

The Just Community Constitution

Preamble

Founding and Values

We, the students, faculty, administration, and staff members of Shalhevet High School, in order to form a more just and caring community, forge a partnership between each and every member of the Just Community, provide for a mutually respectful learning environment, honor each person's dignity and worth, promote each person's moral reasoning and ethical development, and uphold the Jewish values of Torah, *Halakha*, *Menschlichkeit*, and Zionism, as well as the democratic values of liberty, equality, and justice for ourselves and for posterity, while recognizing the value of learning through growth, the necessity to create civically responsible citizens, the need for respectful dialogue in any community, and the importance of thinking deeply and critically about our world, do ordain and establish this Constitution for the Just Community of Shalhevet High School.

Purpose and Scope

Purpose

This Constitution establishes the Just Community, the basic rights and duties of its constituents (hereinafter defined as the students, faculty, administration, and staff members of Shalhevet High School), the processes and respective powers of its governmental organs, and its core values.

Limits of the Democracy

The jurisdiction of the Just Community does not encompass the domains of curriculum, *Halakha* (set at the discretion of the Head of School in conjunction with the school-designated *posek*), and local, state, and federal law.

Relationship Between Administrative Policies and Just Community Enacted Law

The Student Handbook is composed of administrative policies and Just Community Enacted Law.

The Agenda Committee shall write all approved Just Community legislation into the Student Handbook, which must be easily accessible to all members of the Just Community.

Just Community Enacted Law can only be modified, removed, or otherwise altered through the legislative processes of the Just Community (see Article I, Section 3 and Article IV, Section 2). However, administrative policies can be modified, removed, or otherwise altered by the administration independently or through the legislative processes of the Just Community.

Structure

The committee is the primary structural component of the Just Community. Committees are composed of students and faculty advisors and function within the bounds set by their respective article in the Constitution. No student or faculty member may serve on two committees simultaneously. In order to create or dissolve a committee, any member, organized group, or entity of or within the Just Community (e.g., students, faculty members, committees, clubs, etc.) may write and submit a constitutional amendment as outlined in Article V, Section 1.

Intended to extend the student voice and facilitate further discussion and advocacy in a particular area (e.g., certain areas of school policy, student life, *chesed*, etc.), the council — the secondary structural component of the Just Community — acts as a more focused and smaller governing body. Councils are composed of students and faculty advisors and function within the bounds of their council charter, which shall articulate their exact scope, purpose, and structure. In order to create or dissolve a council, any member, organized group, or entity of or within the Just Community may write and submit a council charter in the form of a proposal as outlined in Article I, Section 3.

Members of the Just Community may serve on up to two councils or one council and one committee (at the representative-level only) at the same time.

Elections

Members of the Just Community are empowered to elect committee officers and representatives. A subcommittee¹ composed of the Chairs of the Fairness Committee and the Faculty Advisor(s) of the Fairness Committee (hereinafter defined as the Elections Subcommittee) shall oversee all

¹ An organized body composed of, in whole or in part, members of other committees within the Just Community.

Just Community elections. The Elections Subcommittee shall inform the Just Community about election and voting protocol at least fourteen days before the corresponding election date.

Following their election, all committee officers and representatives must take the following affirmation of office before the members of the Just Community:

“I do solemnly affirm that I will uphold the values, statutes, and principles of the Just Community Constitution, serve the Just Community of Shalhevet High School, act morally and justly, and faithfully execute my designated duties for the entirety of my term.”

If a committee officer or representative is suspected of violating their affirmation of office, then any member, organized group, or entity of or within the Just Community may bring their alleged actions to the attention of the Fairness Committee through the standard case process (see Article II, Section 3.1).

The Fairness Committee shall determine the appropriate course of action and execute their ruling.

In the event that the Fairness Committee determines that the alleged actions warrant removal from office, other members of the committee from which the individual was removed shall temporarily assume the duties and responsibilities of the vacant position, until a new individual is elected and affirmed via the standard election process.

