and distributing queries about these sensitive issues.

(iv) Signage

Honor Council should post signs and otherwise remind students that the form, content, and degree of difficulty of any examinations are not to be discussed during finals week. While this rule applies for all exams, it is especially crucial to remind students of the importance of exercising discretion and of not discussing examinations during finals week.

(v) Customs Program

During Customs Week, Honor Council Co-Chairs and Honor Code Orienteers should spend a substantial amount of time discussing the Honor Code with first-year students and transfers. There should be an introduction about the Honor Code made to the entire group of incoming students, including an introduction by Honor Council Co-Chairs, and a historical perspective of the Code given by an appropriate community figure. Each Customs group should have at least one (1) discussion with its Honor Code Orienteer(s). Honor Code Orienteers will be members of the community who have undergone at least one (1) training session with Honor Council Co-Chairs.

(vi) Honor Council Member Participation

As student leaders and representatives of the community, Honor Council members are urged to participate in community-oriented activities such as Collection, special lectures, Plenary, and community celebrations.

(vii) Transparency of Honor Council

Honor Council must balance the confidentiality of some of its operations with the need to inform the community about pertinent matters. Thus, Honor Council will take comprehensive minutes of all public portions of its meetings detailing everything discussed not explicitly confidential. The minutes of these meetings will be appended to a weekly email sent out by Honor Council following every meeting concerning abstract release, announcing abstract and community discussions for the week, and addressing other appropriate matters. These minutes will also be posted on the Honor Council website.

Honor Council will maintain and keep its website updated with trends of all Honor Council cases dating back at least three (3) years. Honor Council also has an obligation to keep the website user friendly and updated with resources and guides helpful to understanding the operations of Honor Council, the Honor Code and any and all things related.

In addition to these measures, at the conclusion of every semester the Co-Chairs of Honor Council will send out a campus wide email detailing these trends, the goals and operations of Honor Council over the previous semester and future endeavors Honor Council will be taking on.

(b) Responsibilities to the Individual

(i) Confidentiality

All matters involving individual students which are brought to Honor Council's attention must remain in strict confidence. No Council member shall discuss cases in progress with other

students who are not members of Council. After an abstract has been released, Council members may discuss the case, but should be extremely careful not to reveal the identity of anyone involved.

All persons involved in a trial, including confronting and confronted parties, support persons, and jurors, must maintain confidentiality insofar as it affects all others involved in the trial.

(ii) Consideration of Precedent

While precedent may be used as a guide in handling concerns, each case is still to be considered on its own merits.

(iii) Objectivity

If a case must be resolved in a trial, Council members who feel that they cannot be objective should remove themselves from the jury.

(iv) Procedure

Honor Council must follow the stated procedures for handling concerns. A breach of procedure will be grounds by which the confronted student, in the hope of altering the Council's decision, may appeal to the President of the College. Honor Council as a body is responsible for preventing inconsistencies between written procedure and those physically enacted.

(c) Responsibilities Within Honor Council

(i) Interpretation

Honor Council is charged with interpreting the sections of the Code, as well as Article VI and Article VII, that leave room for flexibility. It is, for example, Honor Council's responsibility to decide if a situation warrants the convening of a trial or if it can be resolved on a less formal basis. It is Honor Council's responsibility to handle each case as a unique situation, yet keep in mind that it is also one of a number of similar occurrences. In interpreting its mandate, it is Honor Council's responsibility to consider both the community and the individual involved, and to try to find the balance between what is best for both.

(ii) Meetings

Honor Council meets on a weekly basis, to discuss current issues involving the Code and any individual concerns which members of the larger community have brought to the Council's attention. These meetings will be private (i.e. closed to the community) as confidentiality must be observed. Honor Council Co-Chairs can call special meetings in addition to these weekly meetings if it is necessary to do so. In addition, Honor Council will regularly host public meetings that are open to the whole community in order to discuss the Code, abstracts, and

questions or concerns that members of the community may have. Anyone may attend these public meetings. Also, minutes of public meetings will be published and posted on a regular basis, to keep the community at large informed of Honor Council's actions. Individuals with specific concerns are encouraged to contact the Honor Council Co-Chairs directly.

(iii) Discussion

After trials, Council members who were on the jury will discuss the trial in detail with the rest of the Council, sharing their impressions, reactions, and reasons for reaching the decisions they did. This discussion is an important educational experience for both the jury members and the rest of the Council. It is important that there be constructive criticism of the process and the performance of the jury so that improvements can be made. Notes shall be recorded of these discussions and made available to future Council members for educational purposes. Confidentiality will be honored when creating entries for this record.

(iv) New Council Members

New Council members are given a thorough introduction to the functioning of Honor Council. They should read abstracts of past cases and be informed of policies and interpretations Council uses. This introduction should include, but is not limited to trainings regarding diversity, mediation and trial procedure.

(v) End of Semester Contingency

At the end of the second semester, Honor Council members may need to remain on campus for a few extra days to finish cases and hold trials, if they cannot wait until the next year.

(d) Responsibilities of Honor Council Co-Chairs

(i) Students' Council

The Co-Chairs are also a member of Students' Council and are welcome, but not required, to attend Students' Council meetings and take part in its activities as well as those of Honor Council.

(ii) Procedures

The Co-Chairs are responsible for seeing that all procedures are followed and that Honor Council's responsibilities are carried out.

(iii) Participation

It is the Co-Chairs' responsibility to see that all Honor Council members participate and share in doing the Council's work. If some members of the Council are not doing an adequate job, the

Co-Chairs should voice their concerns to those members. If improvement is not noted, then the entire Council should discuss the problem. A continued deficiency can result in the Council's forbidding (by consensus) a student to run for re-election to Honor Council.

(iv) End of Term Reports

At the end of their term, the Co-Chairs will submit a report to the next Co-Chairs which describes the Council's activities (in brief) over the past year, and which gives hints about what to expect and how to deal with specific problems, which may arise. A collection of these reports is to be compiled to aid in the training of the Co-Chairs. The Co-Chairs should read and contribute to this record.

At the end of their term, Honor Council Co-Chairs will submit a written report to the President of the College, reviewing the past year's cases and Honor Council activities. The President of the College will refer to this report before deciding to renew the policy of student administration of the Honor Code for the coming year.

(v) Chairs' Reports

Honor Council Co-Chairs will keep the Dean of the College informed of cases that come to the Council's attention. After every trial, the Co-Chairs will notify the Dean of the College of the recommendation of the jury within 24 hours of the trial's completion. The Co-Chairs will subsequently have three weeks to submit a report to the Dean giving a reasonably detailed account of the trial and the resolution agreed upon by the jury. A cleansed copy of this report will also be submitted to the community member and Honor Council member in charge of writing the abstract for the trial. A file of these reports will be kept by the Dean of the College for only the Co-Chairs to review in cases of separation or the delay of releasing an abstract.

