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CONSTITUTION
# James A. Baker College Constitution

Last revised January 30, 2019

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I. NAME

The name of this College shall be James A. Baker in honor of Captain James Addison Baker and his services to the Rice Institute.

II. PURPOSE

It shall be the purpose of Baker College of Rice University and of the government thereof, empowered and created by this Constitution, to provide and maintain an atmosphere and environment which will encourage the social and intellectual growth of its members through the development of a sense of responsibility in all spheres of community action. This purpose shall be accomplished through group living and dining, through a development of satisfactory tradition of college life, through a strong and responsible college government, through the sharing of ideas and enthusiasm with faculty members in residence and association, through group social affairs, and through sports and academic competition at the highest level of sportsmanship.

III. MEMBERSHIP

Membership in Baker College is a lifetime privilege. All members of Baker College shall affectionally be called “Bakerites.” Membership in Baker College is designated as follows:

A. Types of Members

1. Active Members: Active members include all Baker College members registered as undergraduate students of the University, and designated members of the College by the University at the time of enrollment. Undergraduates having completed one semester at Rice are considered lifetime members. Members of Baker College who do not reside in the College shall have the same rights, privileges, and duties as resident members. Baker College grants the rights and privileges of senior students to Rice undergraduates entering programs that are normally one-year terminal advanced degree programs.

2. Alumni Members: Alumni members include all former Baker College members not considered active members or graduate affiliates.

3. Honorary Members: Honorary members include those individuals whose friendship and sense of community with the College is considered a valuable asset. Membership shall be conferred upon such individuals by the College Cabinet with the approval of the Magisters, or by the Orientation Week Coordinators. Such membership shall be active for the first three years, and all active members shall be invited to participate in all College sponsored activities.

B. Rights of Members

All members shall have the right to participate in all College activities, including the right to hold office subject to the qualifications stated in this Constitution and the Bylaws of this Constitution. College members are entitled to use Baker College facilities and to attend Baker College functions.
C. Termination of Membership

College membership may be terminated at the request of the individual upon application to and approval by the Magisters. College membership may be transferred to another college upon application to the Magisters of Baker College and with the approval of the Committee of the Magisters.

D. References to Members

References made in the following documents to “all members,” “total membership,” etc., shall refer, unless otherwise stated, to the active membership.

IV. RELATIONSHIP WITH RICE UNIVERSITY

Baker College abides by all rules and regulations of Rice University. If conflict shall arise between the Constitution and Bylaws of this Constitution and the rules and regulations of Rice University, those of Rice University shall supersede those of Baker College.

V. CABINET

A. Composition of Officers

The executive and legislative powers of this College shall be invested in the Cabinet. The Cabinet shall be composed of the following officers:

1. Executive Officers
   
   a. Composition: The executive officers of this College shall consist of the President, Internal Vice President, External Vice President, Academic Vice President, up to two Treasurers, and the Secretary. They shall be elected only from the incoming Sophomore, Junior, Senior, or Fifth Year classes of the College.

   b. Suffrage: Each officer shall be granted the right to vote, with Treasurers sharing a single vote that cannot be split.

   c. Limitations: The President and at least one Treasurer shall be on-campus members during the academic year following their spring election.

2. Class Representatives
   
   a. Composition: Five representatives from the College shall be selected as follows:

      i. Senior and Freshman Representative: Two representatives elected by and from each of the combined incoming Senior and Fifth Year classes and Freshman classes.

      ii. Junior and Sophomore: One representative elected by and from each of the incoming Junior, Sophomore and Freshman classes.
iii. Off-Campus Representative: One representative elected by and from the present off-campus members of the College.

b. Suffrage: Each representative shall be granted the right to vote, with Senior and Freshman Representatives each sharing a single vote that cannot be split.

