

WILL RICE COLLEGE BY-LAWS

Current March 2005

I. The Court

A. In the event that a violation of the Constitution, By-Laws, or Rules of Will Rice College is observed by a member of the college, that member should present a written, signed accusation in duplicate to a member of the Court. An accusation may also be brought by the Advocate on behalf of the Diet in cases where the violation brings about fines charged to the college. The Chief Justice shall also reserve the right to bring forth an accusation if it is deemed necessary.

B. Upon receipt of an accusation, or in the event that an accusation is brought by the Court itself, the Defendant shall be presented with a copy. The Ombudsman shall be notified of the accusation by the Chief Justice and shall inform the Defendant of his rights. The Ombudsman shall also be present throughout all proceedings to ensure procedural integrity and to ensure that the rights of the Defendant are not violated.

C. No member of the Court shall actively seek a confession for any violation of college Rules. Voluntary confessions shall be accepted.

D. After the Defendant has consulted with the Ombudsman, he shall have five days to present a written, signed plea to the Chief Justice of the Court. In the event that a plea of "Guilty" is entered, the Defendant shall be assessed the standard, fixed penalty for the violation, or a reasonable alternate penalty. If a plea of "Not Guilty" is entered, a trial date will be set by the Chief Justice. Furthermore, if no plea is forthcoming at the end of five days, the Court shall assume a plea of "Not Guilty" and the trial will be set by the Chief Justice.

E. The Chief Justice may request the Advocate to gather any and all evidence relevant to the case at hand and present said evidence to the Court during the trial.

F. All members of the Court must be present to open and conduct a trial.

G. Witnesses may be called by the Court, the Defendant, or the Plaintiff, and shall be subject to recall at any time. Any person who refuses to testify when called as a witness or who perjures himself shall be in contempt of Court and shall be subject to Court action. No person may be forced to incriminate himself.

H. The Defendant and Plaintiff shall have the right to bring forth any evidence or testimony concerning the facts of the case.

I. The Defendant and the Plaintiff shall have the right to review and dispute any evidence or testimony. The Defendant shall have the right to be confronted with the witnesses against him on the trial dates specified.

J. The Defendant and the Plaintiff shall have the right to sum up the case before the Court decides the verdict, with the Defendant speaking last.

K. A simple majority of the Court shall be sufficient to determine the guilt or innocence of the Defendant. If a verdict of guilty is reached, the Court shall set a penalty and make its decision known to the Defendant, the Plaintiff, and the Ombudsman. At this time, the Court shall remind the Defendant and the Plaintiff of their right of appeal. The Defendant or the Plaintiff shall have five days after being notified of the verdict and

penalty to file written notice of appeal with the Appeals Board, with a duplicate to the Chief Justice of the Court.

L. The Court shall be empowered to set penalties and award damages against college members found guilty of College or Personal offenses as follows:

1. Actual Damages

2. Punitive Damages, not to exceed \$250.00 paid to the injured party.

3. Fines, not to exceed \$100.00 or 10% of actual damages, to be determined at the discretion of the Court, paid to the Court.

4. College probation may entail any of the following restrictions:

a. the member may not run for nor hold any elective or appointive during his time on probation;

b. the member may not chair any college committee;

c. the member must relinquish to the Diet any college lot parking sticker of which he is in possession;

d. the member may not attend or participate in any college-sponsored activity, for a predetermined period of time.

The Court shall assess these fines and penalties in accordance with guidelines defined and presented to the College at the beginning of each academic year. In the event of a particular case not having a corresponding penalty under these guidelines, the Court shall be further empowered to assess a reasonable penalty which must be agreed upon by a majority of the Court members.

M. The Chief Justice of the Court shall keep accurate records of the meetings of the Court. These shall include a resume of the testimony which is given during a trial, a resume of all deliberations of the Court, and a record of the balloting pursuant to each decision. These shall be preserved in a bound volume, and copies of each set of records shall be provided for the Master's files and the files of the college. The Chief Justice shall prepare and publish a resume of each trial which shall be publicly displayed upon the conclusion of the case, with names deleted in the case of a closed trial.

