

# students' rights and responsibilities (cont.)

- B. Only respondents have the right to appeal.
- C. The respondent may appeal in writing to the Dean of the College or of the Conservatory within five days of the receipt of the decision. The letter to the Dean from the respondent must indicate which of the four reasons above is pertinent and give a clear rationale for why the appeal should be granted.
- D. In the event that the relevant academic Dean grants an appeal, the case will be heard by a new panel of Honor Committee members. Members of the original hearing may not be involved with the new hearing.
- E. The academic Dean is urged to communicate the decision to the respondent, complainant, and the SHC within 10 days, together with an explanation of the rationale.
- F. In the event that a request for an appeal is denied by the relevant Dean, an ultimate appeal may be made to the President of the College (or his or her designee) in writing within 10 days of the Dean's decision. The President's decision (or that of his or her designee) is final.

## 8. RECORDS

- A. A record of the case with the violator's name deleted shall be kept on file in the Office of the Dean of Students. A complete record of the case shall be kept in a locked file in the relevant Dean's office, accessible only to the SHC members and the divisional Deans. The Dean of Students may make use of these files only as consistent with the College's policy on student records or other applicable College regulations pertaining to students' privacy. If notation of the penalty is to be retained permanently on the student's permanent record (as provided under section b. below), the record of the case likewise shall be kept permanently. Otherwise this record shall be destroyed seven years after the commission of the offense or upon the graduation of the student involved, whichever comes first.
- B. When the SHC is satisfied that the sanctions have been fulfilled, the notation of probation shall remain on the violator's permanent internal academic record; it shall be noted that the action was taken as a result of a first violation of the Honor Code.
- C. **Precedent log.** The Office of the Dean of Students shall maintain (without name[s] or other identifiable information) a database of charges, Committee decisions, and sanctions applied. The database will be for the use of the Student and Faculty Honor Committee members.

## G. Revisions and Modifications

1. The Honor System Charter may be amended by a two-thirds vote of the Committee, subject to the approval of the student governing body and the General Faculty.
2. The Honor System will be reviewed in every year ending in 0 and 5.

## II. Student Governance and Activities

### A. Eligibility

Any regularly enrolled full-time student is eligible for all recognized extracurricular activities; all others are not.

### B. Student Government (Constitution of the Association)

*Passed by a vote of the student body and by the General Faculty on April 15, 1997. (The Constitution was amended minimally in spring 2006 and approved for publication by the Dean of Students and the President's Offices.)*

#### PREAMBLE

We, the students of Oberlin College, hold that those who are affected by the decisions of a community should be involved in the shaping of those decisions. Therefore, we establish this Constitution to promote student interests, to enhance dialogue and understanding within the student community and the larger Oberlin College community, and to coordinate the direct participation of students in the governance of Oberlin College.

#### ARTICLE I: PURPOSE AND MEMBERSHIP

The purpose of this Constitution is to define the structure and powers of the governance organizations of the students of Oberlin College, whom are hereafter referred to as 'the student body.'

For the purposes of this Constitution, all persons who are enrolled as full- or part-time students in the Conservatory of Music and/or the College of Arts and Sciences are considered to be members of the student body and are eligible to be members of any organization established by, or under the authority of, this Constitution.

#### ARTICLE II: THE STUDENT SENATE

##### *Section 1: The Purpose of the Student Senate*

The Student Senate is the central governance organization for the student body. It is the principal advocate for the interests of the student body as a whole to the Oberlin administration and faculty, and ensures effective student participation in the faculty governance system. The Senate is a central forum for common dialogue within the student community, and for the

development of legislation to actualize common goals. The Senate is responsible for ensuring the coordination, effectiveness, and accountability of all student government organizations.

The Senate also encourages and supports student organizations, initiatives, and activities.

### **Section 2: Student Senate Composition**

The Senate will be composed of 15 senators, elected at-large from the members of the student body, at least one of which will be a Conservatory of Music or Double-Degree student.