3. Other Officers

a. Composition: Four types of officers shall be selected as follows:

   i. Baker Gentleman’s Hedonist Society: Two officers to be elected as a team from the incoming Sophomore, Junior, Senior, and Fifth Year Classes of the College to serve as Baker Gentleman’s Hedonist Society Internal and External Ministers.

   ii. Chief Justice: One officer to be elected from the incoming Sophomore, Junior, Senior and Fifth Year classes of the College to serve as Chief Justice to the College Court.

   iii. Socials Chair: Two or three officers to be elected as a team from the incoming Sophomore, Junior, Senior, and Fifth Year Classes of the College to serve as Socials Chairs.

   iv. Parliamentarians: Two officers to be appointed by the President from the incoming Sophomore, Junior, Senior, and Fifth Year Classes of the College to serve as Parliamentarians.

   b. Suffrage: These officers shall not be granted the right to vote.

   c. Limitations: The appointment and term of Parliamentarians should commence no later than one month after the election of Executive Officers. The President may require an application and interview for the Parliamentarian position.

4. University Representatives

a. Composition: University representatives to the Student Association, Rice Program Council, Honor Council, and University Court, and a Food Service representative shall be elected.

b. Involvement: The university representatives shall have the following special status as a Cabinet officer:

   i. Suffrage: Participation in all business shall be the same as for other Cabinet members except there shall be no voting privileges and presence shall not be considered in determining outcome of voting.

   ii. Attendance: Requirements for Cabinet attendance shall be the same as for other Cabinet members.
c. Limitations: The Food Service representative shall live on campus at the time of their election.

B. Selection of Officers

All representatives to the Cabinet shall be elected in accordance with the Bylaws of this Constitution, in the spring semester Cabinet election, except the Freshman, Off-Campus, and Food Service representatives who shall be elected in special, similar elections in the fall semester. The election shall be conducted by the Parliamentarians in accordance with the Bylaws of this Constitution.

C. Length of Terms

All representatives to the Cabinet, except the Treasurers, the Senior representative, the Off-Campus representative, and Parliamentarians, shall serve a one year term until the Cabinet is replaced in the spring semester as outlined in the Bylaws of this Constitution, or until they are recalled from office. The Treasurers and Parliamentarians shall serve two-year staggered terms so that one Treasurer and one Parliamentarian are elected and appointed, respectively, each spring. The Senior representative and the Off-Campus representative shall serve until the end of the spring semester.

D. Restrictions on All Positions and Officers

1. Dual Office Holding: No person may, at any time, hold more than one position on the same Baker Cabinet.

2. Shared Offices: An office may not be occupied by more than one person unless it is designated by this Constitution as one to be shared.

3. Academic Probation: No elected member of Cabinet shall be on academic probation at the time of their election or during their term of office. This restriction may be selectively repealed if the Dean of Undergraduates grants an exemption. Any vacancy which occurs in these offices shall be filled in accordance with the Bylaws of this Constitution.

E. Committees

1. Reporting: All committees shall report to the officers with whom they are associated.

2. Chairs: Committee chairs shall be selected according to the Bylaws of this Constitution. Each chair may select the members of their committee, in consultation with their supervisory officer.

3. Standing Committees: The standing committees of the College shall be those listed in the Bylaws of this Constitution.

F. Meetings

The Cabinet shall meet not less than once each full academic week at a time and place determined by the Bylaws of this Constitution. All Cabinet meetings shall be open to all members of the College, except in special circumstances when sensitive issues must be
discussed. In these cases, the Cabinet may meet in closed sessions, which only members of the Cabinet and guests determined by the President may attend.

**VI. COLLEGE COURT**

The judicial powers of the College shall be invested in the Baker College Court.

**A. Composition of the Court**

The Court shall consist of nine Justices. One of these Justices shall be the Chief Justice, and another of these Justices shall be the Deputy Justice. The other Justices shall be called Associate Justices. There shall be one Advocate who is associated with the court but who is not a member of the court.

**B. Requirements of Office**

1. Residency: The Chief Justice shall be a resident of Baker College, but the other Justices and Advocate may be either resident or non-resident members.