Article I. Legislative

Section 1. The Agenda Committee

In order to oversee and promote the Just Community and its values, promote dialogue amongst the Just Community, protect and maintain the Constitution, plan and administer Town Hall meetings, and facilitate the proposal process, we establish the Agenda Committee.

The Agenda Committee has the following enumerated powers:

1. To plan and administer Town Hall meetings (see Article I, Section 2),
2. To supervise and execute the proposal process (see Article I, Section 3), and

3. To represent and oversee the Just Community as well as its values and aspirations (see Article I, Section 4).

The Agenda Committee shall be composed of two Faculty Advisors (at least one of which must be an administrator²), as well as the following student positions in descending hierarchical order:

1. The Chair from the senior class,
2. The Vice Chair from the junior class,
3. The Secretary from the sophomore class, and
4. Two Representatives from each of the four grades (eight in total).

The Agenda Committee shall delegate the specific responsibilities of each of its members.

The Agenda Committee must meet at least every five regularly scheduled school days and shall decide amongst itself how to conduct meetings and deliberate proposals.

On a quarterly basis, the Chair of the Agenda Committee shall meet with the administration and the chairs of the other committees to discuss current affairs.

The Agenda Committee shall record an outline of Town Hall discussions, passed, failed, and pending legislation, and records of Committee meetings in a publicly accessible format.

The Agenda Committee must safeguard the Constitution by:

1. Ensuring that all approved proposals, amendments, and legislative petitions are properly integrated into the Constitution and executed.
2. Publishing both an officially updated version of the Constitution as well as all previous versions in a publicly accessible format.
3. Protecting the integrity of the Constitution as a formal, binding, and authoritative document in the proposal process.

Section 2. Town Hall

Town Hall is a forum, planned and run by the Agenda Committee, in which all members of the Just Community come together. While Town Hall is formally a space to facilitate the proposal

² The Head of School may not serve on the Agenda Committee.

process as detailed in Article I, Section 3, it also incorporates what the Agenda Committee sees as best for the Just Community.

At its core, Town Hall is a space for a dialogue of learning. Therefore, members of the Just Community should be considerate, uphold a high level of respect for one another, and receive their fellow members with careful understanding.

Town Hall meetings shall be held on a regular basis and led by the Agenda Chair, or their designee.

Section 3. The Proposal Process

Any member, organized group, or entity of or within the Just Community may submit a proposal to the Agenda Committee.

Proposals can either create, modify, or remove rules, procedures, or policies, as long as they do not violate the limits of the democracy of the Just Community (as outlined in the Preamble).

Proposals must follow a three-prong structure:

1. Concise statement of the issue,
2. Proposed resolution to said issue, and
3. Clear outline of execution and implementation of proposed resolution.

Further requirements for the proposal (e.g., its background and/or history, how it affects different groups within the Just Community, etc.) are set at the discretion of the Agenda Committee.

Upon the receipt of a proposal, the Agenda Committee must convene, exercise one of the following two options, and inform the author(s) of the decision within five regularly scheduled school days:

1. The Agenda Committee may accept the proposal, ensure that the necessary revisions and/or clarifications are made in conjunction with the author(s), and then forward it to the Judicial Review Subcommittee for final approval.
2. If the Agenda Committee has reason to believe that the proposal violates the limits of the democracy of the Just Community, undermines the values of the Just Community, seriously detracts from the public image of Shalhevet High School, and/or is unconstitutional, the Agenda Committee may immediately forward the proposal to the

Judicial Review Subcommittee for further examination, with explicit reasoning as to why the direct forward is necessary.

If the proposal is approved by the Judicial Review Subcommittee, the Agenda Committee must then determine whether or not the proposal requires deliberation.

1. *A proposal with deliberation* is specifically allotted time to be debated, discussed, questioned, or modified before it is subsequently voted upon.
 - a. The Agenda Chair, or their designee, shall lead the deliberation for proposals with deliberation.
2. *A proposal without deliberation* is not allotted time to be debated, discussed, questioned, or modified before it is subsequently voted upon.
 - a. Upon request, any proposal without deliberation may be debated, discussed, questioned, or modified.

