

# The Avery House Constitution

Avery Council

May 9, 2002

## Preamble

Avery House is comprised of three distinct classifications of people: undergraduate students, graduate students, and resident faculty families. This, combined with the large population of the house, necessitates the creation of structures to address the social issues which will inevitably arise. The structure presented herein provides equal representation for each resident of Avery House, while ensuring that decisions important to the House can be made in an efficient manner. It also provides a stable means by which Avery House can interact with other groups, both inside and outside the Caltech community. Such a system, which is based on democratic principles, works most efficiently when every resident participates in the system. While residents are not forced, in any way, to actively participate in the democratic process of Avery House, this Constitution provides those who do choose to participate with an effective means of making their opinions on issues pertinent to the House heard by all concerned.

## Article I: The Avery Council

1. The Avery Council shall consist of not less than five, and not more than thirteen, members. The Council shall be comprised of the current Resident Associate(s) of Avery House, one representative from the Office of Residence Life, and at least one representative from each of the following groups:
  - a. The undergraduate residents of Avery House;
  - b. The graduate residents of Avery House; and
  - c. The resident faculty members of Avery House.

The representative from the office of Residence Life and the Resident Associate(s) of Avery House serve as advisors only, and do not have votes on the Avery Council.

2. Any resident of Avery House may become a member of the Avery Council at any time when the Council has fewer than 13 members, by presenting

to the Secretary a list containing the names and signatures of 17 residents of Avery House. There must be at least one undergraduate student, one graduate student, and one resident faculty member on this list. If there are already 13 members on the Avery Council when the collected signatures are received by the Secretary, it shall be the Secretary's responsibility to promptly notify the resident when a seat on the Council is vacated. The Secretary shall handle requests to join the Avery Council in the order in which they are received.

3. The Avery Council shall choose, by selective vote, one of its members to perform the duties of Chancellor. The Chancellor shall:
  - a. Publicize and facilitate the process of voting;
  - b. Communicate the results of votes and other Council decisions to the residents of Avery House; and
  - c. Maintain the finances of Avery House, insofar as these finances are under the control of the residents of Avery House.
4. The Avery Council shall choose, by selective vote, one of its members to perform the duties of Secretary. The Secretary shall:
  - a. Maintain a list of the current residents of Avery House, as well as an electronic mail list for communication among Avery residents;
  - b. Record the minutes of Avery Council meetings and House meetings, and make these available to the residents of Avery House;
  - c. Provide copies of this Constitution to any interested party upon request;
  - d. Tabulate and record the results of all votes made by the House residents or the Avery Council; and
  - e. Accept requests by residents of Avery House to join the Avery Council, as described in Section 2.
5. The Avery Council shall choose, by selective vote, one of its members to perform the duties of Ambassador. The Ambassador shall:
  - a. Represent the Avery Council and the residents of Avery House to organizations outside Avery House, including the Housing Office, the Office of Residence Life, and the Interhouse Committee; and
  - b. Represent outside organizations, including the Housing Office, the Office of Residence Life, and the Interhouse Committee, to the Avery Council and the residents of Avery House.
6. Whenever one of the three posts described in sections 3 through 6 above is vacant, the Avery Council shall promptly choose, by selective vote, a Council member to fill the vacant post. The selected Council member shall assume all responsibilities of the post immediately upon selection.

Although there is no set limit to the term of any of the three above posts, the posts shall be filled by selective majority vote on an annual basis.

7. The Avery Council shall meet on a regular basis. These meetings shall occur no less frequently than once every two weeks, except during periods of academic recess. Each meeting shall be presided over by a member of the Avery Council, determined by agreement of the Council members present at the end of the previous meeting.
8. At any time during the academic year, any member(s) of the Council shall be subject to a *vote of no confidence*, as described in Article II, Section 4.
9. A Council member who ceases to be a resident of Avery House, or who fails to attend three consecutive Council meetings without the prior permission of the Council, automatically forfeits his or her position on the Avery Council.

