

The Indiana University Bloomington RHA Constitution

Preamble

We the students of the Indiana University Residence Halls, in order to more effectively represent ourselves to the University and the community, to improve our academic and social environments, to build community within the Residence Halls, and to advocate on behalf of the residents, do establish this constitution for the students of the Indiana University Residence Halls.

Article I: Name

The name of the organization shall be the Residence Hall Association, hereafter referred to as RHA. RHA shall be a federation composed of a central governing body, as well as governing bodies within each of the residence centers on campus. Both the central governing body and center governing bodies shall have Executive, Legislative, and Judicial Branches.

Article II: Authority

This Constitution shall be the sole authority for the RHA and shall supersede all other constitutions established for the RHA. No Center Constitution, Bylaw, Center Council, or unit action shall be in conflict with this Constitution.

Article III: Membership

Section 1. Only students who have an active contract with Residential Programs and Services, hereafter referred to as RPS, reside in RPS-managed housing, and pay the student activity fee, shall be members of the RHA.

Section 2. All members of the RHA shall pay an RHA student activity fee, the amount of which shall be determined by RHA, subject to approval of the Trustees of Indiana University.

Section 3. No increase in the RHA activity fee shall be recommended or requested from the Trustees of Indiana University without the majority of the entire membership of two-thirds of the Center Legislative Bodies voting to approve such a recommendation or request.

Article IV: Parliamentary Authority

Roberts' Rules of Order shall be followed by the RHA General Assembly and all central-level committees in all cases involving parliamentary procedure whenever it does not conflict with the Constitution, Bylaws, or other Laws of the Association.

Article V: Mission and Vision

Section 1. The vision of the Indiana University RHA:

- a. To develop and maintain a safe, respectful and productive student environment – a home away from home.

- b. To empower this community of students and project its interests while contributing to the greater community of IU and beyond.

- Section 2.** To carry out this vision, the mission of the Indiana University RHA is to serve students by:
- a. Providing leadership opportunities, programs, and social interaction in an academic environment.
 - b. Becoming an active channel of communication that creates proactive solutions.
 - c. Exposing the student community to diverse, new ideas and experiences in order to improve and preserve residents' quality of life.

Article VI: Executive Board

Section 1. The RHA Executive Board (EB) is composed of the President, the Executive Vice President, Vice President of Finance, Vice President of National Communications, Vice President of Personal Relations and Marketing, Vice President of Outreach and Assessment, Vice President of Student Life, and Vice President of Programming.

Section 2. The RHA President shall appoint members of the RHA to offices created by the RHA, and to all other appropriate boards and committees. All appointments shall be subject to approval by the General Assembly.

Section 3. RHA Judicial Board Chairperson(s) and any other executive positions approved by the General Assembly shall be non-voting members of the RHA EB.

Section 4. The EB shall meet regularly throughout the year as determined by the EB. A majority of the members of the EB, or the President, may call a special meeting. The President shall preside at meetings of the EB. The President and the Vice Presidents shall be the only voting members of EB. Each representative shall receive one vote. A simple majority, fifty percent (50%) plus one (1) member, of the EB, must be present to conduct business. In the event of a tie, the President may cast an additional deciding vote.

Section 5. The EB shall be responsible for:

- a. Advocating on behalf of the residents through developing legislation and implementing new policies within the Residence Halls.
- b. Developing and implementing programs and enforcing the policies of the RHA.
- c. Providing information to the members and agencies of the RHA on the operation of this RHA and the relevant operations of the University.
- d. Working in conjunction with the General Assembly to best meet the needs and desires of the members of the RHA.

Section 6. The President and Vice Presidents shall be selected using the following election code:

- a. The Application goes out on the first day of the Spring semester and closes at the end of January. Applicants can start campaigning after they receive a confirmation of their candidacy and are given an outline of the campaigning process and rules. The election will be held at the first two (2) General Assembly of February. The voting membership of this General Assembly will be set to only current and newly elected Center Presidents. The Election Commissioner will chair this General Assembly in the event that the Executive Vice President is a candidate.

