

RPI Judicial Board — Case 1122 Decision Document

I. Board Decisions

- Prosecutorial Assertion 1: The RUGP is not a bylaw.
 - A judicial board sanction pertaining to this assertion is to require the immediate amendment of Executive Board bylaws to reflect, exactly, the following:
 - The RUGP does not require Grand Marshal approval, and, by extension, the approval of the senate.
 - Pertaining to this, any mentions of the notification of the Grand Marshal to changes to the RUGP is to be removed.
 - Because the RUGP is not a bylaw, the Executive Board is required to classify, in the Bylaws of the Executive Board, the type of document of the RUGP, in accordance with Robert's Rules of Order.
- Assertion 2: Working Sessions and Announcements (related to the changes in policy) are poorly defined.
 - A judicial board sanction pertaining to this assertion is to require the immediate amendment of Executive Board bylaws to reflect, exactly, the following:
 - The newly ratified RUGP shall not go into effect less than 15 business days from the initial ratification. The Executive Board is required to notify the student body within 12 hours of a ratification, and such notification must explicitly state 1) the effective date of the policy; 2) a statement that any member of the union can to appeal the changes made to the Judicial Board. and 3) the date, time, and location of the Executive Board hosted working session. Within the 15-day period between the official notification to the student body and its date of effect, the Executive Board is obligated to host at least one working session.
 - A working session is defined as: a meeting to explain changes made to the policy and gives adequate opportunity for members of the union to provide feedback. A working session is further defined as an effective explanation of the changes to the RUGP to union membership and subsequent intake of feedback from attendees, which was preceded by a good faith effort to

notify members of the union to attend the aforementioned explanation's occurrence. Such sessions must occur within the 15-day period between the official notification to the student body and its date of effect.

- Prosecutorial Assertion 3: Executive Board Communication does not properly inform members of the Union that all Executive Board Decisions can be appealed to Judicial Board.
 - o A judicial board sanction relating to this assertion is the requirement that the Executive Board include, in all official communications, the following statement: "All policies and actions of the Executive Board are appealable to the RPI Judicial Board."

These judgements and the accompanying sanctions were approved by a vote of 05-00-00 by the RPI Judicial Board and are thus in effect.

II. Board Opinion delivered by member Conner Wallace

The instant matter requires resolution of three distinct issues: (1) the proper constitutional classification of the Rensselaer Union Guidelines and Procedures ("RUGP") relative to Executive Board bylaws; (2) the adequacy of procedural compliance in announcing changes to Union policy; and (3) the sufficiency of Executive Board notification of rights afforded to students and club members regarding imposed sanctions.

Prosecutorial Statement One

The original complaint asserts that the RUGP constitutes an unconstitutional document due two interdependent assumptions: that the RUGP is a bylaw of the Executive Board, and that this alleged bylaw was never approved by the Student Senate. The Student Senate derives authority to confirm changes solely to bylaws of the Executive Board pursuant to a two-thirds majority vote, as established under Article VII, Section 2(c) of the Rensselaer Union Constitution. Thus, the fundamental argument of the complaint relies upon the interpretation of this document as a bylaw.

Upon review of governing constitutional provisions and applicable parliamentary authority, the Board finds this assertion unavailing. Article VII, Section 6 of the Constitution states that

Robert's Rules of Order govern subordinate Union bodies in all applicable cases. Under Robert's Rules, bylaws constitute internal governance documents that regulate the proceedings and operations of a governing body itself, whereas the RUGP functions as an administrative instrument governing Union facilities operations and organizational classifications, rather than the Executive Board's internal procedures.

