

Student Parliament Constitution

Version Two: February 5th, 2021
Rewritten from: Version One, 2016

Preamble

In an attempt to secure and encourage student representation and engagement at Bard College Berlin, as well as to promote the educational goals and ideals presented in the Academic Statutes (AS, §3) and the well-being of all students, we the Student Body, together with the elected representatives of the standing committees, at this moment establish this version of the Constitution of the Student Parliament.

This Constitution is the result of extensive revision by the Parliament of Academic Year 2020-21 of the previous Constitution. This was done in response to certain perceived insufficiencies of the previous Constitution that had become clear since its writing in 2016. This new Constitution hopes to better represent the student body, provide a clearer structure of the Student Parliament, and better facilitate its function. The previous Constitution is appended to this one (appendix A).

Article I - Objectives and Tasks

The full body of the Student Parliament shall serve as the chief representative of the Bard College Berlin Student Body, whose will shall be seen as the political mandate of the Parliament (§ 18,19 BerIHG).

1. The broader objectives of the Student Parliament are to:
 - a. Embody a democratic process of representation,
 - b. Represent and voice concerns on behalf of the student body,
 - c. Acknowledge the cultural, social, and economic interests of the community,
 - d. Promote political education, civic responsibility, and defend tolerance and basic human rights
 - e. Recognise and interact with the student body as a whole, by promoting the inclusion of all students, meaning that the Student Parliament shall not discriminate against persons on the basis of race, ethnicity, religion, national origin, sex, age, disability, sexual orientation, or marital status.
 - f. Promote the objectives of the academic curriculum (AS§21),
 - g. Serve as liaison and voice between the students, administration, and faculty
 - h. Foster an open space for ideas, suggestions, and complaints.
 - i. Participate in the fulfillment of the aforementioned responsibilities of the university, as stated in the Academic Statutes.
2. The tasks of the Student Parliament are:
 - a. To hold **weekly** meetings that are open to the whole Bard College Berlin community. These meetings are to be held from the time of election through to the next.
 - i. Meetings or specific sections of meetings can, under extraordinary circumstances be closed to the public, if the Student Parliament deems it necessary.
 - b. To, as individuals:
 - i. Participate in weekly meetings during the term, and at least once during the breaks.
 - ii. Be available on the agreed upon Student Parliament communication platform.
 - c. To meet with the University Leadership at least two times per semester (it is recommended that the co-chairs be the participants in these meetings)
 - d. Representatives from Student Parliament (at least two members) are expected to meet a minimum of once per semester with the following members of the administration:
 - i. DEI officer
 - ii. Head of Student Life

1. Representatives shall review the yearly changes to the Student Handbook
 - iii. Director of Housing and Residential Life
- e. Representatives from the Student Parliament (two) must be selected to participate in the Student Life Committee, which primarily includes attending meetings regarding the allocation of club funding.
- f. To remain in active contact with the other organizations at BCB. It will function as an advisory platform but shall not overrule the decisions of the standing committees.
- g. To be responsible for collaboratively setting up the agenda for the General Assemblies and choosing representatives (within Student Parliament) to help lead the meetings.

Article II - Structure

The Student Parliament of Bard College Berlin shall consist of eleven (11) representatives, chosen out of the student body, meaning those enrolled at Bard College Berlin, who all shall strive to achieve the aims laid out in Article I.

Certain roles have additional responsibilities as outlined below.

1. *Seven General Members* → The General Members of the Student Parliament are made up of seven members. Of these there are three members with specific responsibilities. The general body of Student Parliament, as a whole, is responsible for overseeing the areas covered in Article I.
 - a. *Two Co-Chairs* → These members are responsible for agenda setting and moderation of the Student Parliament sessions, communication of the aforementioned agenda and communication with the university's leadership.
 - i. After the general election, Co-Chairs are elected from among the General Members through two rounds of voting, The voters are made up of all eleven members elected to the parliament
 1. The first round, all persons interested in the position of co-chair who have served a previous term on Student Parliament are eligible to nominate themselves. The person with the most votes is elected into the first seat.
 - a. If there are no former members interested, nomination is opened to the full body.
 2. The second round, all persons interested in being co-chair are eligible to nominate themselves. The person with the most votes is elected into the second seat.
 - b. *One Spokesperson* → This member is responsible for the outreach to the student body and staff of Bard College Berlin. This member is also responsible for staying in communication with the Open Society University Network and its administration
 - i. Chosen by the members of Student Parliament after the election of the two co-chairs.
 - ii. Responsible for organizing the election in cooperation with the Student life liaison for the following semester.
 1. The Spokesperson will work in collaboration with one member of the Student Life Office. This pair shall constitute the Elections Team.
- c. The responsibilities of the four remaining General Members shall constitute those outlined in Article I.
- d. *Four Members from Committees (two Studies Committees, two Academic Senate)* → These members are responsible for maintaining the communication between the Student Parliament and the Committees. The positions on Academic Senate and Studies Committee are year-long, thereby the election of such members will only occur at the beginning of the Fall semesters. The responsibilities of each committee are as follows:
 - i. Academic Senate (Two members)

