

# Marlboro College Community Constitution and Bylaws

Tuesday, February 16th, 2010

## SECTION I: ALLOCATION OF POWERS

The Town Meeting of the Marlboro College Community shall follow, in general, the form of the New England Town Meeting, and shall have the power to legislate in the following matters:

- A. It shall have the power to make recommendations to both the administration and the faculty in all areas other than those under its jurisdiction. It shall elect representatives who shall attend appropriate faculty meetings.
- B. It shall formulate and enforce rulings in matters of conduct and safety, as well as rulings for the care of property in the College Community.
- C. It shall elect representatives for the purpose of participating in the formulations and policies relating to the work program.
- D. It shall have power to organize and maintain work projects of a profit-making nature that will not conflict with the overall program of the College.
- E. It shall make decisions concerning recreation, recreational facilities, and social programs, in accordance with the general plan of the College.
- F. It has final authority in the disposition of the Community Activity Fund. Faculty and staff shall not vote on such issues.
- G. It shall establish each year a scholarship fund to be known as the Town Meeting Scholarship Fund. At the last Town Meeting of the academic year a percentage of the Community Activity Fund, which shall not be, less than 10% of the total shall be appropriated for this fund for the next academic year. The Town Meeting reserves the right to establish the guidelines for awarding the scholarship when it establishes the amount to be put into the fund.
- H. It shall have representatives on each policy-shaping committee of the faculty.
- I. The Town Meeting shall have the power to review any faculty decision on academic policy. This does not include power to review decisions concerning the standing or status of individual students. At the request of the Board of Selectpersons or following presentation of a petition signed by at least fifteen students to the Board of Selectpersons, the Head Selectperson shall present the faculty decision to the Town Meeting. Town Meeting disapproval of such a decision by a majority of those students present shall be binding: that majority for purposes of disapproval shall consist of at least 20% of the student body. Such Town Meeting action must take place within two (2) weeks of term time of the faculty decision being challenged. The faculty may, in Faculty Meeting, overrule the Town Meeting in such a case and reaffirm the original decision by a vote of two-thirds of those faculty present at that Faculty Meeting.
- J. Town Meeting may overrule by a majority vote any action by the Board of Selectpersons.
- K. The "Spore Amendment" (15 April 1968):
  1. Town Meeting shall not establish religion or prohibit the free exercise thereof.
  2. Town Meeting shall not abridge freedom of speech or of the press.
  3. Town Meeting shall not abridge the right of its members to assemble peaceably or to petition it for redress of grievances.
  4. Town Meeting shall not legislate personal or collective external political opinion.
- L. Town Meeting shall make decisions concerning appropriations from the Washer/Dryer Fund. No more than 5%, measured at the beginning of the academic year, may be withdrawn during the course of the full academic year without a two-thirds majority of Town Meeting vote with the exception of the work coordinators' budget.
- M. Marlboro College, in advancing its mission, acknowledges and celebrates the inherent connections between the educational work we do, and the places where we do that work—on campus, and in our local and global communities.  
Recognizing its role and responsibility as an environmental leader, Marlboro College commits to limiting its environmental footprint by using energy efficiently and resources wisely.

We, its resident and affiliate members, shall foster among ourselves a sense of stewardship for the natural resources on which we depend and educate ourselves and others about the opportunities and obligations we share as citizens of a sustainable world.

Town Meeting embraces the college's environmental mission statement and the environmental ethic that it describes. This ethic shall be taken into consideration in all decisions made by Town Meeting, and by Town Meeting committees and other subsidiary bodies.

This grant of authority to the Town Meeting by the faculty rests on a general assumption that a code of civilized behavior, suitable to adult citizens of a democratic community, will be followed by all members of the Marlboro College Community.

## SECTION II: THE COLLEGE COMMUNITY

The College Community shall include students, faculty, staff and their spouses, kitchen staff regularly assigned to Marlboro College, and trustees when present. The Moderator may extend to visiting associates and alumni full privileges while they are at Marlboro College.

## SECTION III: TOWN MEETING OFFICERS

The Officers of the Town Meeting shall be:

- A. Moderator: Shall be elected for a term of one (1) academic semester. Elections for said office shall be held at the last Town Meeting of the preceding semester.
- B. Selectpersons:
  1. Selectpersons shall be elected as follows:
    - a. Nominations for a Head Selectperson Elect shall be taken at or before the second-to-last scheduled Town Meeting of the fall semester, and posted for the week following. Elections shall be held on the first three (3) days of the following week, supervised by the Board of Selectpersons, using the alternative ballot as follows: Voters are asked to indicate their first, second, and third preference for Head Selectperson by indicating each with "1," "2," or "3," before each name, respectively. The

tallying of these votes will proceed in the following fashion: If one nominee achieves a true majority in the first tally of all votes marked "1," he/she is declared the next Head Selectperson. If not, then that nominee with the least "1" votes is dropped from the race, and the "2" preferences on those ballots are then observed in a second tally of all votes. This process of canceling those votes belonging to that nominee with the least votes in each tally, and applying the next preference indicated on each of those ballots to the other nominee continues until one nominee gains a true majority of the vote. Upon request, Selectpersons shall provide absentee ballots. The results shall be posted as soon as possible. The Head Selectperson Elect will automatically become the new Head Selectperson at the start of the Spring Semester, with the intervening period serving as a training session for the position.

- b. Nominations for six Selectpersons shall be taken at the last Town Meeting of the spring semester. Elections shall be held on the first three (3) days of the following week, and be supervised by the departing Board of Selectpersons.
  2. Terms of Selectpersons shall be one (1) full year. A Selectperson may be re-elected.
  3. Should a Selectperson resign from his or her position, a substitute shall be elected as soon as possible, following the pattern of the Australian ballot, to fulfill the responsibility of the departing Selectperson for the remainder of the term of office of the departing Selectperson.
  4. In the event of the incapacity of the Head Selectperson, as determined by the Dean and the Board of Selectpersons, the Board of Selectpersons shall call a special Town Meeting to take nominations for the position of Acting Head Selectperson. Nominations shall be posted for a period of forty-eight (48) hours after Town Meeting, at the end of which time an election shall be held. This election, supervised by the Board of Selectpersons, will take place by alternative ballot and checklist. Upon request, Selectpersons shall provide absentee ballots. The result shall be posted immediately. During the forty-eight (48) hour interim, immediately upon pronouncement by the Board of Selectpersons of the incapacity of the Head Selectperson, the Treasurer shall assume responsibility as Chairman of the Board of Selectpersons with the power only to organize the Board's own business and to act as liaison between the Board and the Dean's office. The duly elected Acting Head Selectperson will assume all the powers and responsibilities of the Head Selectperson designated under Section III, B. 5-7 of the Constitution until the Board of Selectpersons and the Dean pronounce the Head Selectperson capable of assuming his or her duties.
  5. The functions of the Selectpersons include:
    - a. The leadership of the Community, with a view to its general well-being;
    - b. Responsibility for the proper exercise of those powers which have formally been delegated to the Community Government;
    - c. Representation for the interests of the students to the faculty, the officers of the administration, and other bodies;
    - d. Advising and counseling individuals as may seem appropriate;
    - e. Maintenance of pleasant and hygienic conditions on campus;
    - f. Enforcement of Community Bylaws.
  6. The Board of Selectpersons shall:
    - a. Meet regularly at announced times while the College is in session; provide opportunity for any member of the Community to discuss matters with the Board;
    - b. Summon and attend Town Meetings and prepare agenda and report on the doings of the Board;
    - c. Attend open meetings of the Board of Trustees and the faculty;
    - d. Meet with officers of the administration at least every other week while the College is in session;
    - e. Cooperate with the Dean of Students in the orientation of new students;
    - f. Meet with the Dean's office personnel to decide issues of rooming priority;
    - g. Solicit applications and, with the consent of the Director of Plant and Operations, appoint one (1) student to serve as head of the Fire and Safety Commission;
    - h. Appoint auditors to examine and report upon the form of the accounts of the Community Activities Fund;
    - i. Recommend a Student Activities Fee to the last Town Meeting of the year;
    - j. Insure that all elections within the Community take place at the time and in the manner stipulated;
    - k. Attend any dormitory meetings at the request of the residents;
    - l. Act as Grand Jury in the presentation of Community charges against individuals before the Court. (Note: A Grand Jury is convened at the request of a Public Advocate);
    - m. Supervise and appoint, for an indefinite term (after consultation with the President, the Dean of Students, and the Director of Plant and Operations), a Crew Chief for the Dining Hall, whom the College shall pay an appropriate stipend (similar to the highest work grant). See Article VI of the Bylaws;
    - n. After consultation with the guest, have the right to declare any non-member of the Community persona non grata and deny visiting privileges to that person for a stated period. This decision may be appealed to the Community Court;
    - o. Cooperate with the Fire Chief in matters of fire safety;
    - p. Be responsible for the allotment of the PA system.
  7. The Head Selectperson shall have a special position of leadership and general responsibility for the well-being of the Community as a whole.
- C. Nominations for a Treasurer Elect shall be taken at or before the second-to-last Town Meeting of the spring semester. The Treasurer Elect will automatically become the new Treasurer after Commencement, when he or she will become Treasurer for a term of one year. The Treasurer shall:
1. Maintain the accounts of the Community Activities Fund and submit them to the auditors/Financial Officers of the College to be audited at the end of each semester;
  2. Obtain the advice of the auditors/Financial Officers of the College as to the form of the accounts;
  3. Maintain an inventory of all durable equipment acquired by the Community, with an account of its present estimated value, and a list of the names of those responsible for its safekeeping;
  4. Render to the Town Meeting an account of the current state of the Community Activities Fund at the request of two (2) members of