(vi) Faculty Meeting

At the first faculty meeting of every semester, Honor Council Co-Chairs will report to the faculty a summary of the past semester's Honor Council academic concerns, and social concerns if they so choose.

(vii) New Employee Orientation

At the beginning of every year, an orientation for new faculty members will be held. All new faculty, and those who have been away for a year or more, will be expected to attend. In addition to an orientation for new faculty members, an orientation for the new staff and administration of the college will be held each year.

(e) Responsibilities of Honor Council Co-Secretaries

(i) Role

Honor Council Co-Secretaries are full members of Honor Council and participate in all discussions and mediations which occur in the Council as a whole. It is the specific duty of the Co-Secretaries to take notes and publish minutes of Honor Council meetings, and to take care of the typing and copying of Honor Council publications. Since these tasks can be time-consuming, the Co-Secretaries can be relieved of some other Honor Council duties, at their own discretion.

(ii) Election

Since the Co-Secretaries and the Co-Chairs are elected on a staggered basis, it is also the responsibility of the Co-Secretaries to aid the new Co-Chairs in adjusting to their office and to inform them of cases which have been carried over from the previous Co-Chairs.

(iii) Jury Selection

The Co-Secretaries are also responsible for the selection of juries in cases of trial. The Co-Secretaries will also work towards the goal of achieving a more diverse jury or panel by ensuring that several of the members of the panel or jury will be representative of Haverford's multicultural population as jury selection procedure stipulates. Keeping in mind a balance of gender and class, the Co-Secretaries will request people primarily in the order they are presented. By no means are the Co-Secretaries to prioritize calling people they know to serve on a jury. In choosing jury members, there should be a healthy mixture of experienced and inexperienced Council members, so that new members can gain experience while there is still continuity and overlap in jury membership.

If Honor Council decides that an academic or social trial must be held to resolve a problem, 5 of its 16 members, along with 5 randomly chosen members of the community, will be the jury. The random jurors will be chosen from a random jury list maintained by Honor Council Co-Secretaries.

(iv) Diversity

Honor Council will pursue the goal of achieving a more diverse jury by ensuring that members of the jury will be representative of Haverford's multicultural population. When the Co-Secretaries email potential jurors, randomly selected from the Haverford student population, they will ask students to fill out a self-identification survey. It will ask whether or not the student in question "identifies as a student of color" and "identifies as a given gender". There will be the option to not answer these questions as well as the option to identify outside of the gender binary. This information will not be used again in any form by Honor Council or anyone else. There will be no permanent list maintained of student's responses.

When selecting a jury of ten students, the Co-Secretaries will make sure that there are at least 3 self-identified students of color on a jury and at least 3 students who do not identify as a student of color. In addition, there will be no more than six students who identify as the same gender. Proportional adjustments will be made for juries and panels of other sizes. The same proportions will be maintained for juries and panels that are not selected randomly.

(v) Alternate Jurors

The Co-Secretaries should also reserve three community members beyond the number required by the proceeding as alternate jurors who can replace a community juror should the need arise. If the number of jurors required by the proceeding has been reached, the proceeding should begin while the Co-Secretaries continue to find alternate jurors until the fact-finding portion has taken place. At least one (1) of these alternate jurors should self-identify as a student of color. At least one (1) alternate juror should self-identify as male and at least one (1) should self-identify as female. The Co-Secretaries should try to preserve the multicultural composition of the jury to a reasonable extent, while keeping in mind the need to begin a proceeding. An alternate juror may only replace a community juror before the fact-finding portion of a proceeding has been held. Upon replacing a community juror, an alternate juror will serve for the remainder of a proceeding.

(f) Responsibilities of the Librarian

(i) Librarian Status

The Librarian of Honor Council is not a full member of Honor Council, but appointed by Students' Council from among the student body in December for a one-year term that will begin at the start of the second semester of each academic year. The librarian will not be a current-serving member of Honor Council.

(ii) Responsibilities

The Librarian of Honor Council is responsible for maintaining an updated, documented record of all changes made to the Honor Code over the course of his or her term. This record should also include all major publications (i.e., committee findings, letters of concern to/from the administration and faculty, Spring Plenary Packets, etc.) regarding the Honor Code. This record will remain accessible to all community members so that they can view the history and changes of the Honor Code.

The Librarian is also responsible for analyzing and interpreting previous Honor Codes, trial abstracts and all other relevant documentation to distinguish and report trends and precedents to the Co-Chairs.

(iii) Additional Responsibilities

The Librarian may be given additional responsibilities by Honor Council.

(g) Delegation

In consultation with the other Honor Council Officers, the Honor Council Co-Chairs, Co-Secretaries, and Librarian may delegate their non-critical responsibilities (e.g. printing for meetings, room reservations) to class representatives and/or a staff support person paid by the College. A staff support person may be a previous member of Honor Council, one of Haverford's graduate assistants, or any other person deemed fit for the task by the Honor Council Co-Chairs. The name and duties of the staff person will be made public on the Honor Council website. This position will have no predetermined term.

(h) Responsibilities of the Community Outreach Multicultural (COM) Liaisons

(i) Status of the Multicultural Liaisons

The COM liaisons are not full members of Honor Council (see article iii), but rather two pairs of students working in conjunction with Council on certain issues. Within each pair, a minimum of one student must identify as a person of color. The pairs will be elected in staggered school-wide elections and each serve a year-long term. While the liaisons are available to assist with confrontation and mediation (see article ii), they cannot mandate any resolutions. In order for any mandated resolutions to occur, one of the involved parties would have to bring the case to Honor Council.

(ii) Community responsibilities

The pairs will serve as liaisons between community members and Honor Council for dealing with Social Code issues related to identity (see Section 3.04 (2) "We recognize that acts . . . violate this code"). Liaisons can then communicate the options available to community members, including:

A liaison may facilitate a confrontation (Section 3.06) between the two parties.

A liaison may serve as a confronting party for an initial confrontation.

A liaison may mediate a discussion between the two parties.

A liaison may offer education and restorative resources to both parties.

A liaison may serve as a confronting party, on behalf of a student, for sending a case to Honor Council.

The liaisons should only act on the above options at the request of the community member reaching out to them. The liaisons will keep parties' identities confidential (See section 3.07 (4)).

