

January 2009 Bylaw Revision

- Repeal Article III
- Repeal Article IV
- Repeal Article V
- Repeal Article VI
- Repeal Article VIII
- Repeal Article IX
- Repeal Article X
- Repeal Article XII
- Repeal Article XIII
- Repeal Article XIV
- Change number of Article I to Article XI
- Change number of Article II to Article XII
- Change number of Article VII to Article XIII
- Change number of Article XVI to Article XIV
- Change number of Article XI to Article XV
- Change number of Article XV to Article XVI
- New Article I

ARTICLE I-Purpose:

SECTION 1. The Associated Students of the California Institute of Technology (ASCIT) shall exist for the benefit of undergraduates as given in the Articles of Incorporation. ASCIT shall provide representation for students to the Institute, seek to improve academic and nonacademic aspects of student life, provide universal student resources, support publications, and uphold the Honor System.

- New Article II

ARTICLE II-Honor System:

SECTION 1. CODE. No member of the Caltech community shall take unfair advantage of any other member of the Caltech community.

SECTION 2. The Honor Code shall be the fundamental principle of conduct of all members of the Corporation. It shall apply to all scholastic activities as well as to relations with other members of the Caltech community.

- New Article III

ARTICLE III-Officers:

SECTION 1. CORPORATION OFFICES. The following are the elected general offices of the Corporation. Only registered undergraduates who are Corporation members shall be appointed or elected to an office of the Corporation. Undergraduates must be either a junior or a senior in the fall term immediately following their election to be elected to the offices of President or Vice President.

Office of the President: The President shall be the official representative of the Corporation, and he shall preside at its meetings. He shall be chairman of the Board of Directors and have ultimate responsibility for proper observance of all responsibilities delegated to officers of the Corporation.

Office of the Vice President of Academic Affairs: The Vice President shall serve as chairman of the Academics and Research Committee and shall be responsible for improving the academics of the Institute for all undergraduates. He shall work with the Board of Control Chairman towards the continuance and improvement of the academic aspects of the Honor System.

Office of the Vice President of Non-Academic Affairs: The Vice President shall serve as chairman of the Interhouse Committee and shall be responsible for liaison between ASCIT and the various House organizations. He shall work with the Conduct Review Committee Student Chairman towards the continuance and improvement of the non-academic aspects of the Honor System.

Office of the Director of Operations: The Director of Operations shall act as liaison to publications officers and ensure they comply with the Bylaws and policies of the Board of Directors. He shall have direct charge of all Corporation property. He shall act as liaison to and maintain a running file of all ASCIT supported and related student organizations.

Office of the Treasurer: The Treasurer shall receive all money belonging to the Corporation and shall deposit it to the credit of the Corporation. He shall keep a full account of money expended and received and make a report of such account once a term at a regular meeting of the Board of Directors, and at such time as the Board of Directors may desire.

Office of the Director for Social Activities: The Director for Social Activities shall be chairman of the Executive Social Committee. He shall be responsible for the organization of the Corporation's social activities and shall coordinate them with the social activities of the undergraduate Houses.

SECTION 2. APPOINTED OFFICES The following are the appointed offices of the Corporation.

Office of the Secretary: The Secretary shall keep a record of the proceedings of the meetings of the Corporation and the Board of Directors and publicly post the proceedings. He is responsible for publicly posting notices of all meetings of the Corporation. He shall oversee communications and act as custodian to the records, the Corporation seal, and the archive. He shall act as liaison to the Board of Directors for all non-academic committee student representatives. The Secretary shall maintain the official copy of the Bylaws, Resolutions, rulings of the Review Committee, and Board of Directors Policies and Procedures.

SECTION 3. The following elected offices are open to all registered undergraduates: Board of Control Chair, Board of Control Secretary, Conduct Review Committee Student Chair, and Tech Editor(s).

SECTION 4. In the event of the absence of the President, the order of succession for assuming the duties of his office shall follow the order the offices are presented in these Bylaws until the Review Committee has appointed an Acting President.

SECTION 5. If an officer ceases to be a registered undergraduate, he shall retire from that office or may petition the Review Committee for permission to continue with the exception of the offices of Board of Control Chair and Board of Control Secretary who may not petition.

➤ New Article IV

ARTICLE IV-Board of Directors:

SECTION 1. MEMBERSHIP. The Board of Directors shall consist of the general elected officers of the Corporation. No person shall be elected to more than one office that would entitle him to a seat on the Board of Directors.

