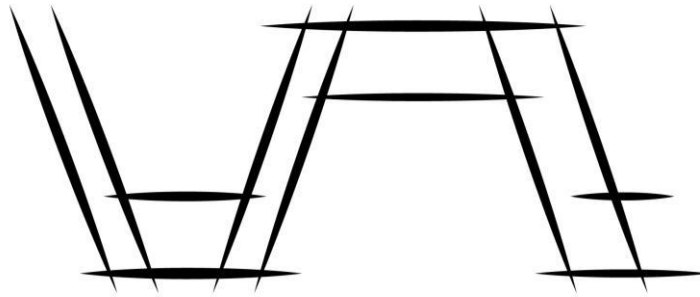


# The Bylaws of the Constitution of Next House

(Revised April 26, 2015)



## Article I: Meetings

### Section 1: Executive Council Meetings

The Executive Council shall meet at least six times per academic term of the Massachusetts Institute of Technology.

#### A. Scheduling

Within one week of the installation of the Executive Council, a calendar containing meetings for the coming term must be proposed and approved by a majority vote of the Executive Council.

#### B. Amendments

Changes to the calendar must be approved by a majority vote of the Executive Council at least one week in advance of the proposed change.

#### C. Attendance

All Executive Council meetings scheduled in this manner may be closed to the members of the General Assembly.

### Section 2: General Assembly Meetings

The Executive Council shall call to order at least one General Assembly meeting per month during the academic terms of the Massachusetts Institute of Technology.

### Section 3: Committee Meetings

Any Committees which are formed in addition to the Executive Council may also have meetings closed to the General Assembly.

### Section 4: Announcement

The Secretary shall announce to the House General Assembly meetings at least forty-eight hours in advance of the meeting. The announcement shall include the time, location, and agenda of the meeting.

## **Article II: Auxiliary Committees**

### **Section 1: Permanent Committees**

As of July 2010, there are no permanent Committees that operate under the jurisdiction of the Next House Executive Council. The President may propose the creation of permanent Committees as he or she sees fit. Chairs of permanent Committees are considered voting members of the Executive Council and should attend closed Executive Council meetings.

### **Section 2: Temporary Committees**

The President may propose the creation of temporary Committees as he or she sees fit. The creation of temporary Committees must be approved by a majority vote of the Executive Council. Chairs of permanent Committees are not considered voting members of the Executive Council but may attend closed Executive Council meetings.

### **Section 3: Membership**

Any member of the General Assembly may be a member of any House Committee.

### **Section 4: Subcommittees**

Any Chair of a permanent Committee or the President may propose the creation of Subcommittees as they see fit. The creation of Subcommittees must be approved by a majority vote of the Executive Council.

## **Article III: Voting at Meetings**

### **Section 1: House Council and Executive Council Meetings**

All members of the Executive Council as well as chairs of any permanent Committees shall be eligible to vote at meetings of the Executive Council. The President shall initiate votes as he or she sees necessary.

- A. The Secretary shall record the vote of the Executive Council, after the vote is called.
- B. A vote may only take place if a quorum of more than  $(N-1)/2$  eligible voting members at the meeting beyond the President is at the meeting, where N is the number of Executive Council members.
- C. In the Executive Council vote, the President shall vote only in the case of a tie.
- D. A majority vote in favor of a motion in Executive Council shall be considered approval of said motion.
- E. The President may veto any votes with reason. In that case, it will take a  $2/3$  vote of the members present to override the veto. The President may not participate in this override vote.

### **Section 2: General Assembly Votes**

- A. Voting of the General Assembly shall occur by electronic ballot, over a minimum period of three days.
- B. Such a vote shall be administered in a manner seen fit by the Judicial Board, which shall be responsible for administering the election regarding the motion with the assistance of the Technology Chair.
- C. Only members of the General Assembly may vote.
- D. In order for a vote of the General Assembly to count as valid, a minimum of one fourth of all members

of the General Assembly must participate in the electronic ballot.

- E. A majority vote by the General Assembly in favor of a motion in Executive Council shall be considered approval of said motion.

### **Section 3: Referendum**

- A. Any member of the General Assembly may bring a matter to a General Assembly vote by referendum if he or she submits a petition regarding the matter with signatures from one-fifth of the members of the General Assembly to the Judicial Board.
- B. The member of the General Assembly who submits the petition shall be allowed to address the matter at a General Assembly meeting, after which the Judicial Board shall administer a vote on the matter as it sees fit.

