

The Constitution of the Student Body of the Ann Arbor
Campus of the University of Michigan



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Preamble

AN EDUCATED CITIZENRY being indispensable to the preservation of our civic rights and liberties; creating, securing, and applying knowledge and wisdom among the people being the chief mission of our university; and active participation in our own education being imperative to the success of these undertakings;

we, the students of the University of Michigan, hereby establish this Constitution

to promote academic freedom and responsibility, foster fellowship and collaboration among the Students, and guarantee a public forum for Student expression.

Article I

Student Governance

SECTION 1. AUTHORITY. All authority under this Constitution is derived from the students of the University of Michigan.

SECTION 2. GOVERNMENTS. All student governance powers granted herein shall vest in a Central Student Government. The Central Student Government shall be democratically constituted, and shall consist of central legislative, executive, and judicial powers. All student governance powers not granted herein shall devolve to the additional governments for each school or college, University-owned and operated housing (and for each individual house and building therein), fraternities, sororities, and cooperatives; and for such jurisdictions as the smallest government containing the jurisdiction shall certify. The creation, structure, functions, and operations of each government shall be determined by the government's student constituency.

Each student government or organization, each housing unit, and each federation of student governments, organizations, or housing units shall have a constitution approved by the students within the jurisdiction of the government, organization, housing unit, or federation providing for the democratic selection of its leadership and representative and democratic policy making within the government, organization, housing unit, or federation. Each such democratically constituted government shall be the governmental representative, legislative, and coordinating organization of the students of that jurisdiction, shall, upon a majority vote of its student constituents levy dues, and provide for their collection equally from each of the student constituents of the government; shall appropriate its own dues money and such other income as it shall receive; shall make appointments of student representatives to all student seats on committees whose purview is coextensive with the jurisdiction containing that committee; and shall conduct its elections so as to insure that its constituents are given ample opportunity to cast their ballots, that the election is free from fraud and that open campaigning can take place.

All general sessions of student government bodies recognized under this Constitution shall be open to students at large. Any body may enter closed session by a majority vote, but shall not take any votes of substance while in closed session.

SECTION 3. SUPREMACY. This Constitution and the Compiled Code which shall be made in pursuance thereof under the Central Student Government or other student governments on this campus shall hold supremacy over any provision of another student code, and judges and justices of student courts shall be bound thereby.

SECTION 4. ELECTIONS. The Central Student Government shall have the power to hold elections for its offices and for referenda, coordinate with other governments elections for the offices of those governments, and regulate campaign practices on campus. Elections for all Central Student Government offices shall be held each twice each year, once in November and once in March. Each term of office shall begin ten days after the election in which the seat was filled has been certified. Elections shall be administered and certified by an University Elections Committee, which will serve at the direction of the Student General Council. The Student General Council shall have the authority to hire an elections administrator.

For bodies represented by a proportional count of students, including the Student Assembly, the Student General Council shall present to the Assembly and the students the apportionment for each such body no less than one month before each scheduled election.

No representative may run for election or hold office representing a constituency of which that person is not a member. Students enrolled or actively working toward their degree shall be held to be members of the constituency in which they are so engaged.

Article II

The Central Legislature

SECTION 1. THE LEGISLATURE. The central student legislature shall consist of a Student Assembly and a University Council.

SECTION 2. THE ASSEMBLY. The Assembly shall be composed of representatives elected from among the students every year according to their degree-granting unit, as defined by the University's Board of Regents. Assembly Representatives shall be elected in the March election for a one year term. The method of voting for Assembly representatives shall be the Borda count. Each voter may vote for no more than n candidates in his/her constituency, where n is the number of seats open in the constituency. The voter shall rank the candidates from 1 to n on the basis of preference. A k th place vote shall count for $(n - k + 1)$ points, such that a first place vote shall count for n points, a second place vote shall count for $(n - 1)$ points, et cetera, such that an n th place vote shall count for one point. The n candidates with the most total points shall be declared the winners. In the event of a tie, the newly elected Assembly shall choose amongst the tied candidates.

Any student organization with at least 400 active members currently enrolled at the university may apply for a non-voting ex-officio seat on the Assembly. The Assembly shall create, publish, and maintain requirements for review of such applications.

The Assembly shall meet at least weekly during the academic year.

73 The Assembly have the power to elect its own Speaker, Vice Speaker, and other officers as it
74 shall deem necessary from among its membership. The Speaker shall chair general sessions of the
75 Assembly and serve on the Central Student Government Executive Committee. Assembly officers
76 shall be responsible for accepting items for the Assembly's agenda and docket, and officers may be
77 recalled by a two-thirds majority vote of the Assembly.

