

Constitution of the
University of Michigan Ann Arbor Campus Student Body



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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's Ann Arbor campus, hereby establish this Constitution

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

Article I

Student Governance

SECTION 1. AUTHORITY. All authority under this Constitution is derived directly from the students

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 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 these governments 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 governing documents 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 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 Central Student Government offices shall be twice each year, once in November and once in March. Each term of office shall begin three days after the election, in which the seat was filled, has been certified. Elections shall be administered and certified by a University Elections Commission, which will serve at the direction of the Student General Counsel. The Student General Counsel 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 Counsel shall present to the Assembly and the students the apportionment for each such body no less than one month before each scheduled election.

No student may run for election 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 of the school that confers that degree. A representative who transfers into a different school or college following their election shall serve until the next regularly scheduled election, at which time their seat shall be filled.

SECTION 5. OFFICIALS. An official shall be defined as a person holding an elected or appointed position created by this constitution.

No official of the Central Student Government shall concurrently hold more than one position in the central student government

Any official 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 Central Student Judiciary for a hearing. A quorum of no less than half the justices must be present to hear impeachment proceedings. When the Central Student Judiciary is convened to hear impeachment charges, the Chief Justice of the Central Student Judiciary shall preside. If a sitting Justice has been impeached, they shall not sit for or preside over the hearing. At the conclusion of the hearing, a two-thirds majority of sitting justices shall be required for conviction. A convicted official shall be immediately removed from office, and may be disqualified from holding an official position in Central Student Government.

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 45 voting representatives elected from among the students every year according to their degree-granting units, as defined by the Board of Regents. These seats shall be apportioned between the degree-granting units using the Huntington-Hill method, with enrollments determined by the average of the most recent Winter Term and Fall Term enrollments for each unit, and each unit receiving at least one representative. Such apportionment shall be tabulated once each year. Each representative shall have one vote in the Assembly.

There shall be five additional ex-officio representatives of the Assembly. These representatives shall be: one first-year undergraduate students, one first-year graduate student, one non-traditional student, one international student, and one transfer student. These representatives shall be selected by a method determined by the Assembly.

Assembly Representatives shall be elected in the March election for a one year term. The method of voting for Assembly representatives shall be a Borda count. Accordingly, each voter may vote for no more than n candidates in their 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.

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

The Assembly shall have the power to choose 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. 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 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 produce, publish, and maintain Operating Procedures, which shall describe the standing rules, procedures, and internal structures of the Assembly. The Operating Procedures shall provide for the manner of officer selection, procedures for the formation and operation of committees, and any other rules of Assembly proceedings necessary for the execution of Assembly duties under this Constitution and the Compiled Code.

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

The Assembly shall produce, publish, and maintain a Compiled Code of legislation, which shall contain all Central Student Government regulations currently and permanently affecting student government or the student body, excluding provisions of the Operating Procedures.

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

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

SECTION 3. THE UNIVERSITY COUNCIL. The University Council shall be composed of the Central Student Government Vice President, one Councilor from each school/college student government, and one Councilor from the Residence Hall Association. A Councilor shall be the leader of their government or a person whom the leader designates. The Council shall meet at least twice monthly during the academic year.

The University Council shall serve to facilitate open communication and collaboration between the various organs of student government at all levels across the university.

The Central Student Government Vice President shall serve as chair of the Council. The Council shall select other officers as it shall deem necessary from among its membership. Officers of the Council, except for the Vice President, may be recalled by a two-thirds majority vote of the Council.

The Council shall produce, publish, and maintain Operating Procedures, which shall describe the standing rules, procedures, and internal structures of the Council. The Operating Procedures shall provide for the manner of

officer selection, procedures for the formation and operation of committees, and any other rules of Council proceedings necessary for the execution of Council duties under this Constitution and the Compiled Code.

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

The Council shall produce, publish, and maintain a Council Register as an account of all Council proceedings. The Register shall minimally include minutes, attendance, reports, recorded votes, and resolutions.

Members of the Council shall 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.

Any student organization at the university may apply for a non-voting ex-officio seat on the Council. The Council shall create, publish, and maintain requirements for review of such applications.