- b. This code may only be revised every two (2) years with the restriction beginning on January 1, 2019.
- c. All of the other governing aspects of the RHA election code will be in adherence to Appendix A of the RHA Bylaws.

Section 7. Should the office of President become vacant, the Executive Vice President shall act as President, pending confirmation from the General Assembly. The General Assembly shall act within fourteen (14) days of the vacancy in the office of the President. Should any other office of the EB become vacant, the President shall appoint a replacement, subject to the approval of the General Assembly.

Article VII: Executive Powers

Section 1. The RHA President shall have the following powers:

- a. Ability to vote at EB.
- b. Ability to create ad-hoc committees with the approval of the General Assembly.
- c. Ability to veto any legislation that comes from the General Assembly this can be overturned with a two-thirds (2/3) vote by the assembly.
- d. Ability to issue Executive Orders and Memorandums in order to rapidly respond to campus issues. These must be confirmed by a simple majority of the Vice Presidents. The President must notify the entire Assembly in the instance that one of these is issued. This can be overturned by a simple majority vote of the Assembly.
- e. Ability to declare RHA in a state of emergency with approval from the General Assembly.
- f. Ability to call a press conference with the approval of a simple majority of the Vice Presidents.
- g. Ability to serve on any RHA committee.
- h. Ability to submit legislation to the General Assembly.
- i. Additional powers granted by legislation or the RHA bylaws.

Section 2. The RHA Vice Presidents shall have the following powers:

- a. Ability to vote on EB.
- b. Ability to serve on any RHA committee
- c. Act as a check on the presidential powers of (e) and (g)
- d. Ability to call for the President's impeachment. This requires a two-thirds (2/3) vote from the VPs. This request will then be sent to the General Assembly and shall be enacted in accordance with Article X.
- e. Ability to submit legislation to the General Assembly.
- f. Additional powers granted by legislation or the RHA bylaws.

Article VIII: Legislative Branch

Section 1. The legislative authority of the central governing body shall be vested in a General Assembly composed of the RHA EB, as well as the Presidents of each Center and at most two (2) additional Center Delegates from each center. Hereafter, the President of each Center and their delegates shall be referred to as a Center Delegation.

Section 2. The General Assembly shall meet regularly throughout the year as determined by the General Assembly. A majority of the Center Presidents or the RHA President can call a special meeting.

Section 3. The RHA Executive Vice President or their designee shall be the Chairperson of the General Assembly.

Section 4. The Center Delegations and Vice Presidents shall be the only members of the General Assembly who shall vote. The RHA Executive Vice President shall vote only to determine the outcome of a tied vote. A simple majority, fifty percent (50%) plus one (1) member, of the active Center Presidents in RHA shall constitute a quorum. The Presidents of each center may yield their vote to a proxy, who shall represent them within their Center Delegation.

Section 5. The General Assembly shall be responsible for:

- a. Communicating and advocating for the needs, desires, and opinions of the residents to Residential Programs and Services, Residence Life, the University, and community, including providing representation to those agencies as necessary and by developing legislation.
- b. Implementing academic, cultural, recreational, social, and political programs designed to best meet the needs, desires, and opinions of the residents, including coordination of the RHA participation in programs of the University and community.
- c. Allocating money collected from and for the residents each year in the form of a budget designed to best meet the needs, desires, and opinions of the residents including allocating money between the centers and the RHA, approving or disapproving expenditures not included in the budget, and holding title to all property belonging to the RHA. Only the RHA Funding Board can approve external allocation of the RHA activity fee funds. If a funding request comes forth that has a mix of residents and non-residents, RHA can only finance aspects that directly affect residents involved.
- d. Making changes in this organization, within the guidelines of this Constitution, to best meet the needs, desires, and opinions of the residents including providing for the election of RHA officers and approval of appointments to RHA offices.
- e. Delegating the authority for charters that are financially supported by central-level RHA.