- the Community, provided that forty-eight (48) hours notice of the request shall have been given;
5. Obtain from the Student Accounts Office, as needed, the proceeds of the Student Activities Fee, according to the appropriations made by the Town Meeting, and obtain receipts from the recipients;
  6. Obtain from the Chairperson of the Community Committees their requests for appropriations for the coming academic year, not later than the 7th of May; and to add them to his or her own requests for washing machines, etc., expenditure and miscellaneous items, including charity and other causes not directly related to the well-being of the Community; and transmit the whole budget to the Board of Selectpersons for its approval and for the setting of a Student Activities Fee;
  7. Receive from the Clerk of the Court, the Crew Chief, the Fire Chief, and from all others through whose hands receipts due to the Community Activities Fund pass, such sums as are due, and give receipts for them;
  8. Examine all requests for supplementary appropriations not specified in the budget, and place them on the agenda of a Town Meeting with or without his or her endorsement. He or she shall not be authorized to pay money from the Community Activities Fund unless the appropriation has been so placed upon the agenda, except in those cases where, by the ruling of the Moderator, a situation of extreme emergency has arisen;
  9. Be bonded for \$3,000. The Treasurer may, after consulting with the Selectboard if possible and at his or her own financial risk, make disbursements of up to \$3,000 from the Community Activities Fund in emergencies when in his or her opinion such disbursement may reasonably be expected to be validated at the next Town Meeting. The Treasurer shall inform the Selectboard of such a disbursement at the next Selectboard meeting;
  10. Receive an expense account equal in amount to his or her Student Activities Fee;
  11. Serve as member of the Board of Selectpersons;
  12. Inform the community about Budget and Committee Spending at the end of each semester;
  13. Be authorized to sign checks only between Fall Enrollment and Commencement. The Treasurer shall submit all unwritten checks to the Financial Officers of the College by June to be held until Fall Enrollment;
  14. Have all accounts balanced and ready to be audited by Commencement;
  15. Be authorized to sign checks only when he or she is not the recipient of the check or the check is not made out to cash. When either of these conditions is necessary, it shall be signed by the Head Selectperson;
  16. Train the Treasurer Elect.
- D. Nominations for a Clerk Elect shall be taken at or before the second-to-last Town Meeting of the spring semester. The Clerk Elect will automatically become the new Town Meeting Clerk after Commencement, when he or she will become Clerk for a term of one year. The Clerk shall:
1. Serve as a member of the Board of Selectpersons;
  2. Keep minutes for the Selectpersons;
  3. Keep the minutes for the Town Meeting. Post a list of the Offices and Officers of the Town Meeting, the Committees and their Chairpersons and membership, any proposed amendments to the Constitution, Bylaws, or announcements so designated by the Town Meeting or the procedures of Town Meeting.;
  4. Update and maintain online content relating to Town Meeting and the Selectboard;
  5. Ensure that all changes to the Bylaws and/or the Community Constitution are incorporated, before the following Town Meeting, into an electronic medium accessible to students, faculty, and staff.
- E. Selectpersons, Clerk, and Treasurer shall constitute a permanent body to meet with the faculty, staff, or trustees in matters involving the question of jurisdiction. Selectpersons, Clerk and Treasurer may be recalled by a petition signed by two-thirds of the student body, followed by a two-thirds vote of Town Meeting. An Officer shall have at least one (1) week's notice.
- F. Advocates:
1. To protect the integrity of the Community, two Advocates from the Town Meeting shall be appointed by the Board of Selectpersons to undertake all cases presented to them by other members of the Community. They shall be responsible for the correct writing of charges, in accordance with the Handbook, for proper investigation (i.e. gathering sufficient evidence); for making an effort to settle cases out of Court (see [Section V, D](#) for guidelines); and for determining whether the accused has been advised of his or her rights by the Dean of Students.
  2. Upon appointment, the Advocates shall meet with the Community Court to review its procedures and their own responsibilities. The Associate Advocate shall assist the Public Advocate in every case. A Special Advocate, with full responsibilities of the Public Advocate, shall be appointed by the Board of Selectpersons if he or she and the Associate Advocate refuse a case.
  3. Each Advocate shall be appointed as Associate Advocate to a one-year term. Appointments shall be made at the start of each semester, and only one Associate Advocate shall be appointed at a time. On a vacancy in the office of Public Advocate, the Associate Advocate shall assume this role and a new Associate shall be appointed.
- G. The Town Crier shall announce lectures, concerts and other performances or events that concern the Marlboro Community. He or she is responsible for providing the Community with (1) a set schedule of when and where announcements will take place, and (2) a substitute Crier if he or she is unavailable or off campus at one of the scheduled announcement times. The Town Crier may add to his or her duties as he or she sees fit. All announcements must be presented to the Town Crier in typed or written form before the appropriate announcement times. The Town Crier will be nominated at the last Town Meeting of each spring semester and will be elected by Australian ballot for a term of one year.
- H. 1. The work coordinators shall oversee and organize voluntary work on campus. They shall:
- a) work with the Director of Plant and Operations, the Director of the Outdoor Program, the Farm Manager, the Selectboard and other groups to maintain a public list of available tasks;
  - b) arrange times, materials, and work crews for these tasks to be completed;
  - c) maintain a public sign-up sheet for volunteers;
  - d) coordinate at least one workday each semester;
  - e) report in every Town Meeting.
2. There shall be two work coordinators. Each work coordinator shall be elected by Town Meeting for a term of one year. The terms shall be staggered, one beginning at the start of the fall semester and the other at the start of the spring semester.

3. The work coordinators shall have a budget of not less than \$1000 per year and not more than \$2000 per year, taken from the Washer/Dryer fund.

#### **SECTION IV: TOWN MEETING**

- A. There shall be at least three (3) business meetings each year, one for the purpose of orientation in September, one for mid-year reports from all Committees in January, and one to approve the Town Meeting budget for the following year in April. Supplementary meetings may be held by decision of the Selectpersons or by petition of fifteen (15) students. A meeting shall be called within two (2) weeks of the presentation of a petition to the Selectpersons, providing that the petition be presented sufficiently in advance to allow posting of a twenty-four-hour (24) warning of the meeting to the Community.
- B. A quorum is the number of members present unless the decision to implement or transact such business requires a percentile or fixed number of the Community.

#### **SECTION V: COMMUNITY COURT**

Community court is responsible for enforcing the bylaws of Town Meeting. Any member of the community may bring charges of violations of the bylaws before Community Court for a hearing. This court may then impose appropriate penalties.

- A. The Court shall consist of nine (9) members: five (5) students, three (3) faculty members and one (1) staff member. A quorum shall consist of any three (3) or more student members and two (2) or more faculty members and staff members. At least six (6) student nominees, at least six (6) faculty nominees and at least two (2) staff nominees shall be placed before the last Town Meeting of the spring, from which group the Town Meeting shall elect three (3) faculty justices, five (5) student justices and one (1) staff justice for the coming academic year. Staff members who already participate in the court process, appeals process or who have campus disciplinary, psychological or health responsibilities shall be ineligible to serve on the Court.

B. Community Court Parties: The following is a list of the various people who may be involved in a Community Court case. If any of them has a conflict of interest, they should recuse themselves and find a replacement who can appropriately fill the duties listed below.

- a. Presiding Officer- The Court shall appoint (1) of its members as Presiding Officer. The function of the Presiding Officer is to move the court process through the agenda.
- b. Presiding Officer also answers questions in procedure and may do so in consultation with the other members of the Court.
- c. Complainant- The Complainant is the individual who brings the case to the Public Advocate or the Dean of Students. If the issue cannot be resolved, then a Community Court case may be convened.
- d. Public Advocate/Associate Advocate- The Public/Associate Advocate are responsible for the correct writing of charges, in accordance with the Handbook, for proper investigation (i.e, gathering sufficient evidence); for making an effort to settle cases out of Court; and for determining whether the accused has been advised of his or her rights by the Dean of Students.
- e. Defendant- The Defendant is the individual against whom the Complainant is bringing a charge. They have the right to have a consultant present (see B. e.)
- f. Consultant to Defendant- The Consultant to the Defendant may be any member of the Marlboro College community. The role of the Consultant is to advise and support the defendant which may include asking a question on behalf of the Defendant, helping to prepare their defense and providing general support. The Defendant may pause the proceedings at any point to either speak with their consultant or dismiss them.
- g. Head Selectperson- the Head Selectperson, by virtue of their special position of leadership and general responsibility for the wellbeing of the Community as a whole, may be present at Community Court hearings.
- h. Dean of Students- the Dean of Students, by virtue of their position, is present at Community Court Hearings to be a resource, which may come in the form of information on past cases, procedures or sanctioning. The Dean of Students also maintains a file of all Court proceedings.
- i. Witnesses- Witnesses may be called by either the Complainant or Defendant. They may either provide direct information about an event or serve as a character witness. Their testimony will be coordinated before the case by the Public and Associate Advocate.
- j. Clerk- The Town Meeting shall also elect a Clerk of the Court whose responsibility it is to keep a written record of both the open and closed hearings (but not the deliberations). The clerk shall also distribute the record to all appropriate parties to the hearing. Elections shall be held following the last Town Meeting of the spring semester.