SECTION 4. PROCEEDINGS AND MEMBERSHIP. The Assembly and University Council shall each determine rules of their own proceedings, including attendance, committee, and constituent service policies. The Speaker of the Assembly shall have the power to recommend for removal from the Assembly any member who accrues excessive absences as defined by the Assembly's Operating Procedures. This removal requires approval of a majority of the Assembly.

A simple majority of the members duly elected or appointed to serve in the Assembly shall constitute a quorum to do business.

If at any time a seat on the Assembly or University Council shall become vacant, the government of the constituency represented by the seat shall appoint a new representative in such manner as it shall deem appropriate. At the time a seat becomes vacant, the Assembly shall officially notify the student governing body representing its constituency. That body shall have one week to respond to this notification. They shall have three weeks to fill the seat from the time of initial notification. If they do not respond, or do not fill the seat, within the allotted time periods, the President shall have the power to appoint a representative to fill it, with the advice and consent of the Assembly. An appointed representative shall serve until the next scheduled election, at which time the voters of that constituency shall fill the seat by election.

SECTION 5. LEGISLATIVE PROCESS AND VETO. If the Assembly passes a resolution that resolution must then be submitted to the President, unless it solely concerns the Operating Procedures of the Assembly. Upon receipt of a resolution, 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 by the student body at large in the March election, together with a Vice President. 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 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 officials with a two-thirds majority vote of the Assembly.

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 at the President's discretion or until the end of the academic term during which the President's term of office is completed. The President shall, with the consent of a simple majority of the Assembly, appoint Commission chairs, who shall be considered Central Student Government officials. Members of the Commission may elect from among their number any other officers they deem expedient. Membership in a Commission shall not confer status as an official. The President may remove a Commission chair with the written concurrence of three other executives. The powers, functions, and composition of Executive 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 separately, recommend to the Assembly for its consideration such measures as they shall deem appropriate. The President shall, prior to the end of 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.

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 legislature 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 Central Student Government legislative body.

All financial records of the Central Student Government shall be open to public inspection. There shall be an annual audit of these finances, which shall be made promptly available for 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 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 Central Student Government legislative body.

The President shall have the power to appoint additional Executive Officers for the purposes of fulfilling the needs of the Executive Branch. The Assembly may confer ex-officio status to these officials.

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 presidency. If both the office of President and Vice President shall be simultaneously vacant, the Speaker of the Assembly shall become President.

Article IV

The Central Student Judiciary

SECTION 1. THE CENTRAL STUDENT JUDICIARY. Judicial authority is vested in one Central Student Judiciary and in such inferior courts as the Assembly may create.

The governments for each school or college may create and dissolve their respective internal judicial bodies. Neither the Central Student Judiciary nor any inferior court created by the Assembly may exercise original jurisdiction over matters originating from the governments for each school or college when there is a competent court created by that government. The Central Student Judiciary may exercise appellate jurisdiction that is consistent with this Constitution over such cases.

The Central Student Judiciary consists of nine Justices selected from among the students. No more than four Justices may be enrolled in any one degree-granting unit. An appointed justice serves until they complete the degree program(s) they are enrolled in at the time of their confirmation.

The judicial authority extends to all matters under this Constitution and the Compiled Code, matters regarding Central Student Government elections, matters originating from the governments for each school or college, matters originating from student organizations, and any other case regarding students it deems appropriate. All courts or adjudicative bodies must maintain a public record of case opinions which must be available to all students. Any court or adjudicative body will redact any information necessary to guarantee student privacy in accordance with the Family Education Rights and Privacy Act or any other relevant state or federal statute.

The Central Student Judiciary must write, publish, and maintain a Manual of Procedure for Appeal and Original Jurisdiction consistent with the provisions of this Constitution. The manual must include provisions for informing a student of their rights, and for ensuring the impartiality of the panel hearing the case.

The Central Student Judiciary may require an officer's presence at a hearing by clear and timely subpoena. The Assembly may create additional subpoena powers for the Central Student Judiciary or any inferior courts created by the Assembly, applicable only to students who explicitly consent to the jurisdiction of the court.

No court or adjudicative body may enforce any regulation inconsistent with this Constitution in content or origin.

SECTION 2. INFERIOR COURTS. The Assembly has the power to create and dissolve all inferior courts within the Central Student Government.

