

Bard College Berlin Student Parliament Constitution

Version III: Academic Year of 2022-2023

Version II: Academic Year of 2020-2021

Version I: Academic Year of 2015-2016

Preamble

The following version of the Student Parliament Constitution has been drafted to ensure the continuous effective representation of the student body of Bard College Berlin by the Student Parliament (StuPa). This revision was created with the purpose of creating a clearer document to serve the current and future Student Parliament in their endeavors to further students' academic, economic and social interests at this college.

The Student Parliament's organizational and social responsibilities have been re-outlined in this document to be clearer and more understandable than in prior versions. The voting processes and structure of its members have been made more constructive. Furthermore, an ethical clause and contingency plan have been outlined which was missing in previous versions of this document.

Article I - Objectives and Tasks

The full body of the Student Parliament shall serve as the chief representative of the Bard College Berlin student population.

I. Objectives

- A. Uphold a democratic process of representation and foster an open space for ideas, suggestions, and complaints.
- B. Represent and voice concerns on behalf of the student body.
- C. Advocate for the diverse cultural and social interests, and economic needs of the Student Body.
- D. Promote political education, civic responsibility, tolerance, and human rights.
- E. Advocate for the inclusion of all students (see Art. III§1.G).
- F. Promote the objectives of the academic curriculum ([Bard College Berlin Academic Statutes 2019](#) §21).
- G. Serve as liaison between the students, administration, and faculty.
- H. Participate in the fulfillment of the aforementioned responsibilities of the university, as stated in the Academic Statutes (2019).

II. Tasks

- A. Hold **weekly** meetings (excluding breaks) that are open to the whole Bard College Berlin community during the semester, where the members of the Student Parliament address student-raised issues and concerns.
- B. As Student Parliament members,
 - a. participate in weekly meetings during the term.
 - b. be available on the agreed upon Student Parliament communication platform.

- C. Maintain (regular) communication with:
 - a. Residential Life Coordinator
 - b. University Leadership
 - c. The Diversity, Equity, and Inclusion (DEI) Office
 - d. Head of Student Life
 - e. Student Life Committee (SLC)
 - f. The Academic Senate
 - g. Director of Housing and Residential Life

Article II - Parliament Structure

The Student Parliament of Bard College Berlin will consist of **11** elected representatives from the student body, with **six** of those representatives holding their position for the following academic year, whilst the remaining **five** will be held for the semester. Students who hold their positions for one academic year need to have at least one year of studies left at BCB to be able to serve their full term. The **11** members will be elected by the student body, and the elected members will allocate the following **seven** positions among themselves:

I. Year-Long Positions (One academic year, two semesters)

A. *Two Chairs:*

These members are responsible for the moderation of Student Parliament meetings; for the agenda setting and communication of aforementioned agendas prior to Student Parliament meetings; and for regular communication with Bard College Berlin members of leadership through biweekly meetings with the Managing Director. Co-Chairs are also responsible for the coordination of the exchange of responsibilities to new Student Parliament members each academic year.

B. *Two Members of the Studies Committee:*

These members represent the student body's feedback concerning the content of Bard College Berlin's programs and academic life, including but not limited to: course lists; curriculum; degree structures; and requirements. Alongside the two Student Parliament representatives, the Studies Committee consists of the Dean and two further professors (Student Handbook Art. XIII.§3.1).

C. *Two Members of the Academic Senate:*

These members represent the Student Parliament and the Bard College Berlin student body in the Bard College Berlin Academic Senate, including the Dean, the Managing Directors, and the eligible faculty members, per Berlin regulations. Notwithstanding Bard College Berlin's rights, the Academic Senate advises and passes resolutions on all academic matters of self-administration which affect the entire college. These include, but are not limited to: reviewing plans for college development; proposing the introduction of new courses and fields of study; passing of resolutions concerning study, study abroad, admission and examination regulations; participating in the appointment of the deans, associate deans, and managing directors; etc. These two members will attend and vote at Academic Senate meetings, as well as work throughout the year to represent the student body on the aforementioned issues.

II. Semester Long Positions

A. *Two Members of the Student Life Committee (SLC):*

These members raise the student body's concerns and feedback about student well-being to Student Life. They regularly and actively participate in Town Hall Meetings, which include the Director of Housing and Residential Life, the Head of Student Life, and further professors. Together the SLC Committee works on plans to resolve issues that may arise on campus concerning student life and well-being.

B. *One Diversity, Equity, and Inclusion (DEI) Representative:*

The DEI Representative is tasked with monthly meetings with the DEI Officer to ensure communication about how to foster an inclusive environment at BCB. This Representative is encouraged to coordinate events and projects to facilitate ongoing dialogues on diversity. Furthermore, the DEI Representative should aid in communication between students and faculty with the DEI Officer.

