

Wisconsin Union Policy SE5-0
Hoofers General Constitution and Bylaws

BYLAWS TO THE CONSTITUTION OF THE WISCONSIN HOOFERS
Approved by Hooper Council April 27, 2009, November 16, 2009

Article I

The emblem of the Wisconsin Hoofers of the Wisconsin Union herein referred to as Hoofers, shall be a black horseshoe superimposed upon a red W.

- Section 1. All voting members of Hooper Council shall by virtue of their office be entitled to join all of the affiliated clubs each for the price of the general activity fee.
- Section 2. The Hooper advisor(s) shall be ex-officio non-voting member(s) of Hooper Council and its affiliated clubs.
- Section 3. By a vote of the majority of the voting members of the entire Council, any person may be granted an honorary life membership in Hoofers. Persons so honored will be so informed in writing by the Hooper Council President.
- Section 4. Yearly honorary memberships in Hoofers may be granted by a majority of Hooper Council.

Article II – Composition and Governance of Hooper Council

- Section 1. A quorum of Hooper Council shall consist of a majority of the voting members of the entire Hooper Council.
- Section 2. Hooper Council shall consist of Hooper Council Executives, Hooper Council Chairpersons, Club Representatives, and non-voting members.
- Section 3. Hooper Council Executives, consisting of the President, the Vice-President of Programs, the Vice-President of Administration, the Vice-President of Finance, and the Secretary, shall meet on a weekly basis during the academic year and as needed during breaks to discuss current issues coordinate the current projects of Hooper Council, and set the next Hooper Council agenda.
- Section 4. Hooper Council Chairpersons shall be the chairs of Hooper Council subcommittees responsible for various areas of Hoofers. These subcommittees shall not be of predetermined size. They will be formed at the Chairpersons', Executives' or Council's discretion and will meet as needed. The current subcommittees of Hooper Council will be listed on the official Hooper website and on file in the Outdoor Programs Office.

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- Section 5. Each affiliated club shall appoint a permanent representative to Hooper Council. The president of each affiliated club shall submit to the Hooper Council President a list of alternate representatives, or she/he may authorize a substitute with voting power by notifying the Hooper Council President prior to the meeting at which the substitute will sit on Hooper Council.
- Section 6. Non-voting members of Hooper Council are selected by Presidential appointment and approved by a Hooper Council simple majority. Non-voting members are required to attend at least two Hooper Council meetings per semester. Current non-voting members of Hooper Council and position descriptions shall be listed on the official Hooper website and on file in the Hooper Office.
- Section 7. Duties of Hooper Council members shall be listed and described in the current position description of each position. Current position descriptions for all Hooper Council positions shall be filed with the Outdoor Programs Office at the Wisconsin Union and shall be available on the Hooper website. Position descriptions may only be adopted or changed by a majority vote of the voting members of the entire Hooper Council.
- Section 8. Hoofers shall be governed by common etiquette and respect as well as any rules adopted by Hooper Council. If the need arises, the rules contained in the current edition of Robert's Rules of Order may be used to govern Hoofers for any one meeting or any portion of one meeting if agreed upon by a majority of the voting members present. Robert's Rules of Order shall only be used in cases to which they are applicable and in which they are not inconsistent with these Bylaws and any special rules Hoofers may adopt.
- Section 9. Proxy voting is prohibited, but Hooper Council members are permitted to vote on specific issues by an emailed or written absentee ballot submitted to the Hooper Council President prior to the vote.

Article III – Selection and Turnover of Hooper Council

- Section 1. No later than the last week of February, the Hooper Council Vice President of Administration, who shall act as the Hooper Council Elections Commissioner, shall make known to the general membership of Hoofers the availability of Hooper Council positions for the coming year and the selection procedure for obtaining those positions.
- Section 2. Selection procedure for new Hooper Council Executives

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- a. No later than the first Hooper Council meeting of March, current Hooper Council Executives shall set up a timetable for election procedures that shall provide for the following:
 - 1) The new Hooper Council Executives shall be named no later than the end of the 1st week of April.
 - 2) Nominations shall open at least one week after the notification of the general membership of Hoofers of the availability of Hooper Council positions for the coming year.
 - 3) Nominations shall remain open for at least one full week.
 - 4) The elections shall run for at least one full business week.
- b. All nominations must be accepted by the nominee by submitting a written platform to the commissioner of elections. No nomination that has not been accepted shall be considered.
- c. All valid nominations that accept their nomination shall appear on the election ballots.