2. Probation: The Justices and Advocate shall not be on any type of probation.

3. Dual Office Holding: The Justices and Advocate shall not hold any voting Cabinet office or be the President of Baker College.

4. Time of Fulfillment of Requirements: Requirements, except for the restriction on probation, must be met when running for office. All requirements of office must be met during the term of office.

**C. Selection of the Court**

1. Chief Justice

   a. Election: The Chief Justice shall be elected by the entire College at the same time and in the same manner as the Cabinet and can only serve one position on the court.

   b. Nomination: Nomination of a candidate for Chief Justice shall be by petition signed by 25 members of the College.

2. Deputy Justice, Associate Justices and Advocate

   a. Application: All candidates for the position of Deputy Justice, Associate Justice or Advocate, shall submit their applications to the Chief Justice following the election of the new Cabinet and prior to its second meeting. A person may apply for the positions of Deputy Justice, Associate Justice or Advocate simultaneously, but they may serve in only one position.

   b. Selection: The Chief Justice shall select one Deputy Justice, five Associate Justices and one Advocate based on qualification and should give consideration to, though not be limited by, a class distribution along the following guidelines:
two Justices from the rising Senior class; two from the rising Junior class; and two from the rising Sophomore class.

c. Approval: The Chief Justice shall submit the names of the recommended Associate Justices to the Cabinet for approval by the fourth regular meeting of the new Cabinet. Approval of each name shall require a three-fourths majority of the Cabinet. If any of the recommendations are rejected by the Cabinet, the Chief Justice shall select different individuals for the vacant positions. They shall report the new recommendations at the beginning of the next Cabinet meeting to be approved in the same manner.

d. Delayed Positions: Two Associate Justice positions should be filled by the fourth regular Cabinet meeting of the new academic year. One position shall be reserved for a new student and the other position may be filled by any class level. Approval of Court members should be conducted in the same manner as in Paragraphs a-c above.

D. Recall of the Court

1. Chief Justice

   a. Process: Recall of the Chief Justice shall be initiated by an accusation submitted to the President of the College by any member of Cabinet, any of the Associate Justices or the Advocate. Upon a two-thirds vote of the entire Cabinet in favor of the recall, the Chief Justice shall be removed and their position shall be immediately declared vacant.

   b. Disclosure of Information: When information from a closed trial is relevant to the guilt or innocence of the Chief Justice, that information will be disclosed only to the voting members of the Cabinet, Parliamentarians, and President at the discretion of the Magisters.

2. Deputy Justice, Associate Justices and Advocate

   a. Process: Recall of the Deputy Justice, Associate Justices or Advocate shall be initiated by an accusation submitted to the President of the College by any member of Baker College. Upon a two-thirds vote of the entire Cabinet in favor of recall, the Justice or Advocate shall be removed and their position shall be immediately declared vacant. If the recall petition has been signed by at least five Justices, then a simple majority of the Cabinet shall suffice to recall.

E. Jurisdiction of the Court

1. Members of Baker College: The Court shall have jurisdiction over on-campus and off-campus members of Baker College involved in infractions of Baker College rules and/or Rice University rules, or involved in conduct contrary to the standards necessary for responsible college life.
2. Disputed Elections: The Court shall have jurisdiction over disputed College elections, as provided for in the Bylaws.

3. Case Referral: In matters of all-school importance, the Court may, at its discretion refer cases to the University Court by a majority vote.

F. Meetings

The Court shall meet not less than once each academic month. All Court meetings shall be closed to the College, which only members of the Court and those involved in Court discussions, as determined by the Chief Justice, may attend. An exception exists when the defendant exercises their right to open trial, in which case the trial shall be open to all members of the College.

G. Rights of the Defendant

1. Relationship with Advocate: The defendant has the right to be in contact with the Advocate and have them present at all times during the trial and preceding meetings.

2. Appearance: The defendant has the right to be present, if they desire, when all evidence and testimony from witnesses they request are presented.

