

Davis House Constitution (Bylaws)

I. Constitutional Structure

1. House Law

- a. The Davis House Constitution supersedes all other house level documents, including the attached Constitution Appendix.

2. Rules for amending the Davis House Constitution

- a. Any change in the Constitution must be approved by a 2/3 majority of those present at council at two consecutive council meetings to be considered valid.
- b. The amendment or alteration must be clearly stated and posted during the interim week to be considered during the second vote.

3. The Appendix

- a. Policy in the Appendix is binding in situations where the Constitution does not apply.
- b. Changes to the Appendix can be made at a single council with a simple majority vote.

II. House Rules

1. All interior alterations (including wiring and painting) must be approved by the Maintenance and House Managers before work begins for a member to receive full reimbursement. Doors to personal rooms are considered to be one's personal space and do not require council to approve any alterations. All other alterations in common space must be approved via council.

2. House Ballot shall be used for:

- a. Elections
- b. Recall of an elected official
- c. Termination Procedure
- d. All expenses which council chooses to send to house ballot.

3. House shall use the BSC Termination Policy when terminating a member.

4. Each house member must fulfill all workshift requirements, including HI and Social hours as specified in Section XI and the Constitution.

III. Monetary Procedures

1. All House checks must be signed by the House Manager and the House President (except in the summer, when all house checks need to be signed by the House Manager and the Board Representative).

2. Money shall only be removed from the soda machine, washing machine and dryers, with both the House Manager and the House President present (except during the summer, when both the House Manager and the Board Representative need to be present). Together, both must count the money, and record and sign off on how much was collected from which machines on a particular date.

IV. Council Procedure

1. Quorum shall be 11 people.

2. Every member shall have a vote, including the House President and Managers.

3. No member shall grant his/her right to vote to another person.

4. The agenda shall be posted at least three days before the house meeting.

5. All agenda items must be posted at least 24 hours before the next meeting. Any late motions must be introduced as emergency motions and will require a 2/3 vote to be allowed on the agenda for the night of the meeting. These motions should be time-sensitive and truly emergencies.

6. Council shall use Robert's Rules of Order, except when inappropriate or superseded by house documents.

7. The House President shall chair the house meetings. If the House President is unable to attend a meeting, another manager shall run the meeting.

8. The chair cannot make a motion without giving up the chair.

9. An absentee ballot can be cast, provided that it is a signed written statement that addresses all specifics in the motion and is given to the House President before the vote.

10. All motions, except where otherwise stated, shall be passed with a simple majority.

11. Abstentions shall not be counted when determining whether a motion passes or fails.

V. Seniority and Room/Parking Bids

1. The House Manager shall run Seniority and Room Bids.
2. The House Manager must announce all room openings at the soonest house council.
3. Only current and past Davis House members who have not been away for more than a year can participate in room bids. A current member of equal points to a returning member has priority in bidding, regardless of contract number.
4. All room bids shall be based upon the number of points a member has on bid day (including the points they have for that semester).
5. Squatter's rights are awarded after the first four weeks of residency, whether that residency is in the fall or the spring. You may not squat in a room for the fall by living in a room during the summer. The person or group with the most points shall have squatter's rights from spring semester to summer semester. All members of the group must have official contracts and must already have squatter's rights to said room, i.e. living in the room. In the event of a tie, the squatter's rights belong to the person with the smallest application number.
6. In the event that several members have the same number of points, the members with the lowest contract number shall have seniority.
7. In the case of a point tie, the team with the lowest member contract number shall have seniority.
8. A team of bidders always has seniority over a single bidder.
9. If a person bids into a double, they shall have the right to choose their roommate.
10. Any person(s) with a conflict over seniority, room bids or car spots has the right to be brought to the house council for a decision.
11. Room 21 will be reserved for disabled persons requiring a single. A disabled person's right to the room supersedes any person(s)'s squatting rights.
12. Anyone who bids on a parking space will be fully informed of their risks and responsibilities in regards to that space, and will sign a contract informing them of those risks and responsibilities.

