

Student judicial board code

Approved at the March 10, 1997 faculty meeting

Amended by the senate and CAC and approved at the September 23, 1997 faculty meeting

Amended by the senate and approved by the CAC and passed by the faculty, March 4, 1998

Amendments proposed by the 2002 Judicial Documents Review Committee, approved by the CAC and the Senate in spring 2005, and approved by the faculty, September 26, 2005

Preamble.

Preamble. The Judicial Board shall hear cases concerning alleged violations by members of the student body of the Honor Principle, community rules or college policies, rules, regulations, or contracts. The Judicial Board shall hear cases brought by current or former members of the Reed Community against any individual who has allegedly committed a violation while a member of the student body. The final authority in judicial matters is vested in the President of Reed College.

Students, faculty and staff are asked to participate in the judicial system.

For the purposes of the Judicial Board Code, the Reed College Community shall be defined as consisting of all currently employed faculty, administration and staff members, and student body members who are either currently enrolled, registered, on leave, or have made arrangements with the Business Office to pay tuition and fees.

Section 1. Composition and Selection Procedure for the Judicial Board

A. The Judicial Board shall consist of six members of the student body.

B. The Student Senate shall choose members of the Judicial Board after it has interviewed those applying. Current members of the Judicial Board who are not themselves applicants under consideration shall assist the Senate in making these appointments. To be eligible for service on the Judicial Board, students must have been enrolled at Reed College for one or more years and must never have been found responsible for a violation under this Judicial Board process.

C. Nine appointments to the Judicial Board shall be made at the end of each year; terms begin the semester following the appointment, and run the length of one academic year.

D. "Hearing" is the Judicial Board process for individuals to give testimony to the Judicial Board; "deliberations" is the process by which the Judicial Board discusses among itself its fact finding, recommendations, and proposed sanctions. The Chair of the Judicial Board shall assign one member of the Judicial Board to each case on a rotating basis as a "procedural aide" to provide information about procedure to respondents, complainants, and witnesses, and to keep respondents and complainants informed of the status of the case. His/her function shall be to inform complainants, respondents, and witnesses about the hearing process and the Judicial Board Code. The procedural aide shall attend

but not participate in the hearing, shall not attend the deliberations, and shall not vote. If the procedural aide is removed or removes him- or herself from the case, the Chair of the Judicial Board shall replace him or her (see paragraphs H. and I.).

E. The Chair of the Judicial Board shall be chosen by the outgoing Judicial Board from among the appointed members at the end of each year, with the newly appointed Chair's term beginning immediately for the following year. The Chair shall be an ex-officio member of the Student Senate.

F. Should any member of the Judicial Board resign, be found responsible for a violation of the Honor Principle, community rules or college policies, rules, regulations, or contracts, or be removed under paragraph G, the Student Senate shall schedule an appointments process and fill the vacated seat as quickly as possible. If the need to fill a vacancy arises, the Judicial Board Chair may appoint a temporary member until such time as the Student Senate appoints a regular member. If the Chair of the Judicial Board resigns from the Judicial Board or resigns as Chair but remains on the Board, the Judicial Board shall choose another Chair from its ranks.

G. After consultation with its Advisors, the Judicial Board may remove any member for negligence of duty by a simple majority vote. The vacated position shall be filled in accordance with paragraph F.

H. Should the Chair of the Judicial Board wish to be disqualified for a particular case, the Chair shall inform the Judicial Board, which shall appoint a Chair from its ranks for that case. Should one of the other members of the Judicial Board wish to be disqualified for a particular case, that member shall inform the Chair of the Judicial Board and a replacement will be chosen. If no replacement is available, the Judicial Board Chair shall appoint a temporary member to hear that case.

I. Should any current member of the Judicial Board be a participant in a Judicial Board proceeding as a witness, complainant, or respondent, or be successfully challenged for bias by a complainant or respondent according to Section 4.F.(i), that member shall step down from the Judicial Board for that case, and a replacement shall be chosen (if none is available, see paragraph H.)