C. *One Labor Representative:*

This position entails the observation of labor policies as well as the defense of student labor rights, safety, and well-being. This position should also advocate for all issues regarding wages and student worker contracts. This representative should be a part of meetings with Student Life regarding issues brought up by student workers.

D. *One Communications Representative:*

This member is responsible for the outreach to the student body, faculty, and staff of Bard College Berlin including but not limited to note-taking during the meetings, and regular communication with the student body via the Student Parliament email and through regular newsletters.

Article III - Conduct and Execution

I. Ethical Code

All representatives of the Student Parliament must act in a manner that upholds the vision of the Parliament that is in the Preamble of this constitution as well as its following articles. This Ethical Code is a strict set of rules that detail how representatives must act and how they will be held accountable to these rules.

Any violation of the Student Parliament's Ethical Code by a representative can and will be subject to action and sanction by the procedures set out in Art. III §4 of this constitution.

Student Parliament representatives uphold and advance the integrity, honor, and dignity of the Student Parliament and the Bard College Berlin student body by:

- A. Using their knowledge and position for the enhancement of student, staff, and faculty welfare;

- B. Being honest and impartial, and serving with loyalty the community of Bard College Berlin;
- C. Being open and welcoming, creating a safe environment for others to express their ideas, with all members being respectful of others' ideas and suggestions;
- D. Protecting the confidentiality of students, staff members, and faculty that request anonymity. Such appropriate conduct is outlined by the following:
 - a. One will remain anonymous unless they express direct consent (affirmative, verbal, or written statement) to be publicized
 - b. If verbal, such consent must be witnessed by two or more Student Parliament representatives
 - c. One shall expect confidentiality to the utmost degree in which it still allows for action upon a raised concern;
- E. Allowing absolutely no tolerance for harassment or bullying, as defined by the following:
 - a. Harassment is intentional conduct that causes another person or group of people distress or fear
 - b. Bullying is any intentional, repeated, and/or aggressive act, whether physical, verbal, or otherwise, communicated with the intent to cause another person or a group of people physical, mental, or emotional harm or which is intended to coerce an individual or group of people to act or refrain from acting;
- F. Representatives of the Student Parliament are expected to respect the freedoms, rights, and spaces of individuals or groups of people at all times;
- G. Directly opposing and acting against discrimination and discriminatory harassment based on race, color, creed, religion, national origin, gender, visa status, marital or parental status, age, ability, disability, socio-economic background, sexual orientation, gender identity, gender expression, or genetic information.
 - a. Discrimination is defined as the biased treatment of an individual or a group of people based on the aforementioned qualities and characteristics. Types of discrimination include:
 - i. Direct Discrimination: when a person is treated less fairly based on a characteristic they possess, a characteristic possessed by someone they associate with, or a characteristic an individual is thought to possess
 - ii. Indirect Discrimination: when a rule or plan is put in place that applies to everyone but could put those with a certain characteristic at a disadvantage
 - iii. Microaggression: a comment or action that subtly expresses prejudiced beliefs
 - iv. Victim Blaming: holding victims wholly or partially responsible for the mistreatment they endured
 - v. Harassment and Bullying: defined in Art. III §1.E.

II. Misconduct

A. External Misconduct

Members of the Student Parliament are expected to uphold the Ethical Code at all times as representatives of the Student Body and Bard College Berlin. Therefore, any form of misconduct that goes against the Ethical Code, regardless of whether it is related to Student Parliament activities or not, allows a Student Parliament member to be subject to sanctions as outlined in Art. III.§3.

B. Internal Misconduct

Internal misconduct is defined as any form of misbehavior that goes against the objectives of the Student Parliament or the Ethical Code. Such misbehavior includes the following:

a. Failure to Attend Student Parliament Meetings

- i. If a representative of the Student Parliament fails to attend **three or more** weekly Student Parliament meetings in a row or **five meetings in total**, the Co-Chairs will address this issue in a separate meeting with the member in person
- ii. Reasons for excused absences are decided amongst the Co-Chairs on a case-by-case basis
- iii. Based on the nature of said absences the Co-Chairs may impose disciplinary action as outlined in Art. III §3.

b. Professional Misconduct

- i. Failure to complete the tasks outlined under a representative's position including, but not limited to, missing scheduled meetings with Student Life, Administration, and University Leadership, infringement of the duties of other Student Parliament representatives, not completing agreed upon single and collaborative tasks and work, and not participating in/attending Student Parliament meetings (lack of attention and engagement, being disruptive and/or disrespectful, etc.)
- ii. With repeated instances of professional misconduct, a representative will have to meet with the Co-Chairs to address their behavior in a separate meeting with the member in person. During this meeting, the Co-Chairs may impose disciplinary action as outlined in Art. III §3
- iii. One calling for probation or expulsion in the absence of reasoning outlined in the constitution (For example, the expulsion of a Student Parliament member due to dislike of the member).

c. Ethical Misconduct

- i. Any form of misbehavior that goes against the Ethical Code in the name of the Student Parliament, whether in or outside Student Parliament activities
- ii. Any member exhibiting Internal Ethical Misconduct is subject to disciplinary action as outlined in Art. III §3.B.

