



# **CONSTITUTION OF THE ASSEMBLY**

## **SHIMER COLLEGE**

Approved: November 18, 1980

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## PREAMBLE

The Assembly is the broadest governance structure of Shimer College. This body is composed of all faculty members, all enrolled students, all administrators, all staff, all trustees, and (as non-voting members) all alumni other than those in the above-mentioned groups. The Assembly deliberates all matters which affect the integrity of the College as a community. The definition, articulation and expression of the significant general interests of Shimer College are entrusted to the Assembly.

The Assembly governs by virtue of the moral suasion established by communal deliberation. The Assembly is a democratic legislature; it defines and protects the basic moral law or essential ethos of the College. The form and major responsibilities of the Assembly are symbolic of the Shimer College commitment to the pursuit of truth and intellectual honesty. The Assembly thus serves to nurture the spirit of true dialogue as well as the habits of public responsibility.

The Assembly recognizes the Board of Trustees as the ultimate legal authority of the College. Should there arise a conflict between any section of the Assembly Constitution and the By-laws of the Board of Trustees, the By-laws will take precedence.

The Assembly recognizes the President as the chief executive administrator of the College.

The Assembly recognizes that the College Faculty is authorized to maintain, develop and revise the instructional program of the College. This authorization includes responsibility for curriculum content, degree requirements, recommendation of graduates, college examinations, and academic lectures and convocations.

The Assembly is a participatory democracy in which members attend and vote as individuals and not as representatives of any group. The members of specific bodies such as the faculty, the students, the staff, or the trustees do not participate as representatives of those groups.

The Assembly expects all officers and committees of the College to seek guidance from the Assembly whenever the particulars of their duties raise questions of basic policy or principle. Seeking the general will of the Assembly shall be standard procedure whenever it appears that issues being decided or discussed in committees or by officers of the College are not regular matters of administration or execution of responsibility, but involve the basic values of the College as a whole.

The committees of the College shall regularly appear before the Assembly. These appearances are not to be seen only as a simple reporting of things done, but also as a consultation with the whole community where issues of basic policy are concerned.

The Assembly as a body is not the forum for the discussion of particular issues, except insofar as they involve the basic values of the College. Its committees (Section V) are expected to deal with such matters, as well as handling proposals concerning the quality of life at the College.

## I. MEMBERSHIP OF THE ASSEMBLY

The Assembly shall consist of all members of the College community: all enrolled students, all faculty members (staff hired by the Academic Planning Committee (APC) - see Section V), all administrators (staff not hired by the APC), all staff, and all trustees. Alumni who are not members of the above-named groups are non-voting members and are not eligible for election to Assembly offices and committees. Attendance at Assembly meetings is required for the following members of the College community:

- 1.) All full-time faculty
- 2.) All full-time administrators
- 3.) All members of the Academic Planning Committee
- 4.) All members of the Administrative Committee
- 5.) All members of the Agenda Committee
- 6.) All chairpersons of College committees
- 7.) All other members of the College community as the Assembly deems fit

Members of the committees named above must attend as a part of their committee work or be subject to recall by the Assembly.

## II. MEETINGS OF THE ASSEMBLY

The Assembly shall be scheduled to meet at least once each semester. Agenda items for regularly-scheduled Assembly meetings may be submitted in writing to the Agenda Committee (Section V). In consultation, the members of the Agenda Committee shall determine whether the proposed Agenda item(s) shall be placed on the Agenda for the next regularly-scheduled Assembly meeting. If the Agenda Committee does not deem an item appropriate for consideration by the Assembly, the Committee shall refer the item to the proper College forum. The Speaker of the Assembly (Section IV) shall present the Agenda for a regularly-scheduled Assembly meeting to the community at least five days before the date of the meeting.

In order to convene a Special Assembly meeting (that is, one in addition to those that are regularly scheduled), any member of the Assembly may submit items for an agenda for such a meeting to the Agenda Committee. In consultation, the members of the Committee shall determine if the submission warrants the convening of a Special Assembly meeting. If they deem that it does not, they shall either place these items on the agenda of the next regularly-scheduled Assembly meeting or refer them to the appropriate College forum. The Speaker of the Assembly shall present the agenda for a Special Assembly meeting to the community as expeditiously as possible.

Prior to the first Assembly meeting of a given semester, the Secretary of the Assembly (Section IV) shall determine the total number of persons required to attend Assembly meetings (Section I). He or she will then announce this number, and the number of the quorum, at the outset of the first meeting, and will announce any changes at subsequent meetings. In the absence of the Secretary, a member of the Agenda Committee will perform this task. A quorum shall be considered to be present when the number present at the meeting equals or exceeds three-quarters of the number for whom attendance is required. A meeting may not be called to order in the absence of a quorum, although a meeting that began with a quorum may continue even if a quorum is no longer present.