J. The Judicial Board shall interview applicants from the student body and forward to the Student Senate a nomination for the position of Secretary. The Secretary shall keep minutes of the Judicial Board hearings. The Secretary shall not be present at Judicial Board deliberations (see Section 4.M.).

K. The Chair of the Judicial Board shall be responsible for the maintenance of complete files, including all minutes, correspondence to and from the Board, and all recommendations of the Board. The Chair of the Judicial Board shall forward the original file to the Dean of Students immediately upon the resolution of each case.

L. During periods in which the College is not officially in session or the Judicial Board is unable to convene, the President of the College shall appoint a temporary hearing board in order to hear a case not involving academic misconduct. Such board shall be composed of four members of the Appeals Board including the Chair, who shall serve as Chair of the temporary hearing

board.

(i). If the regularly appointed Chair or member(s) of the Appeals Board is not available, or has been successfully challenged for bias by a complainant or respondent according to Section 4.D.(i)., then the President of the College shall appoint another person(s) to serve as Chair or member(s) of the temporary hearing board.

(ii). At least one student shall be appointed to the temporary hearing board.

(iii). The temporary hearing board shall follow the procedures of the Judicial Board as set forth in Section 4; however, the Chair of the Appeals Board shall also perform the duties of the procedural aide.

(iv). Should the board's decision in a case be appealed, the Judicial Board shall hear the appeal in accordance with the procedures of the Appeals Board as set forth in Section 6. No member of the temporary hearing board shall serve on a subsequent board to hear appeals for the case in question.

M. If a case of academic misconduct must be heard while the College is not officially in session, the case shall be heard by the faculty members of the Administration Committee. The Administration Committee shall follow the procedures of the Judicial Board as set forth in Section 4, with the following exception: an administrative member of the Administration Committee shall also perform the duties of the procedural aide.

N. The Judicial Board shall have a Staff Advisor and a Faculty Advisor. These Advisors will not be participants in any part of the judicial process, but will be informal educational representatives of the College. The Advisors will be responsible for working with the Judicial Board Chair to arrange training during the first weeks of each semester, consulting with the college legal counsel on behalf of the Judicial Board, and advising the Judicial Board on procedural and substantive questions that arise during the year.

i) In choosing the Staff Advisor, the Dean of Student Services, in consultation with the Judicial Board Chair, shall propose his/her selection to the Student Body President, who shall, after consulting with the Judicial Board Chair, present the selection to the Student Senate for approval by vote.

(ii). In choosing the Faculty Advisor, the Dean of the Faculty, in consultation with the Judicial Board Chair, shall propose his/her selection to the Student Body President, who shall, after consulting with the Judicial Board Chair, present the selection to the Student Senate for approval by vote.

Section 2. Duties and Responsibilities of the Judicial Board

A. Unless it concludes that a case is not within its proper purview as stated in Section 3, the Judicial Board shall have the responsibility to hear, investigate and determine the facts about every complaint brought before it and to recommend action appropriate to the circumstances of the case.

B. All members of the Judicial Board should meet for training at least once during the first two weeks of each semester with both the Staff Advisor and the Faculty Advisor.

(i). The Judicial Board Chair may consult with the Advisors both before proceeding with any case and before making its recommendation.

(ii). In addition to the annual training meetings, the entire Judicial Board should

meet with the Advisors at least once a semester.

C. The Judicial Board may hold regular, weekly closed meetings.

D. The Judicial Board should publish an article in the Quest at the beginning of each semester stating the purpose of the Judicial Board and the processes involved in bringing a case. The article shall include the names of and contact information for the Judicial Board. Any member of the Reed Community may discuss the judicial system and procedures with a member of the Judicial Board at a mutually convenient time.

E. After consultation with its Advisors, the Judicial Board Chair may update or revise procedural documents and those documents that convey to the parties involved their rights and obligations.