N. All trials shall be open to the public. However, the Defendant, the Plaintiff, or the Court voting unanimously may request that the trial be closed. Closed sessions shall be attended by the Court, the Defendant, the Plaintiff, the Ombudsman, and witnesses as they are called.

O. The following signed pledge shall be delivered by the Defendant to the Chief Justice of the Court within one week after the Defendant has been notified of the verdict. "On my honor I am carrying out the penalty assessed me." If the Defendant refuses to sign this pledge or if the pledge is signed and a violation of the penalty later becomes known, the case shall be reopened and the Defendant shall be charged an additional \$50.00 fine.

II. The Appeals Board

A. No member of the Appeals Board shall actively seek a confession for any violation of College Rules. Voluntary confessions shall be accepted.

B. Upon receipt of a written notice of appeal, the Chairman shall, within five days, convene the Appeals Board for consideration of the appeal. If a hearing is granted by a majority vote of the Board, it shall set a date for the trial of the appeal which shall be held within two weeks of the filing of the written appeal.

C. The trial shall be conducted in a manner such that the facts of the case shall be found and a just decision reached, but at no time shall it violate the rights of the Defendant.

D. All members of the Appeals Board must be present to open and conduct a trial.

E. Witnesses may be called by the Appeals Board, the Defendant, or the Plaintiff, and shall be subject to recall at any time. Any person who refuses to testify when called as a witness or who perjures himself shall be in contempt of Court and shall be subject to Court action. However, no person shall be forced to incriminate himself.

F. The Defendant and the Plaintiff shall have the right to bring forth any evidence or testimony concerning the facts of the case.

G. The Defendant and the Plaintiff shall have the right to review and dispute any evidence or testimony. The Defendant shall have the right to be confronted with the witnesses against him on the trial dates specified.

H. The Defendant and the Plaintiff shall have the right to sum up the case before the Board decides the verdict, with the Defendant speaking last.

I. A four-fifths vote of the Appeals Board shall be necessary to reverse a decision of the Court in cases on appeal.

J. Upon reaching a verdict the Appeals Board shall present its decision to the Defendant, the Plaintiff, the Ombudsman and the Chief Justice of the Court. At this time, the Board shall remind the Defendant of his right of appeal. The Defendant or Plaintiff shall have three days after being notified of the decision to file a written notice of appeal with the Master, with a duplicate to the Chairman. If there is no appeal, the Board shall present its verdict to the Diet which shall execute the decision of the Board.

K. The Appeals Board shall be empowered to impose a fine which, when added to any fines levied by the Court, shall not exceed \$100.00, over and above compensation for actual damages.

L. The Chairman shall keep accurate records of the meetings of the Appeals Board. These shall include a resume of the testimony given during a trial, a resume of all deliberation of the Appeals Board, and a record of the balloting pursuant to each decision. These shall be preserved in a bound volume, and copies of each set of records shall be provided for the Master's files and the files of the college. The Chairman shall prepare and publish a resume of each trial which shall be publicly displayed upon the conclusion of the case. In the case of closed trials all names shall be deleted from the resume.

M. All trials shall be open to the public. However, the Defendant, the Plaintiff, or the Board voting unanimously may request that the trial be closed. Closed sessions shall be attended by the Board, the Defendant, the Plaintiff, the Ombudsman and witnesses as they are called.

N. The following signed pledge shall be delivered by the Defendant to Chairman within one week after the Defendant has been notified of the verdict. "On my honor I am carrying out the penalty assessed me." If the Defendant refuses to sign this pledge or if the pledge is signed and a violation of the penalty later becomes known, the case shall be reopened and the Defendant shall be charged an additional \$50.00 fine.

III. Committees

A. The Diet shall be empowered to establish standing and special committees, as it deems necessary and proper, to carry out the provisions of the Constitution and By-Laws.

