

Section 1: Initial Acceptance of the Constitution

September 26, 1969

Mr. Patrick C. Shea, President

Associated Students of Stanford University

Stanford, Ca. 94305

Dear Mr. Shea:

In a resolution passed at their regular meeting on May 13, 1969, the Board of Trustees delegated to me their authority to approve the new ASSU Constitution, "with the understanding that the President will introduce a suitable preamble or include other statements of interpretations or reservations as may be appropriate." This letter is to inform you of my approval of the Constitution, together with such items of interpretation and reservation as I believe are relevant and necessary to provide first for an orderly transition from student government under the old system to the new, and second for orderly development of the new system in the spirit set forth in its Constitution. It is appropriate that a general statement of approval be made, and the following is that statement: By approval of this Constitution, Stanford University authorizes the Associated Students of Stanford University to assume and discharge major obligations in the governance of student affairs and activities within the educational purposes of the University, and within the structure of policies and regulations established through the President of the University and the Board of Trustees. In addition to the general statement, my approval of the Constitution is made with the following comments:

In Article II, Section 2, B-2, I interpret the words "General Studies" to mean "without a declared major." This is consistent with the intent of the Constitution and it allows for whatever changes in nomenclature may result from adoption of recommendations of the Study of Education at Stanford and other proposals.

Although there is no express provision for reapportionment of the Senate, I interpret the care evident in the apportioning of representation to imply that reasonable diligence will be exercised in maintaining fairness of apportionment among the various constituencies.

It seems clear that the Committee on Nominations as described in Article II, Section 9 cannot be brought into being this fall because of the Constitution's provisions for its staffing. The important work of that committee must not be allowed to go undone. I think that the ASSU President and Senate should devise an appropriate interim nomination process subject to the reservation that it reflect the spirit of the arrangements provided for in Article II, Section 9.

Article II, Section 9, E is interpreted as applying only to Committees of the ASSU.

Since the present Legislative and Judicial Charter, as amended, was approved by more than two-thirds of those students voting in a referendum, I interpret nothing in the new Constitution as disestablishing any existing judicial process.

Although various matters of right and procedure are embodied in Article IV of the new Constitution, these do not preclude the SJC and SCLC from establishing others which are consistent with their Charter and Constitution.

The authority to collect fees accrues to the Controller from the President; and thus the President bears ultimate residual and responsibility for the equitable assessment of fees, and for their use being consistent with the educational purposes of the University. I therefore think it important to establish early agreement, after implementation of Article II, on funding for the essential operating expenses of the Association and the total fees, and their assessment and collection. Also, I think it is important to assure that any referendum for the purpose of establishing fees have approval by a large enough percentage of the student community to be a convincing expression of the will of the entire body being taxed. It is also necessary to clarify the important matter of the University's fiscal obligations to ASSU under the terms of

the new Constitution and independent fee structure. I am, therefore, designating the Provost, Dean of Students, and Controller, or their designees, to act in my behalf with the ASSU President, Financial Manager, and two members of the Student Senate as a committee to consider and develop a general consensus concerning these points, after which the committee will be discharged.

For the year 1969-70, \$123,000 of University general funds are allocated to the Association for the conduct of its business. Until such time as the Senate has approved the ASSU budget in detail, the Dean of Students, Student Financial Manager, and ASSU President are authorized collectively to approve allocations from this sum. In doing this, they should take into account the special needs of those organizations whose program expenditures occur primarily during Autumn Quarter, and those prior items of budget that were tentatively approved by the old Legislature of the ASSU.

When the ASSU budget has been passed by the Senate, and subsequently approved by the University President, and when the committee named in (7.) has reached agreement on funding, fee arrangements, and questions of fiscal responsibility, the stewardship of the Dean of Students as Financial Director of the Association will cease.

It is my opinion that the new Constitution fails to provide sufficient time before the end of the regular academic year for the training of a successor Financial Manager by the incumbent. The responsibilities of this position are such that a greater "overlap" is desirable. I wish to express a general reservation about existing arrangements, and state that it is my hope that this defect will receive prompt attention from the ASSU President and Senate.

Secretarial and other staff members of the Association Office shall be employees of the University, and the Association shall be charged for their services at a rate which shall equal the cost to the University of their salaries plus staff benefits. As provided in the Constitution, they shall function under the supervision of the Association President.

I trust that the ASSU President and Senate will give early attention to the question of liability for libel, and will establish such mechanisms as are necessary for the protection of the Association and the University from charges arising from statements in publications printed by ASSU or published under its auspices.

As the representative legislative body of the Association, I think it is appropriate for the Senate to interpret itself as replacing the old LASSU where LASSU involvement has been defined in other areas of University governance.

Finally, I am happy to express my best wishes to the Association for its vitality and prosperity under its new Constitution.

Very Sincerely Yours,

K.S. Pitzer

President