(iii) Honor Council Responsibilities

The liaisons do not attend weekly Honor Council meetings and do not serve on trials as Honor Council jurors. Liaisons will meet with the Honor Council Executive Board at least three times a semester, and have the opportunity to work with Honor Council committees and representatives. Liaisons will brief the Executive Board about ongoing issues, while keeping the parties' identities confidential. Additionally, the liaisons will report community feedback to Honor Council in relation to social issues. Should parties elect to send statements to trial, liaisons will share confidential details with the Executive Board. Liaisons will also serve as a check on Honor Council to ensure that the Executive Board and Council representatives are considering how identity affects Council and Council decisions. Trial chairs should circulate the liaisons' contact information to trial parties and jury members as a resource available to discuss the trial process, excluding any identifying information of others on the trial. Liaisons should have the opportunity to attend Honor Council representative training at the start of each semester.

(iv) Additional Responsibilities

Within the first two months of their term, each liaison pair must go through mediation and diversity training. Liaisons will meet with OMA staff, or another party designated by the Dean of Students, at least three times a semester to debrief and envision educational and restorative resources for confronted parties, either at the level of a confrontation or at the level of a trial. One of these meetings will occur in conjunction with the Honor Council Executive Board. In addition, liaisons are encouraged to meet with various affinity groups and organize community forums throughout the course of each semester in order to supply community feedback to Council.

(v) Extenuating Circumstances

In the event that the liaisons find themselves unable to meet all requests for confrontation or mediation assistance (Article ii) due to the bulk of cases received, they may delegate to Honor Council Representatives.

Section 6.03 Honor Council Elections

(a) Honor Council Composition

(i) Honor Council shall be made up of sixteen (16) students, four (4) from each class. Honor Council Co-Chairs and the Co-Secretaries are elected by the entire student body, and the other representatives are elected by the members of their classes only.

(ii) All council members serve one-year terms, except all first-semester and two (2) second-semester first-year students, and seniors elected for the second semester.

(b) Honor Council Nominations

Nominations and elections will be restricted to members of the Students' Association who intend to be enrolled at Haverford College for the duration of their term in office. Nominations for the office of Honor Council Co-Chairs will be open the second Friday of April. Those nominated for Honor Council Co-Chairs or Co-Secretaries may consist of no more than two Students' Association members.

(c) Election Procedures

Elections shall be staggered to allow overlap in Council membership of new and experienced members. Elections will run concurrent with the Students' Council elections unless unusual circumstances arise.

(i) Semester One Election Procedures

In the first three (3) weeks of September, four (4) first-year students, or the number required to adequately fill all of the respective class positions shall be elected. The first-year students will serve for only one (1) semester.

(ii) Semester Two Election Procedures

Honor Council Co-Secretaries and one (1) pair of Community Outreach Multicultural Liaisons are to be elected in late November, for a one-year term. The first-year class again will elect four (4) members in January. The two (2) with the greatest number of votes serve one-year terms. The other two (2) serve one-semester long terms. If any freshmen is currently serving as Co-Chairs or Co-Secretaries, or is elected to either position in the second semester election, then only the remaining number of representatives needed to fill four (4) freshmen positions shall be elected, with priority placed on having freshmen representatives serve a full year term. The other classes will elect two (2) members for one-year terms, except Honor Council Chair(s)'s class and the Co-Secretaries' class, which will elect as many members as needed to balance the respective class allocations.

(iii) Following Year Elections

Elections for new Honor Council Co-Chairs and one (1) pair of Community Outreach Multicultural Liaisons, and all grade level representatives to Honor Council (excluding first-years), to assume office the following year, shall take place in April in conjunction with Students' Council elections.

(d) Procedure for Resignation and Special Elections

Resigning members of Honor Council must notify the Students' Council Co-Presidents, Honor Council Co-Chairs, and their constituency of their intent to resign at least three weeks before their resignation date, and specify the exact date of their resignation. Elections to fill the position will begin upon notification of resignation. The newly elected representative will complete the remainder of the resigning member's term, assuming the responsibilities of the resigning member on the date of the resignation. Honor Council has the right to appoint a previous Honor Council member as a temporary member until a new member has been elected.

(e) Voting Procedures for Honor Council Elections

(i) Members will vote on a secret ballot. They may write in the names of members of the Students' Association in the space that will be provided, or may abstain.

(ii) The ballot will include the following choices:

- 1) The name of each nominated candidates
- 2) A space for write-in vote (if a write-in option is selected but no candidate is written in or the student is not a member of the Student's Association, the vote shall be counted as a "no vote.")
- 3) A "no vote" option (voting for this option shall count towards quorum)
- 4) An opportunity to abstain from voting in that particular election (voting for this option shall not count towards quorum)

(iii) The candidate or candidates with the greatest majority of votes shall assume office.

(iv) If "no-vote" receives more votes than any candidate in a class, the election shall be deemed invalid and nominations shall be re-opened for that class and a re-run election held for all representatives in that class. If "no-vote" does not receive the most votes, but still receives more votes than the number of representatives necessary to be elected in a class, nominations will be re-opened and the elections re-run for that remaining position and the candidates who received the most votes in the first election shall assume office.

(v) If for the election of all Honor Council members, fewer than forty percent (40%) of the members of the Students' Association cast valid ballots, that election shall be considered invalid and will be re-run. If no one candidate for an office or class representative receives forty percent (40%) or more of the votes cast, a run-off election will be held within twenty-four (24) hours with the names of the two candidates receiving the highest number of votes appearing on the ballot.

(vi) If any election must be re-run, the Election's Coordinator Co-Secretaries of Students' Council in coordination with Honor Council, shall set a deadline for nominations and a forty-eight (48) hour period for elections to take place. The elections shall be re-run with all due haste.

(vii) If the re-run elections are also considered invalid, or no nominations received for the re-run for Honor Council Co-Chairs, Co-Secretaries or Class Representatives, or if at any point due to extreme circumstances there is a position open on Council, Honor Council will have the right to appoint an interim Honor Council Co-Chairs, Co-Secretaries or Representatives.

(viii) In the event of a tie-vote for any office, a run-off between the tie-vote receivers shall take place. The Elections Coordinator shall set a forty-eight (48) hour period for elections to take place. The elections shall be re-run will all due haste.

(f) Defining the Term of an Honor Council Member

The term of an Honor Council member continues until someone has been elected to replace them. Fall semester members will continue through winter break until the election of a new Honor Council in the spring semester. Spring semester members may be asked to serve on summer trials, as well as early Fall trials prior to elections, should the need arise, until the election of a new Honor Council in the fall.