SECTION 2. The Board of Directors shall require all officers of the Corporation to comply with its provisions. It shall exercise all other powers in connection with the affairs of the Corporation not delegated to other persons or agencies or reserved for the Corporation itself. The Board of Directors shall have the responsibility to recognize, investigate, and discuss the long-range and immediate problems of the Corporation, and to make use of qualified people both within and outside the Board of Directors.

(a) It shall have the ultimate power to authorize budget assignments and expenditures and shall adopt a general budget at the beginning of each fiscal year.

(b) It shall have the power to make awards and appointments as provided in these

Bylaws.

(c) The Board of Directors may form temporary committees responsible to itself, for the investigation and discussion of Corporation problems.

(d) It shall have the power to pass Resolutions concerning policy and operations of the Board of Directors.

SECTION 3. MEETINGS. Meetings of the Board of Directors shall be held at least once a week--except during Rotation, final examinations, and vacations--at the call of the President, or of any two members of the Board of Directors. Four members shall constitute a quorum. Issues concerning the full Board of Directors will take precedence over business concerning only a portion of the Board.

SECTION 4. STAFF. The Board of Directors may choose to create staff positions to assist with the responsibilities of officers of the Corporation, with the approval of the Review Committee. Staff positions must be voted upon in a Board Resolution. The officer receiving assistance is directly responsible for the activity of their staff. All staff positions and resolutions expire upon retirement of the associated officer and cannot be reappointed without reapproval of the position and resolution by the Review Committee.

SECTION 5. RESOLUTIONS. The Board of Directors may pass Resolutions upon approval of four members. The Secretary shall record and make public all Board Resolutions. Resolutions concerning the formation of a committee or office shall require the approval of the Review Committee. Approved staff positions and their duties will be recorded in a Resolution.

SECTION 6. POLICIES AND PROCEDURES. The Board of Directors shall adopt policies and procedures to carry out its duties in accordance with these Bylaws. These policies and procedures may be amended upon approval of four members. Any significant change must be announced to the Corporation at least one week prior to its enactment.

➤ New Article V

ARTICLE V-Committees:

SECTION 1. The Academics and Research Committee shall consist of the Chairman, a Secretary appointed by the committee, one member elected from each of the houses, and at least two additional members appointed by the committee. The House-elected members shall be elected during second term each year using procedures determined by each House. They shall assume office at the start of third term. The Committee shall be responsible to the Board of Directors for actively enhancing the academic and research experience available to undergraduates at the Institute. The Committee shall act as the nominating committee for all academic committees. The Committee Secretary shall serve as liaison to all academic committees.

SECTION 2. The Interhouse Committee is a body entirely separate from the Corporation, existing to fulfill the purpose outlined in its Definition and is derived from the Institute undergraduate residential House System. The Committee represents the members of the Houses to the Board of Directors via the Interhouse Committee Chairman. The Board of Directors defers some of its responsibilities regarding committee appointments, Institute representation, and intramural sports to the Committee.

The Interhouse Committee shall act as the nominating committee for all non-academic Faculty Board committees. All recommendations made by the Committee by three weeks before the end of the academic year will be approved by the Board of Directors. For positions the Interhouse Committee has not made recommendations by that time, the Board of Directors and previous committee representatives may act as the nominating committee at the discretion of the President.

SECTION 3. The Executive Social Committee consists of a Chairman, one member elected from each of the Houses, and at least three of additional at-large members appointed by the committee. The Committee shall be responsible for planning and

organizing all social functions of the Corporation and shall meet at least once each month of the academic year.

➤ New Article VI

ARTICLE VI-Review Committee:

SECTION 1. MEMBERSHIP. The Review Committee shall have a Chairman and voting members consisting of one ASCIT member from each undergraduate House selected by the Interhouse Committee before the beginning of the third term. Members of the Board of Directors may not serve on the Review Committee.

SECTION 2. DUTIES. The Review Committee shall have the power to interpret the Bylaws. The Committee will oversee all Corporation elections and appointments. It shall have the sole power to consider the validity of protests, to reschedule invalidated elections, and to appoint persons to fill vacancies in the Board of Directors. The Committee will verify that the Resolutions and policies and procedures of the Board of Directors are in accordance with the Bylaws and that the Board follows the Bylaws, Resolutions, and policies and procedures. The Committee may initiate the recall election of any officer without petition.

SECTION 3. MEETINGS. The Review Committee shall be held at least once each month of the academic year at the call of the Chairman of the Committee, any two members of the Committee, or a petition of 10% of Corporation members. Rulings shall be made by a two-thirds vote. A record of rulings shall be maintained by the Corporation Secretary.