The Constitution explicitly delegates operational and financial authority for Union affairs to the Executive Board under Article VII, Section 2(e), which provides that the Executive Board "shall administer the Union budget, appropriate Union funds and manage the business affairs of any and all facilities operated by the Rensselaer Union." This delegation of authority is comprehensive and unambiguous. Assertions of Student Senate oversight over Executive Board operational mandates therefore exceed the Senate's constitutionally enumerated powers. As a consequence, the Student Senate lacks confirmational authority over RUGP amendments. This conclusion is reflected in the sanction requiring amendment of the Executive Board bylaws to explicitly classify the RUGP and clarify the absence of Senate or Grand Marshal approval requirements, consistent with the published decisions. The Board recommends that the Executive Board, following thorough review, formally classify the RUGP under the appropriate category of organizational documents as defined in Robert's Rules of Order, with its scope and governing prerogatives clearly delineated in accordance with the Constitution and the amendments published to all affected parties.

Prosecutorial Statement Two

The complaint alleges that required working sessions were not conducted in accordance with Executive Board bylaws. The record supports this finding; however, the proceedings identified a deficiency in the specificity of notification provisions governing policy amendments. Article III, Section 8(c) of the Executive Board Bylaws assigns the Vice President for Rules and Special Projects the duty to "Host working sessions open to Activity Fee-paying members of the Union to review and revise guidelines and procedures." However, the bylaws lack a definition of "working sessions" and fail to prescribe adequate notice or parameters for participation. Additionally, Article VI, Section 8(e) requires that "the President or the Vice President for Club Relations shall announce the changes to club

officers and ensure the updated documents are made publicly available for members of the Union," yet does not specify the content, means, or timing of such announcement.

The Board notes the Constitution imposes obligations upon the Rensselaer Union "to act as a medium through which student opinion may be expressed, [...] and to lead student action in all interests which will serve the welfare and the betterment of Rensselaer" thus implicating the right and requirement of student involvement in the actions any of the Rensselaer Union.

In light of the constitutional commitment to student involvement and the need for operational clarity, the Judicial Board has sanctioned amendments requiring the Executive Board to notify the student body of RUGP ratifications within twelve hours, including specific information about the effective date and working sessions, and to delay policy effect for no fewer than fifteen business days, with at least one working session held in that interval. These requirements, as made explicit in the decision and communicated to affected parties, are designed to fulfill both the letter and the spirit of constitutional participatory principles, to the extent that they are practicable and consistent with the structural arrangements contained within the Union's governing documents.

Prosecutorial Statement Three

In light of deficiencies in transparency of the Executive Board in relation to this case, the Board identifies a deficiency in the communication of members' appellate rights regarding Executive Board decisions. The complaint cites insufficient transparency in Executive Board procedure and a lack of information regarding the process of remediation or appeal to the Judicial Board. Article VII, Section 3(e) of the Constitution provides that "Any charge which specifies a violation of the Union Constitution, the Rensselaer Student Bill of Rights, or established regulations governing student conduct may be referred to the Judicial Board." This provision establishes the avenue for Union members to seek judicial review of actions affecting their interests; however, it imposes no explicit constitutional obligation on the Executive Board to affirmatively notify members of this specific right with each communication.

Nevertheless, the Board determines that as a matter of due process and sound governance practice, explicit reference to the right of appeal enhances transparency and enables members to effectively exercise their constitutional privileges. Thus, the Board's order — requiring all official Executive Board correspondence to include the statement: "All policies and actions of the Executive Board are appealable to the RPI Judicial Board"—operationalizes the Constitutional structure maximizing student access to recourse, consistent with the principles and procedural rights articulated in Article VII, Section 3. This requirement, now in effect per the published sanctions, reflects both a corrective and a preventative intent.

III. Conclusion

For the foregoing reasons, the Board concurs in the sanctions imposed, which serve to: (1) clarify the constitutional classification of the RUGP as an operational document outside Student Senate confirmational authority; (2) codify clear notification procedures regarding policy changes, grounded in the participatory aims of the Union Constitution; and (3) ensure standardized disclosure of appellate rights in Executive Board communications, as set forth in the published Judicial Board decision.

It is so ordered