Article VII. Trial Procedure

Section 7.01 Types of Trials

(a) Academic Trial

Honor Council may decide that an academic situation needs to be resolved in a trial. A trial is usually necessary if a student is suspected of having violated our community academic standards and must, therefore, answer to the community for any suspected academic violations. Almost all cases of suspected academic dishonesty are resolved in a trial. Cases of suspected academic dishonesty can only be resolved outside of a trial if Honor Council believes that the trial goals of education, accountability, and restoration have already been addressed; in all instances in which Honor Council suspects that an academic violation of the Honor Code occurred but does not send the case to a trial, Honor Council will release an abstract outlining the situation. Honor Council will designate a Council member to explain to the confronted individual the alleged charges, to explicitly inform the person of the rights of a confronted party, to familiarize the

individual with the trial procedure, and to describe the implications and purpose of each step of the trial process.

In cases when dealing with highly sensitive or potentially legal issues the jury may consent to involve a dean in such matters. The choice of dean will be determined by the chair of the trial and Dean of the College based on objectivity and pertinence to the issues involved. The dean will have access to all the facts of the case, and may attend meetings in order to gain a better understanding, if the jury consents to the dean's presence. The dean's role is to provide an administrative perspective as well as to inform the jury of College policies and resources. The dean will not be a consenting member of the jury, and will not be part of deliberations unless consented to by the jury.

(b) Social Trial

If a resolution cannot be reached through confrontation, Honor Council will decide if the social situation needs to be resolved in a trial. A trial is necessary if a student is suspected of having violated our community social standards and must, therefore, answer to the community for any suspected social violations. Honor Council will designate a Council member to explain to the confronted individual the concerns of the confronting party, to explicitly inform the person of the rights of a confronted party, to familiarize the individual with the trial procedure, and to describe the implications and purpose of each step of the trial process.

A Social Trial will follow an altered version of the Universal Trial Procedures. The fact-finding and circumstantial portions of the trial shall be combined, with the jury deciding whether a violation has occurred following this combined meeting. During this combined meeting, the parties should describe their experiences of the situation, express their personal concerns, how they feel this issue has affected themselves and the community, and what circumstances they feel led up to this situation. The parties should also address how the initial and subsequent confrontations went and why they feel the issue defied their ability to solve through confrontation. Throughout this meeting, the parties should speak respectfully to each other and the jury, and the parties should make every effort to understand their differing perspectives. Both parties will be given an opportunity, at the end of the meeting, to share with the jury whether they feel a violation of the Honor Code has occurred, and if so, what that violation was. Following this meeting, the jury will consider the circumstances at hand, how this issue has affected the community, and how this issue has caused a breach of trust between the parties, in order to determine whether a violation of the Honor Code has occurred, and if so, what violation that was. The jury is able to come to a statement of violation for either party, both parties, or neither party. If during deliberations, the jury feels that the confronting party has violated the Honor Code, either in addition to or independently from the confronted party, they will convene

a second meeting with both parties present to discuss their initial thoughts on the situation before coming to statement(s) of violation.

If the jury determines that a violation of the Honor Code has occurred, both parties will be invited back for a later meeting to discuss tentative resolutions as a group. During this meeting, both parties should express their thoughts on the statement of violation and what they have considered while reflecting on it. Both parties will also be asked to suggest resolutions they feel would be appropriate in this matter. The jury will then deliberate on tentative resolutions, with all parties still in the room serving as participating members in this deliberation, offering feedback on all ideas. Once the jury has discussed resolutions, for either or both parties, addressing the trial goals of education, restoration, and accountability, the parties will be asked to leave. The jury will then continue deliberations and come to consensus on tentative resolutions, ideally not implementing resolutions not already discussed with the parties. The jury may only mandate resolutions for parties which they have come to a statement of violation for, but is encouraged to recommend resolutions to other involved parties for which they have not come to a statement of violation for if they feel it would be helpful.

Following this meeting, the jury will invite both parties back to discuss the tentative resolutions the jury has come to, and to hear feedback from the parties following their reflection on the resolutions. The jury will then have a discussion, with the parties present and participating, on their thoughts on the trial process as a whole and potential changes or additions to the resolutions. This discussion will ideally continue until all parties and the jury are both satisfied with the proceeding and the resolutions, although this may not occur in all cases. Following their meeting with the parties, the jury will consent to final resolutions for the trial before concluding the proceeding. All other aspects of the Universal Trial Procedures not addressed here shall be following during a Social Trial.

If at any point during the process of a Social Trial both parties request the trial become a mediation, the jury can consent to turn the trial into a social mediation. Should the jury and the parties elect to conduct a social mediation, the Chair of the trial and at least one (1) jury member, and at most the entire jury, will serve as mediators.

(c) Joint Student/Administrative Panel

Joint Panels are to be used for situations that do not require immediate action, but which are, legally, administrative concerns and at the same time concern students socially. Such cases will be dealt with by a joint student-administration committee, consisting of two Honor Council members (to be chosen by Council and the Dean of the College), two Deans selected by the Dean of the College, and four members randomly selected from the community.

Examples of situations where such a committee will be used are drug dealing and cases where legal authorities are active on campus. If either the confronting or confronted parties wish to appeal a decision made by this committee, the appeal must be made to the President of the College within five business days of the completion of the Panel. The Panel will typically be co-chaired by an Honor Council Co-Chair and a dean.

This process will follow the same procedure as a Social Trial.

(d) Dean's Panel

A confrontation regarding sexual misconduct and/or physical violence will normally be brought directly to the Dean of the College. In the event that the confronting party instead chooses to first bring the case to Honor Council, Honor Council will request and review statements from the parties involved and will normally consent to send the case to a Dean's Panel. If it is unclear whether a confrontation brought to the Dean's Office merits a Dean's Panel, the Dean of the College may opt to forward to Honor Council Co-Chairs statements from the parties involved so that Honor Council may consent on an appropriate course of action. The Dean of the College may opt to submit statements which lack identifying information.

Around the time that a Dean's Panel is convened, the Dean of the College shall notify Honor Council Co-Chairs that such a proceeding is underway. The Dean of the College will also tell Honor Council Co-Chairs the general nature of the potential offense (e.g. a panel convened to deal with a potential case of sexual assault or physical violence). Once the panel has finished, the Dean of the College shall notify Honor Council Co-Chairs of its completion.

Because of the sensitive nature of the issues discussed in Dean's Panels, special precautions will be taken to protect the confidentiality of all parties involved, and different procedures will be followed regarding abstracts. The parties involved will have a great deal of control in the abstract process. Before an abstract may be released, the confronting party must consent to the amount of information contained in the abstract and the abstract as a whole, as well as a date for release. Input from the confronted party on these matters will also be considered. Less information may be included.