All proposals — regardless of their classification — must be voted upon within fourteen regularly scheduled school days and shall be approved by a simple majority of all votes cast.

Once the proposal is passed, the Agenda Committee shall deem it Just Community Enacted Law and immediately integrate it into the Student Handbook. The passed proposal, its voting data, and its approval release from the Judicial Review Subcommittee shall be recorded publicly and added to the permanent legislative record of the Agenda Committee.

At any point in the future, the administration is prohibited from modifying, removing, or otherwise altering any Just Community Enacted Law without engaging in the legislative processes of the Just Community (see Article I, Section 3 and Article IV, Section 2).

After a proposal is passed, any member, organized group, or entity of or within the Just Community may appeal the proposal to the Fairness Committee in the form of a legislative petition for further review (see Article II, Section 3.2).

Section 4. Promotion and Administration of the Values of the Just Community

Any member, organized group, or entity of or within the Just Community can suggest changes to the values of the Just Community as outlined in the Preamble through a constitutional amendment (see Article V, Section 1).

Additionally, every two years, beginning with the third quarter of the 2020-2021 school year, the Agenda Committee must organize at least one Town Hall meeting to discuss the values of the

Just Community and their continued relevance. Any proposed changes to the values of the Just Community are still subject to the standard amendment process.

Article II. Fairness

Section 1. Community Rights

1. The Right to Fairness

All members of the Just Community have the right to expect fairness in every aspect of the Just Community.

2. The Right to Respect

All members of the Just Community have the right to be treated respectfully in speech and behavior.

3. The Right to be Heard

All members of the Just Community have the right to be heard. Each member must ensure that their fellow members' rights are also upheld.

Section 2. The Fairness Committee

In order to ensure fairness in every aspect of the Just Community, uphold the aforementioned community rights, hear and resolve conflicts between members of the Just Community, examine legislative petitions, facilitate safe and fair elections, and uphold the Constitution and its values, we establish the Fairness Committee.

The Fairness Committee shall be composed of at least one Faculty Advisor, as well as the following student positions in descending hierarchical order:

1. Two Chairs from the senior class,
2. The Secretary from the sophomore or junior class, and
3. Two Representatives from each of the four grades (eight in total).

The Fairness Committee shall delegate the specific responsibilities of each of its members.

The Fairness Committee is required to meet on a case-by-case basis and shall decide amongst itself how to conduct proceedings (e.g., meetings, hearings, and deliberations).

The Fairness Committee shall keep a private record of all of its proceedings.

If necessary, the Fairness Committee can utilize Town Hall meetings to address the Just Community.

On a quarterly basis, the Chairs of the Fairness Committee shall meet with the administration and the chairs of the other committees to discuss current affairs.

Section 3. The Case Process

Subsection 1. Conflict Resolution

Any member, organized group, or entity of or within the Just Community (hereinafter defined as the plaintiff(s)) has the right to bring any other member, organized group, or entity of or within the Just Community (hereinafter defined as the defendant(s)) to the attention of the Fairness Committee.

Before submitting their case to the Fairness Committee, the plaintiff(s) must attempt to respectfully resolve the conflict with the defendant(s) in person. If the plaintiff(s) cannot resolve the conflict, then they may formally submit a case form to a member of the Fairness Committee.

Case forms must follow a three-prong structure:

1. Identity or identities of the plaintiff(s),
2. Identity or identities of the defendant(s), and
3. Description of the conflict.

Further requirements for the case form (e.g., additional background information, witness details, etc.) are set at the discretion of the Fairness Committee.

Upon the receipt of a case form, the Fairness Committee must consider the case form, convene for an initial Committee meeting, and exercise one of the following two options within five regularly scheduled school days:

1. The Fairness Committee may accept the case, inform the plaintiff(s) and defendant(s), and schedule a hearing with the parties involved.
 - a. Following all necessary hearings and deliberations, the Fairness Committee must provide a recommendation (e.g., suggest a remedy, craft legislative recommendation in the form of a proposal, bring notice of the unfair actions to the parties involved, etc.) to the plaintiff(s) and the defendant(s).
 - i. The Fairness Committee shall not impose policy of its own; however, the Committee may suggest punishments and/or courses of action for the specific situation to the parties involved.
2. The Fairness Committee may reject the case and inform the plaintiff(s).