Section 3. Election procedures for Hooper Council Executives

- a. Election shall be by secret ballot. To prevent duplicate voting, voters may be required to write their name on the ballot, but this information shall remain secret. If a voter wishes to have an anonymous ballot, they may do so by registering their name with the Hooper office. Each member will be permitted one anonymous ballot per election. As soon as that member has received his/her anonymous ballot, he/she shall be marked as having voted regardless of whether or not they turn in that ballot.
- b. The ballot box shall at all times be under the supervision of individuals approved by Hooper Council. Election security shall be the responsibility of the Hooper Council elections commissioner.
- c. The ballot box shall be open no later than 9 a.m. and close no sooner than 4:30 p.m. Monday through Thursday of the week of elections. Additionally, the ballot box shall be open no later than 9 a.m. and close no sooner than noon on Friday of the week of elections. The ballot box shall also be available for an appropriate amount of time during that week at any scheduled meeting of Hoofers or an affiliated club.
- d. Write-in votes are permitted.
- e. Votes may be submitted via email to a person designated by Hooper Council. The designee shall print the email and place it in the ballot box. By voting via email, the voter forfeits his/her right to an anonymous ballot.
- f. Each current member of Hoofers shall be allowed one vote regardless of how many affiliated clubs of which he/she is a member.
- g. A ranking system shall be used for voting. Each voter shall rank the candidates in the order of preference (a ranking of 1 indicating the greatest preference). Upon counting the votes, if no one candidate has a majority of the votes, an instant run-off system shall be used: The candidate with the

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fewest votes shall be dropped and all votes that had been given to that candidate shall be given to the voter's next choice. This shall be repeated until one candidate has a majority of the vote.

- h. At least three (3) designees of Hooper Council shall count the ballots in the presence of at least one of the Hooper advisors. The person receiving the most votes for each office shall succeed to that office. The names of the winners shall be posted within three days after the ballot box closes. However, in case of a tie Hooper Council shall decide how the winner will be chosen and post his/her name within three days after the meeting of Hooper Council.

Section 4. Selection procedures for Hooper Council Chairpersons

- a. The Hooper Council Chairpersons (as defined in Article II Section 4 of these bylaws) shall be selected by the newly elected Hooper Council Executives.
- b. Applications for Hooper Council Chairperson positions shall be due no later than one week after the announcement of the new Hooper Council Executives.
- c. The newly elected Hooper Council Executives shall select the Hooper Council Chairpersons with the following criteria included in their considerations:
 - 1) Qualifications to perform the duties of the position
 - 2) Status as a UW-Madison student (Hooper Council must maintain a two-thirds majority membership of students)
 - 3) Balance of representation of affiliated clubs
- d. Selections shall be decided upon no later than the third Hooper Council meeting in April; vacancies may be left open at the discretion of Hooper Council Executives until a suitable candidate for a position is found.
- e. Each of the selections for Hooper Council Chairpersons shall be approved by a majority vote of the voting members of the entire sitting council.

Section 5. Implementation procedures

- a. Changeover shall take place on the date of the last Union Council meeting of the academic year.
- b. A position guide shall be maintained for each position on Hooper Council to help facilitate the transition process.
- c. The new Hooper Council shall convene no later than the last week of classes in the spring term.

Section 6. Vacancies

- a. If the Presidency is vacant, Hooper Council shall select one (1) of the three (3) Vice Presidents to become President by a majority vote of the voting members of the entire Hooper Council excluding any vacant positions.

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- b. If the President and all three (3) Vice President positions are vacant, a new President shall be appointed by a two-thirds vote of the voting members of the entire Hooper Council excluding any vacant positions.
- c. All other administrative vacancies shall be filled by a Presidential appointment subject to approval by a majority vote of the voting members of the entire Hooper Council excluding any vacant positions.
- d. A vacancy of the representative of an affiliated club shall be filled in accordance with the constitution and/or bylaws of that club.