➤ Amend Article XI

-Remove: "SECTION 2. The Undergraduate Houses are those defined by the IHC Bylaws."

➤ Amend Article XII

-Remove from Section 1: "The Secretary shall post notice of the meeting in each undergraduate House at least seven (7) days prior to the meeting."

➤ Amend Article XIII

-Remove from Section 1: "and the Vice President of the Corporation (Honor Chair)"

-Remove from Section 1:" It shall be the duty of the Honor Chair to see that the student body is informed of the policies of the Board of Control."

-Remove from Section 2:" reviewed by the Honor Chair and be"

-Remove from Section 3 (e): "the Vice President of the Corporation and"

-Remove from Section 3 (s): "The Vice President of the Corporation,"

-Remove from Section 3 (z): "and the Vice President of the"

➤ New Article VII

ARTICLE VII-Elections, Appointments, and Procedures:

SECTION 1. Election Periods. Nominations for all elected offices shall open at 8 A.M. on the fifth Monday of second term and shall close at 5 P.M. the following Friday.

All nominated candidates shall be listed on a ballot and voted upon at elections to occur the Monday immediately following the closing of nominations for the offices.

SECTION 2. Announcements. The Review Committee Chairman shall publish an announcement in the issue of The California Tech immediately preceding the opening of these nominations. Only nominations for current ASCIT members shall be considered valid. The Review Committee Chairman shall compile a list of candidates and confirm that those candidates accept the nomination. The California Tech and Donut shall publish that complete list of nominated candidates and any statements they wish to make. The Review Committee Chairman shall post nomination sheets, announce nominations, and announce when the election is to be held.

SECTION 3. Voting Procedures. Voting shall be conducted online. Voting will take place from 10:00 A.M. to 11:59P.M. on the day of the election. Error shall be defined as the sum of the absolute differences between the number of votes and the sum of the number of voters registered on Donut. Absentee ballots shall be allowed in the case of a voter who expects to be absent on the day of an election. Absentee ballots must be filed with the

Review Committee Chairman no later than the midnight prior to the election. Voting by proxy is prohibited. All ballots shall be cast secretly.

SECTION 4. Voting Privileges. All registered undergraduates may vote for the Board of Control Chairman, the Board of Control Secretary, the Interhouse Committee Chairman, and the Conduct Review Committee Student Chairman. Only members of the Corporation may vote for other elected officers.

A voter may cast no more than one ballot in each election.

SECTION 5. Ballot Procedures. Each voter shall rank the candidates for each office in order of descending preference, with 1 (first Rank) representing the most preferred. For the first Rank, the voter may choose one of the following:

- (a) a nominated candidate,
- (b) any other legally qualified person,
- (c) the word "NO,"
- (d) abstaining.

For Second Rank (2) and subsequent Ranks, "NO" is not permitted. No candidate may be ranked twice, and no candidates may be ranked equally. A voter may abstain at any point in the ranking by leaving the remaining Ranks blank. A ballot conforming to these guidelines shall be considered correctly-cast.

SECTION 6. Counting Procedures. In order to win the election, a candidate must receive an absolute majority of votes. Absolute majority shall be defined as more than half the error plus half the number of correctly cast non-abstaining votes. The Review Committee shall conduct the Count Process as follows:

(a) For each office, all correctly cast ballots shall be organized and counted according to first Rank votes. If no candidate receives more than the number of "NO" votes, then there shall be a vacancy in that office. If not, the "NO" votes shall be distributed among the candidates according to Second Rank.

(b) If no candidate has an absolute majority of votes, the candidate with the least number of votes shall be eliminated, and each of that candidate's ballots shall be redistributed among the remaining candidates by next available choice ranked. If all remaining candidates on a ballot have been eliminated, then that ballot shall be considered an abstention.

(c) If a candidate now has an absolute majority of votes, that candidate wins. If not, steps (b) and (c) shall be repeated until a winner has been determined.

SECTION 7. Ties. A tie shall be defined as the situation in which the absolute difference between the vote totals of two or more candidates is less than or equal to the error. If a tie occurs among candidates in last place at any point in any count process, the votes of one of the tied candidates shall be distributed, and the count process continued until a potential winner is found. This shall be repeated for each of the other tied candidates, until all such potential winners are found. If the same candidate emerges as the potential winner in all cases, then that candidate wins. If no consensus is found, then all correctly-cast ballots shall be reorganized and counted according to preferences for only the potential winners, using the procedure in Section 6. The candidate receiving an absolute majority of votes shall be elected.

