

Michigan Student Assembly Constitution



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MICHIGAN STUDENT ASSEMBLY CONSTITUTION

(Adopted November, 1986. Amended and Revised, March 2009)

PREAMBLE

We, the students of the University of Michigan hereby enact this All-Campus Constitution that shall serve as the constitution of the Michigan Student Assembly and the student body at the University of Michigan's Ann Arbor campus. The Michigan Student Assembly is a non-profit Michigan corporation and shall continuously strive to enhance the quality of student life.

Article I

Student Governments on Campus

A. Source of Power. All power under this Constitution is derived directly from the students.

B. Governments. There shall be one central student government for all students of the Ann Arbor Campus of The University of Michigan, and such additional governments for each school or college; for the Horace H. Rackham Graduate School; for University owned and operated housing (and for each individual house and building therein), fraternities, sororities, and cooperatives; and for such additional jurisdictions as the smallest government containing the jurisdiction shall certify. The creation, structure, and functions of each government shall be determined by a vote of the government's student constituents.

C. Democratically Constituted Governments. 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.

D. Michigan Student Assembly. The Michigan Student Assembly (hereinafter referred to as "MSA" or "the government") shall consist of the Assembly, the Steering Committee and the Central Student Judiciary (hereinafter generally referred to as "CSJ" or "the judiciary"). MSA shall be the one central student government, and the representative and coordinating organization of the students of the Ann Arbor Campus of The University of Michigan.

Article II

Assembly Powers and Functions

Consistent with the limitations imposed in other sections of this Constitution, the governmental, representative, legislative, and coordinating powers and functions of the Assembly shall be as follows:

A. Rules. To make and sanction rules governing students.

B. Dues. To levy dues and provide for their collection equally among all the students of the Ann Arbor Campus. The Michigan Student Assembly fee shall be considered to be dues. The Assembly shall not raise the level of the fee above a maximum limit approved by a vote of the student body. The fee at the time of the adoption of this section shall be the initial limit. All fees collected in excess of the fee limit shall be placed in a University account created for the sole purpose of holding such funds. These funds shall be appropriated upon a referenda that empowers MSA to utilize such funds.

C. Appropriations. To appropriate monies collected under Article II, Section B, and all other sources of income.

D. Lobbying. To lobby for the interests of students.

E. Judicial Appointments. To appoint members of the Central Student Judiciary as provided in Article X of this Constitution.

F. Projects. To originate student projects and activities.

G. Recognition, Coordination, and Calendaring. To provide a system for the automatic registration of all groups meeting the definition of a student organization, to coordinate the activities of such organizations, to calendar or provide for the calendaring of student sponsored events, and to revoke recognition to groups not meeting those requirements. A student organization shall be defined as any group which has at least five students as members, has students or University Housing lessees as a majority of members, and which has University of Michigan students, University Housing lessees, faculty, alumni, or staff comprising two-thirds of the group's membership. Individual

members of the group shall not benefit financially as a result of the group's activities, for the group to be defined as a student organization. All groups meeting the definition of a student organization shall have the right to be registered, and shall be considered recognized upon registration.

H. Elections. To conduct its own election and referenda among the student body, to provide for the manner of nominating candidates in its elections and to enact campus-wide regulations governing the conduct of its elections, campaigns, and related activity.

I. Applying Bill of Rights. To apply the Bill of Rights contained in Article IX of this Constitution to all student bodies, all University bodies, and all its own operations.

J. Appointments. To serve as the appointing body for selection of members of student committees, student representatives to outside bodies, except insofar as the Assembly may delegate this function, and to remove such appointees. The foregoing shall include, but not be limited to such all-campus bodies as the Michigan Union Board of Representatives, the Office of Student Conflict Resolution, the Senate Advisory Committee on University Affairs, the Athletic Department, the committees of the Senate Assembly, and all regental and presidential committees.

K. Compiled Code. To establish a Compiled Code of legislation in order to exercise the powers and carry out the functions described herein.

L. Summer Operations. To provide procedures for representation of student interests during the spring-summer terms.

Article III

Internal Structure of M.S.A.

A. Powers and Functions of the Officers

1. President. The President shall be the chief executive officer of the Michigan Student Assembly, President of the Student Body, and shall preside at meetings of the Assembly with the power to vote. The President shall call special meetings of the Assembly or the Steering Committee, collect and disseminate information to the Assembly regarding the activities of the University, and shall coordinate MSA activities.

2. Executive Vice President. The Executive Vice President shall coordinate administrative functions of MSA and shall serve as the presiding officer of the Steering Committee. The Executive Vice President shall prepare the agenda for each Steering Committee meeting and each

Assembly meeting, including all motions presented by Assembly members and constituents for consideration.