1. Notwithstanding Bard College Berlin's rights, the Academic Senate shall advise and pass resolutions on all academic matters of self-administration that are of fundamental importance and affect the entire university. (AS§14)Two of the members of the Academic Senate are student representatives who via their position in the Senate are members of Student Parliament.
- ii. Studies Committee (Two members)
 1. This committee is a student-led committee. Its purpose is to offer students the opportunity to provide feedback on the college's programs and academic life. Any matter concerning requirements, courses, or advice can be raised at the Studies Committee. Its members are the Dean, two further professors, and at least two student representatives. (SH)

Article III - Voting Procedures

Element I: Electing members to the Student Parliament

1. All students attending Bard College Berlin are eligible to nominate themselves to fill positions as Student Parliament General Members [ART. 1, Sec. 1] or either of the Committees.
 - a. In order to nominate themselves, students will submit the following to the Elections Team:
 - i. Their name
 - ii. Their choice (Academic Senate, Studies Committee, or as a General Member)
 - iii. Their goals for the prospective term (optional)
 - iv. Their reasons for running for Student Parliament (optional)
 - b. Nominations will be accepted until two days before the election is to take place.
2. Elections will take place each semester at the end of the second week of the term. Elections and announcement of elected representatives will be organized by the Elections Team [ART.2, Sec.1b].
 - a. Structure of the ballot:
 - i. The ballot will be divided into four parts:
 1. A list of General Members from which voters will select their top seven choices with an option for write-ins.
 2. A list of candidates for Academic Senate from which voters will choose their top two choices with an option for write-ins.
 3. A list of candidates for Studies Committee from which voters will choose their top two choices with an option for write-ins.
 4. A section for voter input of the most pressing issues they wish to be addressed in the upcoming semester.
3. Votes will be counted as such:
 - a. Votes for students nominated for committee positions will be totaled. For each committee, the two nominees with the most votes will be elected to those committees.
 - b. Votes for students nominated as General Members will be totaled. Whichever seven nominees hold the most votes will be elected to Student Parliament.
 - c. If there are not enough nominees to fill the four committee positions or the seven representative positions, students with three or more write-in votes will be included in a run-off election. If there are not enough write-ins to fill the empty places, those positions will remain vacant for the term.
 - d. If nominees are tied for a position, a run-off election will be held.
4. The Student Parliament will remain in place (and active) during all breaks until the election of the new parliament.

Element Ia: Filling a Seat Vacancy Which Arises Before the End of the Term

1. In the event that an elected representative is no longer a member of the Bard College Berlin Student Body, an election will be called to fill the seat.
 - a. This election will be run by the Elections Team [ART. II, Sec. 1, bii] following the same procedures and no more than two weeks after the vacancy is communicated to parliament.
 - i. If the vacancy is communicated within a month of the next election, then the vacancy can be filled by the next election.

Element II: Passing of Motions

1. When passed, a motion shall be defined as the will of the Student Parliament.
2. To pass a motion, a minimum of 50% of the Student Parliament members will need to be present
 - a. Presence can be fulfilled via (immediate) online audio (visual) communication.
3. A quorum to convene shall be defined as 50% of the present members' gathering.
 - a. If a quorum is not reached the meeting is adjourned and will meet at the next available time agreed upon via the agreed upon communication method.
4. In order for a non-parliament student-proposed motion to be *automatically* considered by the Student Parliament, it must be presented in writing and have collected a minimum of 5% signatories of the student body.
5. All motions shall be presented and discussed in the parliamentary sessions to guarantee transparency.
 - a. All motions, regardless of their acceptance or rejection, shall be noted in the meeting minutes, and made available to the student body.
 - b. Under extraordinary circumstances, motions and votes may be anonymized if the parliament agrees, however this must be noted in the minutes.