The abstract will be written by the chair of the Dean's Panel or one of the other deans serving on the panel, and will be completed and presented to the Dean of the College within six weeks of the completion of the panel. The abstract will normally include an account of the general circumstances that merited confrontation, a brief account of each phase of the trial and the direction of the discussions, and a summary of the final resolutions. It will typically be released one (1) year after the confronted and confronting parties have graduated or permanently left campus. If the parties involved are concerned about this release date, a mutually agreeable release date will be found.

Upon receiving this abstract, the Dean of the College will give it to the confronting and confronted parties for them to review the final version of the abstract and final release date. The Dean of the College shall also notify Honor Council Co-Chairs that the abstract has been received, and later when it has been reviewed by the confronted and confronting parties. The Dean of the College shall also inform Honor Council Co-Chairs of the final release date. However, to protect confidentiality, the Co-Chairs will not have access to the content of the abstract until the beginning of the semester specified for its release. Honor Council Co-Chairs will make note of the release date for future Co-Chairs. When Honor Council is given the abstract, it will be reviewed by Abstract Committee and Honor Council will subsequently consent to its release, as per standard abstract guidelines.

(e) Summer Trial

By the end of the academic year, the Co-Secretaries of Honor Council will have gathered a list of students available on campus during the summer to serve on a summer trial. If a violation is reported after the beginning of summer break, the newly-elected Co-Chairs of Honor Council will contact members of the previous semester's Honor Council and invite four of them to the College where they will decide whether a trial is necessary. If such a trial is called, five additional jurors will be selected randomly from the list of available students and join those council members.

Convening a Summer Trial is optional, for the confronting and confronted parties may refuse and instead wait until the fall to resolve the issue according to the standard trial procedure. Transportation for all off-campus jurors will be funded by the College.

(f) Student Panel

If Honor Council is found to be (by a community member or member of Council) or suspects itself as a body to be in violation of the Honor Code, it is the responsibility of Council to confront itself and organize the convening of a student panel that will decide whether or not Council is in suspicion of violation. One (1) dean selected by the Dean of the College will chair this student panel. The student panel consists of 12 randomly selected members of the community, 3 from each class.

The jury is to be compiled by the Co-Secretaries of Honor Council. The first meeting convened serves to address any questions, comments or concerns regarding the Honor Code or Procedure. At this meeting the panel must decide if Council is in suspicion of violation. If they are not found in suspicion of violation, the matter is dropped and an abstract must be written and published by one of the jury members. If Council is suspected to be in violation of the Honor Code, the panel will serve as a jury to a subsequent trial. The trial will be run under the same time and procedural guidelines set forth in Section B, Universal Trial Procedure. Abstracts must be written and

published within a month of the trial and must be approved by the chair of the trial prior to distribution. All decisions must be made via consensus during this process. If Council is found to be in violation of the Honor Code, it is the responsibility of the Student Panel to try to find appropriate means of dealing with this violation. If Honor Council does not agree with the resolutions set forth, they may appeal to the Dean of the College within one (1) week of the end of the trial.

Section 7.02 Universal Trial Procedure

(a) Pre-Trial

Before Honor Council reviews a new case, it will request individual statements from each of the confronted and confronting parties, describing their account of the potential Honor Code violation and the confrontation leading to the case being brought to Honor Council. Honor Council will review these statements and must consent either to send the case to any constitutional trial procedure, or to drop the case. Abstracts may be published for dropped cases.

Before the trial, the confronted student and the confronting party will be informed by an Honor Council member about the trial procedure and their roles in the process. The confronted student must be informed in writing of the reasons behind the referral to Honor Council, and Honor Council must explain to the student why a trial is being held to resolve the situation. Both the confronted and confronting parties must be informed of who will be on the jury. The confronted and confronting parties may remove a maximum of two jurors each if they feel they cannot be objective. If the confronted and confronting parties choose to, they are allowed to question the originally selected jury in the presence of the Chairs under the discretion of the Chairs, prior to their decision to remove any members.

(b) Role of Honor Council Co-Chair in a Trial

One of the Co-Chairs of Honor Council is automatically a member of every trial or other procedure, except in extenuating circumstances, when, with the permission of the student involved and the Dean of the College, they need not be. The Honor Council Co-Chair shall act in an appropriate capacity specific to each procedure (i.e. either as chair, jury/panel member, or support person to the chair). In cases where Honor Council Co-Chairs will not be leading the procedure, Honor Council will appoint an experienced Honor Council member best suited to chair the trial, Student Facilitation Panel or Joint Student/Administration Panel. When Honor Council Co-Chairs do not chair a trial/panel, the abstract for that trial/panel will include the role the Co-Chairs played in the trial/panel, and the specific reason(s) for this decision.

(c) Role of the Jury in a Trial

Every member selected for a jury, including Honor Council members, is expected to have thoroughly read and reviewed the current version of the Honor Code in its entirety prior to serving on a trial. It is encouraged that jury members read past abstracts to review precedence in certain cases. The jury's task is to find a resolution that balances, as fairly as possible, the interests of the community as a whole and those of the individual student involved. The goals of resolutions are to repair the breach of trust, and to achieve and address accountability and education. Although this is a community based on trust of all community members, there are times when the jury may be presented with a conflict between testimony and apparent fact, or between two testimonies. It is the duty of jury members to balance their trust of community members with their obligation to determine what has happened before they can arrive at any resolutions. If they are ultimately satisfied that their conclusion is correct beyond a reasonable doubt, then they may find the student in violation despite the student's claims to the contrary. The jury will answer three questions:

- (i) Does what happened constitute a violation of the Honor Code?
- (ii) If it does, what were the circumstances under which this occurred?
- (iii) What is an appropriate action in response to this problem?

(d) Role of the Support Person

The role of a support person is to be available (whether attending a trial or not) for emotional support. Broadly speaking, support people are not supposed to be "witnesses" or "legal counsel," although their specific role in any particular trial is up to the chair.

(i) For the Confronted and Confronting Parties

The confronted party may bring another community member to the proceedings for support. If a student, the confronting party may bring another student to act as a support person. It is strongly recommended that a support person have no direct connection to the issue involved in the trial. At any given time during the trial, the confronted or confronting party may request time to meet with their support person. However, this opportunity is under the discretion of the chair.

(ii) For Faculty

If a member of the faculty, the confronting party may consult with another member of the community for advice and support (as outlined in the Faculty Handbook) although they should not reveal the identity of the confronted party. Faculty members will not attend the trial proceedings as support people.

If a visiting or first-year professor, the confronting professor will be given the option of having a permanent faculty member also present during all or part of the proceeding, as permanent faculty

members are more familiar with the way the Honor Code functions at Haverford and the practice of handling potential violations through Honor Council. The permanent faculty member may clarify points made by the first-year or visiting professor. It will be the role of the jury to determine and consent to appropriate times for the faculty member to speak directly to the jury.