C. Jurisdiction of the Court shall include the following:

- b. Violation of the rules promulgated by the Town Meeting;
- c. Theft or destruction of the property of the College or others;
- d. Conduct prejudicial to the best interests of the College. (While it is beyond the scope of these regulations to offer any exhaustive list of what constitutes "conduct prejudicial," cases brought under this provision in the past have included abuse drunkenness; unauthorized entry into faculty or administrative offices or into dorm rooms; violation of the confidentiality of College files or Committee deliberations and decisions; tampering with faculty or student mailboxes or their contents; kitchen raids; and violent or dangerous behavior (such as throwing bottles) even when no damage or injury resulted;
- e. Violation of library rules;

- f. Contempt of Court;
  - g. Interpretation of Town Meeting rules;
  - h. Determination of constitutionality of Town Meeting Laws and Bylaws.
- D. Any member of the Community may bring a complaint against any other member through either the Dean or the Public Advocate. After a preliminary investigation of the complaint, which should usually include taking statements, preferably in writing, from the parties concerned and from any witnesses, with the clear understanding that such statements may be submitted to the Court, the Dean or the Advocate, or both, should try to resolve the complaint, where appropriate, through consultation with the parties involved. Such resolution is appropriate when the offense is against a single individual or a few individuals (e.g., excessive noise in the dorms) or when the offense is a minor one committed in ignorance of regulations. It is inappropriate when the offense is against the whole Community (e.g., the improper discharge of fire extinguishers) or where the offense is major.
- E. A case not resolved by agreement between the parties shall be brought before the Community Court by the Public Advocate, after consultation with the Dean. The purpose of such consultation is to assure that the correct procedures are followed and to determine the specific charge to be presented to the Court. In order that the rights of the person charged shall not be violated, the Dean of Students shall meet with each Defendant to explain: the charge, the procedure of the Court, and the rights of the Defendant. The Defendant may, if he or she wishes, consult his or her advisor in preparing a defense.
- F. The Advocate shall notify all parties to the Hearing at least twenty-four (24) hours in advance, of the time and place of the Hearing and of the charge to be presented.
- G. The Court at its discretion may declare the Hearing open, but they are normally closed. The Court normally respects the wishes of the person charged as to whether the Hearing should be open.
- H. The Advocate shall open the Hearing with a statement of the charges, an overview of the material to be presented, and a list of those to testify. The person charged may rebut or comment upon the charges immediately, or plead guilty, or wait until all the testimony has been heard. The person charged has the right to hear all the evidence presented against him or her. Witnesses are normally present only for their own testimony, but may be allowed to stay if the person charged so elects. Only the Court or the Public Advocate may question witnesses directly. The testimony of prosecuting and defense witnesses must be heard unless the Court deems it irrelevant. After the witnesses called by the Public Advocate have been heard, the Head Selectperson, the Dean, the advisor to the person charged, and finally the person charged may address the Court as they see fit.
- I. The deliberations of the Court are conducted in private and are strictly confidential. The Court shall determine its verdict before any discussion of penalty.
- J. If the Court finds the person charged guilty, it may impose penalties of fines, extra duty, community service, restriction off campus, suspension, expulsion, or similar penalties. For serious offenses, the Court may expel for the first offense. Penalties imposed by the Court are final. It is understood that any defendant who believes that due process has been violated may request the President to review the procedures followed by the Court in reaching its verdict and sentence. In the event that the sentence proposed will require the supervision of the Dean of Students (as, for instance, in all cases of suspension, expulsion, or restriction off campus), the Court shall confer with the Dean of Students before announcing the sentence, to insure that the details of the execution of its sentence are both clear and practical. The person charged is not normally present for such consultation, but may be allowed to be present at the discretion of the Court.

#### **SECTION VI: AMMENDMENTS TO THE CONSTITUTION**

The Constitution may be amended as follows: The proposed amendments shall be offered and read at one Town Meeting, and acted upon by the next, after an interval of at least one (1) week. The amendment shall be approved by not less than a two-thirds majority of those present at said meeting, and by a number of those present equal to not less than thirty percent of the total number of active faculty, staff, and students. In any proceedings which require a vote of thirty percent of the total number of faculty, staff, and students and in which the faculty will not vote because the issue is to come before the Faculty Meeting, the thirty percent requirement will be reduced to a number equal to thirty percent of the total number of students and staff.

#### **SECTION VII: TOWN MEETING BYLAWS**

Other Community matters shall be regulated by Bylaws passed by a majority of the Town Meeting. The amendment or repeal of a Bylaw may be proposed at one meeting, but may not be voted upon until the following meeting.

# **BYLAWS**

## **Article I: Fire and Safety Commission**

- A. The Fire and Safety Commission will be composed of seven members: one Selectperson appointed by the Selectpersons; the Dean of Students or his/her delegate; the Director of Plant and Operations; the College's Master Electrician; a Fire Chief appointed by the Selectpersons with the consent of the Director of Plant and Operations; and two Deputy Fire Chiefs appointed by the other members of the Commission.
  - 1. The Fire Chief shall be paid at a rate of not less than 215 times the state minimum wage per semester, with one-third coming from the Maintenance budget, and two-thirds coming from the Town Meeting Student Activities Fund. If Maintenance cannot afford to budget the one-third of the Fire Chief's pay, the difference will be made up from the Town Meeting Student Activities Fund that semester;
  - 2. The Fire Chief will serve as Chairman of the Commission;
  - 3. The Fire Chief or one of his/her deputies will be on duty during all non-business hours. The person on duty must be on campus, in cottage land, in Whittemore or Red House, or at Marlboro North, and will respond to any fire alarms. The Fire Chief must live in college housing;
  - 4. The Fire Chief shall be trained in CPR and first aid;
  - 5. Appointments to the Commission will be made annually in the spring;
  - 6. The Appointing Authority will have the power to remove for cause or to replace a Commission member;
  - 7. The Commission may hold open or closed meetings at its discretion.
- B. The Commission will promulgate and enforce the Town Meeting regulations regarding fire, motor vehicles, firearms and pets.
- C. The Commission will see that adequate fire prevention measures are taken by the Community.
- D. The Commission, after due consideration of any report made to it of the violation of Town Meeting regulations concerning the use of motor vehicles, the use of firearms and explosives, including all types of fireworks deemed illegal to own or use by the state of Vermont, and any potentially dangerous equipment or actions which Town Meeting may designate as being within the Commission's jurisdiction, will submit, if a majority of the Commission's members so decide, all evidence, and its commendations, to the prosecutor for action by the Community Court. In all cases where a violation has been or is about to be punished before a recognized Court of Law, the Commission will avoid recommending double punishment, except in cases of repeated offenses, or in cases where the Commission is convinced that the strict protection of the Marlboro Community necessitates disciplinary action.
- E. The Commission will review all pieces of proposed legislation concerning fire prevention, motor vehicles, firearms and pets that are to come before Town Meeting and give its recommendations. The Commission may also initiate legislation.

## **Article II: Fire Regulations**

- A. It will be unlawful to:
  - 1. Disobey the Fire Chief, his or her deputies, or members of the Fire and Safety Commission in matters regarding fires, fire safety, or fire drills;
  - 2. Park within a thirty-foot radius of the pump house or a fire hydrant, or in any other established and posted fire lane;
  - 3. Tamper with or misuse any fire equipment or electrical fixtures;
  - 4. Remove or use any fire equipment, including the extension ladders around the Dining Hall, without express permission of the Fire and Safety Commission;
  - 5. Use candles or any type of open flame burners, or to store flammable liquids or chemicals (except alcohol under 100 proof) in dormitories, except when approved by the Fire Chief during an emergency;
  - 6. Use any electric appliances with exposed heating elements such as space heaters, hot plates, and toaster ovens;
  - 7. Use any non-metallic wastebaskets;
  - 8. Possess or use all fireworks deemed illegal by the state of Vermont on college property;
  - 9. Turn in a false alarm;
  - 10. Cause a fire alarm through negligence, or easily avoidable circumstances.
- B. The Fire Chief and his deputies are empowered to enforce these regulations. All violations will be taken directly to Community Court. A Court verdict of guilty in cases under regulations 1 - 8 will result in a fine of not less than an amount equal to nine times the value of the state minimum wage or a work job as the Court sees fit. Those found guilty of violating #9 will pay a fine of not less than an amount equal to thirty times the value of the state minimum wage to the Volunteer Fire Company of the Town of Marlboro. Those found guilty of violating #10 will pay a fine of not less than an amount equal to twenty times the state minimum wage to the Volunteer Fire Company of the Town of Marlboro.
- C. Fines accumulated through violations of the fire regulations will be deposited in the Fire Department Fund to replace fire equipment.
- D. Fire regulations will be posted in each dormitory and members of the Community will be responsible for informing their guests of these regulations.
- E. The Administration and Town Meeting shall institute changes to Fire Regulations to conform to the instruction of insurance inspectors, the State Fire Marshall's Office and similar outside authorities.
- F. All fines shall be paid within two weeks of their being levied. If fines are not paid within 2 weeks, the case will be referred to Community Court.