3. Testimony or Evidence: The defendant may dispute or review any testimony or evidence given.

4. Witnesses: The defendant may call or recall witnesses; however, no character witnesses may be called.

5. Striking: The defendant has the right to request the Court to strike testimony from the records if they deem it irrelevant.

6. Open Trial: The defendant has the right to open trial if they so desire.

7. Summarization of Case: The defendant has the right to sum up the case before the Court decides the verdict.

8. Appeal: The defendant has the right to appeal any verdict or sentence rendered by the court.

VII. POWERS AND DUTIES

A. Of the Cabinet

1. College Activities: The Cabinet shall legislate and regulate on all proper College activities. It shall be responsible for room assignments, social and athletic events, the reception of visitors, and all activities and duties necessary in the realm and interest of College life. The Cabinet shall stimulate interest in College affairs and participation in College activities through continued examination and discussion of relevant subjects of broad general interest to the members of the College; shall examine past and current college trends and policies; consider possible future direction and policy changes; shall
serve as the official polling service of the College, gathering, at Cabinet request, the opinions of the entire Baker community.

2. Recall: The Cabinet shall with sufficient reason have the power to recall any official of Baker College, excluding the Chief Justice. The procedure for removal of the Chief Justice is provided in Article 6, Part D, Section 1. In all other cases, a written motion for recall with charges specified may be introduced by any Cabinet member at any Cabinet meeting. The matter shall then be automatically tabled until the next regular Cabinet meeting. At that time the case shall be freely discussed in open session with the defendant being given every opportunity to answer each charge. When discussion is closed, a secret ballot shall be held. A unanimous vote of the remaining voting members of the Cabinet shall be required in order to remove the official. A two-thirds majority of the remaining voting members of the Cabinet shall be sufficient to order a recall election of that official. If the official is removed, the office shall be declared vacant immediately.

B. Of Executive Officers

1. President: The President shall preside at the meetings of the College and College Cabinet. They shall act as the official representative of the College at all University, College, and Student Association functions. They shall serve as a representative to the Student Association. They shall be an expert on all reference documents. They shall have check-signing privileges. They shall have the power to appoint those Cabinet positions described in this Constitution by such a method and to appoint committee chairs according to the Bylaws of this Constitution, subject to the approval of the Cabinet. They shall be involved in all matters of the Baker College Endowment Fund. They shall coordinate and oversee the operation of all committees and all College business.

2. Internal Vice President: The Internal Vice President shall supervise those committees assigned to them in the Bylaws of this Constitution, and shall act temporarily as President in the event of the absence or incapacity of that officer. They shall have check-signing privileges.

3. External Vice President: The External Vice President shall supervise those committees assigned to them in the Bylaws of this Constitution.

4. Academic Vice President: The Academic Vice President shall supervise those committees assigned to them in the Bylaws of this Constitution.

5. Treasurers: The Treasurers shall have charge of the finances of the College. By the final meeting of the Cabinet of the previous academic year, they shall have prepared the College budget and submit it for approval to the Cabinet. The Treasurers shall keep an up-to-date record of all financial transactions of the College. They shall supervise all Baker College fundraising activities. They shall negotiate all financial business of the College promptly. They shall be involved in all matters concerning the Baker College Endowment Fund. They shall be responsible for each of the committees assigned to them.
for supervision by the Bylaws of this Constitution. They shall have check-signing privileges.

6. Secretary: The Secretary shall keep and publish the minutes of all Cabinet meetings. They shall attend to the official correspondence of the College. They shall keep on file all minutes, reference documents, and committee reports. They shall maintain the bulletin boards of the College in a neat manner. They shall be responsible for the committees assigned to them for supervision by the Bylaws of this Constitution.

C. Of Other Officers

1. Baker Gentleman’s Hedonist Society Ministers: The Baker Gentleman’s Hedonist Society Ministers shall have power and duties as described in the Bylaws of this Constitution.