## **Article IV: Budgeting**

### **Section 1: Budget Proposal**

One of the scheduled open meetings of the Executive Council shall be scheduled as the budget meeting. At the budget meeting, the Executive Council must approve a budget proposal for the following term.

#### **A. Budget Requests**

All committees, student interest groups, and other interested parties shall submit budget requests to the Treasurer at least one week in advance of the Executive Council budget meeting.

#### **B. Preliminary Budget**

The Treasurer shall present these requests at the Council budget meeting along with a preliminary budget. The Treasurer should budget an amount for student interest groups to request funding during the term.

#### **C. Amendment**

The Executive Council shall amend the preliminary budget as it sees fit.

#### **D. Approval of Proposal**

The Executive Council must approve a budget proposal to be presented to the General Assembly by a 2/3 vote. This vote cannot be vetoed.

### **Section 2: Budget Approval**

The budget proposal must be presented to the General Assembly electronically within two weeks after the succession of office for the Spring Term and within two weeks before the end of the Spring semester for the Fall Term.

#### **A. Approval**

The budget proposal must be approved by a majority of at least one-fourth of the General Assembly during a subsequent electronic vote.

#### **B. Voting**

The General Assembly must vote yes or no for the budget proposal. The Judicial Board shall administer this vote as it sees fit.

### **C. Emergency Amendment**

If the budget proposal is not approved by the General Assembly, the Executive Council shall hold an emergency session within forty-eight hours of the conclusion of the General Assembly vote in order to revise the budget.

### **D. Approval of Revised Budget**

Another electronic budget proposal shall be announced to the General Assembly within one week of the conclusion of the previous voting period to approve the revised budget. This procedure shall be repeated until a budget is passed.

### **Section 3: Changes to the Budget**

During the semester of operation under a budget, the Executive Council may by vote amend the budget as necessary.

### **Section 4: Student Interest Group Funding Requests**

Should a student interest group request funding for an event or program during the term, they may present the request at an Exec meeting. The Exec meeting must be at least five days prior to the event date, and the funding request should be sent at least two days prior to the Exec meeting when it will be considered. The funding request passes with a majority Exec vote. It may be vetoed and overridden.

### **Section 5: Changes to House Tax**

The Executive Council shall have the ability to levy a House Tax on the members of the General Assembly.

#### **A. Proposal**

The Executive Council may propose changes to the House Tax by a 2/3 Exec vote.

#### **B. Approval**

These changes must then be presented to the General Assembly electronically. Changes to the House Tax must be approved by a majority of at least one-fourth of the General Assembly.

## **Article V: Elections**

### **Section 1: Administration of Elections**

Elections shall be administered by the Chair of the Judicial Board unless the Chair himself or herself is a candidate in the election. In this case, the elections shall be administered by an Elections Commissioner appointed by the President and approved by a majority vote of the Executive Council. The elections process for fall semester Wing Representatives, including petitioning, campaigning, and voting, shall occur within the first three weeks of the fall academic term of the Massachusetts Institute of Technology. The elections process for spring semester Wing Representatives and the yearly Executive Council, including petitioning, campaigning, and voting, shall last no longer than three weeks and should be completed before the last week of the fall academic

term of the Massachusetts Institute of Technology.

## **Section 2: Petitioning for Candidacy**

The party administering the elections shall make petitions for candidacy available to all members of the General Assembly.

### **A. Information**

The petitions for candidacy shall explicitly state the final time, date, and place for submission. This deadline shall be at least one week following the original distribution of the petitions for candidacy but no more than two weeks.

### **B. Submission**

All petitions must be submitted to the party administering the elections by such deadline in order for the candidate to appear on the ballot.

### **C. Signature Requirements**

Petitions for candidacy for the positions on the Executive Committee shall require signatures from 50 members of the General Assembly. Petitions for candidacy for the position of Wing Representative shall require signatures from 20 residents of the wing. This should be explicitly advertised.

### **D. Write-in Candidates**

After the deadline for ballots has passed, residents may choose to run as a write-in candidate. Their name will not appear on the ballot, but can be written in by resident

### **E. Optional Platform**

At the discretion of the Exec board, candidates may be asked to submit a platform by the petition deadline. If so, the platform may appear on the voting website.