## **Article III: Motor Vehicle Regulations**

- A. It shall be unlawful to:
1. Exceed the campus speed limit of 10 mph in any vehicle;
  2. Drive off established roads of the campus without permission of the Director of Plant and Operations;
  3. Drive while intoxicated;
  4. Drive a motorcycle or other motorized two- wheeled vehicle on the campus without helmets worn by all persons on the vehicle;
  5. Drive the vehicle of another person without that person's explicit consent.
- B. Parking
1. It is prohibited for any vehicle at any time to park:
    - a. Within a thirty-foot radius of the pump house or a fire hydrant;
    - b. In designated handicapped parking zones, except by vehicles displaying handicapped license plates or having a temporary handicap permit issued by the Fire and Safety chief or Director of Plant and Operations;
    - c. So as to obstruct or inhibit access to campus buildings or roadways;
    - d. Vehicles found in violation of the above regulations may be towed at the owner's expense.
  2. Students living in dormitories on the main campus shall park their vehicles in either the Back Lots located behind Whittemore Theater or the lot across from Persons Auditorium. Vehicles may be brought on campus for loading or unloading as necessary.
  3. Commuters (students, faculty and staff) shall park in the Lower Theater Lot. The lot across from Persons Auditorium may also be used if desired or in the event of insufficient space in the Lower Theater Lot. There shall be no parking in the Lower Theater Lot between the hours of 3:00 a.m. and 7:30 a.m.
  4. No one may park in the Visitor's lot from 3:00 a.m. to 7:30 a.m. Those visiting the college either through Admissions or on other official college business can park in the Visitor's lot during the daytime hours provided their vehicles display a temporary visitor's parking pass. Commuters may park their vehicles in the Visitor's lot after business hours and during the weekend provided they do not park in the lot between the hours of 3:00 a.m. and 7:30 a.m. Due to the nature of the Visitor's lot, vehicles in violation of the above are subject to immediate towing.
  5. Only College-owned vehicles may be parked behind Mather House.
  6. Persons who live in on-campus housing whose duties might require their using their vehicles in an emergency (SLA's, for example) may park near their buildings. Cars displaying Marlboro Volunteer Fire Company license plates may park in any designated parking space on campus.
  7. Special permits will be made available to persons (handicapped, contractors, etc.) as necessary. These permits will be provided by Plant and Operations or the Fire and Safety Commission. One will not issue permits without notifying the other. The Fire and Safety Commission may authorize other people or entities, such as the THC, to issue permits in its name.
  8. All vehicles will display a college registration sticker to designate all faculty, staff, or student vehicles.
  9. Fines: Motor vehicles in violation of these regulations may be ticketed by members of the Fire and Safety Commission. With the approval of the Selectboard, the Fire and Safety Commission may designate other community members to enforce these regulations. Fines for each violation shall be equal to the value of two hours of the state minimum wage and will be charged to the community member's account. Fines are payable to the comptroller's office. Eighty (80) percent of revenue from such fines shall be allocated to the Fire and Safety Commission and Office of Plant Operations for the improvement of community safety and for the purchase and maintenance of equipment and supplies. Ten (10) percent of revenue shall be held by the Selectboard, to be used for Work Day projects. Ten (10) percent of revenue shall be allocated to the office of Plant Operations, to be spent on improvements to the college van service. This policy, as amended, shall come into force 16 August 2005. Without renewal, it shall expire 19 August 2008. The Fire and Safety Commission shall be responsible for presenting a clear budget to the select people no less than twice a semester.
    - a. Any member of the community who accumulates more than *three (3)* parking tickets within one academic year will have all their vehicles banned from campus. The Fire and Safety Commission will notify individuals in writing that their *vehicles are* banned from campus, and the *vehicles* will be banned for 120 days in which college housing is open to all students, beginning on the date of written notification. Upon notification, banned vehicles parked at any campus location other than the Persons Lot may be towed at the owner's expense or their owners fined an amount equivalent to the cost of towing.
    - b. Members of the Fire and Safety Commission may immobilize, through use of a boot, any vehicle the Commission finds it necessary to tow, as per the regulations in the Bylaws, until the tow truck arrives. In addition, the Fire and Safety Commission may immobilize any unregistered vehicle that has received three or more outstanding tickets, until the owner registers the vehicle. A booted vehicle will be clearly marked to prevent the owner from damaging it.
- C. No student may own or maintain more than two (2) motor vehicles on campus.
- D. Vehicles and engines may not be placed or operated in any college building without the explicit permission of the Director of Plant and Operations and the Associate Dean.
- E. Dead vehicles must be removed from the Campus within two weeks of breakdown or will be towed at the owner's expense.
- F. Off-campus complaints from residents of Windham County may be tried in Community Court.
- G. Individuals contracted to work for the corporation of Marlboro College are considered by Article III to be commuters and staff. Contracted workers are liable for all consequences of their violation of Article III. It is the responsibility of the hiring authority to inform contracted workers of their obligation to these Bylaws.

#### Article IV: Firearms Regulations

Students must register any firearms with the Dean of Students Office as soon as the firearms are brought to the College. Furthermore, the Administration explicitly reserves the right to regulate firearms (as well as motor vehicles and internal combustion engines), despite the fact that the Town Meeting has issued a full set of firearms regulations (see below). Firearms must be registered by serial number with the College and they must be kept and used only according to College Community regulations.

- A. It shall be unlawful to:
  1. Discharge firearms within two hundred yards (200 yards) of any college building or to point said firearms at any such building;
  2. Carry or possess loaded firearms within two hundred yards (200 yards) of any college building;
  3. Possess explosives or ammunition within any college building;
  4. Discharge firearms on college premises between one-half hour after sunset and one-half hour before sunrise;
  5. Misuse or handle firearms in a negligent manner;
  6. Carry firearms in any public building or area on the College campus, except for the purpose of registration or retrieval.
- B. All firearms in possession of students and on the College campus must be registered with the Dean of Students Office at the beginning of the fall semester or within forty-eight hours of the time firearms are brought on campus. All firearms and ammunition shall be kept in an area designated by the Dean of Students, under a double-lock system whereby the Fire & Safety Commissioner shall have the key to one lock and the owner of the firearm or ammunition the key to the other.
- C. Violations of the Statutes of the State of Vermont with respect to firearms, by the students of Marlboro College, may be considered as violations of the Firearms Regulations of Town Meeting.
- D. Safety Zone signs shall be posted at the discretion of the Administration.
- E. Fines for violations of the above regulations may be set at the discretion of the Community Court.  
(updated language pending)

#### **Article V: Pet Regulations**

- A. Pets will not be allowed on campus, in the cabins, cottages, or student apartments except under the following conditions:
  1. Service animals will be permitted on campus when deemed a reasonable accommodation by the ADA Committee. For guidelines, refer to Disability Services.
  2. Faculty or staff members who are required to live on campus as a condition of their employment or for whom compensation in the form of room and board is required by the financial necessity of the College, may keep pets under the following conditions:
    - a. The pets must have been owned prior to employment;
    - b. The Fire and Safety Commission must be informed before the pets appear on campus;
    - c. All dogs must be kept on a leash when outdoors;
    - d. All dogs and cats must be neutered;
    - e. All dogs must be licensed by the Town of Marlboro;
    - f. Any member of the Community wishing to lodge a complaint concerning these pets based on health hazards, property damage, annoyance or failure to comply with the above conditions should feel free to bring them to members of the Fire and Safety Commission on an individual basis.
  3. Off campus students, staff and faculty members who occasionally must bring their pets on campus must first obtain clearance from the Fire and Safety Chief. They must maintain the pet under direct control whenever the pet is on campus. The privilege of bringing a pet to campus accorded to off-campus students, faculty, and staff may be revoked if the behavior or presence of the pet is judged by the Fire and Safety Commission to be a nuisance.
  4. One-half of all cabins and cottages (cabin #1, cottages #1, 3, 5) and the Red House may keep pets under the following conditions:
    - a. All roommates must agree that the pet can stay;
    - b. All damage caused by the pet is the responsibility of its owner;
    - c. Any animal found unattended on the main campus, or causing a disturbance to the Community, will subject its owner to a \$50 fine;
    - d. No more than one pet per unit will be allowed;
    - e. The Fire and Safety Commission will have the authority to remove any animal left unattended for more than twenty-four hours;
    - f. All conditions for pet ownership by faculty or staff, who live on campus, must be adhered to by students.
- B. All members of the Fire and Safety Commission will have the power to take any necessary action to uphold regulations for pets on campus. In addition, a fine of \$50.00 will be levied for the first offense of any of the above regulations. Appeals of the first offense fine may be referred to Community Court, and subsequent offenses shall be referred to Community Court.
- C. All fines collected for violation of pet regulations will be contributed to the Shelter Fund or the Windham County Humane Society.