### **Section 3: Responsibilities of Student Senate**

The Senate will:

- A. Represent the student body in College governance and pursue the adoption of policies that are beneficial to the student body.
- B. Provide a forum for constructive dialogue and decision making that is inclusive of all students.
- C. Appoint and remove student members of working groups and faculty and administrative committees (see Article II, sections 9-15).
- D. Create and abolish working groups.
- E. Approve charters of student organizations.
- F. Serve as the board of appeal for the Student Finance Committee (see Article II, section 11).
- G. Approve Senate by-laws.
- H. Elect officers (see Article II, sections 6-7).

### **Section 4: Responsibilities of Student Senators**

The responsibilities of senators will be to:

- A. Serve as an officer.
- B. Serve on a Faculty or Administrative Committee.
- C. Serve on the General Faculty.
- D. Serve on the College Faculty, if applicable. Senators from specific committees, as stated in the College Faculty by-laws, serve as members of the College Faculty.
- E. Attend all Senate, faculty and administrative committee meetings, and working group meetings of which the senator is a member in accordance with the Senate attendance policy.
- F. Perform publicity and communication with the student body.
- G. Hold weekly office hours.
- H. Contribute to the legislative work of Senate.
- I. Failure to execute these duties is cause for removal, in accordance with Article II, section 10.

### **Section 5: Elections**

A. Fifteen senators are elected at-large from the members of the student body, with staggered elections during the fall and spring semesters.

B. Candidates are encouraged to seek endorsements from student organizations, residence halls, or co-ops. Such endorsements are printed on the ballot along with the candidate's name, and on published candidate statements. Candidates may be endorsed by more than one organization. Organizations may endorse as many candidates as they see fit, and may use any criteria for making their endorsements. Each organization may determine (by the decision-making process set out in their charter) the procedures for endorsing candidates. The Senate must be informed of those procedures so that it can ensure the validity of endorsements. Organizations and endorsed candidates may place commitments on one another, but a senator, once elected, may not be removed by an endorsing organization.

C. The Senate must hold elections within the first three weeks of the start of classes. The Operations Manager coordinates the nomination period, which will last at least eight days after the announcement calling for nominations. The Operations Manager shall also coordinate the elections, which last for five days or until quorum for the election has been met, whichever is longer.

D. For quorum to be met in a regular fall or spring election, 20 percent of the student body must vote. Quorum for a vacancy-filling election is 10 percent of the student body.

E. At the beginning of each semester, all who are enrolled as full or part-time students in the Conservatory of Music and/or the College of Arts and Sciences and are either current senators or those whose Senate term is expiring shall serve as the Interim Senate (see Article II, section 7).

F. If all Conservatory or Double-Degree students' Senate terms are expiring, the Interim Senate will actively recruit Conservatory students to run for Senate. If at the end of a week of recruitment no Conservatory candidates are found, the Conservatory requirement is void.

G. If all Conservatory or Double-Degree students' Senate terms are expiring, the top Conservatory vote-getter and the top other vote-getters become senators. The requirement for a Conservatory or Double-Degree student does not affect vacancy-filling elections.

# students' rights and responsibilities (cont.)

H. The Student Senate must call an election and open nominations within one week if more than three seats are vacant.

## **Section 6: Officers**

The officers of the Senate shall be elected during the first meeting of the full Senate, with the exception of the Operations Manager.

The officers are as follows:

A. Liaison, who is a Senate spokesperson in communication with the staff, faculty, administration, alumni, and trustees of Oberlin College, as well as the greater community. In specific instances, the Liaison may extend this role to the Associate Liaison. The Liaison coordinates the legislative work of Senate and the Advisory Councils. Any legislation needing further approval or action will be delivered to the appropriate committee or administrator by the Liaison.

B. Associate Liaison, who works closely with the Liaison to coordinate the legislative work of the Senate and Advisory Councils. The Associate Liaison coordinates student involvement and activism with regard to the Senate's legislative work and the Advisory Council. The Associate Liaison coordinates regular full Senate meetings with relevant administrators. If the Liaison is absent from any capacity where the Liaison has ex officio status, the Associate Liaison shall serve as acting Liaison.

C. Recording Secretary, who keeps the agenda and coordinates taking minutes for Senate meetings. The Recording Secretary will distribute copies of all passed legislation to the General Faculty through the General Faculty Council, to the Dean of Students, to the Board of Trustees, and to the Secretary of the College.