Section 6. The Executive Vice President shall present all legislation approved by a simple majority of the RHA General Assembly to the RHA President within five (5) days of its passage. If the President approves, they shall sign it, and it shall be approved for the implementation process; otherwise they shall return it along with their objections to the General Assembly. The Assembly shall reconsider the legislation at its regular meeting immediately following, and may by two-thirds vote approve the original legislation, in which case it shall be approved for the implementation process. If the President does not return the legislation to the General Assembly by its regular meeting immediately following, it shall be approved for the implementation process.

Section 7. Any organization wishing to petition for RHA funding must present that request to the RHA Funding Board.

Section 8. The Center Delegations shall elect one representative from their delegation to the RHA Funding Board who will have voting rights on the Board. It is recommended that the Vice President of Finance for each respective center serve as their Center Delegation's Funding Board representative. A simple majority, fifty percent (50%) plus one (1) member, of the Funding Board representatives or their proxies, shall constitute a quorum. The RHA Vice President of Finance shall vote only to determine the outcome of a tied vote.

Section 9. The Funding Board shall be responsible for:

- a. Approving any allocation of RHA Student Activity Fee funds to external organizations and shall be the only body in RHA vested with such authority.
- b. Reviewing the Executive Budget before it goes to the floor of the General Assembly.

- c. Representing RHA to RPS, the University, and the community in all financial manners.

Article IX: Center Governing Bodies

Section 1. Each Center shall have an individual governing body consisting of an Executive, Legislative, and Judicial branch as provided for by a center constitution.

Section 2. The President shall be elected by the residents of the center and then shall appoint the rest of the Center EB through an open application process throughout the entire Residence Hall.

- a. The required positions for each Center EB are Internal Affairs, Finance, Marketing, Sustainability, and Student Health. These last two positions may be combined if needed.
- b. The optional positions for each Center EB could include Diversity & Inclusion, Programming, Academics, Nutrition, and a Recreational Sports liaison.

Section 2. The Legislative authority of each center shall be vested in a Center Council composed of the Center President, the EB, and the representatives of the center's legislative units.

Section 3. The Judicial authority for each center shall be vested in the Center Judicial Board and such other center judicial agencies as may be deemed necessary by the Center Council.

Article X: Impeachment

Section 1. RHA executive officers may be impeached by a vote of two-thirds (2/3) of the General Assembly for cases related to positional responsibilities. This process may be initiated by (1) two-thirds (2/3) vote by the Vice Presidents, (2) call from the Internal Affairs Committee, or (3) legislation brought forth by at least 5 Center Presidents.

Section 2. The impeachment process, once initiated, shall be executed in the following manner:

- a. A letter shall be sent to the individual being called for impeachment by the RHA Judicial Chair in advance of the General Assembly hearing. The letter must outline the cause(s) for impeachment. At this point, the individual may opt to step down instead of finishing the entire process. If not, the process will continue as follows.
- b. The student being called shall first meet with the Judicial Board to undergo a fact-finding phase with all background information available being provided to the Judicial Board by the Executive Vice President.
- c. The findings and official recommendation from this hearing shall be sent to the Executive Vice President to be presented to the General Assembly during the General Assembly which the impeachment case will be heard.
- d. The impeachment hearing shall be placed at the top of the following general assembly's agenda.
- e. The General Assembly shall give the individual 10 minutes to speak and 5 minutes to answer questions. The Assembly shall then enter a 20-minute period for deliberation. At any point, the Assembly may motion to end discussion and go into a vote.
- f. As mentioned in Section 1, there will be a vote threshold of 2/3rds of present members to pass.
- g. In the event that the motion passes, the individual shall be immediately removed from their position.
- h. If the impeachment fails, then the individual shall remain in their position. However, all RHA officials and advisors must refrain from pursuing any acts of retribution against those who

initiated the impeachment process. In the event that one is found guilty of this action, they shall face sanctions subject to the decision of the Judicial Board and enforced by the RHA President, advisor(s), and in-center advisors where applicable.