#### **Article VI: Dining Hall**

- A. The mugs, cups, plates, bowls, trays and flatware provided by the College are not to be removed from the Dining Hall.
- B. The Dining Hall Crew Chief(s), hired by the Selectboard, will be responsible for ensuring that the dining hall is a healthy and welcoming place in which to eat. The Crew Chief(s) will serve one semester. The Chief(s) will be supervised by the Selectboard and paid \$2000 per semester (\$975 from the Town Meeting Budget and \$1025 from the Alumni/Development Office).
  1. One Chief must be on duty after every scheduled meal in the dining hall. In the event that a Crew Chief is not available to supervise the cleaning of the Dining Hall after a meal, s/he must designate a replacement. This replacement will be compensated by the Crew Chief(s).
  2. The Chief on duty may solicit participation in the cleaning from members of the community. This may be done in any manner the Crew Chief(s) sees fit except by illegal or immoral means. The Chief(s) may form and maintain dining hall crews appointed from all students on meal plan, staff, and faculty. Exceptions may be made at the discretion of the Crew Chief.
  3. If the Chief(s) choose to assign students on meal plan, staff, or faculty to dining hall crew duty, they must inform them in writing (email is also acceptable) at least one week before they are expected to serve. Additional notification measures may be used and are encouraged.
  4. The Crew Chief(s) on duty is expected to educate those who are cleaning about the location of cleaning equipment and the cleaning routine.
  5. The Crew Chief(s) is ultimately responsible for meeting these requirements and the requirements listed under section D of this article.
- C. Seniors on plan are exempt from serving on Dining Hall Crew. However, seniors who missed their shift when they were second semester

juniors will still be responsible for making up the shift as described in Section D, clause 5.

D. Crew Responsibilities:

1. The Dining Hall Crew must begin cleaning the dining hall no later than fifteen (15) minutes after every meal;
  2. Every dining table must be cleared of dishes and trash and wiped down with warm water and a cleaning solution such as soap or bleach. The Compost must be taken to the compost pile and added appropriately. The shelves under the windows should be clean and organized. The salt and pepper shakers should be full and clean. Personal belongings left in the dining area should be placed on the lost-and-found table. All chairs should be pushed in and salt and pepper shakers placed on each table;
  3. After some meals, hired or work-study crews clean the dining hall floors. After these meals, the Dining Hall Crew shall gather up the salt and pepper shakers and stack all folding chairs on the dining tables;
  4. The Dining Hall Crew is not responsible for cleaning the dining hall after community dinners and other community activities held in the dining hall;
  5. Community members who do not come to their shift during a semester are responsible for making up the shift within two weeks time while classes are in session according to the official Academic Calendar. Their responsibilities will be determined by the sensible discretion of the Crew Chief(s);
  6. If a Community member fails to make up their shift as described in Article VI, Section D, clause 5, they will be subject to a penalty of ten (10) hours of community service.
    - a. Penalties outlined in this clause may be appealed to the Community Court system through the Public Advocate or Dean of Students.
- E. Use of the dining hall for community activities must be cleared with the Dining Hall Crew Chief(s). A sponsor for the activity must sign up with the Chief(s) to secure the time and to insure that an organized group will set up before and clean up after the activity.

**Article VII: Library Regulations**

- A. In order to ensure the most fair and efficient use of the Library's resources, the following types of library materials will not circulate and must remain within the library building at all times:
1. Periodicals;
  2. Reference books;
  3. Student plans;
  4. Individually specified items in the Special Collections.
- B. Library users are expected to respect the needs of others for a clean, quiet, study environment. People using any of the Library's facilities should not infringe on the rights of others by creating undue or inappropriate noise and clutter. (See also XVII: Clean Up After Social Events, Section C)

**Article VIII: Rooming Policy**

- A. Only with the consent of both parties will members of the opposite sex be allowed to live together, provided that both persons are 18 years of age or older.
- B. Marlboro College will not assign freshmen, or transfer students who have been here less than one term, to live with members of the opposite sex, unless they are married or have been granted permission to live together in student apartments at the discretion of the Director of Housing and Residential Life
- C. Rooming Priority
1. Priority for dormitory room assignments will be determined by the following:
    - a. Seniors with final plan applications on file;
    - b. Students with preliminary plan applications on file;
    - c. Credits toward graduation;
    - d. By lot within categories, priority shall be determined by credits toward graduation.
  2. Priority for group housing units shall be determined by the sum of credits of the applying group. Credits of students in excess the minimum occupancy for any unit will not count in determining priority.
  3. Priority for student apartments will be given according to the following order of general guidelines:
    - a. Married students (or students w/children);
    - b. Married faculty (or faculty w/children);
    - c. Single students;
    - d. Single faculty.
- Prospective tenants may be reviewed by the Housing Committee with respect to their suitability.
- D. All campus accommodations will be assigned anew at the beginning of each academic year. Students will be required to submit the appropriate housing form to the Director of Housing and Residential Life toward the end of each semester. Forms submitted after the deadline established by the Director of Housing and Residential Life may result in the loss of priority.
- E. Should students find themselves the single occupant of a double room (any room designated as such by the Administration prior to the student's occupancy of it) for any reason during the year, they should reasonably assume that they will have a roommate the following term. During the course of the term in which they find themselves single in a double accommodation, the Administration may, at its discretion and based on priority, move another student into the room to fill the extra bed or ask the occupant to move to another room. Changes of this sort will be subject to appeal and review by the Board of Selectpersons.
- F. During the semester, room changes may be effected with the consent of all parties and the Director of Housing and Residential Life.
- G. Room changes should be made before a vacation begins. Vacated rooms must be cleaned and readied for the new occupant before a vacation. The College will not be responsible for personal belongings left in a room after the deadline for moving out.
- H. Each year the Housing Committee will designate housing to meet the needs of students
- I. Variances to the rooming policy may be made by the Housing Committee.
- J. Within the first two weeks of each semester, each dormitory is responsible for creating a dormitory charter. These charters shall:

1. Be considered an extension of the Town Meeting Bylaws.
2. Be clearly posted in their most recent versions near the entrances of the dormitory to which they apply.
3. Be limited in scope and jurisdiction to actions within the the dormitory and immediate vicinity.

#### **Article IX: Guest Policy**

- A. Every visitor to the Campus must have a host. All overnight visitors must have a sleeping accommodation in a dormitory room. The host is responsible for the actions of all his or her guests, including visitors who do not stay overnight. No guest may stay overnight on campus if his or her host is absent from the campus.
- B. A ten-day limit for guests will be enforced by the Dean's Office and the Board of Selectpersons.
- C. The Board of selectpersons has the right to declare any non-member of the community persona non grata and deny visiting privileges to that person for a stated period. The selectboard may consult with said non-member. Only a current community member may appeal this decision to the community court.
- D. Since prospective students are here to see and experience as much of Marlboro College life as possible, the only limitations that may be imposed on them, therefore, must be that they obey the laws of the nation, state, county, and city and the rules and Bylaws of the Marlboro College Community. Should a prospective student go beyond the bounds of what is appropriate behavior, all members of the Community are responsible to inform or remind the prospective student of community rules.
- E. Any non-community member bound by a court-issued restraining order against a member of the Marlboro College community will automatically be considered persona non grata by the board of Selectpersons.
- F. During periods when academics are not in session, the President may declare a non-community member persona non grata. Any such action must be presented to the Selectboard at the first possible meeting. Selectboard has the power to review such action.

#### **Article X: Town Meeting Scholarships**

- A. Definitions and Responsibilities
  1. Governance: The Committee on the Town Meeting Scholarship Fund (herein "the Committee") will manage the Town Meeting Scholarship Fund (TMSF). The Committee will consist of five members. Three members will serve one-year terms beginning after the final faculty meeting of the fall term. Two shall serve one-year terms beginning following the Final Faculty meeting of the spring semester. Committee members may not apply to the TMSF, but may apply to the Reserve Fund (see A, 3)
  2. Amount of the Fund: The TMSF will be not less than ten (10) percent of the Community Activity Fund. Each spring, the Committee will make a recommendation to the Treasurer as to the size of the TMSF.
  3. The Reserve Fund: The Reserve Fund will be an amount equal to twenty (20) percent of the TMSF, to be drawn from the Town Meeting Fund. The Reserve Fund shall be managed by the Selectboard. This fund is set aside for urgent, unforeseen (and unforeseeable), and time sensitive needs that arise between TMSF application deadlines. It may also be used for emergency needs that do not serve the purpose of the TMSF as defined below (see B). Members of the Committee may also apply to the Reserve Fund. Any funds left in the Reserve Fund at the end of one semester will be included in the TMSF for the next semester. (There have been changes to this language that are pending official language, but amount to the reserve fund being dissolved, and the funds added back into TMSF, which will receive more funds request, as the general fund is no longer able to be used for personal requests.)
  4. Financial Reporting: The Committee will make a detailed financial report to the Selectboard once each semester and to the Town Meeting once each year. The Committee will also make a report available to the Selectboard within 48 hours of a request by the Selectboard to do so, or to the community at large within 48 hours of having been presented with a petition to do with the signatures of three community members.
  5. Effect on Financial Aid: With the exception of the replacement of Federal Work-Study Funds by Town Meeting Scholarship Funds, Town Meeting Scholarship Funds are to be considered over and above any Financial Aid Committee grants. Town Meeting Scholarship Funds are not to be considered by the Financial Aid Office in its appropriations.
  6. Misappropriation and Misuse of Awards: Applicants who receive TMSF money may only use that money for the purpose stated in their application. Any money not needed for that purpose must be returned to the TMSF as soon as it is clear that such money will not be needed. The Community Court shall consider failure to return unused TMSF money, or misuse of TMSF money a major offense, and shall provide sanctions accordingly.
- B. Mission and Purpose: The TMSF exists to serve the College's Mission. The Committee will grant funds based on the principles of the College Mission. It may also give consideration based on class standing, contribution of the applicant to the College community, and demonstrated financial need.
- C. Applications and Privacy: The Committee will accept applications for the Scholarship Fund at regular, publicized intervals. If unforeseen and time sensitive needs arise between deadlines, students may apply to the Selectboard for money from the Reserve Fund.
- D. Privacy and Public Good: In general, the Committee will publish the names of all recipients, the amounts each received, and the nature of the requests. However, applicants may request that their application remain private. The Committee will consult with the Dean of Students on such requests, and will ordinarily respect these requests. If the Committee decides that it cannot grant a request to keep an application private, it will give the applicant an opportunity to withdraw his or her application.
- E. Appeals and Disputes: No disbursements should be made until at least 48 hours after decisions have been announced. Applicants may request an appeal within 48 hours of announced decisions. If an appeal is requested, disbursements should not be made until after any appeals have been resolved. To request an appeal, an applicant should contact the Public Advocate or the Associate Advocate (if the Public Advocate has a real or perceived conflict of interest). The Advocate will speak with both the Committee and the Applicant to see if a satisfactory resolution can be reached. The two parties may commit to binding arbitration, by a mutually agreeable party. Except in the case that binding arbitration has commenced, the applicant may request that the Selectboard hear his or her appeal at any time. The Selectboard