D. Operations Manager, who coordinates elections and runs an annual training retreat for the Senate. The Operations Manager coordinates and keeps the Senate focused on its long-range-plans, specifically those adopted at the Senate retreat. Elections for Operations Manager must take place by December 1 for Spring Semester and by May 1 for Fall Semester. The senator elected to Operations Manager must be in the first semester of that person's two-semester term and must not have plans to graduate or take a leave of absence the following semester.

E. Student Affairs Liaison, who coordinates the Senate referendum and Senate office hours, administers the Senate e-mail account, and works to solicit student opinion.

F. Technology Manager, who manages the Senate website, Senate e-mail account, and technology support.

G. Forum Coordinator, who is in charge of the organization and who conducts forums and other Senate-sponsored events and community-building activities.

H. Publicity Coordinator, who is in charge of publicity, including the publication and distribution thereof, regarding Senate events and activities, and who advertises nominations for Senate elections.

I. Outreach Coordinator, who is in charge of the bulletin board, the Senate newsletter, and additional outreach, publicity, and electronic correspondence regarding Senate information. The Outreach Coordinator is in charge of communication with existing campus publications and media. The Outreach Coordinator will publicize all passed legislation to the student body.

J. Membership Coordinator/Treasurer, who serves as the Senate treasurer, manages the Senate office and Senate mailbox, monitors the attendance of senators, and is responsible for Senate payroll and individual senator accountability.

K. Committee Coordinator, who monitors the attendance of student members of Advisory Councils and of student members of faculty, administrative, and ad hoc committees. The Committee Coordinator coordinates appointment interviews and recommends appointments and removal to the Senate. The Committee Coordinator serves as the liaison to student members of committees.

L. Student Finance Chair, who chairs the Student Finance Committee.

M. Organization Liaison, who is the Senate's principal liaison to all student organizations, ensuring that organizations are informed of and have the opportunity to be involved in the work of student government bodies. The Organization Liaison coordinates prompt consideration of organization charters.

N. Governance Chair, who ensures that senators, student committee members, and the college community are informed about campus governance. The Governance Chair shall act as a resource for senators and students on the college governance system. The Governance Chair shall coordinate a project each year during orientation to teach new students about the campus governance system and activism.

O. Process Coordinator, who will publish the Senate by-laws and coordinate by-law revisions. The Process Coordinator will keep the Senate handbook up to date and look into Senate reforms. The Process Coordinator shall act as a resource on Senate's operating procedures.

P. The experience and expertise of the Senate membership as well as Senate priorities vary. Therefore, the Senate may amend the above officer positions, both in number and content, to best suit the individual Senate's needs, at its Retreat or at the first meeting of the full Senate. This may be done by a majority vote. These amendments will be considered as an interim agreement that will last for one semester.

Q. The Senate may amend the above officer duties and titles with a two-thirds vote.

### **Section 7: Interim Senate**

The Interim Senate consists of all who are enrolled as full or part-time students in the Conservatory of Music and/or the College of Arts and Sciences and are either current senators or those whose Senate term is expiring.

A. From the end of one semester until the election of senators the following semester, the Interim Senate shall serve three main functions: conducting appointments, educating the student body about campus governance during orientation, and conducting elections for other senators.

B. The Interim Senate will meet at least once before the end of the semester to elect the interim officers for the following semester, to choose someone to coordinate Senate activities over the summer, and to plan for any student government business that must be dealt with before elections.

C. Each Interim senator may sign up to fill one position on a College, Conservatory, or General Faculty Committee for the following semester. The Committee Coordinator shall organize all other appointments (see Article II, section 9).

D. The Interim Senate shall act as an elections committee in the fall, with the Operations Manager coordinating the election. Senators whose term is expiring and are seeking re-election shall not serve as part of the elections committee.

### **Section 8: Legislation**

A. The Senate will consider adopting legislation on any issue of concern to students or referred to it by working groups, student organizations, or faculty committees.

B. Any legislation needing further approval will be delivered to the appropriate committee or administrator by the Liaison. Due to the Senate's role as the principal legislative body of the student community, committees should promptly consider any referred legislation and distribute it to their members through normal committee procedure.