Conflict resolution proceedings are closed-door to the public, unless the Committee and all parties involved (e.g., plaintiff(s), defendant(s), and witness(es)) explicitly agree to an open-door exemption. All parties involved may attend Committee hearings; however, only members of the Fairness Committee can attend Committee deliberations.

Subsection 2. Legislative Petitions

Any member, organized group, or entity of or within the Just Community (hereinafter defined as the petitioner(s)) can also bring pending or passed proposals, verdicts from the Judicial Review Subcommittee, administrative policies, and constitutional principles (hereinafter defined as legislation) to the attention of the Fairness Committee through the submission of a legislative petition.

Legislative petitions must follow a three-prong structure:

1. Exact wording of the legislation in question,
2. Rationale for the petition, and
3. Desired modification to the legislation.

Further requirements for the legislative petition (e.g., additional background information, etc.) are set at the discretion of the Fairness Committee.

Upon the receipt of a legislative petition, the Fairness Committee must consider the legislative petition, convene for an initial Committee meeting, and exercise one of the following three options within five regularly scheduled school days:

1. If the Fairness Committee determines that the legislative petition is a matter of constitutionality, involves the values of the Just Community, and/or affects the public image of Shalhevet High School, the Fairness Committee may immediately forward the proposal to the Judicial Review Subcommittee for further examination, with explicit reasoning as to why the direct forward is necessary, and inform the petitioner(s).
2. If the Fairness Committee determines that the legislative petition does not fall within the parameters specified above, the Fairness Committee shall deliberate the legislative petition, exercise one of the following two options, and inform the petitioner(s):
 - a. The Fairness Committee may approve the legislative petition.
 - i. The Fairness Committee shall then forward the legislative petition and a recommendation (indicating the specific change in wording for the legislation) to the Agenda Committee, which shall then decide how to proceed.
 - b. The Fairness Committee may reject the legislative petition.

Since legislative petitions inherently affect the entire Just Community, legislative petition proceedings are open-door, unless the Committee and the petitioner(s) explicitly agree to a closed-door exemption.

Article III. Community Life

Section 1. The Student Activities Committee

In order to unite the entire Just Community, promote an enriching high school experience on an individual and schoolwide level through creative, spiritual, and religious outlets, highlight the talents and strengths of all students, and facilitate and enhance both *ruach* and school spirit, all in conjunction with the framework and values of the Just Community, we establish the Student Activities Committee.

The Student Activities Committee shall be composed of one Faculty Advisor, as well as the following student positions in descending hierarchical order

1. Two Chairs from the senior class,
2. The Vice Chair from the junior class,
3. The Secretary from the sophomore class, and
4. Two Representatives from each of the four grades (eight in total).

The Student Activities Committee shall delegate the specific responsibilities of each of its members.

The Student Activities Committee must meet every five regularly scheduled school days and shall decide amongst itself how to conduct its meetings.

On a quarterly basis, the Chairs of the Student Activities Committee shall meet with the administration and the chairs of the other committees to discuss current affairs.

Article IV. Judicial

Section 1. The Judicial Review Subcommittee

In order to ensure that all Just Community legislation are in line with the values and principles of the Constitution, foster partnership and unity amongst the entire Just Community, and protect the quality of Just Community legislation, we establish the Judicial Review Subcommittee.

The Judicial Review Subcommittee shall be composed of:

1. The Head of School,
2. One Representative from the Faculty and Staff,
3. The Chair of the Agenda Committee,
4. One Representative from the Chairs of the Fairness Committee, and
5. One Representative from the Chairs of the Student Activities Committee.

Before the beginning of every school year, the Elections Subcommittee shall hold an election, in which all faculty and staff shall elect their representative to the Judicial Review Subcommittee for the entirety of the school year.

The Chairs of the Fairness Committee and the Student Activities Committee shall designate their respective representatives on a case-by-case basis amongst themselves.