must hear all appeals that are requested. The Board will consult with the Committee, the applicant, and the Advocate. If the Selectboard affirms the Committee's decision, it should explain its reasoning, in writing, to the applicant. If the Selectboard find that the Committee made an error, it may use money from the Reserve Fund to resolve the issue.

- F. Reconsideration, Amendment, or Repeal of Article X: Article X may be reconsidered, amended, or repealed by the Town Meeting at any time. However, Article X must be reconsidered, amended, or repealed at any time when the College's Mission Statement is modified.

## **Article XI: Town Meeting Committees**

- A. Town Meeting members wishing to be elected to Town Meeting Committees must be nominated in Town Meeting and then elected following the pattern of the Australian ballot. Elections for Town Meeting Committees shall be held in September and January with fifty percent (50%) of each committee being newly elected each semester. (In the event that a committee has an odd number of members, the majority will be elected in January.) The term shall be one academic year. Should a Committee Member resign, the Selectpersons will solicit interested applicants and appoint a replacement. Should the Selectpersons be unable to make a fair decision, a special election will be held. Town Meeting will have veto powers over any appointment by the Selectpersons.
1. Funded Town Meeting Committees are budgeted from the Community Activities Fund.
    - a. The Lyceum Committee will consist of five members of Town Meeting. They will organize and provide for cultural events such as lectures, readings, concerts, and performances open to the Community without charge.
    - b. The Social Committee shall:
      - i. Consist of eight members, elected through the normal Town Meeting channels. Decisions made by the Social Committee will be based on agreement by six of the eight members;
      - ii. Be responsible for Applefest, Cabaret, and Halloween in the fall semester and Cabaret and a Roast in the spring semester. No one event shall absorb more than fifty percent (50%) of the funds for the semester (this percentage may be modified by appeal to the Selectpeople);
      - iii. Be responsible for all arrangements for events listed in Section ii, including choosing time and place, setting up and cleaning up, advance advertising (including recording events on the Master Calendar in Mather), and providing supplies (extra help—either volunteer or paid with Social Committee Funds—may be recruited, if need be). Community members wishing to obtain Social Committee Funds for an event other than those listed in Section ii must demonstrate proof to the Social Committee of responsibility for the arrangements of that event;
      - iv. Elect a chairperson, treasurer, and clerk at the first meeting. The clerk shall take minutes and be responsible for keeping all the minutes of previous meetings;
      - v. Report to the Selectpeople within two weeks of the beginning of term with a calendar for events, budget, and elected officers and at the end of the semester with a report on what exactly was accomplished;
      - vi. Be aware of, and abide by, the Alcohol Policy, i.e., provide non-alcoholic beverages, food, and transportation home at all events;
      - vii. At the beginning of each semester, the Social Committee will designate at least three community members to be responsible for the purchase and distribution of alcohol at Social Committee-sponsored events for that semester. These individuals must be 21 years of age and will be trained in conjunction with the Dean's Office regarding State laws and College regulations concerning alcohol;
      - viii. When alcohol is purchased by the Social Committee, the quantity of alcohol purchased must be commensurate with the estimated number of legal drinkers consuming at a responsible level. The Dean's Office would be responsible for assisting the Social Committee at the beginning of each semester in developing a strategy for doing so.
    - c. The Film Committee will consist of three members of Town Meeting in addition to any faculty member teaching a film course. They will select and provide for films to be shown on Sunday nights throughout the academic year, open to the Community without charge.
    - d. The Athletic Committee will consist of two members of Town Meeting. They will procure and maintain athletic equipment, schedule and arrange for games, maintain the game room equipment and cooperate with the Administration in developing athletic policy.
    - e. The Outing Club will consist of two representatives of Town Meeting. These representatives will be responsible for the development and scheduling of off-campus activities. These activities should be available to the whole Community and advertised prior to the event. An activity should have a minimum of four participants for funding to be allocated.
    - f. The Committee on Environmental Quality will consist of five members from Town Meeting. These representatives will serve for one year, three members being elected in the fall semester and two being elected in the spring semester. One committee member will be chosen by other members to serve as the committee chairperson. Another committee member will be chosen by other members to organize the group's data and maintain its record-keeping system. All meetings will be open to all members of the community. The responsibility of the committee will be to create, enact, and sustain programs that reduce campus resource consumption and improve campus environmental quality. An additional duty will be to inform and educate.
    - g. The Public Art Committee will consist of four members of Town Meeting: two students, one faculty, and one staff member. The term of the committee members will be one year. This committee shall be responsible for the development, advancement, and encouragement of Marlboro community art in appropriate public spaces on the Marlboro Campus.
    - h. Community Service Committee: Membership will consist of one faculty member, one staff member, and three students. The committee will be charged with developing and maintaining community service opportunities for the Marlboro College community. The committee will focus its work in the surrounding communities, and yet will not be limited to the immediate geographic area.
    - i. Community Newspaper: The Citizen is a vehicle for the communication of news, opinions, letters, reviews, and related information among members of the Marlboro College Community. As such, it represents no official position either of the College or of Town Meetings. Its pages and production process are open to any member of the College Community who wishes to participate, within

the bounds of practicality and at the editor's judgment. The Community encourages conscientious and constructive participation, but grants broad latitude to contributors in the spirit of experimentation, humor, and open debate.

- i. Production Policies:
  - (1) The editor and staff are responsible for soliciting and selecting or producing material for the paper. Editorial oversight in the interests of well-written, thoughtful journalism is appropriate, but contributors should be allowed to accept or reject any substantial changes in their work, and the publication of letters in particular should be judged in a context of encouraging debate;
  - (2) All contributions (except straightforward announcements of events) must ordinarily be signed. The editor may choose to run a piece without a by-line for a stated reason accompanying the piece;
  - (3) The paper appears on a regular basis, every two weeks at least, whenever possible, and is available to all members of the Community.
- ii. Newspaper Staff: The formal description of positions is not intended to restrict the working organization of the paper. The Editor and staff are free to divide, share, or exchange specific production responsibilities, or to establish collective processes, in short, to experiment with various ways of putting out a paper.
  - (1) The Editor:
    - The Editor is elected following the last Town Meeting of the spring semester following the format of Australian Ballot for a one year term, beginning the following fall, or whenever the position is unfilled, to complete a term. Each candidate shall post a descriptive statement of interest within twenty-four hours of nomination. The editor may be removed by a majority vote in a ballot held after a recall petition to the Selectpersons signed by one-quarter of the College Community;
    - If the Editor is eligible for a Work-Study position, the position will be paid instead from Town Meeting funds at a rate not to exceed the amount of a Work-Study grant per year;
    - The Editor is responsible for organizing and maintaining the staff from among interested and qualified volunteers and in consultation with the Work-Study Coordinator. The editor is the Work Study supervisor for any Work-Study staff members.
  - (2) Additional Staff: Those interested in working on the paper, whether on a regular or an occasional basis, meet with the Editor to establish staff responsibilities and positions. The College typically supports the paper by making available the equivalent of at least two Work-Study staff positions.
- iii. Ethics and Rights:
  - (1) The Citizen shall, at the beginning of each semester, produce a code of ethics. This code of ethics must be published in the first edition of the semester and held to by the Citizen staff.
- j. Literary Magazine: At least once a year, the Literary Magazine will publish works of literature and art by members of the Marlboro College community. An individual's publication in a given issue will be at the discretion of the editorial staff. The staff will consist of three main positions a general editor, a business editor, and a layout editor for which any member of the College community will be eligible. The general editor will be elected annually from nominations taken at the first Town Meeting of the year. This editor's job will involve scheduling, organizing, and overseeing the entire project. The general editor will appoint the other two editors for business and layout. The business editor's job will involve keeping the budget and contacting people. The layout editor's job will involve directing the actual construction of the magazine. The editors will maintain these responsibilities unless/until cause arises to transfer certain jobs due to an unfair balance of work. However, basic participation on the literary magazine staff, not including work for the said editorial positions, is open to any interested person; this form of participation is not dependent on nomination or appointment.
- k. The Farm Committee will consist of eight Town Meeting Members. The Farm Committee will guide, plan, and organize the pursuit of small-scale agriculture at Marlboro. They will be responsible for providing leadership and knowledge to the wider community, for coordinating both the physical farm work and the extensive long-term planning necessary to create and maintain a sustainable farm. To these ends, the committee will appoint a Farm Manager and Apprentice Farm Manager at the beginning of each Fall semester. Each year, barring exceptional circumstances such as incapacity or incompetence, the Apprentice will be appointed to the position of Farm manager and a new Apprentice will be selected.
  - i. The Farm Manager is appointed by and serves at the discretion of the Farm Committee. The position is limited to faculty, staff, and currently enrolled students (including graduating Seniors), preferably living on campus. The position would be ideal for students wishing to incorporate the study of farming into their Plan. The responsibilities of the Farm Manager may include but are not limited to: Providing leadership to the farm community at Marlboro College; planning, in collaboration with the Farm Committee, the long-term goals of the farm and greenhouse both physically and ideologically; providing a detailed budget in collaboration with the Farm Committee each semester; defining and delegating tasks necessary to the smooth function of the farm; generating and maintaining a detailed map of the farm site; procuring and maintaining necessary tools, equipment, and supplies; organizing the labor of interested community members into Work Crews; organizing the regular harvest of crops and transporting them to the Dining Hall or Campus Center; informing the community of the state of the farm and greenhouse at each Town Meeting; using Farm Committee funds to invite and encourage guest speakers; working with the Environmental Quality Assistant to maintain and integrate the compost system into the farm and greenhouse; compiling a running manual of farming techniques and resources; educating interested community members in the use of tools and the knowledge necessary to run the farm; and educating and preparing the Apprentice Farm Manager to take on the role of Farm Manager. The Farm Manager is strongly encouraged to work on the farm during school vacations and during the summer. If the Farm Manager declines these tasks, the Farm Committee will advertise the position and select the most qualified applicant(s).
  - ii. (In compensation for these responsibilities, and work, farm managers or manager, between them, will receive a one year salary equivalent to one work study position—partial language passed 4/29/09, pending official language)