## Article II: Voting Procedures

1. A quorum of the residents of Avery House is defined to be one-quarter (rounded up) of the House population. A quorum of the Avery Council is defined to be two-thirds (rounded up) of the voting Council members, or three voting Council members, whichever is greater. No vote of any type shall be considered valid without a quorum.
2. A *referendum* is defined as a vote with three options: *yes*, *no* and *abstain*. In order for a referendum to be successfully passed, the number of *yes* votes must be strictly greater than the number of *no* votes.
3. A *selective vote* is defined as a vote with multiple choices. *Other* and *abstain* shall always be available as choices in a selective vote. For each selective vote, a voter shall rank the choices in order of descending preference, with 1 (first rank) being the most preferred. For the first rank, the voter may select from among any of the choices presented, or may write in a choice which is not already on the ballot. For the second and subsequent ranks, only non-*Other* choices may be selected. The 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*.

The winner of a selective vote is declared as follows:

- (1) All correctly cast ballots are organized and counted according to first rank votes. If the number of *Other* votes is more than the number of first rank votes received by any other choice, *Other* is declared the winner. If not, the *Other* votes shall be distributed among the choices according to second rank.
- (2) If one choice has an absolute majority of the non-abstaining votes, it is declared the winner.

- (3) If no winner has been declared, the choice with the fewest votes shall be eliminated, and each of that choice's ballots shall be redistributed among the choices by the next available choice ranked. If all remaining choices on a ballot have been eliminated, then that ballot shall be considered an abstention. Steps (2) and (3) shall be repeated until the winning choice is determined.

If, at any point, a tie occurs among choices in last place in the count process, the votes of one of the tied choices shall be redistributed, and the count process continued until a potential winner is found. This shall be repeated for each of the other tied choices, until all such potential winners are found. If the same choice emerges as the potential winner in all cases, then that choice is declared the winner. 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 outlined above, and the choice receiving an absolute majority of the non-abstaining votes shall be declared the winner. If a tie occurs among all remaining choices, the vote shall be ruled indeterminate, and another vote shall be held at the earliest possible opportunity.

4. A *vote of no confidence* is defined as a vote to determine the status of a member of the Avery Council, or the entire Council. The vote of no confidence has the same choices as a referendum, but *yes* votes by two-thirds of the voting quorum, rather than a strictly greater number of *yes* votes than *no* votes, are required to confirm the vote of no confidence. If the vote of no confidence is confirmed, the member's position on the Avery Council is immediately revoked. If the entire Council loses a vote of no confidence, they shall resign as soon as replacement Council members are chosen.
5. Votes are brought before the residents of the House in the following circumstances:
  - a. The Avery Council decides that a vote should be brought before the residents of the House; or
  - b. A petition for a vote is made by 20% of the House and presented to the Chancellor or the Secretary at least seven days before the vote is to occur.
6. The voting period on any vote brought before the residents of the House shall be 24 hours. The vote shall be publicized using appropriate means by the Chancellor beginning a minimum of four days prior to the start of the voting period. Absentee ballots shall be made available by the Chancellor and the Secretary to any residents who wish to vote, but are unable to be present during the voting period.
7. All votes shall be conducted by secret ballot, and each resident of Avery House may cast one ballot in each vote. Votes may be cast at House

meetings, via Internet, via a ballot box placed in a public area of the House, or by direct presentation to the Chancellor or the Secretary.

8. The Secretary is responsible for the collection and tabulation of all votes, regardless of the method by which the votes are cast.

### **Article III. Amendments and Conditions**

1. All amendments to this Constitution shall be approved by a referendum vote of the residents of Avery House. Any amendment made to this Constitution shall take effect immediately upon passage, but shall not have retroactive effects of any kind. It is the responsibility of the Secretary, upon the passage of a Constitutional amendment, to promptly post the amended Constitution in a publicly accessible location.
2. Any matters not directly resolved by this Constitution shall be resolved by either the Avery Council or by a vote of the residents of Avery House, depending on the import of the matter in question.
3. This Constitution shall take effect immediately upon ratification by referendum vote of the residents of Avery House.

Respectfully Submitted on Monday, 11 November 1996,

*Daniel Zimmerman*  
*Avery House Secretary*

Revised on Thursday, 9 May 2002,

*Jonathan Chang*  
*Avery Council*