VI. Elections

1. Elections shall be held by secret ballot.
2. Every house member shall have a vote.
3. Managers shall be elected by a simple majority; in the event no one gets a majority, the candidate(s) with the least number of votes shall be eliminated, and the remaining candidates shall participate in the runoff.
4. The term for all elected positions is one semester, excluding Board Representative
5. Refer to the Appendix section Election Policy Directory for election procedure.

VII. Definitions of Manager/Office Positions

1. Fall/Spring House Manager
 - a. Enforce the house rules and the BSC contract
 - b. Keep an accurate house list
 - c. Keep a complete set of keys
 - d. Inspect rooms
 - e. Run room bids and seniority
 - f. Handle house finances, while keeping records of all the financial transactions
 - g. Have the authority to pay all bills under \$200 without house council's vote
 - h. Bring to council any expenditure which would not be classified as room improvement or maintenance
 - i. Be responsible for training the subsequent House Manager
 - j. Maintain the pool room storage closets by making sure that everything is labeled and clearing out stuff every semester
 - k. Have the house checkbook audited by the C.O. accountant every semester
 - l. House Manager shall be required to post budget break down before every house council, including, at minimum, information about the balances in the social, furniture, and spendable accounts.
 - m. Keep a record of the people who have been PNGed from Davis House
 - n. Shall receive 20% of the comp pool

- o. Shall receive 5 hours of workshift credit per week.
- 2. Fall/Spring Maintenance Manager
 - a. Keep the building maintained in accordance with the Uniform Housing Code as interpreted by the Central Maintenance Office
 - b. Be responsible for the physical maintenance of the house and grounds
 - c. Conduct a fire drill and inspect the fire extinguishers at least once per semester
 - d. Have the authority to approve all maintenance related bills under \$200 without council's vote
 - e. Be responsible for training the subsequent Maintenance Manager
 - f. Fulfill responsibilities for managing HI work as specified in section XII
 - g. Shall receive 20% of the comp pool
 - h. Shall receive 5 hours of workshift credit per week
- 3. Fall/Spring Kitchen Manager
 - a. Maintain city health standards in the kitchen and surrounding areas
 - b. Ensure that enough food is available for each member to eat 19 meals a week
 - c. Ensure that there are enough cooking utensils and cleaning supplies so that the house can run efficiently
 - d. Serve as a liaison between the house and the cooks
 - e. Post kitchen orders from Central Kitchen
 - f. Be responsible for training the subsequent kitchen manager
 - g. Shall receive 24% of the comp pool
 - h. Shall receive 5 hours of workshift credit per week
- 4. Fall/Spring Workshift Manager
 - a. Establish and assign workshifts
 - b. Explain clearly all workshift duties and performance standards
 - c. Inspect all workshifts
 - d. Keep track of up/down hours, attempt to fill vacated shifts, and attend to workshift problems
 - e. Levy workshift fines at the current C.O. rate
 - f. Determine all rules pertaining to signouts, finals week policy, and any other policy governing workshifts and present them at the first council meeting
 - g. Be responsible for training the subsequent Workshift Manager
 - h. Shall receive 20% of the comp pool
 - i. Shall receive 5 hours of workshift credit per week
- 5. Summer House Manager
 - a. Perform the combined duties of House Manager and Maintenance Manager for the summer term
 - b. Shall receive 66% of the comp pool
 - c. Shall receive 3 hours of workshift credit per week
- 6. Summer Workshift Manager
 - a. Perform the duties of Workshift Manager for the summer term
 - b. Ensure that there are enough cleaning supplies so that the house can run efficiently.
 - c. Shall receive 34% of the comp. Pool
 - d. Shall receive 3 hours of workshift credit per week
- 7. Fall/Spring House President
 - a. Conduct house meetings
 - b. During council, it is not the role of the chairperson to express an opinion but rather to ensure that all members present will get a fair chance to express their opinions
 - c. Post a blank agenda well before the house meetings, and close the agenda 48 hours before the meeting
 - d. Conduct managers' meeting when appropriate
 - e. Host complaints about any other manager
 - f. Run house elections