### **F. Optional Ranking System**

At the discretion of the Exec board, candidates may rank multiple positions. In that case, they will assume the position ranked highest out of their elected positions and be removed in the tabulation for the remaining ranked positions.

## **Section 3: Voting**

The party administering the election shall announce the voting procedures, including the time and location, to the General Assembly at least one week prior to the beginning of voting.

### **A. Voting Districts**

All members of the General Assembly may vote for the Executive Committee positions. Each member shall vote for the wing representative for the wing of which they are an official resident.

### **B. Time Frame**

Voting must occur over a time period of at least 3 days.

## **C. Voting**

Voters shall select only one candidate for each position on the electronic ballot.

## **D. Tabulation**

All elections shall be administered by preferential balloting. The ballots in the elections shall be marked, counted and tabulated as follows:

- A. If any candidate has a majority of the ballots cast, they are elected.
- B. If no candidate has a majority of the votes cast, the candidate with the largest number of votes at that time is elected.
- C. In the event of a tie for the largest number of votes, there will be a runoff election.
- D. If no there is no winner (e.g. in the case of no candidates), the President may choose to appoint someone at his or her discretion or leave the office temporarily vacant.

## **Section 4: Announcement of Results and Assumption of Office**

Results shall be announced to the General Assembly within 24 hours of the completion of voting.

Elected candidates shall take office at the transition retreat which takes place within the first two weekends of February. In the case of a contested election, the elected candidate shall take office 24 hours after the resolution of the contest.

Wing Representatives shall be elected for each academic term to serve until the installation of new officers in the following term.

The Executive Committee shall be elected at the end of the fall semester and shall serve from the beginning of the spring term until the installation of the next elected Executive Committee at the beginning of the following spring term.

## **Article VI: Housing**

### **Section 1: Housing Lottery**

A housing lottery is the process by which residents select their rooms for the next semester in some ordering of lottery numbers. Defined below are the guidelines for conducting a housing lottery, and the housing rules that apply to all residents.

#### **A. Timing**

Two lotteries shall be held throughout the academic year at Next House: Fall and Spring. They are defined as such:

- A. Fall lottery shall be held for freshman residents to select their rooms for the fall semester. It must be held after final freshman residence decisions are made and before Registration Day.
- B. Spring lottery shall be held for rising upperclass residents to select their rooms for fall semester of the next academic year. It must be held no earlier than three weeks after Spring Break and no later than one week before the end of final exams.

## **B. Lottery Number Generation**

Each resident shall be assigned a lottery number to determine the order in which they select rooms during housing lottery. The Housing Chair is responsible for generation and posting of number assignments, and shall adhere to the following guidelines:

- A. Lottery numbers must be randomly generated with at least two other Exec members as witness. Sets of numbers are generated for each class, starting with the number “1” and ending with the numerical size of that class. One and only one number shall be assigned to each member of a class. Any resident may observe the generation of lottery numbers. Special cases apply to the following students:
  - i. Transfer students shall be placed automatically at the end of their class for the lottery immediately after their arrival at Next House. After that lottery they are assigned numbers in the same manner as other residents of their class.
  - ii. Freshmen who take Sophomore Standing shall belong to the class in which they entered the Institute (i.e., Sophomore Standing does not give a resident any advantage with regard to the lottery).
- B. Lottery numbers for a particular lottery shall be posted one week before the lottery.

## **C. Procedures**

The lottery process must follow the proceeding guidelines:

- A. Rooms belonging to any residents who will not return the semester after lottery shall be open for selection at the beginning of lottery.
- B. A fully open room is one to which no returning resident has squatter’s rights. A partially open room is one in which at least one resident has squatter’s rights and is not filled to capacity according to the Institute.
- C. Residents select rooms in order of their class, starting with the most senior class that will remain at Next House the semester after lottery, and ending with the least senior class. Residents within a class select in ascending order of their lottery number, starting with the lowest number and ending with the highest number of the class.
- D. When it is a resident’s turn to select a room, he or she has two minutes to inform the housing chair of his or her decision from one of the following options:
  - i. Move into a fully open room.
  - ii. Squat his or her current room (see below for squatting rules).
  - iii. Move in to a partially open room.
  - iv. Move in to an open room with a pre-selected roommate of his or her choosing.
  - v. Defer their pick. Residents may only defer once, and must declare to which position in the lottery they are deferring.
- E. Once a resident chooses a room or is brought into a room by a roommate, that room gains an occupant and becomes filled or partially filled while their old room loses an occupant and becomes open or partially open. The resident’s lottery number shall be removed from the list of lottery picks. Lottery

numbers are reordered accordingly.