2. Chief Justice: The Chief Justice shall have powers and duties as described in the Bylaws of this Constitution.

3. Socials Chair: The Socials Chair shall have powers and duties as described in the Bylaws of this Constitution.

4. Parliamentarians: The Parliamentarians shall be an expert on the Constitution and Bylaws of Baker College and Robert’s Rules of Order, Revised. They shall take a copy of these to Cabinet meetings, and use the knowledge in assisting with procedures and in helping to solve disputes during Cabinet meetings. They shall annually review the Constitution and Bylaws and submit necessary amendments for approval by the Cabinet. They shall also maintain the official voting record of the College and conduct all elections of the College according to the Bylaws of this Constitution. They shall also be responsible for the committees assigned to them for supervision by the Bylaws of this Constitution.

C. Of University Representatives

1. Student Association Representative: The Student Association Representative shall represent the policies and interest of the College in all dealings with the Student Association and shall attend all meetings of the school-wide student government. They shall serve actively on appropriate committees as a contributing member of the school-wide government. It shall be their duty to present to the College the policies and interests of the school-wide student government and to keep the College informed on all Student Association activities affecting the members of the College.

2. Food Service Representative: The Food Service Representative shall work to represent the desires of the College in dealings with food service and attend meetings called by the administration for this purpose. They shall keep the College informed of all food service activities affecting the College.

3. Rice Program Council Representative: The Rice Program Council Representative shall work to represent the desires of the College in the Rice Program Council’s activities and
attend all meetings of that organization. They shall keep the College informed on all Rice Program Council activities affecting the College.

4. Honor Council Representative: The Honor Council Representative shall work to represent the desires of the College in the activities of the Honor Council and attend all meetings of the that organization. They shall keep the College informed on all Honor Council activities affecting the College.

5. University Court Representative: The University Court Representative shall work to represent the desires of the College in the activities of the University Court and shall attend all meetings of that organization. They shall keep the College informed on all University Court activities affecting the College.

D. Of the Court

1. Trials: The Court shall investigate grievances, gather relevant evidence, hold hearings, hold trials, and issue verdicts and sentences.

2. Chief Justice: The Chief Justice shall maintain relations with Rice University Police Department, specifically the with Baker College police officer. They shall take care of parking and traffic matters within Baker College including, but not limited to, assigning parking spots according to the Baker Parking Draw policy.

3. Advocate: The Advocate shall serve as counsel to the defendant if the defendant so chooses. They shall orient the defendant on the trial process, explain to the defendant their rights during the trial, and point out facts in the defendant’s favor during the trial to which the Justices do not seem to understand or be aware of but which the Advocate deems important to the interest of the defendant.

4. Disputed Elections: In the event of a disputed election, any Justice shall have the power to recount the ballots. A majority of the Justices shall have the power to call for new elections. If the opinion of the Court is unanimous, new results shall be issued. All these powers shall be exercised as provided for in the Bylaws.

E. Of Members of Baker College

1. Petition

   a. Initiation: Any member of Baker College shall have the power of petitioning to modify, nullify, or propose any act or legislation. The Parliamentarians shall hold a referendum on such a petition if it is signed by at least one-fourth of the total membership of the College.

   b. Referendum: A two-thirds majority of the votes cast shall be necessary to sustain the petition in referendum. In the case of legislation pertaining solely to resident members of the College or solely to the non-resident members of the College, a petition signed by one-third of the members affected shall suffice to
initiate a referendum. Only those members affected by the legislation shall vote in the referendum.

2. Initiative

a. Initiation: The members of the College shall have the power of initiating legislation by petition. The petition must bear the signatures of at least one-fourth of the total membership of the College. In cases of restricted pertinence as described in Section 1, Subsection b above, the signatures of one-fourth of the affected members shall suffice.

b. Cabinet Consideration and Referendum: Upon receipt of the petition, the Cabinet may choose to act favorably on the matter presented. If it does not do so, an election shall be held as with a referendum. If the measure is not sustained by the balloting, the Cabinet may still reconsider it.