- g. Conduct votes of confidence as defined in the House Constitution
 - h. Read the "Petty Laws" and the procedure for changing the "Petty Laws" at the beginning of every semester and post any additions or changes that may happen during the semester.
 - i. Be responsible for training the subsequent House President
 - j. Keep a record of the people who have been PNGed from Davis House
 - k. Shall receive 16% of the comp pool
 - l. Shall receive 5 hours of workshift credit per week
8. Waste Reduction Manager (Fall, Spring and Summer)
- a. Sort and empty recycling bins regularly
 - b. Compost regularly
 - c. Promote recycling and composting in the house.
 - d. Keep compost and recycle area clean and in good repair.
 - e. Be responsible for training the subsequent waste reduction manager
 - f. Must clean the free pile area once a week.
9. Board Representative (Fall, Spring and Summer)
- a. Attend all Board meetings and report all the relevant issues to the house.
 - b. Be responsible for training the subsequent Board Rep.
 - c. Shall receive 5 hours of workshift credit per week.
10. Ad Com (Administrative Committee) Rep (Fall, Spring and Summer)
- a. Attend all Ad Com meetings and report all relevant issues in the house
 - b. Be responsible for training the subsequent Ad Com Rep
 - c. Shall receive workshift credit as specified by C.O.
11. Fall/Spring Social Manager(s)
- a. Be responsible for the overall social atmosphere of Davis.
 - b. Must throw at least (but not limited to) one special dinner and 2 other house events or parties each semester.
 - c. Be responsible for party paperwork with the City of Berkeley and C.O.
 - d. Provide social shifts for every participating house members and fine those who default.
12. Fall/Spring Network Manager
- a. Responsible for management and repair of the Davis Local Area Network, both wired and wireless.
 - b. Maintain the house computers and ensure that the house printer is running and available to all networked computers.
 - c. Responsible for sustaining the house printer's stock of ink.
 - d. Responsible for helping house members with issues related to using the house computers, printing on the house printer, connecting to the Internet, and using the house server.
 - e. Will maintain and enhance the Davis house website.
 - f. The Network Manager shall NOT be responsible for downloading media for the server. It is up to the Network Manager's discretion if they wish to take on these duties. Members may email server requests to the Network Manager or update the media request sheet on the server if the Network Manager has agreed to download items for the house server.
 - g. Shall receive 5 hours of workshift credit per week
13. Fall/Spring Health Worker
- a. Health Workers must be elected by unit no later than the end of the semester preceeding the term of service.
 - b. Health Workers must be allocated at least 2 hours of workshift.
 - c. Health Workers must attend a training at the beginning of the semester and biweekly meetings thereafter, and the house shall be fined at the workshift rate for missed meetings/trainings.
 - d. Health Workers must participate in at least one BSC-wide health workshop per semester.
 - e. Health Workers must be CPR/first-aid certified no later than week 8 of the semester unless a later date is approved by the HEC.

- f. Health Workers must actively foster relationships with House Managers, members and the Member Resources department and support the HEC in identifying and mobilizing resources to address BSC member needs.
- g. Health Workers must provide confidential, culturally sensitive peer advising, resource referral, and basic first-aid to BSC members.
- h. Health Workers must organize monthly outreach events at the unit that facilitate a greater understanding of community health needs and promotion of health resources.