The Judicial Review Subcommittee is required to meet only as necessary and shall decide amongst itself how to conduct meetings. If the Head of School is unable to attend a meeting, they may appoint a temporary replacement until they return.

Section 2. The Review Process

Every proposal must pass through the Judicial Review Subcommittee and requires unanimous approval to be voted upon by the Just Community (see Article I, Section 3). The Judicial Review Subcommittee shall also evaluate legislative petitions forwarded from the Fairness Committee (see Article II, Section 3.2).

The Judicial Review Subcommittee deliberates the constitutionality of the proposal or legislative petition, the extent to which it upholds the values of the Just Community, as well as whether or not it would seriously detract from the public image of Shalhevet High School if it were passed, with respect to the *hashkafa* of Shalhevet High School.

Upon the receipt of a proposal from the Agenda Committee, the Judicial Review Subcommittee must convene, deliberate, unanimously agree, and exercise one of the three following options within ten regularly scheduled school days:

1. The Judicial Review Subcommittee may approve the proposal after ensuring that it upholds the values and principles of the Just Community Constitution and forward it back to the Agenda Committee in preparation of voting.
2. The Judicial Review Subcommittee may decide that the proposal requires further revision and forward it back to the Agenda Committee.
3. The Judicial Review Subcommittee may reject the proposal, deeming it unconstitutional and/or in violation of the values of the Just Community.

Upon the receipt of a legislative petition from the Fairness Committee, the Judicial Review Subcommittee must convene, deliberate, unanimously agree, and exercise one of the two following options within ten regularly scheduled school days:

1. The Judicial Review Subcommittee may approve the legislative petition, upon validating its rationale and ensuring that the proposed modification upholds the values and principles of the Just Community Constitution and then forward it and a legislative recommendation (indicating the specific change in wording for the legislation) to the Agenda Committee, which shall then decide how to proceed.
2. The Judicial Review Subcommittee may reject the legislative petition, upon invalidating its rationale and affirming that the legislation in question is, indeed, in accordance with the values and principles of the Just Community Constitution.

In the unlikely event that the Judicial Review Subcommittee is unable to come to a unanimous decision within ten regularly scheduled school days, they must hold a public forum for the entire

Just Community, in which they shall explain the full scope of their deliberations. The forum shall then allow the Just Community to give input as to how the Judicial Review Subcommittee should rule. If — after this forum — the Subcommittee is still unable to come to a decision, the Judicial Review Subcommittee must forward the proposal or legislative petition back to the Agenda Committee or Fairness Committee for further revision or examination, respectively.

Section 3. The Transparency Clause

In any event, after reaching a decision, the Judicial Review Subcommittee must write a summary of their deliberations, along with specific citations from the Constitution. They must formally announce their verdict to the Just Community within one regularly scheduled school day of reaching their decision. The Agenda Committee must keep a record of all such documents in a publicly accessible format.

After a verdict is reached, any member, organized group, or entity of or within the Just Community may appeal the verdict to the Fairness Committee in the form of a legislative petition for further review (see Article II, Section 3.2).

Article V. Amendment

Section 1. The Amendment Process

Any member, organized group, or entity of or within the Just Community can propose an amendment to the Constitution through the following process:

1. They must submit the constitutional amendment to the Agenda Committee in the form of a proposal (as outlined in Article I, Section 3).
2. Once the proposal is approved by both the Agenda Committee and the Judicial Review Subcommittee, the Agenda Committee shall present it to the Just Community as a proposal with deliberation.
3. Following deliberation, the Just Community must approve the proposed amendment by a two-thirds majority of all votes cast.

The Agenda Committee must ensure that all approved amendments are properly implemented into the Constitution (see Article I, Section 1).

Article VI. Ratification

Section 1. The Ratification Process

In order to ratify the Constitution, the leaders of the Just Community shall organize a Constitutional Convention to publicly address and explain the Constitution. For the following weeks, small group meetings will be held to edit the Constitution and then merge all edits into a final draft. The Just Community will subsequently vote on this draft in Town Hall. The Constitution shall be ratified by a three-fourths majority vote of all votes cast.