78 The Assembly shall have the power to levy dues and provide for their collection equitably
79 among the students. The Assembly shall not raise the level of the fee above a maximum limit ap-
80 proved by a vote of the student body and the Regents. It shall appropriate all funds collected within
81 the fee limit to student organizations and student body programs and events as it shall deem expe-
82 dient. All funds collected in excess of the fee limit shall be placed in a University account created
83 for the sole purpose of holding such funds, and shall only be appropriated upon a referendum
84 empowering the Central Student Government to appropriate such funds.

85 The Assembly shall produce, publish, and maintain Operating Procedures, which shall describe
86 the standing rules, procedures, and internal structures of the Assembly. The Operating Procedures
87 shall provide for the manner of officer election, procedures for the formation and operation of
88 committees, and any other rules of Assembly proceedings necessary for the execution of Assembly
89 duties under this Constitution and the Compiled Code.

90 The Assembly shall produce, publish, and maintain an Assembly Register as an account of
91 all Assembly proceedings. The Register shall minimally include minutes, attendance, reports,
92 recorded votes, and resolutions.

93 The Assembly shall produce, publish, and maintain a Compiled Code of legislation, which shall
94 be a compilation of all regulations, excluding provisions of the Operating Procedures, currently and
95 permanently affecting student government or the student body.

96 The Assembly shall have the power to pass resolutions and amend the Operating Procedures
97 and the Compiled Code. All resolutions to amend the Compiled Code shall pass the Assembly by
98 a simple majority vote.

99 With the agreement of a simple majority of the University Council, the Assembly may place pro-
100 posed amendments to this constitution before the students for ratification according to the process
101 described in Article V of this Constitution.

102 The Assembly require a student's presence at hearing by clear and timely subpoena.

103 SECTION 3. THE UNIVERSITY COUNCIL. The University Council shall be composed of represen-
104 tatives chosen by the several degree-granting unit governments every year. One representative
105 shall be elected by the membership of each such government from among their officers or by such
106 other method as that government shall determine. Each representative shall have one vote in the
107 Council. The Council shall meet at least twice each month during the academic year.

108 The Central Student Government Vice President shall serve as president of the Council, but
109 shall have no vote, unless the Council shall be equally divided. The Council shall choose other
110 officers as it shall deem necessary from among its members. Council officers shall be responsible
111 for accepting items for the Council's agenda and docket, and, excepting the Vice President, officers
112 may be recalled by a two-thirds majority vote of the Council.

With the agreement of a simple majority of the Assembly, the Council may place proposed amendments to this constitution before the students for ratification according to the process described in Article V.

Any student organization with at least 400 active members currently enrolled at the university may apply for an Ex-Officio seat on the Council. The Council shall create, publish, and maintain requirements for review of such applications.

The Council shall form such committees as it deems necessary to execute its duties.

The Council shall oversee the University Elections Commission for administering and certifying elections to the Central Student Government. The powers, functions, and composition of the University Elections Commission shall be defined in the Compiled Code.

Each school, college, or organization government recognized by membership in the Council shall, from time to time, be able to recommend to the Council such measures as it deems necessary and expedient. After deliberation on such a measure, the Council may, by a simple majority, add the measure at issue to the agenda of the next Assembly meeting. No more than one such measure shall have originated from any single Council member per Council meeting.

SECTION 4. PROCEEDINGS AND MEMBERSHIP. The Assembly and University Council shall each determine rules of its own proceedings, including attendance, committee, and constituent service policies. A simple majority of the members duly elected or appointed to serve in the Assembly shall constitute a quorum to do business.

The Assembly and University Council shall each keep a journal of its proceedings which shall be made available in a timely fashion to the students at large.

No elected officer of the Central Student Government shall, within his or her elected term, hold any other office in the Central Student Government.

Any elected or appointed officer of the Central Student Government may be removed from office for delinquency, corruption, or other derelictions. Articles of impeachment must pass the Assembly by a simple majority, after which they shall be presented to the University Council for a hearing. A quorum of no less than half the number of degree-granting units of University Council members must be present to hear impeachment proceedings. When the Council is convened to hear impeachment charges, the Chief Justice of the Central Student Judiciary shall preside. At the conclusion of the hearing, a two-thirds majority of the Council shall be required for conviction. A convicted officer shall be immediately removed from office.