B. Standing Committees and their duties shall be as follows:

1. Academics -- shall organize college courses and serve as the WRC representative on the College Student Advising Committee for the Office of Academic Advising.
2. Alumni -- shall encourage a continuing relationship between WRC and its alumni by involving them in college and university activities.
3. Associates -- shall encourage a continuing relationship between WRC and its associates. Shall also help select new associates and incorporate them into college affairs.
4. Beer-Bike -- shall organize college-wide events related to Beer Bike and shall serve as liaison to the university-wide Beer Bike Committees. The committee shall be elected during the fall semester.
5. College Night -- Two or more chairmen, elected in the fall semester, shall be responsible for the organization of the fall college night. Two or more chairmen, elected in the spring semester, shall be responsible for the organization of spring College Night.
6. Gameroom -- shall maintain upkeep of all gameroom equipment and supplies.
7. Computers -- shall be responsible for maintenance of college computers and computer room.
8. Cultural -- shall distribute season tickets to cultural events as well as alert college members to and subsidize other cultural events, both on and off campus.
9. Elections -- shall supervise all elections under the provisions of Section IV of the By-Laws. The chairmen shall be appointed after the election of executive officers in the spring semester and serve for one calendar year.
10. Fellows -- shall organize tutoring sessions for freshmen.
11. Green -- shall be responsible for coordinating set up and maintenance of recycling bins and for encouraging and implementing eco-friendly programs and habits at the college. It shall also be responsible for creating and/or maintaining garden spaces at Will Rice.
12. Off Campus -- shall encourage the participation of off-campus members in college affairs.
13. Programs -- shall organize films, speakers, concerts, and other programs to enrich the cultural life of the college. One or two chairmen shall be elected in the spring.

14. Social -- shall be responsible for college parties, TGs, and pub nights. Two or three chairmen shall be elected in the spring.

15. Spirit -- shall publicize special events and promote college spirit.

16. Storage -- shall oversee summer storage in the 40s and 50s basements and be responsible for the fall semester auction of unclaimed items left in these basements.

17. IM/College Sports -- shall provide and maintain sports equipment and facilities. There shall be at least one male sports representative and one female sports representative. The representatives (in consultation with the team captains) shall organize college sports and choose team captains.

18. Varsity Sports -- shall announce varsity athletic events and put on events to encourage attendance at games.

19. Theater -- shall be responsible for organizing WRC theater activities at WRC.

20. Whimsy -- shall plan various off-campus social events which are not covered by the social or cultural committees. Its purpose is to offer alternative events and promote Will Rice College unity. Events are limited to college members. Two or three chairmen shall be elected in the spring.

C. Funding of the committees shall be supervised by the Diet, under Section V of the By-Laws.

D. Membership of Committees.

1. Unless noted different in Section III. B. of the By-Laws, chairmen of committees is shall be appointed by the President and approved by the Diet, in the spring semester.

2. Unless noted differently in Section III. B. of the By-Laws, membership of committees is open to all college members.

3. In the absence of applicants or appointees, voting representatives of the Diet shall be responsible for chairing or co-chairing one of the committee of III.B.

D. Other Duties of Committees and Activities Council

1. Activities Council shall be responsible for, organize, and maintain upkeep of the college commons, library, major appliances, physical improvements, properties, college kitchen and weightroom.

IV. Elections

A. The function of the Elections Committee shall be to supervise all college elections and to enforce the elections regulations. Specific duties of the Elections Committee shall be as follows:

1. Certification of the qualifications of each candidate before elections, and of all officers at the beginning of each semester.

2. Responsibility for the printing, supervision, counting, and disposition of all ballots.

3. Insurance that there is advance publicity of at least one week of all election rules and regulations, of all deadlines and dates concerning an election or referendum, and of any other material pertinent to an election.

4. Setting of the dates of all elections under its jurisdiction, in accordance with the Constitution and these By-Laws, subject to Diet approval.

5. Disqualification, at its discretion, of any candidate who violates the election rules or regulations.

6. Certification to the Diet of the validity of each election.

B. The decision of the Elections Committee in any matter under its jurisdiction may be reversed only by the Appeals Board, as provided in Section H below.

C. Candidacy

1. Persons who meet the qualifications enumerated in the Constitution shall become candidates for office by submitting, together a signed statement that they have read and understood the Constitution and By-Laws of the college. Those running for college wide positions must additionally submit a petition containing signatures of then members of the college.