- Section 3.** RHA executive officers and center presidents may be impeached by a vote of two-thirds of the Judicial Board for cases related to academic and personal misconduct. This process may be initiated by (1) the RHA advisor(s), (2) the in-center government advisor, or (3) the Judicial Board advisor(s).
- a. A letter shall be sent to the individual being call for impeachment by the RHA Judicial Chair to establish a hearing. The letter must outline the cause(s) for impeachment. At this point, the individual may opt to step down instead of finishing the entire process. If not, the process will continue as follows.
 - b. The student being called shall first meet with the Judicial Board to undergo a fact-finding phase with all background information available being provided to the Judicial Board by the RHA and Judicial Board advisors.
 - c. The hearing shall proceed in the standard method as outlined by the Judicial Board's operating procedures.
 - d. There must be a 2/3 vote of the Judicial Board that the officer be removed in order for the impeachment to pass.
 - e. In the event that the motion passes, the individual shall be immediately removed from their position.
 - f. If the impeachment fails, then the individual shall remain in their position. However, all RHA officials and advisors must refrain from pursuing any acts of retribution against those who initiated the impeachment process. In the event that one is found guilty of this action, they shall face sanctions subject to the decision of the Judicial Board and enforced by the RHA President, advisor(s), and in-center advisors where applicable.

Article XI: University Compliance

Section 1. Statement of University Compliance: This organization shall comply with all Indiana University regulations, and local, state, and federal laws.

Section 2. Anti-Hazing Policy: Hazing is strictly prohibited. Hazing shall be defined as any conduct which subjects another person, whether physically, mentally, emotionally, or psychologically, to anything that may abuse, degrade, or intimidate the person as a condition of association with a group or organization, regardless of the person's consent or lack of consent.

Section 3. Personal Gain Clause: This organization, if raising funds, shall ethically raise and distribute profits from organizational functions to either the organization or to members who provide a service that directly benefits the organization. Individual members may not receive compensation directly from for-profit companies if acting as a representative of a student organization. Individual students may not receive money from a student organization event for personal gain.

Section 4. Statement of Non-Discrimination: RHA allows any interested student to participate in, become a member of, and seek leadership positions in the organization without regard to arbitrary consideration of such characteristics as age, color, disability, ethnicity, gender, marital status, national origin, race, religion, sexual orientation, political affiliation, or veteran status.

- a. Under 20 U.S.C. 1681(a) (6) (A), social fraternities and sororities are exempt from Title IX discrimination prohibitions on the basis of sex with respect to their membership practices. The law recognizes that differentiated treatment based on sex for purposes of membership in a social

fraternity or sorority is not arbitrary or unlawful. Organizations in this category may remove “gender” from the non-discrimination statement in their constitution.

Section 5. Programs Involving Children: This organization, when working with children, will be aware of and abide by the University’s Programs Involving Children (PIC) Policy

Section 6. International Travel: This organization, when traveling internationally, will coordinate their travel through the Office of Overseas Study

Article XII: Amendment

Section 1. Amendments to this Constitution may be initiated by any member of the RHA and shall be presented to the General Assembly. Upon approval of two-thirds of the members of the Center Delegations at a General Assembly meeting, it shall be released to all members of the RHA within fourteen (14) days. Upon approval of two-thirds of the Residence Halls voting, the amendment shall become a part of this constitution.

Section 2. Amendments that do not change the material meaning of the constitution in which they would be affecting do not need to follow the ratification process in Article XII, Section 1. Instead, they shall become a part of this constitution upon approval of two-thirds of the members of the Center Delegations at a General Assembly meeting.