C. The Senate will publicize all passed legislation to the student body. The Senate will distribute copies

of all passed legislation to the General Faculty through the General Faculty Council, to the Dean of Students, to the Board of Trustees, and to the Secretary of the College.

### **Section 9: Student Appointments**

The Senate has the power to appoint all student members of faculty, administrative and ad hoc committees, and working groups.

A. At the first full Senate meeting, the senators elected that semester will sign up to fill one position on any College, Conservatory, or General Faculty committee on which there are open student seats. All senators are expected to serve on at least one of these committees, and they should choose committees based on their interest, experience, and time commitment. Only senators who are Conservatory or Double-Degree students will take seats on Conservatory Faculty committees, and only senators who are Arts and Sciences or Double-Degree students will take seats on College Faculty committees. In the event that more senators sign up for a committee than the number of seats that are available, the Senate will hold an election to fill those seats.

B. Each senator will hold a seat on the General Faculty. If a senator is unable to serve on the General Faculty due to an academic conflict, the Senate shall appoint a replacement from the student body.

C. Upon Senate request, student members of faculty or administrative committees are members of relevant working groups, unless the Senate determines that it is not necessary for the student members of a committee to participate.

D. The Committee Coordinator shall advertise all open seats to the student body and coordinate the interview process following the senators' seat selection. Committee seats that remain open after the semester's appointments process is completed may be filled by senators. If more senators wish to become members of a committee than there are seats available, the appointments will be decided by a vote of the Senate.

E. Before the end of the spring semester, the Senate will appoint students to the SFC, Judicial Board, Community Board, Honor Committee, Forum Board, and Student Union Board. Seats should be reserved on all other regular faculty, administrative, or ad hoc committee until after the fall election. [Note: Sections 11-14 below outline exceptions to the appointment process described in this section.]

F. At least two senators must be present at an interview to recommend an appointment.

## students' rights and responsibilities (cont.)

**G.** Any committee may designate up to two of its members as non-voting representatives to participate in interviews for student seats on that committee. More representatives may be allowed at the discretion of the Senate.

### **Section 10: Removal of Student Appointee**

The Senate has the power to remove any student member of a faculty or administrative committee, the Senate, or working groups.

The Committee Coordinator will record attendance of student members of committees. The Membership Coordinator will record attendance of senators and members of Advisory Councils.

**A.** The Membership Coordinator may recommend removal of senators from the Senate, a committee, or a working group for poor attendance, but not for ideological reasons. The Committee Coordinator may recommend removal of student members from a committee or working group for poor attendance, but not for ideological reasons. If a student assigned to a working group fails to attend, that student may be removed from his or her faculty and administrative committee seats.

**B.** The Membership Coordinator may recommend that a senator be removed for not participating in publicity campaigns, and for not holding weekly office hours.

**C.** A removal is enacted by a two-thirds vote of the Senate. [Note: Sections 11-14 below outline exceptions to the removal process described in this section.]

### **Section 11: Student Finance Committee**

The members of the Student Finance Committee (SFC) are appointed by the Senate to allocate the Activity Fee. Members are chosen from the student body at large, with the exception of a chair, who will be the Student Finance Chair of the Senate.

**A.** Five of the seven members of the SFC will be appointed in the spring prior to their year of service. The Senate will elect the Student Finance Chair, and will appoint a first-year student in the fall.

**B.** An organization may appeal its SFC budget allocation to the Senate after completion of the SFC's regular budgeting process. An organization must decide to initiate an appeal using the decision-making process set out in its charter. The Senate should agree to hear an appeal only if the organization can demonstrate that the SFC has used its power unfairly or in an arbitrary manner.

**C.** Members of the SFC are invited to attend the Senate meeting when an appeal is heard.

**D.** If the Senate finds that an appeal is legitimate, it may recommend to the SFC that it make an alternative budget allocation. If the SFC rejects the recommendations, the organization may appeal to the Senate once more. In the case of a second appeal, the decision of the Senate is final.

**E.** Senators may not vote on appeals from an organization that has given them a ballot endorsement. Neither the Student Finance Chair nor the Organization Liaison may vote on any SFC appeal.