If at any time a seat on the Assembly or University Council shall become vacant, the legislature of the inferior constituency controlling the seat shall appoint a new representative in such manner as it shall deem appropriate. The appointed representative shall serve until the next scheduled election, at which time the voters of that constituency shall fill the vacancy by election.

SECTION 5. LEGISLATIVE PROCESS AND VETO. If the Assembly passes a resolution concerning an amendment to the Compiled Code or a resolution that would be otherwise binding upon students or student organizations, that resolution must then be submitted to the President. Upon receipt, the

President shall sign it within one week or veto it. Vetoed resolutions shall return to the Assembly for reconsideration. After such reconsideration, the President's veto may be overridden by a two-thirds majority of the Assembly.

Article III

The Central Executive

SECTION 1. THE PRESIDENT. Executive power shall be vested in a President of the Central Student Government, who shall serve as chief executive of and chief advocate for the student body. The President shall serve a one-year term and shall be elected, together with the Vice President, by a vote of the general student body. The Student Body President and Vice President shall be elected together in the March election for a one year term by a vote of the student body at large. The method of voting for the Student Body President and Vice President shall be the method of plurality voting. Each student will be allowed to vote for one slate, and the slate with the most votes shall be declared the winners. In the event of a tie, the newly elected Assembly shall choose amongst the tied candidates.

The President shall have the authority to appoint a Treasurer, Student General Counsel, Chief of Staff, and Chief Programming Officer to the Executive Committee, which shall advise the President on all pertinent matters. The President shall also appoint student representatives to university-wide committees. All Executive appointments shall be made with the advice and consent of the Assembly, to be determined by a simple majority vote. The President may likewise recall these officers with a two-thirds majority vote of the Assembly. The President may call the Executive Committee into session at any time, and shall serve as its chair in session.

The President may appoint Executive Commissions to study issues on campus, publish reports concerning issues under such purview, and recommend to the Executive Branch such measures as they shall deem appropriate. Commissions shall serve a term of one year, but may be granted successive terms by an annual vote of the Assembly. If a Commission has been in active operation for three years, the Assembly may grant that Commission a three-year term. The President shall, with the consent of a simple majority of the Assembly, appoint Commission chairs, which shall not be considered officers of the Central Student Government. Members of the Commission may elect from among their number any other officers they deem expedient. The President may remove a Commission chair with the written concurrence of three other executives. The powers, functions, and composition of these Commissions shall be defined in the Compiled Code.

The President may call into session the Assembly or the University Council at the President's discretion. The President shall serve as a non-voting ex-officio member of the Assembly.

The President and Vice President may, jointly or severally, recommend to the Assembly for its consideration such measures as they shall deem appropriate. The President shall, prior to the end of the each academic year, submit to the Assembly and the students at large, a report of the state of student government and of the student body.

SECTION 2. OTHER EXECUTIVES. The Vice President shall serve as a non-voting ex-officio member of the Assembly and of any Assembly committee he shall elect.

The President shall appoint a Treasurer, who shall be the chief financial officer of the Central Student Government. The Treasurer and all other officers authorized by the Assembly to disburse funds must be bonded. The Treasurer shall disburse funds appropriated by the Assembly as provided for in this Constitution and in the Compiled Code, and shall create, publish, and maintain a manual to guide student organizations in pursuing budget allocations. The Treasurer shall, at the direction of the President assist the Budget Committee in drafting a proposed annual budget for the Central Student Government and present it to the Assembly for a vote. The Treasurer may serve as a non-voting ex-officio member of any legislative body regarding student finance.

All financial records of the Assembly shall be open to public inspection. There shall be an annual audit of the finances of the Assembly, which shall be made promptly available for complete public inspection.

The President shall appoint a Student General Counsel. The Student General Counsel shall be the chief representative of the Central Student Government in matters before student judiciaries. The Student General Counsel may retain up to three student representatives to serve as assistants in such matters. The Student General Counsel shall advise the Executive and the Legislature on the interpretation of the Constitution and the Compiled Code, and may serve as a non-voting ex-officio member of any legislative body concerning rules and elections of student government.

The President shall appoint a Chief of Staff. The Chief of Staff shall oversee attendance and procedural policies at meetings of the Executive Committee and executive commission meetings. The Chief of Staff shall solicit and receive reports of the various organs of government, maintain and publish executive records, and ensure collaboration among the various executive commissions. The Chief of Staff may serve as a non-voting ex-officio member of any legislative body concerning rules and elections.