In the event that a quorum is present during a vote on a particular motion, the motion will need the approval of a majority of those present in order to pass. In the event that a quorum is not present during such a vote, the motion will need the approval of a majority of the quorum in order to pass. All votes of the Assembly are open and are generally conducted by a show of hands.

During the Fall semester, the Academic Dean shall present a formal "State of Academic Affairs" report. The President shall present a formal "State of the College" report each Spring semester.

### III. POWERS OF THE ASSEMBLY

It is the purpose of the Assembly to deliberate all matters which affect the character and quality, the direction and governance, of the Shimer College community as a whole. It is the primary responsibility of the Assembly to articulate and deliberate upon questions of basic value with regard to the good of the College. Questions of basic value transcend the interest of any single constituency of the College; they are matters which seriously affect the historical identity of the College, its traditional theory and practice of pedagogy, and its preferred principles and policies of administrative organization.

In light of these purposes, the Assembly reserves the right to review the decisions of, and to make recommendations concerning, every committee of the College. The decision of a committee of the Assembly may be brought to the Assembly as a whole when it is felt that it reflects on the ethos of the College in a manner which requires the judgment of the community. The role of the Assembly in such situations shall be to advise the committee regarding the principles on which the decision was made as they relate to the spirit of the College. The Assembly is not empowered to act as a body for judicial review, although it may request that the committee reconsider its decision based on the advice of the Assembly. Likewise, any decision of a College administrator can be brought before an appropriate committee of the Assembly if it is felt that the decision is not in keeping with the policy established by the committee, either in word or in spirit. The role of the committee will be to advise the administrator regarding the established policy, and it may ask the administrator to reconsider the decision in light of its advice.

It should be noted that some administrative policy is not within the direct purview of the Assembly or its committees, and that it is not the role of the Assembly to make administrative decisions which are assigned to the various offices of the College. However, all officers of the administration are expected to seek the advice of the Assembly when appropriate, and to respect the will of the Assembly and the principle of moral suasion.

Any motion to recall any member(s) of the Assembly committees should be submitted to the Agenda Committee in appropriate fashion (Section II). Such a motion is handled by the same regulations that govern other motions of the Assembly.

The Constitution of the Assembly may be amended by a two-thirds vote of those present, a quorum being present, after the proposed amendment has been presented to the Agenda Committee and included in the published agenda for the meeting in which the amendment is to be voted upon. A particular article of the Constitution may be suspended in an identical manner, provided

that the item to be suspended and the duration of the suspension are clearly indicated in the proposal.

The Constitution shall be published annually, incorporating any changes that have been approved since the previous edition. The Assembly may, when it feels it is necessary, revise the body of the Constitution. The proposed draft must be presented to the community five days prior to the meeting in which it is to be approved and included in the published agenda for that meeting. Any revision will be adopted if approved by a two-thirds majority of those present.

#### IV. OFFICERS OF THE ASSEMBLY

The following officers shall be elected early in the Fall term of each year and will serve until replaced by the Assembly. The Assembly shall have the power to recall any of its officers at any time, and to establish additional officers as it sees fit.

1.) Speaker of the Assembly: The Assembly shall elect from among the members of the Agenda Committee (Section V) a Speaker, who will be responsible for publishing the agendas for all Assembly meetings, for convening and chairing the Assembly, and for chairing the Agenda Committee. The Speaker will act as a nonvoting member of the Assembly, except in the case of ties when he or she shall have the deciding vote.

2.) Secretary of the Assembly: The Assembly shall elect from among its members a Secretary, who will be responsible for taking accurate minutes of all Assembly meetings and publishing them for the College community no later than one week after the meeting to which they pertain. He or she shall also be responsible for the weekly upkeep of the Assembly Bulletin Board which shall include the membership, the meeting times, and the proceedings of all committees of the Assembly. The Secretary shall be responsible for counting and recording all votes of the Assembly. The Secretary is welcome to attend all staff and appropriate faculty meetings as a non-voting participant, and shall be responsible for disseminating information from these meetings.

3.) Ombudsperson: The Assembly shall elect from its members an Ombudsperson, who will be available to hear all grievances against members of the College community before a formal grievance is filed with the Grievance Committee (Section V), and who will use his or her good offices to resolve conflicts through agreement and dialogue among the individuals concerned. The Ombudsperson serves as an ex-officio member of the Grievance and Appeals Committee.