III. Probation and Expulsion from the Student Parliament

A. Probation

Probation is an accepted disciplinary measure for the misconduct outlined in Art. III §2.Ba and Art. III §2.Bb. In the case of possible probation, the Co-Chairs will meet with the representative for a private, in-person meeting. During this meeting, the Co-Chairs will address the representative's misbehavior. If the Co-Chairs find it necessary to impose probation on said member, the following will ensue:

- a. The representative then has a **two-week** probation period to improve on their behavior
- b. At the end of the **two-week** probation period, the Co-Chairs will meet with this member again to discuss the following courses of action:
 - i. In the case where the member has improved on their behavior as agreed by the Co-Chairs, the representative will continue to be on the Student Parliament. This marks the end of the probation period.
 - ii. In the case where the member has failed to improve on their behavior as agreed by the Co-Chairs, the representative will be subject to measures outlined in Art. III.§3.B.
- c. In the case in which a Co-Chair is exhibiting any form of misconduct, any Student Parliament member can call for a probationary review. The Student Parliament will then schedule a separate, private meeting from their weekly meeting where the said Co-Chair's misconduct is discussed. If **the majority of the Parliament** finds it necessary to impose the above probation period, then the Co-Chair will be on probation.

B. Expulsion

Expulsion is an accepted disciplinary measure for the misconduct outlined in Art. III§2.A, Art. III§2.Bc, and Art. III§3.Ab. Expulsion is the permanent removal of a representative from the Student Parliament for the rest of their time at Bard College Berlin.

- a. Representatives who are being reviewed for expulsion must attend a private meeting with the entirety of the Student Parliament to discuss their actions. This meeting will be announced by the Co-Chairs and the Student Parliament members will agree on a time for all members to attend. This meeting must be within a week of the expulsion review's announcement
- b. The representative will be given time to defend themselves in the private meeting. Co-Chairs and other members of the Student Parliament will be given time to comment and voice their opinions on the matter
- c. The final decision about the expulsion of a representative will be decided by an anonymous vote amongst the Student Parliament
 - i. In a case where **8 out of the other 10** members agree to expel the representative on review, then the member will be permanently removed from the Student Parliament for the remainder of their time at Bard College Berlin
 - ii. If **more than two** of the other members disagree to expel the representative on review, then the member will continue to be in the

Student Parliament on probation for the rest of their term. However, any further violations will lead to this member being under review for expulsion once again.

- d. In the case in which a Co-Chair is on probation and they have failed to improve on their behavior, the Co-Chair may also be subjected to the same exclusionary review as other Student Parliament members.

Article IV - Voting Procedures

I. Electing Members to the Student Parliament

A. All students, except students who have been previously expelled from parliament, attending Bard College Berlin are eligible to nominate themselves to fill vacant positions of the Student Parliament (see Art. II):

- a. In order to nominate themselves, students will submit the following to the Elections Team, which consists of the two Chairs of the Student Parliament with the assistance of the Residential Life Coordinator (see Art. II§1.A):
 - i. Their name
 - ii. Their goals and reasons for running in the prospective term (optional)
 - iii. Whether they would be willing to fulfill a vacant position in the Student Parliament in the event that a member leaves the position before serving their full term.
- b. Nominations will be accepted until **two days** before the election is to take place.
- c. At least **40%** of the current Bard College Berlin student body must vote in the election for it to be valid. (If less than 40% of the current student body vote there needs to be another election).

B. Elections will take place each semester at **the end of the first week** of that academic term. Elections and announcements of elected representatives will be organized by the Elections Team.

C. *Structure of the Voting Ballot:*

- a. The ballot will be divided into **three parts**:
 - i. A list of all candidates, from which voters will select their top 11 (or 5 in the Spring semester) candidates
 - ii. Write-in section for students to write the name of a candidate not on the list. This section will only be used if not enough candidates have applied, as outlined in Art. IV.§1.Db
 - iii. A section for the voter input on the most pressing issues, which they wish to be addressed in the prospective term.

