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# **Constitution of The Constitutional School**

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## **Preamble**

*The School exists as a community in which students are free to pursue learning according to their interests and abilities. This Constitution establishes the institutions and procedures through which the community governs itself.*

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## **Part I — Foundational Principles**

### **1. Purpose of the School**

The School is constituted as a self-governing community under law. Its primary purpose is to provide stable and orderly conditions in which its members may pursue learning and personal development in freedom under law.

### **2. Equality Before the Rules**

All members of the School stand equal before its rules and institutions. Like cases shall be treated alike, and no member shall be subject to arbitrary distinction or privilege.

### **3. Legislative Authority**

Legislative authority within the School resides in the Assembly of its members, constituted in accordance with this Constitution. The Assembly may make and amend rules governing the common life of the School, subject to the procedures and limitations set out herein.

### **4. Shared Responsibility for Justice**

The administration of justice within the School shall be carried out through the Court established by this Constitution. All members share responsibility for the maintenance of fairness and order through structured participation in its proceedings.

### **5. Due Process**

No member shall be subject to sanction except through fair procedure. All proceedings shall respect the presumption of innocence, the right to be heard, and the giving of reasoned judgment.

### **6. Proportionality**

Any sanction imposed under the authority of the School shall be proportionate to the breach found and directed toward the restoration of trust and orderly community life.

### **7. Freedom of Pursuit**

Students are free to pursue their interests and learning without unnecessary interference. This freedom is the foundation of the School's educational purpose.

## **8. Protection from Arbitrary Power**

No member shall be subject to coercion or restriction except where authorised by law and applied through defined procedure.

## **9. Personal Autonomy and Privacy**

The School shall respect the personal autonomy and privacy of its members. Intrusion into that sphere shall occur only where authorised by law and justified as necessary and proportionate to the safety or orderly functioning of the community.

## **10. Amendment of Foundational Principles**

The provisions of this Part may be amended only by supermajority of the Assembly in accordance with the amendment procedures established in this Constitution.

# **Part II — The Assembly**

## **11. The Assembly**

The legislative authority of the School shall be exercised by the Assembly constituted under this Part.

## **12. Membership**

All members of the School shall be entitled to attend and participate in the Assembly. Each member present shall have one vote.

## **13. Voluntary Participation**

Attendance and participation in the Assembly shall be voluntary. No member shall be compelled to attend its meetings or participate in its deliberations.

## **14. Powers of the Assembly**

The Assembly may:

- (a) enact, amend, and repeal rules governing the common life of the School;
- (b) establish offices and committees necessary for the functioning of the School;
- (c) define the categories of sanction available to the Court;
- (d) amend this Constitution in accordance with the procedures set out herein.

## **15. Limits of Legislative Authority**

The Assembly shall not:

- (a) determine the outcome of any individual judicial proceeding;
- (b) impose sanction upon any member except through the Court established by this Constitution;
- (c) enact rules that conflict with the principles set out in Part I.

## **16. Legislative Procedure**

Rules enacted by the Assembly shall be adopted only after notice, deliberation, and vote in accordance with procedures established under this Constitution. Agenda items must be submitted in advance.

**17. Constitutional Amendment**

Amendments to this Constitution shall require a supermajority of the Assembly and shall take effect only after a second reading at a subsequent meeting.

**18. Meetings of the Assembly**

The Assembly shall meet at least once each week during the academic term.

**19. Chair of the Assembly**

The Assembly shall elect a Chair from among its members for a term of office established under this Constitution.

**20. Duties of the Chair**

The Chair shall preside over meetings of the Assembly and ensure that its proceedings are conducted in an orderly and impartial manner. The Chair shall recognise speakers, maintain order, and declare the result of votes.

**21. Neutrality of the Chair**

While serving in office, the Chair shall withdraw from participation in debate. The Chair shall not vote except where necessary to resolve a tie.

**22. Removal of the Chair**

The Assembly may remove the Chair from office by supermajority vote and elect a successor.

**Part III — The Court****23. Judicial Authority**

Judicial authority within the School shall be exercised by the Court constituted under this Part.

**24. Purpose of the Court**

The Court shall hear and determine alleged breaches of the rules of the School and shall administer justice in accordance with the principles set out in this Constitution.