14. H.A.G.R.I.D : House Accountability Groundskeeping Responsibility Interim Director

- a. Coordinate move-ins/outs during Fall-Spring inter-contract period when Fall or Spring House Manager is not present
- b. Keep a lockout key in a secure location
- c. Publicize phone and email and be point of contact for member emergencies, liaison for incoming/outgoing managers
- d. Maintain house security (see Night Security workshift description)
- e. Oversee general habitability/cleanliness
- f. Find and remove rotten or moldy food from refrigerators and pantry.
- g. If necessary, organize an informal workshift signup system for members staying over break.
- h. Will be compensated an amount determined by the preceding semester's council

15. Intensive Kitchen Clean Manager (IKC Manager)

- a. Be present at IKC to organize and lead it as a unified dish, pots, dining room, and kitchen clean effort.
- b. Keep track of and organize supplies. Communicate to Kitchen Manager when more supplies are needed.
- c. Be versed on California health codes and requirements to pass inspection
- d. Coordinate with KM about organization of fridges, supplies, pantry, and pots
- e. Work with Workshift Manager to hold Dish/Pots training sessions at beginning of semester
- f. Shall receive 4 hours of workshift credit per week.

I. Manager Votes of Confidence (VOC)

VOC's are meant to give managers feedback on their performance and provide suggestions for improvement. At the end of the semester, a percentage of compensation can be withheld under conditions described below.

- 1. For end-of-semester VOCs there shall be 5 options: 0%, 25%, 50%, 75%, and 100%.
- 2. A mid-semester VOC will be given by the President. Recall option must be included for each manager's performance rating. If a manager receives 10 or more recall marks on the VOC, AdCom recall procedure will begin.
- 3. VOCs must be held by secret ballot for all compensated house level managers. Forty percent (40%) of comp will be withheld from the managers until there has been a vote of confidence.
- 4. Results will be tabulated by the House President and a non-compensated member of the house. Votes of confidence must be carried out one month before finals for Fall and Spring semesters, and in the last week of July for the Summer.
- 5. Members may choose to give the managers a percentage of their withheld comp if they feel that the manager has not earned the entire remaining 40%. The amount of a manager's compensation is to be determined by a plurality.
- 6. The House President shall publish the managers' job descriptions as stated in the Constitution on the VOC ballot.

II. Recall of an Elected Official

A recall is the removal of a house elected official from office without cause. A recall can be asked for any elected office (managers, board rep, AdCom rep, etc.) at any time. For the purposes of recall, no specific grounds of incompetence, or otherwise, are necessary. Lack of confidence as demonstrated by house ballot is sufficient to begin the recall procedure for an elected official. Recall shall be accomplished as follows:

- 1. Recall shall be proposed at house council. Any house member may make a motion to begin recall. A simple majority of those present at house council to begin recall shall be sufficient to start the recall process.

2. In deciding to begin recall proceedings, the individual who is up for recall shall be given the opportunity to state his/her views as to why he/she should not be recalled. This opportunity is to be provided at house council in which recall proceedings are begun. This discussion shall be conducted as follows:

- a. Discussion shall be opened by a statement from the sponsor of the motion to recall. This statement shall not exceed 5 minutes in length.
- b. The above statement shall be followed by a statement from the individual who is up for recall. This statement shall not exceed 5 minutes in length.
- c. Upon conclusion of the discussion, the individual up for recall shall be allowed to give a two-minute closing statement. The closing statement shall then be followed by a two-minute closing statement by the sponsor of the recall motion.
- d. Either party may designate, at any time, another house member to speak for them. If the individual in question is not present at the aforementioned house council meeting then the motion will be tabled until the next council meeting. If the individual is not present at the following council meeting, the votes shall proceed and the individual's right to present a defense shall be considered waived.

3. The House President shall then print up and distribute recall ballots to each member of the house, either in person or by placing the ballots in each member's mail slot. The members are to be given 72 hours from the time of distribution, as determined by the House President, in order to cast their vote. Each ballot is to be clearly marked with the date and time that the balloting will be closed. Each member must individually return his or her ballot to the House President by the indicated deadline.

4. Once balloting is closed, the House President and one other manager are to tabulate the ballots. An absolute majority of the house occupancy shall be necessary and sufficient for recall. The House President shall then post the results of the election.