(e) Role of the Bi-College Liaison

In the event that a Bryn Mawr student is suspected of violating Haverford's Honor Code, or a Haverford student is suspected of violating Bryn Mawr's Honor Code, a liaison from the student's home institution's judicial body will, whenever possible, attend the meeting(s) of the judicial proceeding at the host institution. The Bi-Co Liaison will be a non-consenting participant. The purpose of the Liaison is to keep the home institution informed and serve as a source of knowledge about the home institution. The Liaison will be responsible for attending any necessary meetings, transporting any necessary documents back to the home institution, and bringing up relevant points that the jury may have thus far neglected to consider.

The Liaison at both institutions will be governed by the same set of procedures that were consented to by both the Haverford Honor Council and the Bryn Mawr Honor Board and will be made readily available to the community on Honor Council website. Changes to these guidelines that do not conflict with what has already been stated can be made with the consent of both the Haverford Honor Council and the Bryn Mawr Honor Board.

(f) The Actual Trial

(i) Fact Finding

At the beginning of the trial, the chair will give a brief review of the trial's purpose, answer any procedural questions, remind those assembled of the need to maintain confidentiality, and ask jury members whether they feel they can be objective. The jury is required to have fully read and reviewed the most current version of the Honor Code in its entirety prior to the trial. A discussion meeting will be held to address questions, comments and concerns about the Honor Code. The first part of the trial will focus on the facts. The confronting party will tell the jury what that confronting party believes the problem is, and why that problem should be brought to Honor Council. The student will then give the jury that student's own view of the situation.

The jury will be free to ask fact-seeking questions of all parties. Sometimes a jury receives additional statements from parties who have had some involvement in a case but are not formally acting as confronting parties. If the jury thinks that it would be useful to talk with these people in

person, or the case involves discrepancies between the different parties' accounts of the incident(s), the jury may request to speak with the writers of the additional statements.

In cases requiring particular expertise, the Co-Chairs of Honor Council, the EEOC officer, and the Dean of the College may recommend that a member of the community (faculty, staff, administrator, or friend of the College) make their expertise available by serving as a consultant to the jury or panel. Additionally, if a jury thinks it requires greater expertise in order to evaluate a case brought before it, the jury may consent to contact an individual with such expertise who has been thus far uninvolved in the case and who can help the jury more fully understand the situation. This may include professors in the relevant departments at Haverford, Bryn Mawr, and/or Swarthmore.

After the jury feels that it has no more fact-seeking questions, the two parties will leave the room. All persons involved in the trial, including confronting and confronted parties, support persons, and jurors, must maintain confidentiality insofar as it affects all others involved in the trial.

(ii) Jury Deliberation

During the next part of the trial, the jury will decide whether or not it feels that the event described transgresses the values and standards of the community, as expressed in the Honor Code. This decision must be reached through consensus. If there are significant discrepancies between the claims of the confronted and confronting parties and the facts of the case are unclear, the jury should consider not making a decision regarding whether or not a violation occurred in a single night. Instead, the jury should continue to reflect on the situation and attempt to come to a clearer understanding of the incident. During the course of a trial, the jury may request that the confronted party return to answer more factual questions. When this occurs, the confronting party will be given the option of either returning to the proceedings or waiving his/her right to be there. If there is more than one confronted or confronting party in a trial, the jury has the right to request that an individual person be questioned out of the other's presence. For this action to take place, the confronted and confronting parties must give their consent. If the jury feels it needs to recess until the following business day, it may do so. During a recess, jury members may not discuss cases in progress with anyone, except other jurors and for support purposes. Additionally, the chair of the trial may discuss the cases in progress with Honor Council Co-Chairs and the Dean of the College at their discretion. All individual discussions will be brought to the entire jury's attention at the next jury meeting. If it is decided that the student's actions were not in violation of the Code, the matter is dropped, and both parties are so informed. However, the jury still has the option of recommending resolutions to the parties.

In the extreme and rare event that a jury is unable to come to consensus because the opinions of the jury and their beliefs mean that consensus will be blocked for both a Statement of Violation

and a Statement of Non-violation, the jury has the option to consent to send the case to a second jury. Honor Council, other than those members who are jurors on the trial, must consent to approve this decision under the advisement of the Librarian. All parties must be notified that this is taking place and have the option to write statements for Honor Council and the jury to consider before moving towards consensus. The second jury will be formed of no jurors who were on the first trial, and they will not discuss that the first jury could not come to consensus unless they also find this impossible. If a second jury similarly cannot come to consensus on a statement, the case will be dropped and be treated as a non-violation. The second-jury procedure is only to be used in cases when the jury has deliberated extensively and truly believes that they are unequipped to come to consensus due to the composition of the jury, and that another jury could be better able to do so. It is not to be used merely for confusing or unclear cases, and should be treated as an absolute last resort. The jury should consider what implications their decision will have on the parties before consenting to move forward with this course.

(iii) Circumstantial

If it is decided that the actions were in violation of the Code, then the confronted party will return. It is normally an option for the confronting party to be present. All points made in the confronted party's absence will be repeated to the confronted party by the chair. The jury will ask the confronted party about the circumstances surrounding the event in question. After this discussion, the jury will ask the student what that student feels are fair resolutions and why. The jury will then discuss various resolutions with the confronted party. The confronting party is also given the opportunity to propose resolutions and to discuss them with the jury if the confronting party wishes to do so.

(iv) Continuation of Jury Deliberation

When the chair feels it appropriate, the parties will leave the room, and the jury will continue discussing resolutions and will reach consensus on the resolutions that it feels are just. Resolution(s) should address such goals as educating the confronted party and the community, repairing the breach of trust between them and the community and holding the person accountable for their actions. Any resolution requiring action by a trial party must have a deadline or time frame for completion. After this initial consensus, the jury will adjourn for at least 20 and no more than 96 hours to think privately about the issues involved in the trial, and to rest. In the event that this timeline poses scheduling difficulties, the jury may consent to only count business days toward the timeline. A juror will inform the confronted and confronting parties, as well as any parties not directly involved in the trial to whom recommendations are made, of the jury's tentative resolution.

At this point, jury members will not discuss cases in progress with anyone, including other jurors. However, jurors may talk with the trial chair and the trial chair may talk with Honor Council Co-Chairs and the Dean of the College regarding procedural concerns.