- iii. The Apprentice Farm Manager is appointed by and serves at the pleasure of the Farm Committee. The Apprentice will assist and learn from the Farm Manager with the expectation that they will take on the full responsibilities of the Farm Manager position the following year. The Apprentice is strongly encouraged to work on the farm during school vacations and during the summer. If the Apprentice declines these tasks, the Farm Committee will advertise the position and select the most qualified applicant(s).
1. The Spiritual Life Committee shall consist of five Town Meeting members. They shall help to address and facilitate the spiritual and religious needs of students, faculty and staff by providing a Space on campus for the general practice of religious and spiritual activities. In addition, they shall be responsible for encouraging discussion about these ideas, as well as providing links to the greater religious and spiritual community in a manner demanded by the student body. The Spiritual Life Committee does not promote the views of any one religion or spiritual tradition; instead, our objective is to allow a space for religious and spiritual life in a secular institution.
  2. Non-funded Town Meeting Committees may request funds for operating expenses from the Community Activities Fund.
    - a. The Food Committee will consist of three members of Town Meeting. They will review food services, act on complaints, advise on policy and initiate legislation if necessary. All student members of the Food Committee must subscribe to the College Food Service.
    - b. The Committee on Health and Wellness shall consist of three members of Town Meeting plus at least one representative of the THC staff. They will work together to advise on policy, initiate legislation as necessary, address health related student issues and develop educational programs/discussions to meet the needs of the current campus population. The committee will conduct periodic review of the Health Services and work to improve/revise these services as necessary. The Town Meeting members of the committee should also be available to receive and help resolve any complaints about the Health Services.
    - c. The News Committee will consist of four members of Town Meeting. They will be responsible for the dissemination of the news on campus by way of posting headlines daily in the Dining Hall, regularly collecting current articles to be displayed in a public space, and by any other means that they or the community sees fit.
    - d. The housing committee will consist of the Director of Housing and Residential Life, ex officio; A Resident Assistant, ex officio; four students; one staff or faculty member. The committee will assist the Director of Housing and Residential Life in housing policy and administration, to an extent decided by the Director and the committee, and perform duties as specified in article VIII: Rooming Policy.
  - B. Town Meeting will have at least two representatives on each policy-making committee of the faculty.
  - C. Town Meeting will have three representatives to the Board of Trustees: the Head Selectperson, and two representatives elected in May for a one-year term.
  - D. All Committees will report:
    1. They will post agendas and minutes of their meetings and make notice of their actions upon the Community Bulletin Board;
    2. They will give reports to Town Meeting in January summarizing what they have done, what they plan to do, and on the status of budgets;
    3. They will give additional reports to the Selectpersons and Town Meeting when called for, including itemized expense accounts.
  - E. Task forces may be appointed by the Selectpersons or by Town Meeting for any purpose not normally covered by a Committee. They shall be short-term, lasting no longer than one academic year.
  - F. The Town Meeting owns the PA system. It is securely stored in the Selectpersons' closet located next to the Staples Room in the Dining Hall. Selectpeople are responsible for the allotment of the PA system.
  - G. All Town Meeting Committees are required to hold an organizational meeting within the first two (2) weeks of each academic semester. The two-week period will begin as soon as the Selectpeople notify committee members of their post by mail, email, or telephone. Discussion at the organizational meeting will focus on committee goals, resources, timetables, meeting schedules, and committee responsibilities and their distribution. The committees will ask the Community to witness this organizational meeting by posting the minutes on or around the Town Meeting board in the dining hall. A failure to meet and hold an organizational meeting will result in constructive prompting by the Selectpeople. If no meeting has occurred by the end of the third week, the Selectpeople have the option to declare the existing committee null and void and then appoint new members to carry out the term limits of the defunct members. Replacement members will be chosen by requesting written applications for each position from the Community body.

## **Article XII: Admissions Committee**

- A. Town Meeting members will elect student representatives to the Admissions Committee. The number of student representatives will equal the number of faculty members on the Committee. The Australian ballot and checklist pattern will be followed. Students shall be elected by the Town Meeting for a term of one year. The yearly election will held following the last Town Meeting of the spring semester.
- B. Students who accept their nomination should write a brief statement explaining why they wish to be on the Admissions Committee. This statement will be posted during elections, to be referred to by those voting to help them make a decision.
- C. All Town Meeting representatives to the Admissions Committee must give a two-week notice in the event of their wishing to leave the Committee. The Selectpeople will appoint a replacement.

## **Article XIII: Representatives of Business, Government, Education, and Social Action Groups**

- A. The Marlboro College campus shall be open to all representatives from business, government, education, and social action groups, provided that there is a demonstrated community demand.

- B. In the event that the College is contacted by such a representative, a notice to that effect will be posted for one week. If one or more students indicate interest, the representative will be invited and hospitably received.
- C. The school will initiate contacts with representatives from any group or organization if students show interest in talking with a representative.

#### Article XIV: Smoking Ban

- A. In accordance with state statutes, the possession of lighted tobacco products in any form is prohibited in all indoor places with public access and in all indoor workplaces. These include, but are not limited to, the Graduate Center, Marlboro College Technology Center, the Rice-Aron Library, the Campus Center, the Dining Hall, Whittemore Theater, Ragle Hall and Serkin, Persons Auditorium, all buildings where classes are held, and all buildings with administrative offices.
- B. Smoking shall be permitted outdoors and in any space specifically designated as a "Smoking Permitted Area." This shall be defined as any space with an independent ventilation system where College employees and non-smokers are not required to visit on a regular basis. Smoking will not be permitted in Whittemore House, Red House, or cabins and cottages unless all residents agree to permit it.
- C. Violators of these prohibitions who fail to comply upon request may be brought to Community Court.
- D. The possession of lighted tobacco products in Marlboro College buildings will not be legally permitted after May 19<sup>th</sup> 2008 or upon the completion of a legally compliant indoor smoking space, whichever occurs first.
- E. (Smoking Lounge Steward Language, passed, 1 semester term, pending official language)

#### Article XV: Alcohol and Drug Policy

- A. Preamble: Marlboro College has the responsibility as a community to make public and maintain an alcohol and drug policy. This policy must reflect federal and state laws, while also remaining sensitive to the character of the Marlboro College Community and the values that this Community upholds. While employees of Marlboro College are held to specific standards and expectations regarding the enforcement of the college's policy, responsibility for upholding the spirit and the terms of the college alcohol and drug policy is shared by all members of the college community, including faculty, staff and students. Students are adults and are expected to obey the law, and take personal responsibility for their actions. Educational efforts that increase knowledge and understanding will be provided on a regular and on-going basis by the Health Center, the Psychological Counseling Office, and various academic departments.

Abuse of alcohol and drugs, either illicit or prescribed, threatens individual health, compromises educational development, and undermines community integrity. A summary description of certain health risks associated with the abuse of alcohol and illicit drugs is presented in the APPENDIX to this section of the HANDBOOK. Detailed information is available through the Health Center.

This policy was developed through the joint participation of students, faculty, and staff. It has been approved by the President and Town Meeting with the expectation that all Community members will be familiar with and abide by the principles and particulars of this statement. This policy will be reviewed biennially by the Dean's Advisory Committee.