If a tie occurs among all remaining candidates, the election shall be ruled indeterminate, and another election shall be held the Friday following the initial election. In this Second Election, voters may rank only the remaining candidates or abstain. Write-in candidates and "NO" shall not be allowed. The Count Process shall follow the procedure in Section 6. In the event of a tie among all remaining candidates in the Second Election, a Corporation meeting shall be convened within ten days after the reporting of the tie, and all scheduled elections shall be postponed until after the meeting. A debate between the remaining candidates shall be held at the meeting, under guidelines established by the Review Committee. Immediately after the debate, a final Election

shall be held. Procedures shall follow those of the Second Election, except that voting shall be open for a period of four hours following the Corporation meeting.

SECTION 8. Reporting The Review Committee Chairman must release and post the report of the Review Committee no earlier than 11:59 P.M. on the first day following the election and no later than 10:00 A.M. the second day following the election. This report shall be posted on Donut. Numerical results will not be made public until all officers have been elected. All protests must be given in writing either to the President or the Chairman of the Review Committee. If no protests are received prior to 11:59 P.M. on the first day following the election, the report of the Review Committee will be considered valid and final. Upon receipt of a valid protest, all scheduled elections must be postponed for one week, pending resolution of the difficulty. All contested election results shall be withheld until all protests for the respective elections have been resolved.

SECTION 9. Installations Installation of the officers shall take place at the first meeting of the Board of Directors following the completion of officer elections. An oath of office shall be administered by the retiring President to the incoming President which may take the following form: "I do solemnly swear that I will support the Articles of Incorporation of the Associated Students of the California Institute of Technology, Incorporated, and that I will discharge the duties of the office to which I was elected to the best of my ability." The incoming President shall administer the oath of his choice to the incoming Board of Directors.

SECTION 10. Retirement All general officers of the Corporation shall retire immediately upon the installation of their respective successors.

SECTION 11. Vacancies. In the event of a vacancy of any elected office due to "NO" winning the election, the current officer holder will not be forced to retire their position. Upon retirement, the Review Committee may appoint an acting officer to fill the office and perform all of its duties.

In the event of a vacancy of any elected office not due to an election decision, the Review Committee may appoint an acting officer to fill the office and perform all of its duties.

The Review Committee shall convene within two weeks of notification of the vacancy to either appoint an acting officer or defer appointment of an acting officer to a special election. A special election to replace an acting officer may be initiated by a petition of 10% of students allowed to vote for that office. If the vacancy resulted from recall of an elected officer, special election to replace the recalled officer occurs automatically. The Review Committee may choose to defer any acting officer appointment to a new special election. During these special elections, standard election procedures shall be followed with the exception that the nominations will be opened on the Wednesday immediately following the deferral decision of the Review Committee or the presentation of the petition to the Review Committee. An individual may have no more than one vote despite performing the duties of more than one Board of Directors office.

In the event of a vacancy of any appointed position, the body with original appointment power may restart their standard appointment decision process.

If an officer for any reason finds he will be unable to perform his duties for five consecutive weeks, he must retire or petition the Review Committee for permission to continue his office.

SECTION 12. Appointments. The Corporation Secretary shall announce the availability of any open Board of Director appointed offices and publicly post a nomination sheet. Application periods for the appointed offices shall be opened as soon as possible after the first meeting of each new Board of Directors. Application periods shall remain open at least one week.

The Board of Directors shall interview these applicants for appointed offices. The interviews and appointments shall be closed, but the Board of Directors may invite

certain individuals to assist with the interview and the selection.

Appointments to these offices shall be made by the Board of Directors no later than two weeks after the application period for those offices are closed. The Board of Directors shall complete their interviews and decisions before the beginning of the third term.

SECTION 13. Non-election votes. For non-election votes, the winning proposal must receive an absolute majority of votes. Absolute majority is defined as follows:

(a) In votes requiring a simple majority, absolute majority shall be defined as half the error plus half the number of correctly-cast non-abstaining votes.

(b) In votes requiring a two-thirds (2/3) majority, absolute majority shall be defined as two-thirds (2/3) of the error plus two-thirds (2/3) of the number of correctly-cast non-abstaining votes.

➤ New Article VIII

ARTICLE VIII – Recall:

SECTION 1. Any elected officer may be recalled in a special election. A special election shall be held upon presentation of a petition bearing the signatures of twenty percent (20%) of those eligible to vote for the office or by request of the Review Committee.