- F. Should a resident take longer than two minutes, he or she will be deferred 20 lottery numbers automatically.
- G. Residents who are unable to attend housing lottery may have proxies represent them instead. Proxies must be designated in writing (e-mail included) and proxy designations must be sent to the housing chair at least three days prior to the lottery. The proxy does not necessarily have to be a resident of Next House.
- H. Special cases apply to the fall freshmen lottery:
- For the following procedures, all freshmen will be considered to have vacated their temporary orientation rooms. That is, all rooms are considered open, and no freshmen may squat their room.
  - Termed the upperclassmen readjustment lottery, prior to the lottery, all upperclassmen in rooms that are partially vacant in capacity shall be permitted to switch into any of the available singles that are not reserved by freshmen with special needs. The order of this decision will follow the spring lottery numbers generated during the previous school year.
  - Afterwards, all freshmen with special needs, as approved by MIT Undergraduate Housing, for a single will be bumped to the beginning of the lottery in the same order as their original lottery numbers. They will be permitted to select first.
  - The rest of the lottery progresses as normal, with the exception of any rules that may contradict the statement in Article VI, Section 1.C.h.i. Naturally, no new rooms will open when a freshman selects his or her room, since all rooms are considered to be vacated at the start of this lottery.
- I. During the spring lottery, for the purpose of reserving beds for freshmen, there is the following additional rule. Let three functions  $f$ ,  $g$ , and  $h$  be defined as follows:

$$f(x) = \begin{cases} 0 & x < 8 \\ 6 & 8 \leq x < 10 \\ 7 & 10 \leq x < 12 \\ 8 & 12 \leq x < 14 \\ 9 & 14 \leq x < 16 \\ 10 & 16 \leq x \end{cases} \quad g(x) = \begin{cases} 0 & x < 8 \\ 6 & 8 \leq x < 10 \\ 7 & 10 \leq x < 12 \\ 8 & 12 \leq x \end{cases} \quad h(x) = \begin{cases} 0 & x < 7 \\ 5 & 7 \leq x < 9 \\ 6 & 9 \leq x < 11 \\ 7 & 11 \leq x \end{cases}$$

A number of beds in each wing will be “reserved” for the incoming freshmen. This means that at no point during the lottery can anyone move into a wing if that means that the number of beds left in the wing after the move will be fewer than the number of beds “reserved” for freshmen. The number of “reserved” beds in each wing is determined as follows: the number of residents not returning the following semester will be tallied. If  $n$  is this number in a given wing, then  $f(n)$  is the number of “reserved” beds in the east wings,  $g(n)$  is the number of “reserved” beds in west wings except for 2W, and  $h(n)$  is the number of “reserved” beds in 2W.

## Section 2: Squatting

Squatting is the process by which an original resident of a given room has the right to retain that room choice at the conclusion of a given lottery.

- A. All returning residents ordinarily have the right to squat their rooms.



- B. The Housing Chair and Judicial Board have the authority to remove a resident's right to squat should that resident compromise any of the housing rules.

### **Section 3: Swapping**

Swapping is a process that:

- A. Is defined as the exchange of two individuals from two different rooms.
- B. Is considered a non-lottery process.
- C. Is limited in the following respect: Only one swap per room per semester shall be allowed, and only under the following caveat: permission from all residents of both rooms and approval from all Graduate Resident Tutors from the wings in which the rooms exist must be given. Additionally, with regards to switching solar rooms, if you live in a solar, you can only swap with either someone in a solar, or with a senior.
- D. Takes place once consent from all parties, members of both rooms and all relevant Graduate Resident Tutors, is given and the parties involved receive confirmation from the housing chair of the decision to swap.
- E. Results in the movement of the two swapped individuals to their new rooms from their old ones. They shall receive new keys from desk, update their telephone information with the House Manager, and have their mail placed into the appropriate box. It shall be the responsibility of the swappers to contact the House Manager as well as the Housing Chair.
- F. Is forbidden for the remainder of the semester between any people in either room that were engaged in a swap during that same semester. In another way, the room itself is "dead" for swapping, and cannot be resurrected until the beginning of the following semester. Explicitly, then, cyclic processes cannot be completed within one semester's time.
- G. Is punishable by the following processes: Cases of violation of these swapping rules are brought before Judicial Board for trial. Judicial Board will decide punishment as well as conviction; however, punishment for violation of housing rules cannot exceed both removal of squatter's rights through spring lottery and Blacklisting.