3. Recall

a. Initiation: The members of the College shall have the power of recall for any elected official of the College. Proceedings shall be initiated by any member of the constituency of the official under question who feels they have sufficient cause. Initiation shall require, on a petition specifying charges, the signatures of at least one-third of the constituency of the official involved. Not more than one official may be named on any one petition. Their constituency shall be defined as those members of the College who would be eligible to vote for their office if it were to become vacant.

b. Special Election: Upon receipt of the petition by any Executive Officer, an election must be ordered. The Parliamentarians shall be charged with conducting this election within ten days, excluding University holidays and exam periods, of that date. The same rules as are applicable to a special election for the office in question shall be enforced. More than fifty percent of the total constituency of that office must favor recall in order for it to be sustained. If recall is sustained, then the office shall be declared vacant immediately.

VIII. ASSOCIATES OF THE COLLEGE

The Associates of the College shall be selected by the Associates Committee, subject to approval by Cabinet and appointed by the University authorities and shall fall into the following categories:

A. Types of Members

1. Magisters: The Magisters, who shall be the highest ranking Faculty Associates.

2. Resident Associates: Resident Associates, who shall be members of the Rice faculty or staff and shall reside within the College.
3. Non-Resident Associates: Non-Resident Associates, who shall be faculty members, Rice staff, or Rice Community members.

4. College Coordinator: The College Coordinator, who shall be Rice staff.

B. Duties

The duties of the Magisters and of the Resident and Non-Resident Associates of the College shall be those determined by the proper authorities of the University.

1. Of the Magisters
   a. Associates: The Magisters shall make recommendations to the President concerning the appointment of the Resident Associates and, after consultation with the Associates Committee and approval by Cabinet, shall invite faculty, community, and university members to become Non-Resident Associates of the College.
   b. College System: The Magisters shall be members of the Committee of Magisters which will consider and, if warranted, make ultimate decisions on problems affecting the college system.
   c. Student Government: The Magisters shall act as advisory members of the Cabinet and of College committees at their request.
   d. Students of Baker College: The Magisters shall be available to students of this College for consultation.

2. Of the Resident and Non-Resident Associates
   a. College System: The Resident and Non-Resident Associates shall promote and further the objectives of the college system in advising both the students and the Magister on matters pertaining to the college system.
   b. Student Committees: The Resident and Non-Resident Associates shall act as advisory members of student committees when requested to do so by these committees.
   c. Students of Baker College: The Resident and Non-Resident Associates shall be available to the students of this College for consultation.

3. Of the College Coordinator
   a. Student Services: The College Coordinator shall inform students on policies, procedures, and deadlines from University departments relevant for students, and maintain proper relations with these departments and students.
   b. College Support: The College Coordinator shall provide event and daily support as determined by the students.
c. Students of Baker College: The College Coordinator shall be available to the students of this College for consultation.

IX. MEETINGS OF THE COLLEGE

The College shall meet not less than once each full academic week at a time and place determined by the Bylaws of this Constitution. All College meetings shall be open to all members of the College. Meetings of the College shall be called by the President.

X. CHANGEOVER

Baker College shall induct a new student government every year through a process known as “changeover.” General elections and appointments, except where indicated in this Constitution and its Bylaws, shall be held every spring to replace offices. Members of the outgoing student government shall meet with their successors of the incoming student government to exchange necessary materials for successful governance.

XI. AMENDMENTS

Amendments to this Constitution may be proposed by two-thirds of the voting members of the Cabinet or by a petition of one-fourth of the total active membership of the College. Ratification shall be by a two-thirds majority of the votes cast, in a general referendum to be held within ten days, excluding holidays, of a successful proposal.

XII. RATIFICATION

Ratification of this Constitution shall be by a two-thirds majority of the votes cast in a general referendum or in the general election. This Constitution was initially ratified by three-fourths of the votes cast in the general election in the spring of 1959. It was revised and re-ratified in the spring of 2003 by three-fourths of the votes cast in the general election, and again in the spring of 2013 by a two-thirds majority of the votes cast in the general election, and again in the spring of 2019 by a two-thirds majority of the votes cast in a referendum.