2. Petitions must be presented to one of the chairmen of the Elections Committee. A deadline, specified by the Elections Committee, shall be not less than 24 hours and not more than two weeks preceding the election. If all is in order, the Chairman shall validate the petition by signing and dating it in the presence of the candidate.

3. Names of candidates will be listed according to the order in which completed statements and, if necessary, petitions are received by the Elections Chairmen.

D. Campaigning

1. Each person who is a candidate for a college-wide office shall have an opportunity to speak on behalf of his candidacy at a meeting of the college. The Elections Committee, may, at its discretion, limit the length of campaign speeches.

2. For a college-wide election, campaigning may be by word of mouth only. Those running for section or off-campus representatives to the Diet may post a single 4.45" x 11" sign in a location designated by the Elections Chairmen.

E. Poll Procedure

1. The polls shall be open during meals. There shall be one poll located in the Commons.

2. No person who is a candidate shall be allowed to sit at the polls or to count votes in any election conducted on the same day as his own. Any other member of the college shall be eligible to sit at the polls and may be assigned to do so at the discretion of the Elections Committee.

3. A person must sign a statement affirming that he is not guilty of plural voting.

4. Graduating seniors and fifth-years are eligible to vote for the same representatives as the incoming senior class.
5. For those college offices to which two representatives are to be elected, a voter shall have two votes of equal weight.
6. Petitions for Off-Campus Diet Representatives shall be submitted by the second week of the new school year.
7. In the event that a normal spring-elected position becomes vacated over the summer, neither freshmen or new transfers will be allowed to run or vote in the fall election to fill the vacated position.

F. Determination of Election

1. For those college offices to which only one person is elected, the candidate(s) receiving the most votes cast shall be elected.
2. All elections shall be preferential. In a given race, candidates may be ranked from 1 (most preferred) down to a number one greater than the number of candidates to allow for a write in candidate). At the end of the voting period, candidates shall be ranked in order of the FIRST PLACE votes they receive. The candidate receiving the least first place votes shall be eliminated, and ballots indicating the eliminated candidate as first shall have their second place votes count as first place votes for the named candidate. This process shall continue until all positions have been filled.

G. Tallying of Votes

1. The votes shall be tallied immediately after the closing of the polls by at least two members of the Elections Committee. Those counting votes shall sign copies of the results of the elections. One copy shall immediately be posted in the Commons and one copy retained in the college records. All ballots shall be retained for at least two weeks after the election concerned.
2. Votes which shall be considered valid in a regular election are those:
 - a. for a candidate listed on the ballot, or
 - b. a write-in vote for a member of Will Rice College who is eligible to serve in the office in question.

In a runoff, only votes cast for candidates listed on the ballot shall be valid. Only valid votes will be counted amount total votes.

3. Any candidate in any election in which they participate shall have the right to know the final numerical tally for that election.

H. Contesting an Election

Any part of an election, including disqualification of a candidate, may be contested by a petition stating the items contested and the reasons for contest signed by twenty-five members of the college. The petition shall be presented to the chairman of the Elections Committee no more than twenty-four hours after the posting of the results of the election. If such a petition is presented, the Elections Committee shall review all items contested, including a recount of the ballots in the presence of those contesting, if such is called for. If the Elections Committee finds that a mistake has been made or rules violated, it shall correct the items in question to the satisfaction of those involved or hold a new election, as it deems appropriate. If no

agreement is reached, the matter shall be taken to the Appeals Board, which shall finally settle the question.

I. Lack of Candidate(s)

If no petitions are received for an office by the deadline, responsibility for filling the office shall then rest with the Diet. Any person elected by the Diet under such conditions shall serve for the full remaining term of the office in question.

V. Funding

A. All requests for monetary appropriations from the general budget must be presented to and approved by the Diet. Only the executive committee or chairmen of the respective committee may request internal appropriations.

B. All expenditures out of both the "Ambience" and "Matching Funds" budget shall be at the sole discretion of the Activities Council. The Vice President shall present all such expenditures to the Diet.