Section 7. Recall

- a. The representative of an affiliated club may be removed only in accordance with the provisions set forth in the constitution of that club or for revoked memberships.
- b. Any other voting member of Hooper Council may be removed by a three-fourths vote of the voting members of the entire Hooper Council, exclusive of the member whose removal is being voted on and any vacancies.
- c. Non-voting members of Hooper Council may be removed by a two-thirds vote of the voting members present.
- d. No recall vote of a member of Hooper Council is valid unless the member has been notified and a recall notice has been posted via all commonly used channels of announcing Hooper meetings for at least the six days prior to the meeting at which the recall vote is being taken. The recall notice shall specify the Hooper Council member sought to be recalled, and the time, date, and place of the hearing and recall.
- e. Any member of a committee appointed by Hooper Council may be removed by a majority vote of Hooper Council.

Article IV – Tasks and Powers of Hooper Council

- Section 1. Hooper Council shall have the authority to make any decision regarding Hoofers that is not expressly denied by the Hooper Constitution, these bylaws, the policies of Hoofers, or any superseding organization.
- Section 2. The Hooper Council Executives shall, in the absence of Hooper Council, have the authority to take actions, by majority vote, they deem necessary to protect Hoofers, any of the affiliated clubs, or any individual members. Any such action can be subject to review by Hooper Council.
- Section 3. Hooper Council shall maintain a record of its rules in the Hooper Standing Rules maintained by the Hooper Council Secretary on the official website of Hooper Council and filed in the Outdoor Programs Office.

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Article V – Affiliated Clubs

- Section 1. An affiliated club shall come into existence upon presentation of a constitution and/or bylaws to Hooper Council, a public hearing on the proposal by Hooper Council, and acceptance by a two-thirds vote of Hooper Council and approval by Union Council.
- Section 2. The affiliated clubs shall consist of Mountaineering, Outing, Riding, Sailing, SCUBA, Ski & Snowboard clubs and any other club officially accepted by Hooper Council and Union Council.

Article VI – Finance Committee and Financial Procedures

- Section 1. There shall be a subcommittee of Hooper Council to be referred to as the Finance Committee. This subcommittee shall be responsible for helping with financial oversight of Hoofers and its affiliated clubs.
- Section 2. The membership of the Finance Committee shall consist of the financial officer of each of the affiliated clubs, and those appointed by the Chair or Hooper Council President, and shall be chaired by the Hooper Council Vice President of Finance.
- Section 3. Each February, the Hooper Council Finance Committee shall review the Hooper Council budget and the budgets of the affiliated clubs before submitting them to Hooper Council as directed by Hooper Council.
- Section 4. No club may make a commitment whose potential liability exceeds the retained earnings, and income, of that club at that time without the approval of a majority of the voting members of the entire Hooper Council.

Article VII – Hooper Leadership Position Requirements

- Section 1: When considering eligibility for leadership positions, Hoofers shall define a student as any person pursuing a degree whom also meets one of the following criteria during the Fall and Spring Scholastic Semesters (except in his/her final semester before degree completion):
- Enrolled in six or more undergraduate credits, or
 - Enrolled in three or more graduate credits, or
 - Enrolled in two or more credits and dissertating
- Section 2: All presidents and vice-presidents (or their equivalents) shall be students during their term, as defined in Bylaw Article VII, Section 1.
- Section 3: At least two-thirds of each clubs' governing board voting positions shall be held by students, as defined in Bylaw Article VII, Section 1.

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Section 4: In the event that an adequate number of students cannot be recruited for governing board positions, the duties of certain positions may be delegated to a non-student volunteer until a qualified student is recruited to fill the open voting position, per each club's constitution or bylaws. The non-student volunteer will not have a vote, and will be encouraged to act as a mentor/trainer once a student is recruited.

Article VIII – Hooper Open Meeting Requirements

Hoofers is encouraged to loosely follow Wisconsin open meetings law; however, in accordance with the Wisconsin Attorney General Office, Hoofers is not required to follow Wisconsin open meetings law.