### **Section 4: Blacklisting**

Blacklisting is a form of punishment administrable by Judicial Board.

#### **A. Lottery Numbers**

Blacklisted individuals are not included in the generation of housing lottery numbers.

#### **B. Placement in Lottery**

Blacklisted individuals are automatically placed after the transfers in their class. That is, their lottery number is greater than that of others in their class, including any transfers (they select after others of their class, including any transfers). If there are no transfers, Blacklisted individuals select at the end of the lottery pick of their class. If there is more than one Blacklisted individual in a given class, Blacklisted individuals go in a random order within the group of Blacklisted individuals, behind all others of their class, including any transfers.

### **Section 5: Spirit of the Lottery**

If the Judicial Board determines that a member of the General Assembly has violated the spirit of the Housing Lottery through means not explicitly disallowed in this document, they may hold a trial to administer punishment. This punishment for violation of the spirit of the Housing Lottery shall not exceed a combination of blacklisting and removal of squatter's rights.

### **Section 6: Mid-semester Rooming Changes and Vacancies**

With the exception of the following circumstances (Section 6, A-C), when rooms become vacant in the middle of the semester, the room must be lotteried off to the house. All residents should be contacted and given three days to express interest in the room. After interested students are identified, each student is assigned a new lottery number in the same manner as the fall and spring lotteries with the same preference given to class. The student with the lowest lottery number is assigned to the empty room.

#### **A. Solar Rooms**

In the event that a solar room becomes available it must be lotteried off to upperclassmen. Juniors and seniors should be contacted and given three days to express interest in the room. After interested students are identified, each student is assigned a new lottery number in the same manner as the fall and spring lotteries with the same preference given to seniors. The student with the lowest lottery number is assigned to the empty room.

#### **B. Decrowding**

With the exception of solar rooms that are always lotteried, when the dorm is overcrowded and a room empties the housing chair is expected to decrowd a first year student as follows:

- i. The RAAs, Area Director, and the GRTs are asked if a student is struggling beyond the typical adjustment process in their triple room.
- ii. If a student is identified, and the concern appears to be legitimate, then the room is offered to that student first. In the case that multiple students are identified, then it is at the discretion of the Housing Chair to decide which student's situation is more severe and to act accordingly.
- iii. If no students are identified, then all students living in triples are given the opportunity to submit their name to a lottery for the available room. After the deadline for response, all respondents are entered into a lottery, in which a random number is generated for each resident, and the resident with the highest number is given the available single. This number is generated independently from the fall housing lottery.

#### **C. Mid-semester ADA/Supplemental Housing Request Policy**

In the circumstance that a student must be moved mid-semester at the recommendation of MIT Medical or Mental Health, the Housing Chair will work on a case by case basis with the House Manager, Area Director, and GRTs to find a personal solution to meet the student's needs according to the following guidelines:

- i. With the exception of solar rooms, the student will be given priority to move into any available empty rooms.
- ii. If Next House is at maximum capacity, the Housing Chair will first work with the students in the resident's wing to find a voluntary solution by rearranging residents to accommodate the change in circumstances.

- iii. If a solution can't be reached within the wing, the housing chair will then open the discussion to the entire house to locate a room that meets the needs of the student.
- iv. Any switches that are the result of an ADA accommodation or MIT Medical or Mental Health request will not count as the student's one allowed room switch for that semester.

## **Article VII: Judicial Board and Procedures**

### **Section 1: Membership of Judicial Board**

The Judicial Board shall consist of the Wing Representatives as elected by each residential wing, as well as the Judicial Committee Chair as elected by the General Assembly. The members shall be selected as described in Article III.