4.) Parliamentarian: The Assembly shall elect from among its members a Parliamentarian, whose function will be to insure the keeping of parliamentary procedure in Assembly deliberations, where indicated, and to keep time when this is called for.

## V. COMMITTEES OF THE ASSEMBLY

The members of all committees will serve until they are replaced by the Assembly or by change of administrative office and may be recalled by the Assembly at any time. Unless otherwise specified, all members are elected by the Assembly as a body. No one except the President of the College may serve on more than three regular committees of the Assembly at the same time. The President may serve on no more than four regular committees of the Assembly at the same time. Committees shall elect from among their members a chairperson, unless the chairperson is otherwise specified, and a secretary. All committees of the Assembly shall be required to report their meeting times and proceedings to the Secretary of the Assembly.

The following shall be recognized as regular committees of the Assembly:

1.) Academic Planning Committee (APC): The Academic Planning Committee shall have responsibility for the hiring, review, and retention or non-retention of faculty members; determining course offerings; and making teaching assignments. It shall be responsible for planning summer sessions, foreign study programs, and any other special academic offerings; and for advising the faculty and the members of the Dean's Office where appropriate. In addition, an APC subcommittee consisting of its Faculty members (the Academic Standing Committee) will consider the academic standing of students in accordance with established College policy.

The APC shall consist of the Dean of the College, who shall serve as chairperson; the Associate Dean(s), if any; additional faculty members chosen by the faculty, so that the number of faculty members, not including the Dean and the President, equals four; one administrator who has successfully completed and/or taught three Shimer courses and who has worked for the College for at least one year; three Weekday students chosen by the students of the Weekday Program; and two Weekend students chosen by the students of the Weekend Program. The President of the College shall serve as a non-voting member. All elected members must have been at Shimer for at least two semesters. All student members must be in good academic standing. Elected members shall be chosen in the Spring term and begin service at the start of the Fall term.

2.) Administrative Committee: The Administrative Committee is responsible for advising and counseling the President and the Executive Team regarding the supervision, direction, and management of the College on matters including, but not limited to, the hiring of new non-academic administrators and the setting of policies and practices. It is also responsible for setting salary policy for

non-academic staff members.

The Administrative Committee is expected to work closely with the Dean of the College and the Academic Planning Committee when suggesting assignments to members of the Faculty. In considering such appointments the Committee will take into account faculty willingness and availability, supervisor requirements for staffing, and consent of the Dean or Academic Planning Committee.

The Administrative Committee may, in consultation with the Board of Trustees, form a subcommittee to evaluate the Presidency. In any year that it undertakes and completes such an evaluation, it will present its findings to the Board of Trustees by April 30 of that year.

The Administrative Committee may, in consultation with the President, form a subcommittee to evaluate a department.

The Administrative Committee shall be chaired by an appropriate designee of the President of the College, and consist of five other members of the staff, three students from the Weekday Program, and two students from the Weekend Program. The President of the College shall serve as a non-voting member. All elected members are to be elected by the Assembly as a body. All student members must have been at Shimer for at least two semesters and must be in good academic standing. Elected members shall be chosen in the Spring term and begin service at the start of the Fall term.

3.) Admissions Committee: The Admissions Committee sets standards for admission to the College in conjunction with the faculty and evaluates the files of students who apply for admission to the College. This committee will also be responsible for assuring that each entrant is provided with post-admissions advising and for forwarding the advisory recommendations, along with the student file, to the Dean's Office in a timely manner. The Committee shall consist of a representative of the Office of Admission (designated by the person serving as administrator of admission) as a nonvoting member, two faculty members, one student from the Weekday Program, and one student from the Weekend Program. Community members employed in the Office of Admission and members of the Financial Aid Policy Committee are not eligible for election to this committee. Elected members of the Admissions Committee shall be chosen early in the Fall term.

4.) Agenda Committee: The Agenda Committee shall be responsible for the formation of the agendas for all Assembly meetings. In addition, this committee will be responsible for issuing an updated version of the Assembly Constitution in preparation for the upcoming Fall semester. This Committee shall name substitutes from among its members for the Speaker, and from the Assembly for the Secretary, in the event of the absence of either from Assembly meetings. The Committee shall be composed of

four persons elected early in the Fall term, at least one of whom must be a staff member.

5.) Budget Committee: The Budget Committee is responsible for advising and counseling the President and the Executive Team concerning the formulation of the annual budget, to be submitted to the Board of Trustees in time for the Spring Board meeting each year. In performing its tasks, the Budget Committee will receive planning documents from other committees and offices of the College and will communicate the results of its deliberations to those bodies and the Assembly when appropriate. The Committee shall be chaired by the person serving as financial administrator of the College, and consist of six other members of the Assembly, of whom at least one must be a student in the Weekday Program, at least one must be a student in the Weekend Program, and at least two must be staff members. The President is a non-voting member. All elected members except for one faculty/staff member must have completed at least one semester at Shimer. All student members must be in good academic standing. Elected members shall be chosen in the Spring term and begin service at the start of the Fall term.