Article IX – Paid Hooper Leaders

In recognition of the fact that many Hooper leaders also hold paid positions within their club, it is expressly allowed that paid Hooper Leaders may serve on club governing boards and committees and enjoy full voting privileges, except if their specific paid position comes up for vote, in which case they must abstain. It is to be made known at the beginning of each new governing board term which Hooper leaders hold paid positions in that club and as their position(s) change. Upon request of voting members, paid positions will be declared.

Article X - Electronic Votes

At the discretion of the chair, Hooper voting bodies can vote electronically for all matters, excluding all Hooper position matters, and votes requiring 2/3rds, as long as:

1. Equal effort is made to contact all voting members.
2. The vote ends either after a time designated by the chair in the call to vote, with a minimum of 24 hours, or once the vote has reached a clear majority of voting members (whichever comes first).
3. Quorum is the same as at a regular meeting.
4. Official minutes are kept, either as an addendum to subsequent meeting minutes or as separate minutes.

Article XI – Making an Official Appeal to Hooper Council

This is the policy for making an official appeal to Hooper Council related to a decision made by any Hooper Club governing board.

An official request for appeal to Hooper Council will be designated so when the following occurs:

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1. An appeal request is written and delivered preferably by email to president@hoofers.org or a hardcopy, addressed to the Hooper Council President.
2. The request must clearly describe the specific appeal requested, as well as the grounds by which Hooper Council should hear said appeal.
3. Arguments for a final resolution need not be made; instead, only address why Hooper Council should hear the matter.

After the Hooper Council President receives an official request as defined above, the following will take place:

- The Hooper Council President will notify appropriate respondent(s) and provide a copy of the request for appeal.
- The Hooper Council President will set a response deadline for the respondent.
- By the deadline the respondent(s) will submit electronically to the Hooper Council President their response to the request for appeal.
- Once an official request and response is submitted a decision will be rendered by the Hooper Council Executives that may include:
 - 1) Hearing the appeal
 - 2) Decline hearing the appeal
 - 3) Send the matter to the relevant governing board
 - 4) Other actions deemed prudent.

Article XII – Appeals at Hooper Council

Section 1. The Hooper Council President will serve as chair and facilitator as they see fit within the bounds of the following requirements:

1. Both sides are given equal time to present.
2. Parties are allowed to defer their speaking privilege equally (both can, or both cannot) within their allotted time.
3. Parties cannot ask the other party questions. Presenters can petition the President to ask questions of the other side. The President has sole discretion to grant or deny questions in part or in full.
- 4.
5. After presentation only voting members will be allowed to ask questions for a predetermined amount of time, if time allows non-voting members of Hooper Council can ask questions. The time is set by President.
6. After questions, discussion is limited only to voting members of Hooper Council, and as requested for the Hooper Council Advisor, who serves ex-officio.
7. Hooper Council votes.

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Section 2. Appeals in Hooper Council automatically reserve the right of either the Hooper Council President or any voting member's request (confirmation by simple majority of Hooper Council) to enter into a closed session for any or all of an appeal.

Section 3. Regardless of closed or open session decisions are to be given to presenters orally (if present) and in writing, as well as made public as requested by any Hooper member.

Article XIII – Suspension/Expulsion at the Hooper Council Level

Section 1: Normal Suspension or Expulsion

A. A formal complaint must be given to the Hooper Council President. Any Hooper member(s) or governing board(s) (including Hooper Council) can submit a complaint but the source cannot be anonymous. The complaint should include a list of tenets and/or policies broken, a description of every event where those tenets or policies were broken, and a suggested suspension length or expulsion. Testimony is not necessary but is beneficial to the merit of the complaint.

B. The Hooper Council President will review the complaint. From there, he/she will do one of three things:

- Bring the complaint to Hooper Council
- Refer it back to the appropriate governing board
- Deny the complaint for lack of evidence a tenet or policy had been broken

C. If Hooper Council hears the case, the defendant and the author(s) of the complaint will both come in to make their case. The Hooper Council President will act as the mediator. Each side will be given equal time. After each side has made their case, the floor will be open for discussion. After discussion, council will vote.

D. A 2/3rds vote of those present with quorum is required for suspension or expulsion. If no punishment is handed out, the complaint will be filed for reference.

E. If a decision is made to suspend the member, the Hooper Council President will determine effective time period of that suspension.

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