Section 3. Reporting Violations to the Judicial Board

A. Any current or former student(s), faculty member(s), or staff member(s) of Reed College may bring a complaint on behalf of him or herself or the community to the Judicial Board for an apparent student violation of the Honor Principle, community rules or College policies, rules, regulations or contracts. Both the complainant and the respondent must have been members of the Reed Community at the time when the alleged violation occurred.

B. The Dean of Student Services, or in case of his or her absence, the President of the College may, in case of emergency, take immediate action against a student for an alleged violation as specified in paragraph A, but must forward a complaint to the Judicial Board within six working days, counting only days while the college is in session, or be required to withdraw such action. In such cases, the action of the Dean or President shall remain in force until the conclusion of the judicial process.

C. Complaints must be submitted in writing to the Chair of the Judicial Board, who shall file a copy of the complaint with the Dean of Student Services before the case is heard.

D. The written complaint must state: (1) the grounds on which the complainant(s) believes that a violation has occurred under paragraph A; (2) a list of the names of the persons believed to have committed a violation as specified in paragraph A, if such violators are known to the complainant(s); (3) a brief description of the actions that the complainant(s) believes do constitute a violation as specified in paragraph A; (4) a list of witnesses with a statement indicating the expected relevance of their testimony; (5) a statement of why non-judicial resolution or mediation was unsuccessful or did not occur.

E. The Judicial Board reserves the right to recommend mediation to the parties of a case as specified in Article IV sec. 1 of the Community Constitution. If formal mediation is refused or fails, the Judicial Board shall take up the case.

F. The Judicial Board reserves the right to proceed with cases also being adjudicated elsewhere. However, if the Judicial Board determines a case is best, or has been, resolved through other means, e.g. administrative, faculty, or the Judicial Court System of the State of Oregon, the Judicial Board may defer the case pending the results of outside resolution. The Judicial Board shall then determine whether it is necessary to proceed with the case.

G. The Chair of the Judicial Board shall report each written complaint to all

members of the Board within one week. The complaint, any response, all submitted testimony, and all deliberations and recommendations of the Student Judicial Board shall be held confidential by all participants, except as provided for in Section 8 below.

H. When parties accuse each other of unrelated violations, generally the charges shall be addressed in separate hearings. If the violations are related, the Judicial Board may join the cases.

Section 4. Judicial Board Procedure

A. Upon receipt of the complaint the Judicial Board shall meet to discuss the specific procedures for handling the case.

B. The Judicial Board shall be responsible for reserving rooms for the hearing. The Judicial Board should reserve sufficient rooms for the time of the hearing, in an attempt to provide separate rooms for the complainant(s), respondent(s), and witnesses, as well as a hearing room. Furthermore, the Judicial Board should attempt to limit contact between parties and witnesses outside of the hearing room while the hearing is taking place.

C. The Judicial Board Chair should announce the meetings and hearings of the Judicial Board to the Judicial Board members at least two days before such meetings or hearings. The procedural aide should provide each person requested to appear before the board with such a request at least two days before s/he is scheduled to appear.

D. The procedural aide should inform the respondent of the grounds on which s/he has allegedly committed a violation as specified in Section 3.A. by providing the respondent with a copy of the written complaint submitted to the Judicial Board at least four days before the hearing.

E. For each case:

(i). Five members of the Judicial Board shall hear each case, with one additional member of the Judicial Board serving as the procedural aide.

(ii). The Judicial Board reserves the right to set reasonable limits on the length of hearings, testimony, and opening and closing statements.

(iii). The Judicial Board, not individual parties, is responsible for calling witnesses to a hearing.

(iv). The Judicial Board reserves the right to decline to accept the testimony of any witness who lacks direct knowledge of the alleged violation or who is redundant of another witness.

(v). The Judicial Board shall inform all parties of their rights and responsibilities as listed in 4.F.