The President shall appoint a Chief Programming Officer. The Chief Programming Officer shall serve as principal advisor to the President on matters of student programming, assist executive commissions in the long-range planning and execution of their mandate, and supervise the communications of the Central Student Government. The Chief Programming Officer may serve as a non-voting ex-officio member of any legislative body concerning campus communication.

SECTION 3. PRESIDENTIAL SUCCESSION. If the office of Vice President, or of any Executive Office normally appointed by the President, becomes vacant, the President shall name a replacement with the advice and consent of a simple majority of the Assembly. Upon removal or incapacitation of the President, the Vice President shall assume the duties of the presidency. If both the office of President and Vice President shall be simultaneously vacant, the Speaker of the Assembly shall assume the duties of President.

Article IV

The Central Student Judiciary

SECTION 1. THE CENTRAL STUDENT JUDICIARY. Judicial authority shall be vested in one Central Student Judiciary and in such courts as degree-granting units and specific interest organizations shall create. The Central Student Judiciary shall consist of nine Justices selected from among the

students. No more than four Justices shall be enrolled in any one degree-granting unit. The term for Justices shall be one year, and justices may serve consecutive terms. New Justices shall be recommended to the Assembly for confirmation by sitting Central Student Judiciary Justices, and shall be confirmed by a simple majority vote.

The Central Student Judiciary may hear appeals from inferior courts, challenges under this Constitution and the Compiled Code, Central Student Government elections, and any other case they deem appropriate. It shall be served by a paid Reporter, who shall maintain a public record of their opinions which shall be available to all students. The Central Student Judiciary may elect to redact any information necessary to guarantee student privacy in accordance with the Family Education Rights and Privacy Act.

The Central Student Judiciary shall write, publish, and maintain a Manual of Procedure for Appeal and Original Jurisdiction consistent with the provisions of the Constitution. The manual shall include provisions for informing a student of his or her rights, for assuring the impartiality of the panel hearing the case, and for jury trial whenever suspension or expulsion from the University is possible.

The Central Student Judiciary may require a student's presence at hearing by clear and timely subpoena.

The Central Student Judiciary shall enforce no regulation inconsistent with this Constitution in content or origin.

SECTION 2. OFFICERS AND ADVOCATES. Justices shall select from among their number a Chief Justice, who shall serve a one year term. No Justice shall serve more than one term as Chief Justice. The Chief Justice must have served at least one semester as a Justice before elevation to Chief Justice. The Chief Justice shall determine which Justices will hear individual cases. In any legislative term, the Chief Justice shall preside over the Assembly until a Speaker is elected.

The Chief Justice shall oversee the selection of several Student Advocates, who shall serve one year terms. Student Advocates shall meet regularly with leaders of student organizations, and hold public meetings with interested students, to advise them of students' rights and responsibilities before the Central Student Judiciary. Student Advocates shall be available to represent organizations or students before the Central Student Judiciary. Student Advocates shall be justly compensated for their service. Student Advocates may advise the Legislature and Executive in matters of this Constitution, the Compiled Code, or pending legislation. Their opinions shall not bind the Central Student Judiciary or any other office of the Central Student Government.

Article V

Ratification, Transition, and Amendments

SECTION 1. RATIFICATION. This Constitution shall be ratified immediately with the consent of three-fifths of voting students. All officers filling any office by election or appointment at the time of ratification shall continue to exercise their powers and duties until their successors are selected in accordance with this constitution or the measures enacted pursuant thereto. All officers elected

concurrently with ratification shall take office and complete the term to which they were elected under the All-Campus Constitution of 1986 and existing codes and continue to serve until their successors are elected pursuant to this constitution. The sitting student government at the time of ratification shall adopt operating procedures, election regulations, and such changes as may be necessary to adapt student government to this constitution by March 2011. Student government shall not adopt any amendments to the All-Campus Constitution of 1986 and shall not amend this constitution before April 2011.

SECTION 2. AMENDMENTS. The Central Student Legislature may present amendments to this Constitution to the students by a two-thirds majority of the Assembly and a two-thirds majority of the University Council. After such passage, the Elections Committee shall arrange for a special election of the students. If, during such special election, two-thirds of voting students shall vote to affirm the amendment, it will be enacted.

Article VI

Student Organizations

The Assembly shall provide minimum requirements for the establishment and operation of student organizations in the Compiled Code. Any association of students meeting the minimum requirements for student organizations shall be recognized by the Central Student Government as such and registered as a student organization.

No member of a student organization may benefit financially from membership in the organization.

Article VII

Initiatives and Referenda

SECTION 1. INITIATIVES. Any action within the authority of the Assembly may be taken directly by the student body through the initiative. Initiative Petition shall state the exact legislation desired, and shall be signed by at least 1,000 current students.