5. If recall is accomplished it shall take effect immediately upon the posting of the election results. Once the results have been posted, the individual is considered to be officially removed from office and is responsible for completing regular workshift hours. When the recall goes through during the week, appropriate hours for that week will be assigned at the discretion of the workshift manager.

6. Replacement of a recalled official shall be accomplished by house ballot once a recall ballot has been tallied. Any house member interested in filling the vacated position may submit their name to the House President for the election ballot. Until a replacement for the recalled official has been elected, the House President shall appoint a temporary replacement to fill the vacated position until the election has been completed.

7. Should the House President be up for recall, one of the other elected Managers, by mutual consent of the other elected Managers, shall perform the duties of the House President under this policy. Should a dispute between the other elected Managers occur, house council will vote on which Manager to have perform the above recall duties. A simple majority of those present is required for such a vote.

III. Boarder Policy

1. House-level boarders must be approved by a simple majority vote at house council with all applicable fees determined by the House Manager and Kitchen Manager.

2. Every house-level boarder must have a sponsor who lives within Davis House. The boarder and his/her sponsor must also sign a house-level boarder contract. The sponsor will be held liable for all outstanding workshift and monetary fines if the boarder leaves in bad standing.

3. Each boarder will be required to put down a \$50 deposit, which will be reimbursed to him/her at the end of the contract unless they owe money. The amount will be taken out of their deposit.

4. The Workshift Manager shall determine the number of hours per week owed by each boarder.

5. Termination procedure will begin if the boarder is down more than two weeks worth of workshift hours.

6. If there is a problem with the boarder, it shall be brought to house council. A simple majority of the votes at house council are needed for the boarding contract to be terminated.

7. If the boarder's contract with Davis House cancelled before the end of the semester, the remaining money will be reimbursed to him/her.

8. A boarder is a member and has full voting privileges.

IV. Summer Semester Policy

Funds for summer spending may only be allocated from the following accounts:

1. The summer-budgeted Decentralized House Accounts and summer-budgeted Decentralized

Maintenance Account.

2. Funds in the House Checking Account from the summer house bill and any additional fundraising (such as selling non-USCA required parking for concerts). No additional funds from the house checking account may be spent on items or projects approved during the summer.

3. No more than 25% of the yearly-budgeted HAPS or Furniture budget may be spent on items or projects approved during the summer. Items or projects approved in the Fall or Spring semesters may be paid for from these accounts in the summer without applying to the 25% limit.

V. Workshift, HI Policy

1. The Workshift Manager is required to submit a workshift policy to C.O. every semester. If approved by C.O., this policy must be abided by every house resident.

2. In every semester, each resident member of Davis must do a total of 2 hours of Home Improvement work. Home Improvement (HI) work is work done to improve the physical condition of the house.

a. A resident member who fails to complete the requirement is fined at double the workshift rate for any portion of the requirement not completed by the last day of the contract period.

b. MM keeps track of each resident member's work, and reports this information to the House Manager.

c. HI must work be approved by the MM prior to the performance of the work by the member, and the MM may use his / her discretion in approving projects in consideration of the stated purpose of HI. Disputes on approval of projects (or any other HI-related dispute) are to be settled at council by a simple majority vote.

d. MM must provide sufficient opportunity for each house member to complete their HI requirement.

i. MM must keep advertised a list of suggested HI projects suitable for the work of individual house members.

ii. MM must coordinate in each semester no less than three organized HI parties.

Appendix

I. Appendix Information

1. The Appendix is superseded by House Constitution

2. The Appendix can be amended by a simple majority vote at house council.

II. House Bills

1. House Bill

a. The house bill consists of all fees not covered by external budgets and is collected by the house manager once every semester, including summer. Examples of items on the house bill: newspaper/magazine subscriptions, internet and television programming.

b. All current residents must pay the house bill and are subject to fines if they fail to pay on time.