C. Any appropriation over \$300 must have the approval of the Diet before being used.

D. If there is no Diet meeting in the following four weeks the Executive Committee may make emergency appropriations under \$300, to be reported at the next Diet meeting. The Executive Committee may make only one emergency appropriation toward any one item or event.

E. Any appropriations under \$50 may automatically be approved by the President. Such an act will be known as the "executive fiat." The President may make only one executive fiat (not exceeding \$50) toward any one item or event, and he must report the amounts fiated at the next Diet meeting.

F. The Treasurer shall not pay any appropriation until approved by Diet.

G. At anytime Diet may place some or all of a committee's budget in to escrow by pre-appropriating it. Monies in escrow may only be spent for the allocated purpose. The escrow may only be lifted by a vote of the Diet.

H. At each Diet meeting the Treasurer shall provide an account of all expenses drawn from accounts and budgets.

I. Concession funds shall be recorded separately from the general budget. This fund shall be under the jurisdiction of the Treasurer.

VI. Orientation Week

A. Two or three Orientation Week Coordinators will be elected in the spring semester.

B. Orientation Week Advisors will be selected by the Coordinators, subject to approval by the Diet. A questionnaire, as well as an interview, will be required by applicants who wish to be Orientation Week Advisors.

C. Freshman room assignments will be made by the Coordinators.

D. The Orientation Week Coordinators and the President will be responsible for all Orientation Week finances. The Coordinators will be required to present a statement of the financial condition of Orientation Week accounts upon seven days notice by the Diet. All monies collected from freshmen for the purposes of Orientation Week will be used only for such activities.

E. The President will be required to attend Orientation Week in order to carry out college administrative activities as well as assisting the Orientation Week Coordinators. The President shall not be an advisor.

F. By the second week of classes in the fall semester, the Orientation Week Coordinators shall submit to Diet a budget and list of expenditures.

VII. Room Assignment By-Laws

A. Concerning Eligibility of Students

1. The capacity of the college shall be determined by the Vice-President in consultation with the officers and masters of the college.

2. The college shall reserve one-third of available space for students entering the college in August.

3. The other two-thirds shall be divided as follows:

a. Guaranteed space on-campus for the following people:

i. Any member of the college receiving financial aid contingent on his residing on campus. Proof of dependency must be shown to the Vice-President.

ii. All executive officers of the college; the Chief Justice.

iii. All students holding a position that requires them to live on-campus, namely, the student maintenance representative and the two college computing associates.

iv. All members declaring their senior status. To exercise senior status, students must be entering their fourth year. Students anticipating early graduation may chose to declare senior status early, thus forfeiting such status in the future. Students may also defer their senior status for use in future years' jacks. A senior status declaration is universal among all jacks (eligibility, room and parking) and may only be used once.

v. Rice EMS supervisors who are members of the college.

vi. Varsity athletes whose on-campus residence is guaranteed by the Athletics department.

b. The on-campus space available after the guarantees in subsection (a) have been met shall be available to the college at-large per the following method at Eligibility Jack:

i. Each student shall receive one point per semester, or part of semester (greater than two weeks), that he lives on campus at Rice. Transfers from another university and freshmen will be considered new students and shall be assigned zero points upon matriculation.

ii. Distribution of available on-campus spaces shall be based on the number of points each student has at the time of the jack, with priority given to those students having the lowest number of total points. The maximum number of points a student may have is four.

iii. In the event that the number of people with equal points is greater than the number of remaining spaces, a cut of the cards shall determine the contest. From this cut of cards, a wait list will be made.

c. Partner leases shall be available for any persons looking to occupy the same space in different semesters. Eligibility shall be extended to anyone who partner leases with a person who is already eligible.

d. Eligibility Jack shall be held after Singles Jack by the seventh week of classes.

B. Concerning the Assignments of Rooms

1. Reservation of rooms.

a. The college president and his roommate(s), if declared eligible per the previous section, shall have first option on reserving room 110. If room 110 is not reserved by the incoming president, it shall be considered as any other double room.

b. Any double, triple or quad, except as specified as above, may be reserved, provided 51% of the present occupants, declared eligible per the previous section, intend to live in the same room the following year. To be considered an occupant, a person must have resided in a room from the beginning of the second semester. Rooms must be reserved by the Friday before the applicable jack. No college member may reserve a room and jack for another.

c. All other rooms shall be open to any member of the college specified as eligible.