Element III: Amendment of the Constitution

In the case that a section of the Constitution needs to be amended, the subsequent procedure should be followed:

1. A written Amendment to the Constitution should be presented at a meeting of the Student Parliament.
 - a. Before presentation the administration should also be consulted to see if the changes are in violation of the German Higher Education Laws (BerlHG)
2. After being presented to the Student Parliament, the written version should be made available to the student body for comment for a period of at least five days before voting commences.
3. The Amendment is approved through either of the two following ways:
 - a. At least nine members of the Student Parliament vote in favor of the Amendment
 - i. The Parliament may amend this Constitution with a 4/5ths majority in the event that fewer than nine members of Student Parliament are elected or responsive via the communication method agreed upon [ART. 1, Sec 2a, ii].
 - b. A 2/3 majority from a Student Referendum, wherein 2/3 of the student body votes in favor.
4. If an Amendment is approved it should be added to the end of the Constitution and the updated version made available to the Student Body.

Element IIIa: Constitutional Convention

In the case that at least nine members of the Student Parliament decide that this Constitution is no longer sufficient to fulfill the needs of the Student Body, and such changes cannot be achieved through the amendment process, a Constitutional Convention can be called. In the event that fewer than nine members of Student Parliament are

elected or responsive via the communication method agreed upon [ART. 1, Sec 2a, ii], a Constitutional Convention can be called via a 4/5ths majority. If approved, the subsequent procedure should be followed:

1. The Student Parliament should notify the student body of the proposed convention, listing why the current Constitution is insufficient. A period of at least five days should be given for student objections before the Constitutional Convention convenes.
 - a. If these objections number more than 5% of the student body, a Convention cannot be called.
2. A new version of the Constitution should be drafted:
 - a. A Constitutional Review Committee of at least five members of the parliament should be selected to head up the drafting process.
 - b. A new Constitution is drafted out of the old one
 - c. The Constitutional Review Committee approves changes
 - i. The committee approves changes by voting on sections individually
 1. Sections are approved by majority vote
 - ii. If a section is rejected, it is redrafted and resubmitted for approval or abandoned.
3. After the finalized version is approved by the Constitutional Review Committee the administration should be consulted to see if the changes are in violation of the German Higher Education Laws (BerIHG)
 - a. If there is a violation the section(s) in question must be edited and reintroduced under point [2.c] of this element.
4. A full session of the Student Parliament votes to pass or reject the new version
 - a. At least nine members of the Student Parliament should vote in favor for the new version to move forward. In the event that fewer than nine members of the Student Parliament are elected or responsive via the communication method agreed upon [ART. 1, Sec 2a, ii], the Parliament can pass the new version with a 4/5ths majority.
5. If the event that this new version is passed by the Student Parliament, a further period of seven days will be held to hear objections from the student body.
 - a. In addition to the finalized Constitution, a version of that Constitution should be made accessible during this time to the student body wherein all areas changed or added are kept highlighted to preserve transparency.
 - b. If less than 1/3rd of the student body register objections to this Constitution, then it will replace the former version.
6. A newly approved Constitution enters into effect once:
 - a. The document had been officially “published” to the student body
 - b. Any changes directly affecting members of the Administration have been made apparent to those members in question
 - c. Any changes directly affecting the Student Handbook should be reflected in a new version of the Student Handbook.

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Documents Cited:

[BerlHG - Gesetz über die Hochschulen im Land Berlin \(Berliner Hochschulgesetz - BerlHG\) - Edition of July, 26th 2011](#)

[SH - Student Handbook - Edition of July 2020](#)

[AS - Academic Statutes of Bard College Berlin, A Liberal Arts University - Edition of July, 15th 2019](#)

[Appendix A - 2016 Constitution:](#)

Student Parliament

Preamble

In an attempt to secure and encourage student representation and engagement at Bard College Berlin, as well as with the aim to promote the educational goals and ideals presented in the Academic Statutes(AS,§3) and the well-being of all students, we the Student Body, together with the elected representatives of the standing committees, hereby establish this Constitution of the Student Parliament.