F. The procedural aide shall make an effort to inform the complainant(s) and the respondent(s) of the following at least four days before the hearing:

(i). That s/he may request the removal of a member of the Judicial Board for a particular case on the grounds of personal bias by submitting a written statement to the Chair of the Board setting forth the basis for the challenge of bias no later than three days prior to the hearing. The Judicial Board shall determine whether to sustain or deny the challenge. This determination cannot be appealed prior to the Judicial Board hearing the case.

(ii). That s/he has the right to appear before the Judicial Board and to be present

for all testimony.

(iii). All hearings shall be closed to the community.

(iv). That s/he may choose one other member of the community to be present as a “second” during the entire hearing. Although the parties may speak privately to their second(s), the second(s) may not address any other party in the case during any part of the hearing. Legal counsel shall not be allowed to participate or be present in any fashion in the hearing.

(v). That s/he may have copies of the Judicial Board Code made available to her/him prior to the hearing.

(vi). That, except as precluded by applicable law, s/he has the right to inspect all records and documentary material of the proceeding, including the Judicial Board’s determinations of fact and recommendations.

(vii). That s/he has the right to present testimony and to request the Judicial Board’s consideration of testimony by witnesses; and, that the Judicial Board may request the written testimony or responses to questions from complainants, respondents, or witnesses prior to or during the hearing. Additionally, that s/he has the right to present written and signed testimony in lieu of oral testimony before the Judicial Board if it is submitted to the Judicial Board Chair before the inception of the hearing. However, any party failing to appear at a Judicial Board hearing waives his/her right to submit questions to the Judicial Board for the cross-examination of other witnesses and to a closing statement.

(viii). That s/he has the right to be informed of the status of the case, to receive four-day notice of all hearings from the procedural aide, and to receive written notice of the status of the Judicial Board’s determinations of fact and recommendations within seven working days of the hearing.

(ix). That s/he must consent to the disclosure of oral and written testimony, other documents, the Judicial Board’s findings and recommendations, and the decision of the President (or of his or her designee) to the parties.

(x). That s/he should otherwise keep confidential any oral and written testimony or other documents presented to the Judicial Board, or any statements made during the hearing.

(xi). That s/he should not discuss the complaint with community members other than his or her “second” except as is necessary to the development of his/her testimony or the identification of appropriate witnesses.

(xii). That there is no requirement in the Honor Principle or any Community Rule to answer any question put by a Judicial Board member during a hearing.

(xiii). That s/he has the right to appeal in accordance with Section 7.

G. In cases brought by or against students who are on leave or have withdrawn, the Judicial Board shall, on a case-by-case basis, impose a reasonable time frame in which the respondent must respond to the complaint provided by the procedural aide as required in paragraph C.

(i). Failure to contact the Judicial Board within the prescribed period of time shall be understood as a waiver of the right to be present for the entire hearing. However, the procedural aide should make an effort to keep the absent party informed of the case’s proceedings.

(ii). An individual who has waived his/her right to attend, or chosen not to attend

a hearing may still submit written testimony in lieu of oral testimony, if it is submitted in accordance with the Judicial Board's prescribed time frame. However, s/he waives his/her right to submit questions to the Judicial Board for the cross-examination of other witnesses and to a closing statement.

H. Should a participant in a case entirely fail to contact the Judicial Board within the prescribed period of time, the Board will proceed with the case in the absence of his/her testimony.

I. The procedural aide for the case shall inform any person appearing as a witness before the Judicial Board of the following before the hearing:

(i). That there is no requirement in the Honor Principle or any community rule to answer any question put by a Judicial Board member during a hearing.

(ii). That s/he has the right to present written and signed testimony in lieu of oral testimony before the Judicial Board.

(iii). That all hearings are closed to the community, except that the complainant, the respondent(s), and their seconds may be present at all testimony.

(iv). That s/he is honor bound to contact the Judicial Board prior to the hearing if s/he is unwilling to appear as a witness.

(v). That s/he should keep confidential the complaint and any oral and written testimony, other documents presented to the Judicial Board, or statements made during any part of the hearing at which he or she is present.