- B. Alcohol
  - 1. Vermont State Law
    - a. In general, Vermont State Law forbids the sale or serving of alcoholic beverages to persons less than 21 years of age. The Law states that it is illegal for a person under 21 to misrepresent his/her age in order to under the influence, to any degree, however slight, of alcohol, drugs, either illicit or prescribed, or a combination of the two.
    - b. Finally, the Law forbids the sale or serving of alcohol to an intoxicated person.
    - c. Vermont laws and applicable sanctions regarding the possession and distribution of alcohol, and Vermont drunk-driving laws are summarized in the APPENDIX to this section of the HANDBOOK.
  - 2. College Regulations
    - a. As required by federal statute, Marlboro College prohibits the unlawful possession, use, or distribution of alcohol by students and employees on college property or as a part of any of its sponsored activities.
    - b. The sponsors of college social events at which alcohol is served are responsible for adhering to State Law and for meeting the general requirements outlined in this policy.
    - c. No alcoholic beverages will be served to persons less than 21 years of age at college events or events funded by Town Meeting. Sponsors of events are therefore required to check the ages of those being served alcohol.
    - d. Sponsors of college social events at which alcohol is served are responsible for ensuring that the amount of alcohol served does not lead to excessive drinking. The College urges sponsors of such events to keep all alcoholic beverages behind the bar so that only those assigned to pour, do so. The College prohibits serving alcoholic beverages to anyone who is intoxicated.
    - e. Sponsors of any college social event that serve alcohol will also serve a non-alcoholic beverage and food, both in an amount that will last the duration of the event.
    - f. Sponsors of any college social event that serve alcohol will provide transportation home to individuals requiring or wanting it.
    - g. The College forbids the coercion to drink or indulge and discourages any kind of group pressure to drink alcohol.
    - h. Individuals or groups that wish to purchase kegs for non-Social Committee or non-official College events at the College (such as a private party in a common room) must register the party with the Dean's Office at least two working days before the event. The purpose of the registration process is to ensure that the sponsors of the event fully understand the law regarding alcohol distribution and the serious liability that is involved with sponsoring such an event.
    - i. Consumption of alcoholic beverages in the Dining Hall during mealtimes shall be restricted to the stage area, unless such beverages are served as part of an event registered in advance with the Dean of Student's Office.
  - 3. Individual and Community Guidelines
    - a. The College encourages application of the specific college regulations and the general spirit of the policy at all privately held events.
    - b. In an effort to further the College's dedication to personal growth and responsible, safe living, the College encourages persons concerned about their own behavior to seek advice or assistance through the Resident Assistants, the Student Life Advisors, the Medical staff (Counseling and Health offices) or the Deans. Furthermore, the College encourages persons concerned about the

- behavior of another to communicate with the other urging him or her to seek advice or assistance through college support offices. Counseling and medical resources are available on a confidential basis.
- c. The College encourages all efforts to provide education and information regarding alcohol and drug-related issues and will publish and distribute local alcohol counseling and guidance resources. The College will arrange transportation when necessary for individuals seeking help outside the College area.
4. College Action
    - a. Alcohol related behavior that causes or can reasonably be expected to cause physical harm to persons, or damage to property, or is unreasonably disruptive will be subject to college discipline through the Community Court.
      - i. Individuals found to be in violation of the terms of this policy, will be referred to the Dean of Student's Office, where they will be assessed a fine and required to complete a self-assessment regarding their substance use. Fines for each violation shall be equal to the value of two hours of the state minimum wage. Fines will be paid at the Student Accounts Office. Failure to pay the assigned fine (s) may result in Community Court action. The funds accumulated from fines will be used to support the Sober Driver Program and to subsidize educational programming.
      - ii. Violators of the terms of this policy will also be subject to Community Court action.
      - iii. Sanctions that the Community Court may impose range from formal warning through fines, community service, suspension, to expulsion and referral for prosecution. Employees who violate the standards of this policy are subject to sanctions levied through the personnel procedures and their supervisors, and these sanctions range from formal warning to termination of employment, and referral for prosecution.
    - b. At the discretion of the Dean or other appropriate supervisory staff members and in consultation with the Medical staff (Health and/or Psychological Counseling offices), individuals may be referred to AA and/or required to seek out other counseling or guidance, or assistance programs off campus.
- C. Illicit Drugs
    1. Vermont State Law
      - a. Marlboro College supports Vermont State laws pertaining to the possession and distribution of illicit drugs. These laws prohibit the use, sale, or possession of regulated substances without a prescription. In the event that a member of the Community becomes subject to legal action for the violation of these laws, the College will review the individual's status, and will take appropriate disciplinary action. Federal and Vermont State Laws and applicable sanctions concerning regulated drugs are summarized in the APPENDIX to this section of the HANDBOOK.
    2. College Regulations
      - a. Marlboro College views the use, possession, manufacture of or distribution of non-prescribed narcotics, amphetamines, barbiturates, hallucinogens or cannabis as a threat to the health, safety, and welfare of the individual, the College Community, and the educational mission of the College.
      - b. Abuse of alcohol and drugs, either illicit or prescribed, threatens individual health, compromises educational development, and undermines community integrity. A summary description of certain health risks associated with the abuse of alcohol and illicit drugs is presented in the APPENDIX to this section of the HANDBOOK. Detailed information is available through the Health Center.
    3. Individual and Community Guidelines
      - a. The College encourages individuals needing help as a result of their drug use, to contact a Resident Assistant, a Student Life Advisor, a member of the Medical staff (Health and Psychological Counseling offices), or the Deans. Further, the College encourages persons concerned about the behavior of another to communicate with the other, urging him or her to seek advice and/or assistance through appropriate College support offices. Counseling and medical resources are available on a confidential basis.
      - b. The College supports all efforts to provide education in the area of drug abuse, and supports individuals seeking help with drug-related problems. Information on local drug counseling and assistance programs is available through the Health Center, and the College will arrange transportation when necessary for individuals seeking help outside the College. A partial list of community services available in the area is presented in the APPENDIX.
    4. College Action
      - a. The College will take action, including requiring individuals to leave the College Community and/or get professional help, when situations involving drugs occur in which the individual or the Community is adversely affected. Offenses involving the use, possession, or distribution of drugs will be subject to disciplinary action by the College, with sanctions ranging from formal warning to expulsion or termination of employment and referral for prosecution.

## Article XVI: Sound Equipment

- A. Two people shall be appointed by the Selectpeople as Sound Equipment Curators (SEC). Their term shall be one year and will be paid \$150 per semester. Their duties shall be:
  1. Maintain the equipment;
  2. Keep supplies of expendable equipment stocked, inventory the equipment once a month and report to the Selectpeople on the use and condition of the sound equipment;
  3. Make recommendations to the Selectpeople for the purchase of new equipment;
  4. Hold the key to the closet where the equipment is stored, and regulate the use of the equipment at their discretion.
  5. Assure that all equipment is returned to a proper storage location within twelve (12) hours of the cessation of its use.
- B. A key to the closet where the equipment is stored will also be held by the Head Selectperson and the Chairperson of the Social Committee.
- C. The Town Treasurer shall keep an updated inventory of the Town Meeting sound equipment.
- D. The budget for the maintenance and expansion of the Town Meeting sound system will be set by the Selectpeople with the recommendation of the SECs.
- E. Borrowers of the sound equipment shall be responsible for the replacement of the lost items and damage to the equipment above and beyond and any normal wear and tear that regular use entails.

### **Article XVII: Clean Up After Social Events**

- A. All campus social events must be cleaned up within twelve hours of the end of the event.
- B. Events in the Dining Hall shall be cleaned up before the next meal.
- C. All campus social events must be cleaned up immediately after the event if the room(s) used during the event is/are scheduled to be used by others before the twelve hour time limit outlined in part A. It is the responsibility of the person(s) sponsoring the event to know if and when the room(s) is/are scheduled to be used next.

### **Article XVIII: Town Meeting Guidelines**

At the first Town Meeting the moderator will explain, quickly and concisely, the order and rules relating to how Town Meeting is run. The steps on how a vote is taken, how to ask questions, and how to state opinions for or against a proposal or amendment will be clarified during the first fall town meeting.

- A. The Town Meeting shall be conducted by Robert's Rules of Order, as interpreted by the moderator.
- B. Business may be submitted to agenda for Town Meeting agenda with at least 48-hour notice to a member of the board of Selectpersons, or to the Treasurer in the case of requests for funds. Items may be added with less than 48-hour notice with the approval of the Selectboard.

### **Article XIX: Student Activities Fee and Requests for Funds**

- A. Any student taking course(s) for credit at Marlboro College (with the exception of those students in absentia) shall be charged the full activities fee. Anyone wishing to contest this may apply to the Selectboard for a waiver. Waiver applications must be submitted by semester. Graduates of Marlboro College taking courses for credit will be granted a fifty percent (50%) reduction in the Student Activity Fee.
- B. Prior to requesting funds from either Town Meeting or the Washer and Dryer Fund, the following conditions must be met:
  - 1. The Selectboard must be informed of any request of \$200 or more at least 24 hours prior to Town Meeting. Before making the request before Town Meeting, the person making the request must know the amount of money in the relevant fund, and must have sought other sources of funding, as well, when appropriate;
  - 2. Any request of over \$1,000 must be made and posted at one Town Meeting to be acted upon during the subsequent meeting. The person making the request must be aware of the amount of money in the relevant fund, and must have sought other sources of funding when appropriate;
  - 3. Exceptions to these stipulations can be made by vote of 2/3 present at Town Meeting;
  - 4. Each Town Meeting agenda will list all requests for money.