2. Social Bill

a. The social bill covers house social event costs.

b. The amount of the bill must be proposed by the social manager every semester and decided on at house council.

c. The social bill is collected every semester by the house manager.

III. Petty Laws (A.K.A. "Things for which you will be whipped")

1. A \$25 fine will be levied by house council for those who eat someone else's late dinner before 2pm the following day. The person requesting the late plate must give the cooks a clean plate with an already made label by 6:00pm.

2. A \$25 fine (or an equivalent amount at the current workshift rate) will be levied by house council for those who move or take public/communal furniture from its proper room. Included are plates, bowls, glasses, and utensils that stay in a private room for more than 24hours. *Also included are any furniture items belonging in the study room or dining room.

3. No smoking of any sort is allowed within Davis House out of respect for housemates. Anyone smoking outside of Davis House must keep any nearby doors and/or windows closed. Additionally, any smoking paraphernalia left in common space is subject to relocation to the free pile or lost and found.

4. Each member shall complete, at some point during the semester, the number of social hours set by the social managers at the beginning of the semester, with a cap at 2 hours per semester. The social

managers must provide enough social workshifts for each member of the house. If someone blows their workshift hour, or does not complete their hour(s), they will be double fined at the workshift rate.

5. Quiet hours are Sunday-Thursday: 11PM to 9AM, and Friday-Saturday: 2AM to 10AM. No amplified music is permitted during quiet hours. The piano cannot be played during quiet hours, or after midnight Friday-Saturday. Quiet hours begin at 10pm on Sunday-Thursday for ping-pong. Pool cannot be played during quiet hours. Music in the kitchen must be played at a reasonable volume at all times.

6. House members who park in, or who have friends who park in, house spaces must pay a \$22 fine to the member whose spot they are in.

7. A \$20 fine (or an equivalent amount at the current workshift rate) will be levied by house council for throwing cigarettes on the ground inside or on house premises.

8. The large cutting board will be reserved for non-meat products only, i.e. no meat shall be prepared or cut on that cutting board.

9. \$25 fine (or an equivalent amount at the current workshift rate) will be levied by house council for a mattress left outside of the house unsupervised.

10. A \$20 fine will be levied by house council for any person giving birth to a live baby in common space. In addition, the legal name of the baby will be decided in an emergency council meeting. Exceptions may be granted at council.

11. Each member is required to rinse off all food debris from any pots or other cooking utensils used for personal cooking.

IV. Election Procedure

1. Every candidate can give a 2 minute speech during the election house council.
2. After a candidate speaks, he/she must answer questions from house members.
3. After each candidate for a position speaks, the candidates must leave the room for council discussion.
4. The vote must be conducted by the House President online.

V. Social Hours Policy

1. Every resident member of Davis House is required to do 2 social hours every semester.
 - a. A resident member who fails to complete the requirement is fined at double the workshift rate for any portion of the requirement not completed by the last day of the contract period.
2. The Social Manager manages the social hours.
 - a. Social Manager keeps track of each resident member's social hours and reports this information to the House Manager.
 - b. Work for social hours must be approved by the Social Manager prior to the performance of the work by the member. The Social Manager may use his / her discretion in approving projects in consideration of the stated purpose of the social hours. Disputes on approval of work (or any other social hours-related dispute) are to be settled at council by a simple majority vote.
 - c. MM must provide sufficient opportunity for each house member to complete their HI requirement.
 - i. MM must keep advertised a list of suggested projects suitable for the work of individual house members.

VI. Guest Policy

Each house member and boarder shall be allowed 1 guest per month at a meal. Each additional guest must pay \$4 for every dinner and \$2 for every other meal after their first free meal. The fees are enforced by the member or the boarder and their guest. They are to be put in the karma box.

VII. House Miscellanea (Institutional Memory)

1. Coca-Cola products cannot be distributed through house vending machines.
2. The vending machine cost is set to 75 cents.