J. Before taking the testimony of an individual involved in the case, the Judicial Board shall require him or her to sign a statement that affirms that his/her testimony shall be truthful to the best of his/her knowledge. Failure to abide by said statement can result in further measures being taken by the Judicial Board, the Dean of Students, and/or the Office of the President.

K. Before the commencement of the hearing, the Judicial Board shall require every complainant and respondent, and every individual whose testimony is submitted for a case, to sign a statement that consents to disclosure of the testimony and related documents to the parties, and that requires him or her to refrain from oral or written public statements about said case. If confidentiality subsequently appears to have been broken, the Judicial Board reserves the right to invite the testimony of the alleged violator of confidentiality and of any witnesses to the alleged violation, and in general to investigate and determine the facts, and recommend a penalty subject to the process provided in Section 5.B.

L. The Judicial Board may request testimony from any member of the community with expertise bearing on, or knowledge of, the case. The complainant(s) and/or the respondent(s) may also submit a request to the Judicial Board not later than two days previous to the hearing to have a witness from outside the community testify. The Board shall evaluate the request for such a witness and decide whether or not the witness shall appear.

M. At the conclusion of a case, the five members of the Judicial Board hearing the case shall deliberate in closed meeting to arrive at the Judicial Board's determinations of fact and recommendations.

N. In deciding if a violation has occurred, four of the five voting members of the Judicial Board need only determine that the Judicial Board has evidence that has

more convincing force than that opposed to it in order to come to a decision.

O. If the proposed sanctions of the Judicial Board require the involvement of Reed community members or offices, the Chair of the Judicial Board shall consult with them prior to the finalization of the Board's recommendations. Caution shall be taken to avoid unnecessary communication of confidential information.

Section 5. Determinations of Fact and Recommendations of the Judicial Board

A. If the Judicial Board finds a respondent to have committed a violation as specified in Section 3.A., it may recommend sanctions the nature and severity of which shall be appropriate to the violation, its circumstances, and the history of offenses by the respondent. Recommended sanctions may include probation, suspension, or expulsion.

(i). Recommendations shall take into account any pertinent information in the records held by the Dean of Student Services regarding the disposition of those formal complaints and/or mediated disputes that have resulted in a finding of or acknowledgment of a violation. For the purpose of viewing records, the members of the Judicial Board, the Administration Committee of the Faculty, any temporary board or the Appeals Board shall be considered officers of Reed College.

(ii). In cases involving allegations of academic misconduct, the Judicial Board may consult with the faculty member(s) in the case about the faculty member's academic penalty and the Judicial Board's recommended sanction. However, the faculty member(s) directly involved in the case makes the ultimate decision concerning the grade for the assignment and/or course for the student.

(iii). If it finds a respondent to have committed a violation, the Judicial Board shall append to its statement of recommended sanctions a recommendation as to whether the violation is serious enough to warrant release of pertinent information to another institution upon request.

B. All findings of fact and recommendations of the Judicial Board must be ratified by at least four of the five Judicial Board members hearing the case. The findings and recommendations, together with the case file, shall be forwarded to the President or his or her designee for a decision.

(i). The Judicial Board shall inform the Dean of Student Services of its determinations of fact and recommended sanctions.

(ii). Prior to finalizing the Judicial Board's recommended sanctions, the board shall forward for comment a draft of the recommendations to the President of the College or his/her designee.

(iii). The President or his/her designee shall communicate the decision about violations and sanctions to the parties and the Judicial Board.

C. Should the implementation of sanctions involve the aid of Reed community members not party to the case, the Judicial Board, Dean of Student Services, and/or the President of the College shall use its/his/her best judgment in communicating relevant information about the case. Caution should be taken to avoid unnecessary communication of confidential information. Any individual informed of a decision of the Judicial Board is required to maintain strict confidentiality regarding the case.

D. All sanctions remain in effect during the appeal process unless the President of the College waives them. The respondent may submit a written petition to the President for such a waiver; however he/she must do so within five working days of filing the appeal.