No court or adjudicative body exercising judicial power under this Constitution may have a majority of students enrolled in the same degree-granting unit. The length of the term of a member of such a body shall not be shortened during said term, unless the Assembly dissolves the whole body.

SECTION 3. SELECTION OF JUSTICES AND OTHER JUDICIAL OFFICIALS. Officials of the Central Student Judiciary and any inferior courts created by the Assembly are nominated by a majority of the Judicial Appointment Commission, which consists of the President, or their designee; the Vice-President, or their designee; two currently sitting Justices of the Central Student Judiciary; and a member of the Assembly, who serves as an ex-officio member. The Chief Justice serves as chair for all sessions of the Commission but must not vote, unless the Commission be equally divided.

The Commission must produce a written report before the Assembly for each nominee to provide representatives with the Commission's rationale for the nomination. A minority of the Commission may write a report in dissent, which is presented before the Assembly with the majority report. The Assembly may require the Commission to produce a report for an interviewee that was not nominated.

These appointments may only be confirmed with the advice and consent of the Assembly.

SECTION 4. OFFICERS AND ADVOCATES. Justices must select from among their number a Chief Justice with the advice and consent of the Assembly. The Chief Justice serves a one-year term. The Chief Justice must have

served for at least one semester as a Justice before elevation to Chief Justice. The Chief Justice determines which Justices will hear individual cases. In any legislative term, the Chief Justice presides over the Assembly until a Speaker is selected.

Justices must select from among their number an Associate Chief Justice with the advice and consent of the Assembly. The Associate Chief Justice serves a one-year term. The Associate Chief Justice assumes the role of Acting Chief Justice if the Chief Justice is unable to carry out their duties due to recusal, resignation, incapacitation, or removal; and serves as Acting Chief Justice until a new Chief Justice can be confirmed.

The Student General Counsel oversees the selection and activities of Student Advocates, who advise students and student organizations of students' rights and responsibilities before the Central Student Judiciary and inferior courts. Student Advocates are also available to represent organizations or students before the Central Student Judiciary or other adjudicative bodies under this Constitution or the governments for each school or college. Student Advocates must be justly compensated for their service. Any decision of the Student General Counsel under this clause is subject to modification or rescission by the Chief Justice.

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 Assembly may place proposed amendments to this Constitution to the students by a two-thirds majority of the Assembly and a majority of all degree-granting unit delegations within the Assembly, where all representatives from each unit shall comprise a delegation. The vote of the delegation shall be determined by a simple majority vote of representatives in that delegation. After such passage, the University Elections Commission shall arrange for a special election of the students. If, during such special election, three-fifths 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, Referendums, and Referrals**

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 question shall be on the adoption of the initiated legislation and a majority of those voting 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 seating of a new Assembly.

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.

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 the seating of a new Assembly.

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 REFERRAL. By a simple majority vote, the Assembly may propose questions, clearly stated as either binding or non-binding, to the student body at an election. Binding questions passed by a majority of the student body shall have the same force as legislation and the Assembly shall not legislate contrary to such a vote of the student body until after the next general election.

SECTION 4. 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 student governing body or organization 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. No student governing body or organization shall infringe upon the rights of students 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.

SECTION 3. FAIR REGULATION. No student governing body or organization shall impose all rules and regulations that are unreasonable or not fully and clearly formulated, published, and made available to all students to which they apply.

SECTION 4. PRIVACY. No student governing body or organization shall conduct unreasonable searches and seizures of persons, their possessions, or their residences, and shall not infringe upon the privacy of their academic, non-academic, and disciplinary records.

SECTION 5. DUE PROCESS. Students shall enjoy the rights of due process before any student judiciary, including the right to a speedy fair and impartial hearing, the right to confront accusers and witnesses, the right to competent counsel, a presumption of innocence in all disciplinary matters, freedom from cruel and unusual punishment, and the right to an appeal. No student shall be twice put in jeopardy for the same offense, nor compelled to serve as witness against themselves.

SECTION 6. EQUAL PROTECTION. Students shall enjoy equal opportunity and equal protection of laws without regard to race, color, national origin, immigration status, age, marital status, pregnancy, sex, sexual orientation, gender identity, gender expression, disability, religion, height, weight, veteran status, creed, genetic information, or any other unreasonable or illegal consideration in all programs and activities.