Signatures will be valid only if the petition was signed not more than seven days before it was submitted to the Board. On the question of whether or not the officer shall be recalled, an affirmative vote from two-thirds (2/3) of the voters shall suffice to remove him from that office; otherwise he shall continue.

SECTION 2. Any Board of Director appointed officer may be recalled by a two-thirds vote of the Board of Directors.

SECTION 3. In the event of a successful recall of an elected officer, nominations will open the Wednesday immediately following the removal of the ejected officer and a special election following standard elections procedures will be held within two weeks. The successor will take office immediately upon election.

In the event of a successful recall of an appointed officer, applications for the office will open immediately and the standard appointment decision process will be concluded within two weeks.

SECTION 4. Any appointed committee member may be recalled by a two-thirds vote of the body with the corresponding appointment power.

➤ New Article IX

ARTICLE IX- Fiscal:

SECTION 1. DUES. The Corporation dues shall be payable on registration day of each term at the rate given in the schedule below:

Fall: \$25.00

Winter: \$25.00

Spring: \$25.00

Total: \$75.00

Dues for each term shall be non-refundable after add day of said term. Of the dues, 10% each term shall be for a subscription to The California Tech.

SECTION 2. BUDGET. Upon entering office, the new Board of Directors shall adopt a budget to govern all Corporation expenditures for the following fiscal year.

SECTION 3. AUDIT. All the books of account of the Corporation including those of the Big T and The California Tech shall be submitted by the Treasurer to a certified public accountant at the end of each fiscal year for auditing. The fiscal year shall begin March 1 and end on the last day of February. The audit shall cover the entire fiscal year concerned, including all checks and bank statements, purchase orders, bills, and receipts.

SECTION 4. CHECKS. The President and Treasurer shall have the power to sign the checks of the Corporation.

SECTION 5. BIG T ASSESSMENT. Each Corporation member will be assessed thirty-six dollars

(\$36) for the Big T, payable on the days of registration at the rate of twelve dollars (\$12) per term. A member withdrawing before the end of third term may either receive a refund for installments paid, or complete the payments and receive an annual. Before the end of third term, a member who does not wish to receive a copy may, upon written request to the Business Manager of the Big T, receive a refund of any installments paid toward that year's book.

➤ New Article X

ARTICLE X-Publications:

SECTION 1. The official publications of this Corporation are:

(a) *California Tech*, a newspaper published at least once a week, except during finals and vacations.

(b) *Big T*, an annual published once a year

(c) *little t*, a student handbook published once a year

(d) *Totem*, a literary art anthology published once a year

(e) *Donut*, a website

SECTION 2. The officers of these publications are:

(a) for *The California Tech*: Editor(s), elected by the Corporation; and Business Manager, appointed by the Board of Directors.

(b) for the *Big T*: Editor(s) and Business Manager, both appointed by the Board of Directors.

(c) for the *little t*: Editor(s) and Business Manager, both appointed by the Board of Directors.

(d) for *Totem*: Editor(s), appointed by the Board of Directors.

(e) for *Donut*: A Development Team, approved by the Board of Directors.

SECTION 3. The officers of each publication are solely responsible to the Board of Directors for that publication's success. The Board of Directors may make recommendations to the publication's officers in regard to policy or finances. The Board of Directors is ultimately responsible for the circulation and finances of the publications. The Director of Operations shall be responsible for maintaining communication with publication officers on the progress of publications.

SECTION 4. The Editor(s) of each publication is responsible for the selection and preparation of all content of that publication exclusive of advertising material. He is responsible for meeting deadlines agreed upon with printers or other contractors. His responsibilities terminate after the publication is printed.

SECTION 5. The Business Manager of each publication is responsible for all funds belonging to that publication. The Business Manager is the only one empowered to transact business in the name of a publication. His responsibilities terminate after distribution of the publication, invoicing of all advertising and receivables, payment of outstanding bills, preparation of adequate financial records, and, in the case of the Big T and the little t, the collection of revenues from advertising and other sources. If no Business Manager is appointed for the publication, these responsibilities are also those of the Editor(s).

SECTION 6. Receiving ASCIT funding is contingent upon the following conditions. All publications must be completed and distributed to students in a timely manner. The Tech shall publish ASCIT minutes, the Interhouse Committee Rotation schedule, and the candidates list and statements for ASCIT elections. The Articles of Incorporation, these Bylaws, Board of Director Resolutions, and rulings of the Review Committee shall be kept current on the Donut website and published each year in the little t in completely amended form. Donut must also make posting announcements, minutes, and general information convenient for Board members. The Review Committee shall mediate disputes between the publication officers and the Board.