### **Section 2: Hearings**

The Judicial Board may conduct hearings. Such hearings shall be convened by the Chair of the Judicial Board at the request of any member of the General Assembly, subject to the following conditions.

- A. The Judicial Board Chair shall receive from the plaintiff a letter outlining the facts of the incident that precipitates the request for a hearing and the rules of Next House that the plaintiff believes were violated. The Chair must archive this document for future reference.
- B. The Chairman shall provide written notice of the hearing to the parties and the relevant Graduate Resident Tutors at least 48 hours prior to the hearing.
  - i. Notice to the plaintiff shall include:
    - a. the time and place of the hearing; and
    - b. the right of the plaintiff to bring witnesses to the hearing.
  - ii. Notice to the defendant shall include:
    - a. the time and place of the hearing;
    - b. the right of the defendant to bring witnesses to the hearing;
    - c. a copy of the letter received by the Chair from the plaintiff outlining the case; and
    - d. the caveat that the failure to appear without prior permission of the Chair shall not prevent the Judicial Board from rendering a decision. For just cause, each party may reschedule the impending hearing once.
- C. All proceedings of the hearing and evidence therein shall remain confidential. Upon agreement of both the defendant and plaintiff confidentiality may be waived. Confidentiality protection shall include the identity of the involved parties.
- D. A general summary of the hearing shall be prepared by the Chair of the Judicial Board. This summary shall maintain the policy of confidentiality. This summary shall be presented to the Executive Committee. The President of the Executive Committee may request access to the proceedings of the hearing with the majority of vote of the Judicial Board on just cause.
- E. If a Judicial Board member is a party to a hearing, or that member feels biased towards the issue of the

hearing, that member becomes ineligible and must recuse himself or herself from the hearing.

- F. If the Judicial Board Chair is a party to or is biased towards an incident that comes to the attention of the Judicial Board member, he or she has become ineligible, and must recuse himself or herself from the hearing. The most senior, eligible member of the Judicial Board shall convene a meeting of the Judicial Board. Said meeting shall exclude the Chair and shall elect an Acting Chair, to be chosen from the Judicial Board, for all affairs pertaining to said incident.
- G. All eligible members of the Judicial Board shall be present for hearings. There shall be no proxies.
- H. Hearings must be conducted with an acceptable level of decorum. Upon the first disruption of this decorum, the Chair will issue a warning to the responsible person or group by the Chair. Upon subsequent disruptions, the Chair has the power to remove said person or group from hearing.
- I. Before admitting evidence, the Chair must announce the following regulations:
  - i. Only pertinent testimony will be permitted. The Chair shall be the judge of pertinence.
  - ii. Lying before the Judicial Board is a serious offense and is sufficient grounds for disciplinary action.
  - iii. No witness is required to answer a question, and such refusal will not be considered by the Board in reaching a decision.
  - iv. No charges other than those specified in the letter of notification may be considered.
  - v. Only evidence presented at the hearing may be considered by the Board in reaching a verdict. If, however, the Board renders a verdict of guilty, the Board, in suggesting penalties, shall take into consideration prior offenses.
- J. The Judicial Board Chair shall read the complaint brought to the Board and allow the defendant to enter a plea.
- K. The defendant shall be allowed to respond to all evidence presented at the hearing.
- L. Following the hearing of all evidence, the Judicial Board shall go into private deliberation until a decision is reached.
- M. The Judicial Board may decide to acquit the accused, refer the case to the Dean's Office, or find the accused guilty and suggest any combination of penalties to the House Manager.
- N. Written notice of the decision shall be given to both parties. Such notices shall include the procedure of appeal where applicable. The relevant Graduate Resident Tutors shall be informed of the results of the hearing and all Graduate Resident Tutors may have access to Judicial Board records of the hearing.
- O. Written records of all hearings shall be kept in confidential form by the Judicial Board Chair, who shall file a statement with the Dormitory Council Judicial Board listing charges, parties involved and the decision rendered, within one week of the hearing. The Judicial Board shall keep a file of such statements together with similar records of its own hearings. These files and matters discussed in closed hearings and private deliberations shall be treated as confidential and no member shall disclose them.

### **Section 3: Appeal**

Should a party in the case request an appeal, the case will be referred to the Dean's Office.