Article I – Structure

The Student Parliament of Bard College Berlin shall consist of 13 representatives with the following roles:

1. **2 chairs** who are responsible for agenda setting and moderation of the Student Parliament sessions, as well as communication of the aforementioned agenda and passing motions to the leadership of the university. The chair position requires a minimum service of 2 terms(1 year) and a maximum of 4 terms(2 years). This does not make the chairs exempt from the biyearly elections.
2. **1 spokesperson** who is responsible for the outreach to the student body of Bard College Berlin.
3. **1 student labour representative** whose position entails the observation of the labour policies as well as the defense of student labour rights and well-being.
4. **1 student representative of identity diversity** whose position entails the coordination of events and projects to bolster and facilitate on and off-campus dialogues about diversity.
5. **1 network representative** who is responsible for the outreach to the Bard network.

6. **1 representative for new policies** whose responsibility will be to review recent changes in policy of Bard College Berlin and present said changes to the Student Parliament. The establishment of this position necessitates that the administration update the position holder with all new changes in institutional policy.
7. **6 members from committees** (2 Student Life Committee, 2 Academic Senate, 2 Studies Committee) who are responsible for communication between the parliament and the committees. Here is their main function as independent organs:
 - a. Student Life Committee: The task of the Student Life Committee is to develop student initiatives that will enhance the social, cultural, and intellectual life of the college. The SLC gathers and represents ideas and concerns from the student body in the area of student life. In turn, the SLC works as a mediator between the student body and the administration in resolving these concerns. The SLC is chaired by a student head or co-heads, and includes the Associate Dean, two professors, the Residential Life Coordinator, the Student Affairs Officer, the Residential Life Assistants, and at least four elected student representatives.(SH)
 - b. Academic Senate: Notwithstanding the rights of Bard College Berlin gGmbH, the Academic Senate shall advise and pass resolutions on all academic matters of self-administration which are of fundamental importance and affect the entire university.(AS,§14)
 - c. Studies Committee: The Studies Committee is a student-led committee. Its purpose is to offer students the opportunity to provide feedback on the programs and academic life of the college. Any matter concerning requirements, courses, or advising can be raised at the Studies Committee. Its members are the Dean, two further professors, and at least two student representatives. (SH)

Article II – Objectives and Tasks

The Student Parliament of Bard College Berlin shall function and strive to achieve the following aims as the Parliament:

1. serve as the chief representative of the Bard College Berlin Student Body, whose will shall be seen as the political mandate of the Parliament (§ 18, 19 BerlHG)
2. promote the social and economic well-being of the students
3. serve as an open space for ideas, suggestions, and complaints, as well as a communicator to the administration
4. The Student Parliament shall meet with the University Leadership at least two times per semester (if necessary this number can increase)
5. participate in the fulfillment of the aforementioned responsibilities of the university, as stated in the Academic Statutes
6. promote political education, civic responsibility, and defend tolerance and basic human rights
7. acknowledge the cultural, social, and economic interests of the community
8. promote the integration of all students
9. maintain communication with the Bard HESP Network, as well as other related institutions
10. promote the objectives of the academic curriculum (AS, §21)
11. In order to achieve these objectives, the Parliament will remain in active contact with the other organs at BCB. It will function as an advisory platform, but shall not overrule the decisions of the standing committees.
12. The Student Parliament shall be responsible for collaboratively setting up the agenda for the General Assemblies as well as choosing representatives (within the Parliament) to help lead the meetings

Article III - Voting Procedures

Section 1: Electing member of the StuPA

1. Elections will take place each term, generally in **late September and late February**.
2. Students will be voted directly into the Student Parliament as non-committee-members and only then be elected for positions (election within the Student Parliament). Committee members will then choose two delegates from within their respective committees.
3. The Student Parliament will remain in place (and active) during all breaks.

Section 2: Passing of motions

1. Motions, when passed, shall henceforth be defined as the written will of the Student Parliament.
2. In order to pass a motion, a minimum of 50% of the members of the Student Parliament will need to be present, including (immediate) online presence in the form of audio (visual) communication.
3. Quorum to convene shall be defined as 50% of the present members gathering.
4. In order for a student complaint to be automatically considered a minimum of 5% of the Student Body must be signatories. Any member of the Parliament will be able to propose a motion to the floor but only the chairs will be allowed to call extraordinary sessions.
5. All motions shall be presented and discussed in the parliamentary sessions, so as to guarantee transparency.

Section 3: Amendments to this Constitution

There are two ways to amend the hereby established Constitution:

1. If at least 11 members of the Student Parliament vote in favor.
2. If there is 2/3 majority from a Student Referendum, wherein 2/3 of the Student Body votes.

Amendments:

Amendment I: Amending the Constitution

In the event that less than 11 members of student parliament are elected or actively serving, the Parliament may amend this Constitution with a 2/3rds majority.

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