

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

Publius

April 1, 2010

# Contents

<b>I</b>	<b>Student Governance</b>	<b>3</b>
1	Authority	3
2	Governments	3
3	Elections	3
a	Apportionment	4
b	Election of Assembly representatives.	4
c	Election of the Student Body President.	4
<b>II</b>	<b>The Central Legislature</b>	<b>5</b>
1	The Legislature	5
2	The Assembly	5
3	The University Council	6
4	Proceedings and Membership	6
5	Legislative Process and Veto	7
<b>III</b>	<b>The Central Executive</b>	<b>7</b>
1	The President	7
2	Other Executives	8
3	Presidential Succession	8
<b>IV</b>	<b>The Central Student Judiciary</b>	<b>9</b>
1	The Central Student Judiciary	9

2	Officers and Advocates . . . . .	9
<b>V</b>	<b>Amendments . . . . .</b>	<b>10</b>
<b>VI</b>	<b>Student Organizations . . . . .</b>	<b>10</b>
1	Establishment . . . . .	10
2	Legislative Role . . . . .	10
<b>VII</b>	<b>Initiatives and Referenda . . . . .</b>	<b>10</b>
1	Initiatives . . . . .	10
2	Referendum . . . . .	11
3	Constitutional Conventions . . . . .	11
<b>VIII</b>	<b>Student Rights . . . . .</b>	<b>11</b>
1	Freedom of Speech . . . . .	11
2	Freedom of Association . . . . .	11
3	Fair Regulation . . . . .	11
4	Democratic Representation . . . . .	12
5	Fair Housing Regulation . . . . .	12
6	Trial by Peers . . . . .	12
7	Privacy . . . . .	12
8	Due Process . . . . .	12
9	Petition . . . . .	12
10	Equal Protection . . . . .	12

1 **Preamble**

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

6 we, the students of the University of Michigan, hereby ordain and establish this Constitution

7 recognizing that our mutual responsibilities are best honored and our mutual interests best  
8 advanced by mutual endeavor.

9 **Article I**

10 **Student Governance**

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

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

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

34 All general sessions of student government bodies recognized under this Constitution shall be  
35 open to students at large.

SECTION 3. 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 two weeks after the election in which the seat was filled. 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.

a. **Apportionment** 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.

b. **Election of Assembly representatives.** Assembly Representatives shall be elected in the March election for a one year term.

#### Vacancies.

If a representative's seat is vacated, then the respective school or college government may appoint a student currently enrolled in the respective school or college to hold that seat until the next Central Student Government election. If there is not a school or college government for the respective seat, then the Dean of the respective school or college may appoint a student currently enrolled in the respective school or college to hold that seat until the next Central Student Government election.

#### Method of voting.

A student may only vote for candidates currently enrolled in his/her degree-granting unit. A student enrolled in more than one degree-granting unit may only vote for candidates in one of those constituencies. **The method of voting for Assembly representatives shall be the method of cumulative voting. In an election where  $n$  seats are available, each voter shall receive  $n(n + 1)/2$  votes, which he/she may distribute amongst the candidates in whatever manner he/she sees fit. The  $n$  candidates with the largest total vote counts shall be declared the winners.** In the event of a tie, the newly elected Assembly shall choose amongst the tied candidates.

TBD

c. **Election of the Student Body President.** 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 approval voting. Each student will be allowed to cast up to one vote for each 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.

TBD

## 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. Each degree granting-unit shall have one representative for every 800 students enrolled in that unit, determined by the average of the most recent Winter Term and Fall Term enrollment of each unit. Such apportionment shall be tabulated once each year. Each unit shall have at least one representative. If, after the total enrollment of the unit is divided by 800, the remainder is greater than 400, the unit shall be granted an additional representative. Each representative shall have one vote in the Assembly. The Assembly shall meet at least once each week during the academic year.

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

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

The Assembly shall have the power to levy dues and provide for their collection equitably among the students. The Assembly shall not raise the level of the fee above a maximum limit approved by a vote of the student body and the Regents. It shall appropriate all funds collected within the fee limit to student organizations and student body programs and events as it shall deem expedient. All such appropriations shall be subject to the approval of the Senate without their amendment. All funds collected in excess of the fee limit shall be placed in a University account created for the sole purpose of holding such funds, and shall only be appropriated upon a referendum empowering the Central Student Government to appropriate such funds.

The Assembly shall maintain the Compiled Code in order to exercise the powers and carry out the functions described herein.