**25. Participation in the Court**

All members of the School share responsibility for the administration of justice. Service in the Court shall therefore be required of members in accordance with procedures established under this Constitution. A member may be excused if they have a conflict of interest or are unable to participate impartially.

**26. Judicial Panels**

Cases shall be heard by panels constituted from among the members of the School, selected at random, in accordance with procedures established under this Constitution. Panels shall include members drawn by rotation so that responsibility for justice is shared across the community.

**27. Procedural Preparation**

Members shall receive basic procedural instruction before serving in judicial proceedings.

### **28. Standard of Proof**

A breach of the rules shall be found only where the panel is satisfied, on the balance of probabilities, that the breach occurred.

### **29. Fair Hearing**

All proceedings of the Court shall respect the right of the member concerned to be heard, to respond to allegations, and to receive a reasoned decision. Hearings shall occur in private.

### **30. Sanctions**

Where a breach is found, the Court may impose a sanction from among the categories authorised by the Assembly. Any sanction shall be proportionate to the breach found and directed toward the restoration of trust and orderly community life.

### **31. Written Reasons**

Decisions of the Court shall include a brief statement of the reasons for the decision.

### **32. Appeal**

Decisions of the Court may be appealed to a new panel, constituted in accordance with procedures established under this Constitution.

### **33. Presiding Member**

Each judicial panel shall include a Presiding Member selected by rotation from among the members of the panel. The Presiding Member shall guide the proceedings of the Court and ensure that the hearing is conducted fairly and in an orderly manner.

## **Part IV — The Executive**

### **34. Executive Authority**

Executive authority within the School shall be exercised by the Head and by members of staff acting in accordance with this Constitution and the rules of the School.

### **35. Role of the Executive**

The Executive shall be responsible for the ordinary administration of the School, the maintenance of order, and the implementation of rules enacted by the Assembly.

### **36. Appointment of the Head**

The Head is appointed for a fixed term in accordance with procedures established under this Constitution.

### **37. Duty to Uphold the Constitution**

The Head shall serve as steward of this Constitution and shall ensure that the institutions of the School operate in accordance with its provisions.

### **38. Constitutional Review of Legislation**

Where the Head reasonably believes that a measure adopted by the Assembly conflicts with the principles of this Constitution, the Head may return the measure to the Assembly with written reasons. Such measures cannot take effect unless the Assembly amends the Constitution in accordance with the procedures set out herein.

### **39. Participation in the Assembly**

The Head may participate in Assembly debate but does not preside over its proceedings.

### **40. Enforcement of Rules**

Members of staff may take reasonable and immediate action to maintain safety and order within the School. Such action shall remain subject to review under the procedures established by this Constitution.

### **41. Referral to the Court**

Where an alleged breach of the rules requires formal determination, the matter shall be referred to the Court.

### **42. Temporary Measures**

In circumstances requiring immediate response to protect safety or the orderly functioning of the School, the Executive may adopt temporary measures. Such measures shall be limited in duration and shall be reported to the Assembly.

## **Part V — Safeguards and Continuity**

### **43. Supremacy of the Constitution**

This Constitution shall govern the institutions and rules of the School. No rule or action of the School shall have effect where it conflicts with the provisions of this Constitution.

### **44. Interpretation**

Questions concerning the interpretation of this Constitution shall be considered by the Court in accordance with the principles set out in Part I.

### **45. Constitutional Amendment**

Amendment of this Constitution shall require a supermajority of the Assembly and shall take effect only after consideration at two separate meetings of the Assembly.

### **46. Temporary Measures**

In exceptional circumstances requiring immediate action to preserve the safety or functioning of the School, temporary measures may be adopted by the Executive. Such measures shall be limited in duration and shall be subject to review by the Assembly.

### **47. Vacancy or Incapacity of the Head**

Where the office of Head becomes vacant or the Head is unable to perform the duties of the office, interim arrangements shall be made in accordance with procedures established under this Constitution until a new appointment is made.

**48. Continuity of Institutions**

The Assembly, the Court, and the Executive shall continue to operate in accordance with this Constitution throughout the life of the School.

**49. Entry into Force**

This Constitution takes effect upon adoption by the founding Assembly.