(v) Presentation of the Resolutions

The confronting and confronted parties will then be asked to return to hear the jury's resolutions and, if they disagree, to present their own to the jury. The confronting party, the confronted party and the jury will discuss their reasons for making their decisions; the confronting and the confronted party will leave; the jury will decide if it wants to change its recommendation. The jury will then reach a final consensus on a recommendation which the Chair will present in writing to the parties involved and the Dean of the College. In addition the jury will be responsible for drafting and consenting to a recommendation to the Dean of the College concerning reporting the violation on Graduate School's or Transfer School's application based on the guidelines consented to by Honor Council. Before the trial is adjourned, the jury will choose one of its members to act as a liaison between the jury and the President in the event of an appeal or administrative offering of alternative resolutions. The liaison's function will be to speak with the President to explain the jury's position and answer any questions. At that point members of the jury will also be chosen to write the abstract.

(vi) Post-Trial

In an academic case, if the Dean of the College feels that the jury's resolution(s) is unsatisfactory, the dean may make a different recommendation to the professor, after discussing the recommendation with the jury. A student's final grade in a course is the professor's decision, as neither the jury nor the Dean can do more than recommend to a professor that a certain grade be given in a course. However, in cases where the jury and/or Dean recommend that a student be separated from the College, or any other sanction, which does not involve a grade alteration, the professor has no jurisdictional power to change that resolution. In such cases, and in social cases, if the Dean strongly disagrees with the jury's recommendation, then the Dean may offer alternative resolution(s) to the President. The Dean's recommendation will be presented only after discussion with the jury about the resolution(s), and not longer than one week after receiving the chair's report detailing the trial. Before making a decision, the President will speak with the jury or its liaison. Following their discussion, the President will have one week (while present at the College) to make a final decision on what will be done. The involved parties have a period of five business days from the time of the trial's completion in which to appeal to the President to change the resolution(s). The appeal must be presented orally and in writing, and may be made on either substantive or procedural grounds. Abstracts will be written for all academic trials, social trials, and summer trials, and Student Panel, Student Facilitated Panel, and

Joint Panel hearings. These will be distributed to the community in accordance with current constitutional guidelines.

Section 7.03 Special Concerns

(a) Administrative Concerns

Matters which would tend to overburden the Code (i.e. parking violations) are not handled by Honor Council, but by the appropriate offices of the College. Violent and life-threatening situations which require immediate action are handled by the administration of the College.

(b) Discrimination and Harassment

Cases involving issues related to sex, sexual orientation, gender identity or expression, class, race, color, age, religion, national origin, physical disability or handicap will normally be heard by a Joint Panel. It is the obligation of the College and of Honor Council to see that Honor Council members receive diversity training to aid them in hearing such cases.

All cases of alleged harassment (including those motivated by religion, sexual orientation, or race) brought before Honor Council should also be brought before the Dean of the College. After the Dean of the College and the Co-Chairs of Honor Council have discussed the matter, the case should be brought before an EEOC (Equal Employment Opportunity Commission) Officer. Should the EEOC Officer decide that EEOC grievance procedures need to be instituted, Honor Council and the deans are asked to remove themselves from any judicial capacity in the case. Should the EEOC Officer decide that EEOC grievance procedures would not be appropriate, then the Co-Chairs of Honor Council, the Dean of the College, and the EEOC Officer will decide on an appropriate course of action. Honor Council will serve as the coordinating body for this decision making process. When a student confronts a Staff or Faculty member for such an incident and the case comes forward for adjudication, it is heard by an EEOC Panel.

(c) Confidentiality and Sexual Misconduct

In the event that a party separated for sexual misconduct returns to campus, thus violating the resolutions of their separation, the confronting party may permanently break the separated party's confidentiality without penalty, or ask someone else to do so in order to maintain their own confidentiality.

(d) Violence or Threat of Violence

In the case of violence or threat of violence, where there is a concern for the safety of the community, the Dean of the College may separate a student immediately. After such action, the Co-Chairs of Honor Council, an EEOC officer, and the Dean of the College will meet to review

the case and determine if further action through internal judicial processes is indicated. This may be a Dean's Panel.

(e) Mediation by Deans

In situations where formal adjudication does not appear necessary, the Dean's Office may be asked to mediate conflicts of an unusual nature. These mediations will be separate from the judicial processes. Participation in a mediation does not preclude a later decision to pursue a case through formal judicial avenues.

(f) Timeliness

In the interests of fairness to the confronted party and with respect for the needs of the community, the confronting party/ies must make a decision to take a complaint through judicial avenues in a timely fashion once the complaint is raised. Once a decision has been made to take a case through judicial avenues, this must also proceed in a timely manner.

(g) Extenuating Circumstances

Under extraordinary circumstances that make normal jury selection or standard trial procedures impossible, in the interest of timely resolution to a case and fairness to the parties involved, Honor Council shall make the minimum necessary modifications to move the proceedings forward. Such modifications must preserve the substance of universal trial procedures and uphold the spirit of the Honor Code. Both Honor Council and the involved parties must consent to the modifications in order for them to occur. During College breaks, the greatest practical number of Honor Council members, five at a minimum, must consent to the modifications.

(h) Other Institutions

If a Haverford student is in violation of the honor system of another institution, including those with which Haverford has cooperative agreements (except Bryn Mawr, with whom there is a special agreement), that violation will be adjudicated at that institution. The student should report the case to the Haverford Honor Council, but ordinarily no action will be taken at Haverford.

(i) Special agreement with Bryn Mawr College

1) When Bryn Mawr concludes a hearing of a case involving a student from Haverford with a recommendation for action which requires enforcement by Haverford, the student will have five days to appeal to the President of Bryn Mawr, using Bryn Mawr's appeal procedures. If, after the appeal period, there remain some results which must be enforced by Haverford, that recommendation is forwarded by the appropriate person at Bryn Mawr to the Honor Council Executive Board.

2) At Haverford, an inquiry will be made by Honor Council. It is understood that this should not constitute a second hearing of the case, but all materials from the hearing should be available to the inquiry, which may also call upon anyone involved for further questioning. The inquiry will not affect the resolution of the case in those areas where enforcement is within the authority of Bryn Mawr, but will only decide whether the recommendation for action referred to Haverford will be accepted, modified, or rejected. The student has five days to appeal the results of the inquiry to the President of Haverford, whose decision is final. Honor Council will keep the Deans informed throughout this process.

3) Students should be familiar with both the Haverford and Bryn Mawr Honor Codes, as one is expected to adhere to the Code of the campus one is on. There are several significant differences between the Colleges' Honor Codes of which each student should be aware.