When the petition has been filed with the Assembly, the Assembly shall either adopt the legislation or submit it to the student body. The Assembly may in addition submit alternate legislation to the student body as a separate question. The question shall be on the adoption of the initiated legislation and a majority of those voting thereon shall be required for adoption.

Initiated legislation adopted by the student body shall be binding on the Assembly, and the Assembly shall not legislate contrary to valid vote of the student body until the next General Election.

SECTION 2. REFERENDUM. Any action taken by the Assembly may be brought before the student body for its decision in a referendum. A referendum petition shall state the exact legislation or part

thereof which is to be voted upon, and shall be signed by at least 1,000 current students.

When the petition has been filed with the Assembly, the Assembly shall either repeal the legislation cited, or submit the matter to the student body at an election. The Assembly may in addition submit an amended form of the contested legislation to the student body as a separate question.

In the referendum, the question shall be on sustaining the action of the Assembly in adopting the legislation, and a majority of the voting thereon shall be required for adoption. This action shall be binding on the Assembly and the Assembly shall not legislate contrary to a valid vote of the student body until after the next general election.

The referendum shall not extend to Constitutional amendments, not to the part of any appropriation that would normally have been expended by the time of the referendum, nor to elections in the Assembly authorized in this Constitution.

SECTION 3. CONSTITUTIONAL CONVENTIONS. Amendments to this Constitution may also be initiated by a vote of two-thirds present and voting of a duly called and elected Constitutional Convention. The manner of calling, electing, filling vacancies, and submitting and dividing questions, and the operating procedures for such convention, shall be specified by the Assembly. Any amendments initiated by such a convention shall be referred to the student body at an election. If three-fifths of those voting on an amendment approve it, the amendment shall be adopted.

Article VIII

Student Rights

SECTION 1. FREEDOM OF SPEECH. No authority, academic or civil, shall infringe upon a student's freedom of speech, freedom to publish, or freedom peaceably to assemble and demonstrate grievances.

SECTION 2. FREEDOM OF ASSOCIATION. Students shall have the right to form, join, and engage in organizations and associations; to use campus facilities for meetings and other activities, subject only to normal expenses when necessary and to such uniform regulations as may be required for scheduling and use purposes; and to, through such organizations and subject to such regulations, solicit money on campus.

SECTION 3. FAIR REGULATION. Students shall be free from all rules and regulations not uniform in nature or not fully and clearly formulated, published, and made known to all students. No student shall be subject to any non-academic rule over which no democratic constituency to which that student belongs may amend.

SECTION 4. DEMOCRATIC REPRESENTATION. Students shall have the right to form and maintain a democratic student government vested with the power to administer and regulate affairs pri-

333 marily concerning students, to levy and collect dues, and to be represented in the formulation of
334 University policy.

335 SECTION 5. FAIR HOUSING REGULATION. Residents in University-owned, affiliated, or associ-
336 ated housing shall have the power to, democratically and subject to periodic review, regulate dress,
337 conduct, and activities within their residence.

338 SECTION 6. TRIAL BY PEERS. Students shall have the right to a fair and impartial hearing for
339 all grievances under this Constitution or any regulation promulgated by the University before a
340 judiciary of their peers.

341 SECTION 7. PRIVACY. Students shall be free from unreasonable searches and seizures in their
342 persons, possessions, and residences, and shall enjoy full access to and privacy of their academic,
343 non-academic, and disciplinary records.

344 SECTION 8. DUE PROCESS. Students shall enjoy the rights of due process before any University
345 judiciary, to include the right to a speedy hearing, the right to confront accusers and witnesses,
346 the right to competent counsel, a presumption of innocence in all disciplinary matters, freedom
347 from cruel and unusual punishment, and the right to an appeal. No student shall be twice put
348 in jeopardy for the same offense, or suspended or expelled except in cases of academic failure,
349 failure to pay a University debt, or failure to abide by the safety and rights of other members of the
350 University community.

351 SECTION 9. PETITION. Students shall enjoy the right to inquire into, and be honestly and fully
352 informed regarding, any university policy, the process by which it was adopted, and the means by
353 which it might be changed; and students shall be able to petition the University for redress of any
354 policy.

355 SECTION 10. EQUAL PROTECTION. Students shall enjoy equal protection of laws and rules with-
356 out regard to race, religion, gender, sexual orientation, age, marital status, disability, creed, or any
357 other unreasonable consideration.