2. Determination of Points.

a. Each student shall receive room-jack points (different from Eligibility Jack points) according to the number of semesters completed while registered as full time college students at any school. Points shall be assigned on a semester basis as follows:

1-2 completed semesters	2 points
3 or more completed semesters	3 points
Senior status	4 points

b. Senior status may only be taken once and applies, that year only, to all jacks. The declaration must synchronize with other jacks, namely eligibility and parking. Members who have participated in a previous year's jack with senior status shall have their points reduced to three points for the remainder of their membership. Any student with three points who anticipates graduation upon completion of their third year of college may opt to use four points when jacking for a room, provided they have declared senior status as applied to eligibility.

c. If two persons enter into a partner lease, the room jack points shall be the average of the points to which they would be otherwise entitled.

3. Room assignments.

a. Singles Jack.

i. Singles Jack will take place within six weeks of the spring semester, after the elections of the new officers.

ii. The singles are assigned:

Male singles: 104, 111, 114, 116, 122, 211, 214, 215, 218, and 222

Female singles: 304, 308, 311, 314, 315, 318, 322 and 401

Females who have declared senior status have first option on reserving rooms 204 and 208. After that option is exhausted, the rooms will be open to males who have declared senior status.

iii. The rooms will be awarded high point first, with a cut of the cards used to break ties. Any unassigned singles after Singles Jack will be assigned in Triples Jack.

b. Triple Jack.

i. Triple Jack will take place within eight weeks of the spring semester, after eligibility jack.

ii. The triples are assigned:

Male triples: 123, 223

Female triples: 323, 325

Unisex triples: 232, 462

iii. No less than three people may jack for a triple.

iv. The rooms will be awarded by highest combined point total first, with a cut of the cards used to break ties.

c. Quad and Doubles.

i. Quad and Doubles Jack will take place within nine weeks of the spring semester, after Triples Jack.

ii. No less than four people may jack for a quad. No less than two people may jack for a double.

iii. The rooms will be awarded by highest combined point total first, with a cut of the cards used to break ties.

4. The college reserves the right to bring all rooms to full capacity by the placement of the next year's freshmen and transfer students in unfilled spaces. However, the vice president is required to consolidate groups at the time of the jacks in order to minimize the number of individuals or groups requiring an incoming student to complete the room. The college reserves the right to overcrowd next year's freshmen and transfers, if necessary.

5. Any person not declared eligible shall be allowed to live on campus if he moves into a room already filled to capacity of eligible occupants, with the unanimous consent of those occupants.

6. All room changes must have the approval of the vice president prior to their taking place. All persons involved in a room shift must approve.

C. The masters, in consultation with the vice president, have ultimate authority over housing (both eligibility and assignment) and shall resolve any extraordinary circumstance.

VIII. The College Fellows

A. A list of 25-30 candidates shall be prepared each year during the second semester by the Master, the incoming and outgoing College Presidents, and the Resident Associate(s). The outgoing College Fellows shall then select the Fellows for the following year from this list. New members shall be chosen on the basis of a record of academic achievement in a particular academic discipline, College service, and a willingness and ability to assist Will Rice members in their studies. All candidates must have completed at least three semesters of college. Admission shall be controlled so that the active membership is between fifteen and twenty.

B. The College Fellows shall hold a meeting in the month following the election of members in order to select a chairman. The Chairman shall call additional meetings throughout the year as deemed necessary.

C. The College Fellows shall be responsible for the encouragement of academic achievement and college service.

IX. Rules

A. A complete list of all current college rules shall be kept by the President and Secretary.

B. Rules can be passed or changed by a two-thirds vote of the Diet upon twenty-four hour notice to the college.

X. Parliamentary Authority

Robert's Rules of Order Revised shall govern every deliberative group of the college in all cases to which they are applicable and in which they are not inconsistent with the Constitution of By-Laws of the college or the special rules of that group.