D. *Votes Will Be Counted as Such:*

- a. Votes for students nominated for the Student Parliament will be counted. Whichever nominees hold the most votes will be elected to the Student Parliament
- b. In a case when there are **fewer than 11 (or 5 in the Spring semester)**

candidates, students whose write-in votes amount to **5%** of the current student body or more will be included in a run-off election. If nominees are tied for a position, another run-off election will be held.

II. Filling a Seat Vacancy

- A. In the event that an elected Student Parliament member has to step down from their position, this seat can be filled by the candidate with the **next highest number of votes** who did not get the position after the initial voting, including write-ins. If there is a tie between the next highest votes and both students want to be in the Student Parliament, there will be an internal election among the Student Parliament members (**majority vote**).
 - a. This candidate needs to consent to filling the vacant seat
 - b. If there are no potential candidates from the first voting pool then the current Student Parliament can decide if they would like to have another election to fill this position. This will be decided through a **majority vote** within the Student Parliament.
- B. If an election is to take place to fill the vacant seat then this election will be run by the Elections Team (Art II§1.A).
 - a. The Elections Team will follow the same procedures **no more than two weeks** after the vacancy is communicated to parliament.
 - b. If the vacancy is communicated within the **final four weeks** of the respective semester, then the vacancy can be filled by the next election, adding to the ballot the number of names equal to the vacancies that occurred.

III. Passing of Motions

- A. A motion is a formal proposal by one or more students/Student Parliament members that proposes the Student Parliament takes a specific action. All motions, regardless of their acceptance or rejection, shall be noted in the open meeting minutes.
 - a. Under special circumstances, the motions may be anonymized if **at least one** student requests anonymity; however, this must be noted in the minutes
 - b. Votes are always anonymous.
- B. When passed, a motion shall be defined as the will of the Student Parliament and should be pursued as such.
- C. To pass a motion, **all** Student Parliament members will need to be present. Presence can be fulfilled in person or via online communication
 - a. If not all Student Parliament members are present, voting on the passing of the motion cannot take place and a new meeting will need to be arranged.
- D. A motion needs at least **4/5ths** majority of affirmative votes from members of the Student Parliament in favor of it to pass.

- E. 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.

Article V - Constitutional Changes

I. Amendment of the Constitution

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

- A. A written amendment to the constitution should be presented at a meeting of the Student Parliament
 - a. Before its presentation, the administration should also be consulted to see if the changes are in violation of the [Berliner Hochschulgesetz](#).
- B. 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
- C. The amendment is approved through either of the two following ways:
 - a. **At least nine** members of the Student Parliament vote in favor of amendment
 - i. The Parliament may amend this constitution with a **4/5ths** majority if fewer than nine members of the Student Parliament are elected or responsive via the communication method agreed upon.
- D. If an amendment is approved it should be added to the constitution and the updated version made available to the Student Body.

II. 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. If fewer than **nine** members of the Student Parliament are elected or responsive, a Constitutional Convention can be called via a majority of the remaining members. If approved, the subsequent procedure should be followed:

- A. After the finalized version is approved by at least **nine (or a majority; see Art IV §II)** members of the Student Parliament, the administration should be consulted to see if the changes are in violation of the Berliner Hochschulgesetz
 - a. If there is a violation, the section(s) in question must be edited and reintroduced to the Student Parliament and administration.
- B. A full session of the Student Parliament votes to pass or reject the new version
 - a. At least **nine** members of the Student Parliament must vote in favor of the new version to move forward. If fewer than **nine** members of the Student Parliament are elected or responsive via the communication method agreed upon, the Parliament can pass the new version with a **4/5ths** majority of the remaining members.

- C. In the event that this new version is passed by the Student Parliament, a 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 kept are highlighted to preserve transparency
 - b. If at least **25%** of the student body voices objections to passing the new constitution it cannot be passed.

- D. If less than **25%** of the student body voices their objections to the final draft of the new constitution there will be a student-wide vote on whether or not to accept the new constitution
 - a. The form that is made available to students should gather anonymous votes on the question: *Do you accept the passing of the new Student Parliament Constitution?*

- E. A newly approved constitution enters into effect once:
 - a. The document has been approved by **75%** of the students that voted via a student-wide vote
 - b. The document had been officially “published” to the student body
 - c. Any changes directly affecting members of the administration have been made apparent to those members in question
 - d. Any changes directly affecting the Student Handbook should be reflected in a new version of the Student Handbook.

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[Bard College Berlin Academic Statutes 2019](#)

[Bard College Berlin Student Handbook \(updated April 2022\)](#)

[Berliner Hochschulgesetz](#)