6.) Grievance, Appeals, and Judicial Committee: The Grievances, Appeals, and Judicial Committee shall hear and make judgments about non-academic matters that are not handled through other regular channels of the College. It has a three-fold purpose: (1) the resolution of disputes between members of the Shimer College community, in particular those involving due process; (2) rendering judgments concerning cases (against students) brought to the attention of the committee by the Dean of Students, and (3) the handling of appeals concerning non-academic decisions of the College, excepting those made by the Assembly.

The Grievance, Appeals, and Judicial Committee is required to meet whenever a matter is brought to its attention. Any Grievance and Appeals matter may be brought to the Grievances, Appeals, and Judicial Committee if the request and a statement of the issue are submitted in writing to the chairperson of the committee. If the committee deems that a matter is beyond its scope of authority, it shall forward the matter to a more appropriate forum. The Grievances, Appeals, and Judicial Committee shall act in accordance with the by-laws established in consultation with legal counsel. The Grievance, Appeals, and Judicial Committee is the body of last recourse for all matters that cannot be appealed by any other means.

The Grievance, Appeals, and Judicial Committee is charged with the formation of Hearing Panels as the bodies of last recourse for all matters that cannot be resolved by other means. These Hearing Panels, as well as the Appeals process, shall be constituted in a manner prescribed in the by-laws of the Committee.

The Grievance, Appeals, and Judicial Committee shall consist of seven members, of whom at least two must be members of the Faculty, at least two students, and at least two administrators. The Ombudsperson (Section IV) is a non-voting member. All elected members must have been at Shimer for at least two semesters. All student members must be in good social standing. Elected members shall be chosen in the Spring term and begin service at the start of the Fall term.

7.) Quality of Life Committee: The Quality of Life Committee is responsible for the initiation and organization of social activities, the physical and cultural enrichment of the College, and the allocation of funds to appropriate projects as it deems fit. In order to perform these functions, the Committee will be allotted a budget each semester based upon the final enrollment figures for that semester. This Committee may also make recommendations and advise the College Support staff on such matters as housing, counseling, security, and other community needs.

The Committee shall be chaired by the person serving as administrator of community services, and consist of six other members of the community, at least one of whom must be a staff member and at least two of whom must be students in the Weekday Program. All elected members will be chosen early in the Fall term.

8.) Financial Aid Policy Committee: The Financial Aid Policy Committee is responsible, with the person serving as financial aid administrator, for all Financial Aid policies during the entire fiscal and academic year that follows their election. The Committee is to advise the financial aid administrator on all policy matters affecting internal Scholarships, and on the use of Federal and State Grants and Federal Loans. In addition, the three elected staff members, in consultation with the financial aid administrator, are to serve as a Scholarship Appeals Committee, to consider the cases of those students who wish to appeal their awards. They are also to award all merit, non-need based, and special scholarships, such as the Hutchins, Harper, and International Scholarships.

The Committee shall be chaired by the person serving as financial aid administrator, and consist of the President of the College, and the person serving as financial administrator of the College, the latter two as non-voting members; three students, two from the Weekday Program and one from the Weekend Program; and three Staff members, two of whom must be Faculty members. All elected members are chosen at the last Assembly meeting of the Fall Semester and serve from their election until the end of the next fiscal year. (The purpose of each Committee serving until the end of the subsequent fiscal year is to insure that the policies and

awards for each fiscal year are consistent and are considered by the same Committee. In practice, policy for a given year will be set before the next Committee is elected; thus, only the members of the Scholarship Appeals Committee can expect to have any formal tasks beyond that time.) All student members must be in good academic standing. Members of the Admissions Committee and staff of the Admissions and Financial Aid Departments are not eligible for election to the Financial Aid Policy Committee.

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All statements of the Constitution referring to the necessary constituency of the various committees of the Assembly shall be declared void for the academic year as of the third Assembly after a Committee is elected if no applicable candidates of a given constituency have been elected by the Assembly, provided that the seat(s) in question are first made available to members of the constituency in question. The elections for seats thus made available would then be open to all members of the Assembly provided that the elected members are part of a constituency represented on the committee in question.

In addition to the above-specified standing committees, the Assembly may also commission ad hoc committees as necessary, specifying the particular issues they are to address, the period of time for which they will serve, their membership, and the manner in which members are to be selected.