



## Memorandum

To: Curtis N. Powell, M.S., SPHR, SHRM-SCP, Vice President for Human Resources

From: Justin R. Etzine, 152<sup>nd</sup> Grand Marshal  
Matthew C. Rand, 128<sup>th</sup> President of the Union

Date: September 12, 2017

Re: Position of Director of the Rensselaer Student Union

This is in response to your memorandum sent earlier today regarding the Division of Human Resources' position on the Director of the Student Union and regarding the crucial role that the Rensselaer Union Executive Board plays in the hiring process for this position.

The role of students in a final decision on the employment of the Director is outlined specifically in the *Rensselaer Union Constitution*. *The Bylaws of Rensselaer Polytechnic Institute* are a grant of authority to the Trustees; the *Union Constitution* is a subsequent enactment that delegates that authority. A general and prior enactment, like *the Bylaws*, cannot override a later, more specific one, like the *Union Constitution*. The Board of Trustees may use its authority to rescind or revise the *Union Constitution* but, until that time, the final authority rests with those to whom it is delegated.

Article I of *the Bylaws of Rensselaer Polytechnic Institute* states the functions to be carried out by the Board, including to "approve annually the terms and conditions of employment and salary policies for all staff, faculty, administrators and other employees of the Institute." In its approval of the *Union Constitution*, the Board of Trustees has delegated the authority to "approve the hiring and continuance of all administrative personnel of the Union" to the Rensselaer Union Executive Board.

We recognize that a hiring process would not be possible without the Division of Human Resources, which possesses both the policies to facilitate the hiring process and the resources to screen candidates, invite them to campus for interviews, and ensure compliance with state and federal hiring regulations. Human Resources has many policies defining the steps to be taken before an appointment can be made. In this unique case, approval by the Executive Board is an additional, necessary step which must occur before a candidate can be appointed as Director. This approval must occur in full accordance with both *the Bylaws of Rensselaer Polytechnic Institute* and the *Union Constitution*.

We appreciate the time that you took to meet with us today, where we collectively reaffirmed the importance and necessity of the Executive Board's approval of the hiring. We appreciate your commitment to an approval vote taking place. Additionally, we are excited to be participating, along with other student leaders, in on-campus interviews for the Director position in the coming weeks.