Article VIII. Resignation and Removal of Officers and Council Members

Section 8.01 Vacancies

In the event of the resignation or removal of an officer or co-officer of the Students' Association, the Association will immediately fill the vacancy, which is to be considered the entire office, joint or otherwise, according to the election procedure specified herein, provided that there is sufficient time remaining in the term, as judged by Students' Council, to make such an election practical and necessary. In the interim, the vacancy will be filled by the pro tempore replacements provided for herein. Should a vacancy occur among Students' Council when a representative is elected by his or her class to the Honor Council or is elected by the Students' Association as one of its officers, or resigns or is removed from office, the vacancy will be filled immediately according to the election procedure specified herein provided that there is sufficient time remaining in the term, as judged by Students' Council or the Honor Council (Co-)Chair(s). Should a vacancy occur among the members of the Honor Council, the class whose representation has been reduced, according to the election procedure specified herein, will fill it immediately.

Section 8.02 Removal

Any officer or representative of Students' Council or member of Honor Council (elected officials) will be removed from office for malfeasance or neglect of duty by the following procedure:

Any member of the Students' Association may enact a petition for the removal of an elected official. They must collect signatures of 20% of the students in the elected official's constituency, be that a class (in the case of representatives to Honor Council, the Board of Managers, or the Class Representatives), or the entire student body (in the case of officers).

Students' signatures represent their support of the value of discussion of the elected official's conduct of office, but may not necessarily represent a vote of no confidence. These signatures shall be presented to Students' Council in a timely fashion. If any members of Students' Council are being impeached, then they shall remove themselves from the presentation and discussion of the signatures.

Students' Council shall immediately inform the impeached party and must receive a prompt response. Within twenty-four (24) hours of receiving a response from the impeached party, Students' Council shall announce the impeachment vote to the school through the most rapid and widespread method(s) available.

As soon as the announcement is made, a 48-hour campaign period shall begin, for both the impeached party and the impeaching party. If at all feasible, a well-publicized forum or other open, in-person community meeting should be held by Students' Council or Honor Council (as appropriate with the position of the impeached party). Priority in scheduling the forum shall be given to the impeached party's schedule.

At the end of the 48-hours, polls shall open to the impeached party(ies)'s constituency. The question shall be a vote of confidence or no confidence. If the vote of no confidence meets or exceeds a two-thirds (2/3) majority out of a fifty-percent (50%) or more quorum, the impeached officer shall be removed from power immediately. If the officer held a position with another (un-impeached) person, they shall both be removed from office.

The impeached officer may not run in the subsequent election for their previously held position, but may run in later open elections for the position. If one of the officers removed was not impeached but removed due to holding office with the impeached party, then that officer may run for the vacated position.

If quorum is not reached or if the vote is less than a two-thirds (2/3) majority to "no confidence," the officer remains in office.

Section 8.03 Challenging Elections

In the event that elections of the officers to the Students' Association are suspected to be flawed or procedurally illegitimate, the election can be declared illegitimate and its results voided by a majority vote of a Plenary session of the Students' Association. Students' Council will call a Plenary session for this purpose at its own discretion or on the petition of twenty percent (20%) of the Students' Association. Petitions to challenge elections by Plenary and Students' Council decisions to call Plenary for such a purpose must be executed within ten days following the election. In the event that quorum is not reached, an additional ten (10) days are allowed to repeat the procedure. In the event that Plenary declares an election flawed or procedurally illegitimate, elections of all offices involved must be re- held within seven (7) days of the Plenary decision. No officer whose election is in question will take office until the challenge is resolved.

An election of Students' Association representatives can be declared flawed or procedurally illegitimate and its results voided by a majority vote of at least forty percent (40%) of the members of the class in a general meeting assembled. Such a meeting can be called by a petition of at least twenty percent (20%) of the class submitted to Students' Council within ten (10) days of the election. If the election is declared illegitimate, it must be re-held within seven (7) days of the class' decision.

An election of Honor Council representatives can be of the class whose election is in question, to be conducted in a general meeting of that class. Such declared flawed or procedurally illegitimate and its results voided by a majority vote of at least forty percent (40%) of the members a meeting can be called by a petition of at least twenty percent (20%) of the class submitted to Honor Council within ten (10) days of the election. If the election is declared illegitimate, it must be re-held within seven (7) days of the class's decision.

Article IX. Clearness Committee

Every four years, following the spring Plenary, students will convene a Clearness Committee to evaluate the quality of student life. This committee will be composed of four students, a faculty member, a college administrator, and the Honor Council Librarian.

Section 9.01 Subjects of Evaluation

(a) Evaluation

The Clearness Committee will evaluate the Honor Code and its implementation and the Students' Association and its governance. In this regard the committee will consider the Student

Constitution, the Honor Code, handbook policies, administrative practices, and the allocation of college and student funds.

(b) Consensus

By consensus of its members, the committee may expand or contract the scope of its review.

(c) Queries

Students, clubs, staff, faculty, and administrators, may submit queries for the committee's consideration.

Section 9.02 Criteria of Evaluation

The committee will consider the responsiveness, sustainability, and adherence to the Honor Code of the subjects of evaluation.

(a) Responsiveness

Does the subject respond to student concerns in a productive, timely, and inclusive way?

(b) Sustainability

Is the subject empowered through an effective institutional memory mechanism and provided with the resources necessary to execute its mission?

(c) Adherence to the Honor Code

Are the subject's policies and practices compatible with the spirit of the Honor Code?

Section 9.03 Timeline

Starting in the spring of 2006 and every four years thereafter, the student government appointment process will select four students to serve on the committee. The chair of the Appointments Committee, in consultation with the Provost and the Dean of the College, will select the remaining committee members. The committee will select one (1) of the students to serve as chair.

(a) Census

Before the close of the semester, the committee will conduct a census of the student association to discover the prevailing attitudes of the association.

(b) Interviews

The committee will conduct interviews with student government officers, faculty members, administrators, and other community members as they deem necessary. In these interviews the committee will have access to confidential information necessary to fulfilling their mission. The committee should consider the records of the Honor Council Librarian.

Section 9.04 The Report

(a) December Report

By December, the committee will publish a report with the results of their inquiries. It will be published by consensus of its members. The report may contain recommendations for the following Plenary session of the students' association.

(b) Archival

All reports from Clearness Committees must be archived and available in the College Library.

Article X. Amendments

Section 10.01 Proposal Amendments

Proposal Amendments to this Constitution may be proposed by Students' Council or by action taken at a Plenary session of the Students' Association called for that purpose.

Section 10.02 Ratification

Amendments will be ratified by a two-thirds (2/3) vote of a Plenary session of the Students' Association.

Section 10.03 Availability

This Constitution will be put on permanent reserve at Lutnick Library and otherwise made readily available.

Article XI. Previous Constitution Invalid

With the enactment of this Constitution, all previous Constitutions of the Students' Association will be rendered null and void.