**F.** No senator who is a member of the SFC may vote on an SFC budget or ad hoc request from an organization that has given them a ballot endorsement, nor may they chair an SFC discussion of the request.

**G.** The Student Senate may not appeal its own budget.

**H.** The Student Senate may not remove members of the SFC as it can other committees.

### **Section 12: Forum Board**

The Student Senate will appoint all members of the Forum Board.

**A.** Five members of the Forum Board will be selected from the student body in the spring prior to their year of service. A membership term lasts for one academic year.

**B.** The Student Senate may not remove members of the Forum Board as it can other committees.

**C.** The Senate shall not hear budget appeals from the Forum Board.

### **Section 13: Judicial/Community Board Appointments**

The members of the Judicial Board and the student members of Community Board will be appointed in the spring by the Student Senate, in accordance with Student Rights and Responsibilities, Section IV, E, sections 2 and 3 of the Student Regulations, Policies, and Procedures.

**A.** The Student Senate may not remove members of the Judicial or Community Boards, as it can the members of other committees.

### **Section 14: Honor Committee Appointments**

The members of the Honor Committee will be appointed in the spring by the Student Senate, in accordance with Student Rights and Responsibilities Section II, E, section 4. a.-g. of the Student Regulations, Policies, and Procedures.

**A.** The Student Senate may not remove members of the Honor Committee as it can other committees.

**Section 15: Student Union Board Appointments**

The members of the Student Union Board will be appointed in the spring by the Student Senate, in accordance with the Student Union Board constitution.

**Section 16: Plenary Sessions**

The Senate will meet in plenary sessions no more than two weeks apart.

- A. The Internal Secretary will take items for the agenda of each meeting. Any senator may add an item to the agenda.
- B. The facilitation of Senate meetings will rotate between all Senate members on a volunteer basis.
- C. Senate meetings will follow the principles of the Feminist Process, promoting inclusive conversation and striving toward consensus.

**Section 17: Quorum**

The quorum for voting in the full Senate is 10 senators, if called by a senator.

**Section 18: Accessibility of Proceedings**

The Senate's proceedings must be accessible and well publicized to the student body.

- A. All Senate meetings must be open to any member of the student body.
- B. Senators must hold regular open office hours.
- C. The Senate must publicize its agenda and minutes, and provide for student input.
- D. The Senate must publicize attendance and vote charts.
- E. The Senate must publish a newsletter at least once per month. The newsletter may be distributed in any form that will widely reach the student body, including paper or electronic mailings, etc.
- F. The Senate must publicize any open seats on faculty and administrative committees.

**Section 19: Compensation for Senators**

Compensation for senators will be through an hourly wage, set at the minimum wage on the student employment pay scale.

- A. To receive compensation, senators are expected to perform their duties as listed in Article II, section 4. Senators cease to receive wages upon removal from the Senate.
- B. Senators will be paid directly from the student activity fee budget. The Senate must apply to the Student Finance Committee for any additional funding.
- C. The wage provision must be reaffirmed bi-annually (every other year) by a student referendum. A minimum of 50 percent of students must vote, and a majority must approve.

**ARTICLE III: WORKING GROUPS****Section 1: Purpose**

Working groups are the principal forum for students to formulate recommendations and proposals to the administration, Senate, and faculty and administrative committees on a particular set of issues. A working group may consist of senators, student members of faculty and administrative committees, and other students and non-voting faculty and administrators appointed by the Senate. Working groups may, as appropriate, involve the community in their work by holding public meetings and consulting with faculty members, students, and staff with expertise or interest in an issue area.

**Section 2: Creation**

Working groups are created by the Student Senate to work on legislative activities. They are established by a majority vote of the Senate.

The Senate determines which senators, faculty committee student members, individual students, and administrators serve on a particular working group.

**Section 3: Membership**

The makeup of working groups must include a minimum of one senator. If that senator is the entire makeup of the group, the senator should be open to consultation and seek input collaboratively.

The Senate may appoint student members of faculty or administrative committees as members of a working group.

The Senate may appoint faculty or staff members to sit on working groups as ex officio, non-voting members.

Working groups may invite other students, staff, and faculty members to attend meetings as guests.