Section 6. Composition and Selection Procedure for the Appeals Board

A. The Appeals Board shall consist of three students (including the President of the Student Body and a Student Senator who is not a member of the Judicial Board), two members of the faculty (including a member of the Honor Council), and the Chair of the Community Affairs Committee as an ex-officio, non-voting member.

B. The Chair of the Community Affairs Committee shall chair the Appeals Board. If the Chair is a party or witness to the case brought to the Appeals Board, resigns, or is disqualified for any reason, the President of the College shall select a temporary Chair for the case from the ranks of the Appeals Board. For the replacement procedure see paragraph D.

C. During periods in which the College is not officially in session, the Appeals Board shall be composed of three members of the Board and the Chair of the Board in order to hear an appeal. If the regularly appointed Chair or member(s) of the Appeals Board is not available during the period when the College is not officially in session, then the President of the College shall appoint another community member(s) to serve as Chair or member(s) of the Appeals Board for the duration of the appeal.

D. Appointed members of the Appeals Board shall be appointed for a term of one year. The Student Senate shall appoint the student body members, and the President of the College, in consultation with the Committee on Academic Policy and Planning, shall appoint the faculty members to the Appeals Board, as set forth in the Faculty Bylaws. The same procedures are followed should an appointed Appeals Board member need to be replaced.

E. Should any appointed member of the Appeals Board resign or recuse him or herself in a particular case, he or she shall be replaced in accordance with paragraph D.

F. Should any member of the Appeals Board be a party to the case brought to the Appeals Board, he or she shall be disqualified, and a temporary replacement shall be appointed as in paragraph D. to serve for the duration of the appeal.

G. Should any member of the Appeals Board wish to be disqualified for a particular case, that member shall inform the Chair of the Appeals Board, and a temporary replacement shall be appointed as in paragraph D. to serve for the duration of the appeal. The complainant or respondent may also request the removal of a member of the Appeals Board on the grounds of personal bias by submitting a written statement to the Appeals Board setting forth the basis for the challenge of actual bias no later than two days prior to the meeting of the Appeals Board. The Appeals Board shall determine whether to sustain or deny the challenge. This determination cannot be appealed. If the request is sustained, a replacement shall be appointed to serve temporarily on the Appeals Board as in paragraph D.

H. Should any student member of the Appeals Board have been found

responsible for a violation, that member shall be removed from the Appeals Board and be ineligible to serve again.

I. When the College is in session, the Secretary of the Judicial Board shall act as Secretary of the Appeals Board. When the College is not in session, the Chair of the Appeals Board shall select a Secretary. The Secretary shall keep minutes of the Appeals Board hearings. The Secretary shall not be present during deliberations.

Section 7. Appeals

A. Ordinarily, the appeals process is not a rehearing of the case. The basis for an appeal shall be limited to the following grounds:

- (i) The sanctions are believed to be excessively lenient or severe.
- (ii) There was a procedural error that significantly affected the outcome of the Judicial Board hearing.
- (iii) New or newly discovered evidence is of a character that it could have significantly affected the outcome of the Judicial Board hearing or the decision of the President or of his or her designee.

B. Jurisdiction

(i). In cases not involving academic misconduct, a respondent or complainant has the right to appeal the decision of the President or of his or her designee. Such appeals shall be made in writing to the Chair of the Community Affairs Committee who shall contact the members of the Appeals Board within five working days of receiving the appeal in order to schedule a meeting time, generally within no more than a further five working days.

(ii). In cases involving academic misconduct, the respondent or the complainant has the right to appeal the decision of the President of the College to the Administration Committee of the Faculty in accordance with the Faculty Code and the Reed College Community Constitution.

(iii). Should a decision be appealed, the Appeals Board (or, if the appellant(s) desire an out-of-session appeal, a duly-appointed Appeals Board) [See section 6.A. & C.] shall hear the appeal in accordance with the procedures of the Appeals Board as set forth in Sections 6 and 7. No member of the temporary hearing board shall serve on a subsequent board to hear appeals for the case in question.