The Assembly shall maintain standing committees on Campus Governance, External Relations, Rules and Elections, Budget Priorities, Community Service, and Communications. At its discretion, the Assembly may form select committees by a majority vote. Select committees shall serve for one year, but may be reconvened for subsequent terms by a majority vote of the Assembly. Committees shall be chaired by an elected representative of the Assembly.

The Assembly shall have the power to pass resolutions and pass any amendments to the Compiled Code or other document binding upon students or student organization. With the agreement of a simple majority of the Senate, the Assembly may place proposed amendments to this constitution before the students for ratification according to the process described in Article V of this Constitution.

109 The Assembly shall form several committees to execute its duties. It shall maintain standing  
110 committees on the budget, rules, resolutions and communication. It may create additional standing  
111 committees by with a simple majority vote of the Assembly and the approval of a simple majority of  
112 the Executive Committee. The Assembly may also create special committees to serve for a specified  
113 term by a simple majority of the Assembly. Any Assembly committee may be dissolved by a two-  
114 thirds majority vote of the Assembly.

115 SECTION 3. THE UNIVERSITY COUNCIL The University Council shall be composed of represen-  
116 tatives chosen by the several college, school and organization governments every year. One repre-  
117 sentative shall be elected by the membership of each such government from among their officers  
118 or by such other method as that government shall determine. Each representative shall have one  
119 vote in the Council. The Council shall meet at least twice each month during the academic year.

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

125 With the agreement of a simple majority of the Assembly, the Council may place proposed  
126 amendments to this constitution before the students for ratification according to the process de-  
127 scribed in Article V.

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

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

132 The Council shall oversee the University Elections Commission for administering and certify-  
133 ing elections to the Central Student Government. The University Elections Commission shall be  
134 chaired by the Student General Council.

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

140 SECTION 4. PROCEEDINGS AND MEMBERSHIP The Assembly and University Council shall each  
141 determine rules of its own proceedings.

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

144 No elected officer of the Central Student Government shall, within his or her elected term, be  
145 appointed to 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. 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. The President may, upon receipt of such resolution, veto it within one week and return it 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 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 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. These 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, report to the legislature and the President, and recommend to the same 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. Upon any Commission's third consecutive renewal, the Assembly may grant that Commission a three-year term.

The President may call into session the Assembly or the University Council at the President's discretion. The President shall serve as an 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 an Ex-Officio member of the Assembly, the Campus Governance Committee, and the External Relations Committee.

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 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 shall serve as an Ex-Officio member of the Budget Priorities and Community Service Committees.

All financial records of the Assembly shall be open to public inspection. There shall be an annual audit of the finances of the Assembly by a firm of certified public accountants, 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 shall serve as an Ex-Officio member of the Rules and Elections Committee.

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 shall serve as an Ex-Officio member of the Communications Committee.

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 shall serve as and Ex-Officio member of the Communications Committee.

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 eleven Justices selected from among the students. No more than five 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 Senate for confirmation by sitting Central Student Judiciary Justices, and shall be confirmed by a simple majority vote.

The Central Student Judiciary shall hear appeals from inferior courts, challenges to this Constitution, Central Student Government elections, matters of diverse jurisdiction, and any other case they deem appropriate. It may advise the Legislature and Executive in matters of this Constitution, the Compiled Code, or pending legislation. It shall be served by a paid Reporter, who shall record and publish their decisions.

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 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.

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.

The Central Student Judiciary shall maintain an public record of their opinions which shall be available to all students.

## Article V

### 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

SECTION 1. ESTABLISHMENT The Assembly shall provide minimum requirements for the establishment and operations of student organizations in the Compiled Code. Any association of students meeting the minimum requirements for student organizations shall be recognized as such and added to a register of student organizations

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

SECTION 2. LEGISLATIVE ROLE Any recognized student organization with a minimum of 400 members may apply to the Assembly for a non-voting seat on the Assembly. If such a seat is awarded, it must be filled by democratic election pursuant to the same election requirements imposed upon regular assembly seats.

## 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.

317 SECTION 4. DEMOCRATIC REPRESENTATION Students shall have the right to form and maintain  
318 a democratic student government vested with the power to administer and regulate affairs pri-  
319 marily concerning students, to levy and collect dues, and to be represented in the formulation of  
320 University policy.

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

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

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

330 SECTION 8. DUE PROCESS Students shall enjoy the rights of due process before any University  
331 judiciary, to include the right to a speedy hearing, the right to confront accusers and witnesses,  
332 the right to competent counsel, a presumption of innocence in all disciplinary matters, freedom  
333 from cruel and unusual punishment, and the right to an appeal. No student shall be suspended or  
334 expelled except in cases of academic failure, failure to pay a University debt, or failure to abide by  
335 the safety and rights of other members of the University community.

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

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