**ARTICLE IV: REFERENDA AND CONSTITUTIONAL CHANGE****Section 1: How to Call for a Referendum**

A referendum can be called by a majority vote of the Senate or by a petition with 100 student signatures presented to the Senate. Petitioners should have a topic on the petition that is a singular phrase or clause and in line with the preamble to this constitution.

**Section 2: Results**

The Senate and its working groups are compelled to consider the results of any referendum.

**Section 3: Constitutional Change**

Amendments that significantly change the structure or intent of this Constitution must pass a student referendum. A minimum of 50 percent of students must vote, and a majority must approve the amendment.

# students' rights and responsibilities (cont.)

## **Section 4: Senator Removal Via a Referendum**

A senator may be removed by a student referendum. For the referendum to pass, 20 percent of students must vote and two-thirds of those voting must approve the referendum.

## **ARTICLE V: STUDENT ORGANIZATIONS AND ASSOCIATION**

### **Section 1: Organizing Groups**

Any group of students is free to organize for any purpose in accordance with the regulations of Oberlin College.

### **Section 2: Advisors**

Advisors to student organizations will be chosen or approved by the organizations concerned.

### **Section 3: Publications**

A. Students may publish newspapers, journals, magazines, or other publications as they wish.

B. The Senate or College authorities may not exercise censorship over the content of these publications.

### **Section 4: Amendments to Student Organization Charter**

The charter of a student organization may be amended by the respective organization, subject to approval by the Senate.

## **ARTICLE VI. POWERS**

Nothing in this Constitution prevents the General Faculty, the President of the College, or the Board of Trustees from acting with the powers accorded to them by the by-laws of Oberlin College. This Constitution supersedes and overrides any previous Constitutions, charters, and regulations.

## **III. Student Bill of Rights**

### **A. Philosophy**

It is understood that Oberlin students are adults. Therefore, Oberlin College does not act in *loco parentis*. The College provides students with the freedom and encouragement to make decisions and requires them to assume responsibility for and accept the consequences of their behavior. With self-governance comes an obligation to participate in a system of regulations conducive to teaching and learning, which protects the rights, safety, and property of others, and which ensures the orderly functioning of the College. It is our aim to construct and implement these regulations in an educational, developmental, and community-based framework.

## **B. Preamble**

Oberlin College exists as an educational community in which free inquiry and free expression are indispensable. Any assertion of rights and freedoms implies a willingness to assume responsibilities. The College community, in moving to protect individual liberty, expects the following from each of its members: recognition of the primarily academic purposes of the institution, concern for the rights and freedoms of others, and commitment to the rule of reason in settling disputes. The purpose of the delineation of rights, freedoms, and responsibilities that follows is to foster learning and the free exchange of ideas within a cooperative academic community.

## **C. Freedom of Access to Opportunities and Resources**

### **1. FINANCIAL AID**

The College provides financial aid through scholarships, grants-in-aid, work opportunities, and loans in order to attempt to meet the total financial needs of its students.

### **2. LEAVES OF ABSENCE**

Any student in good standing has the right to be granted a leave of absence from the College based on policies that are published and available.

### **3. COLLEGE SERVICES, FUNCTIONS, AND FACILITIES**

Students who are enrolled have the right to attend functions and to use all facilities and services.

## **D. Freedom of Expression and Scholarship**

### **1. PROTECTION OF INDIVIDUAL RIGHTS**

Learning and scholarship are at once individual and collective activities. We as a community encourage and protect free inquiry and the open exchange of facts, ideas, and opinions. Students are free to take exception to views offered in courses of study and to reserve judgment about debatable issues.

### **2. RESPECT FOR THE COMMUNITY OF SCHOLARS**

The collaborative nature of scholarship demands that individuals recognize and acknowledge the authorship and priority of ideas and information used in their own work. In addition, individuals should be tolerant of differences in opinion, respect the convictions of others, and protect the rights of all to pursue diverse lines of inquiry. Finally, students should respect the rights of others to the privacy and solitude they require for study.

### **3. ACADEMIC EVALUATION**

Students are responsible for understanding the policies and grading procedures of classes in which they are enrolled. Students who believe that they have been