(iv). When the Administration Committee has primary jurisdiction in a case involving academic misconduct as in Section 1.M., the appeal of its decisions shall be brought before the four member 'out-of-session' Appeals Board as described in Section 6.C.

(v). An appeal must be made in writing within ten working days of the notification of the decision of the Administration Committee or the President or his or her designee, unless good cause is shown for filing the appeal later, and shall contain a statement of the grounds of appeal. The President of the College will decide whether or not a late appeal will be heard.

(vi). One final appeal may be made to the President of the College no later than ten working days after the decision on a previous appeal made to another body.

C. The complete case file shall be forwarded to the appropriate appellate body, or the President of the College at the time of the appeal.

D. The appropriate appellate body or the President of the College shall decide within one week of notice of an appeal whether to entertain it.

E. The Administration Committee or the Appeals Board shall work from the case file, and may hear testimony as it deems fit, or call for new evidence and testimony. If the appeal is based on a claim of procedural error, the Appeals Board may consult the procedural aide for that case.

(i) If the Appeals Board or the Administration Committee chooses to base its decision solely on the documentary record, it shall conduct its deliberations in closed meeting.

(ii) If evidence and testimony is reheard or new evidence is heard, the appellate board shall follow the procedure of the Judicial Board as described in Section 4, except that if the appeal is heard by the Appeals Board, the Chair of the Appeals Board shall also perform the duties of the procedural aide, and if the appeal is heard by the Administration Committee, an administrative member of the Administration Committee shall also perform the duties of the procedural aide.

(iii) Decisions of the Appeals Board require the agreement of the voting members of the board with no more than one dissenting vote and shall take the form of recommendations to the President of the College.

F. The Chair of the appellate board shall send a copy of that board's recommendations to the Chair of the Judicial Board. The Chair of the appellate board shall be responsible for assembling all appeals files, including the minutes of any hearings or meetings, correspondence to and from the board, and official conclusions and recommendations of the board, and forwarding them to the Dean of Student Services for deposition.

G. The Appeals Board shall make a determination regarding any dispute or disagreement over an interpretation of the Judicial Board Code or any other community or college document pertaining to judicial procedures affecting students.

Section 8. Publicity

A. The Judicial Board should publish a summary report, not violating confidentiality, regarding any matter affecting the College Community, excluding unresolved cases and those cases still subject to appeal, at the beginning of every semester. The report shall contain a statement by the Judicial Board of the findings and sanctions for the previous semester's cases. With the exception of cases in which all parties and witnesses agree to waive their right to confidentiality, the Judicial Board shall not publish the names of the parties participating in the case. The Chair of the Judicial Board shall also send a copy of the report to the Editor of the Quest and to any other regular campus publication that requests the report.

B. Public reports of the Judicial Board or of the Appeals Board shall be deposited in the College Archives to provide a cumulative record of community judicial decisions of general concern.

Section 9. Disposition of Confidential Records

A. All records regarding the disposition of those formal complaints and/or mediated disputes which have resulted in a finding of or acknowledgment of a violation shall be placed in confidential disciplinary files, separate from all other

records pertaining to a respondent. These files shall be kept, maintained, and protected by the Dean of Student Services. The Judicial Board may also keep a copy of the file of each particular case, which it shall protect as confidential. When requested to do so, the Dean shall open an individual's file for inspection by the Chair of the Judicial Board. At his/her discretion, the Dean may release summaries of the records or details of a particular case to any faculty member or other officer of the College whom the Dean believes has a reasonable need to know. Disciplinary records, including any files in the keeping and protection of the Judicial Board, shall be maintained for the duration of a student's enrollment at the College, and for seven years thereafter, and shall be destroyed at the end of that period.

B. Should the recommendation to release an action not appear in the Judicial Board's determinations of fact and recommendations of sanctions to the President, the decision as to whether to release information about violations to other institutions shall be made by the Dean of Student Services at his/her discretion. The College shall release any information or records at the written request of the student involved.