3. Treasurer. The Treasurer shall be the chief financial officer of the Assembly, and along with 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. The Treasurer shall assist the Budget Priorities Committee in drafting a proposed annual budget. 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.

4. Student General Counsel. The Student General Counsel shall represent MSA in all legal matters in student judiciaries except where the Assembly shall designate another representative. S/he shall advise the Assembly and the Steering Committee on the interpretation of the Constitution and the Compiled Code. S/he shall be the Parliamentarian of the Assembly.

5. Chief-of Staff. The Chief-of-Staff will chair the Assembly in the absence of the President, Executive Vice President, Treasurer, and Student General Counsel, prepare the agenda for Assembly meetings, meet each semester with every committee and commission chair, maintain a record of the actions of the Assembly's committees and commissions, and compose the MSA Mid-Year Report and MSA End-Year Report.

6. Other Officers. The powers and functions of the chair of each internal committee and the chair of each commission shall be provided for in the Compiled Code.

B. Steering Committee

1. Composition. The Steering Committee shall consist of the President, the Executive Vice President, the Treasurer, the Student General Counsel, the Chief of Staff, the chairperson of each internal committee, the chairperson of each commission, and the chairperson of each select committee. Each member of the Steering Committee shall receive one vote.

2. Powers and Functions of the Steering Committee.

a. Agenda. The Steering Committee shall set the agenda

for each Assembly Meeting

b. Expenditures. The Steering Committee shall have the authority to authorize the expenditure of up to \$250 from any MSA account.

c. Committee Coordination. The Steering Committee shall be responsible for coordinating the activities of MSA committees. Each internal committee, each commission, and each select committee shall report to the Steering Committee.

b. Long Range Planning. The Steering Committee shall develop long range plans for the Assembly.

c. Emergency Action. The Steering Committee shall be empowered to take action, until the Assembly is able to meet, in the event of an emergency.

3. Regulations Governing the Steering Committee.

a. Quorum. A quorum for the Steering Committee shall be two thirds of the committee members.

b. Voting Requirements. All votes of the Steering Committee require a two thirds majority to pass.

c. Open Meetings. Steering Committee meetings shall be open, and the Committee shall provide adequate means of participation for constituents. The meeting may only be closed by a two thirds vote.

d. Notice. Notice of the time and place of each Steering Committee shall be announced and the minutes shall be compiled and made available for public inspection.

e. Roll Call. A roll call on any issue shall be taken at the request of one fifth of the committee members.

f. Veto. All actions of the Steering Committee are subject to the veto of the Assembly.

g. Reserve Clause. All powers and functions not expressly delegated to the Steering Committee in this Constitution are reserved for the Assembly. In addition, the Assembly may

perform any of the functions delegated to the Steering Committee in this Constitution.

C. Committees

1. Internal Committees. The internal committees are: the Budget Priorities Committee, the Community Service Committee, the Campus Governance Committee, the Rules and Elections Committee, the Communications Committee, and the External Relations Committee. The powers, functions, and composition of these committees shall be provided for in the Compiled Code, except that the membership of each committee shall be fixed, and at least one half of these positions shall be reserved for Assembly members.

2. Commissions. The commissions are Lesbian Gay Bisexual & Transgender Issues, North Campus Affairs, Minority Affairs, Women's Issues, Academic Affairs, Peace and Justice, Student Rights, Environmental Issues, International Student Affairs, Health Issues Campus Safety, Voice Your Vote, Campus Improvement, and Alumni Relations. The powers, functions, and composition of these committees shall be defined in the Compiled Code.

3. Select Committees. Committees may be created on a temporary basis for special projects. The rules for creating such committees shall be provided for in the Compiled Code, but each committee may be created without any change in the Compiled Code.

Article IV

Assembly Composition

The Assembly shall consist of currently enrolled students or students who were enrolled in the previous term as follows:

A. Representation for the Assembly shall be divided among schools and colleges at the Ann Arbor Campus of The University of Michigan. There shall be one representative for each 850 students or major fraction thereof enrolled in each of the schools and colleges. A major fraction thereof shall mean that the remainder is greater than 425 students after the number of students in the school or college is divided by 850. Each student or college shall receive at least one representative.

B. The basis for deciding the school or college's current enrollment for purposes of the General Election and determining the number of seats available to that school or college

will be decided by the Election Board as outlined in Article V, Section E, Paragraph 3 of this constitution.

C. A President, who shall be President of the Student Body of The University of Michigan, chief executive officer of student government of The University of Michigan, and presiding officer of the Assembly, with one full vote on the Assembly.

D. An Executive Vice President, who shall have one full vote on the Assembly.

E. A student group with over 400 members shall be able to apply to the Rules and Elections Committee to have a non-voting representative of their organization on the Assembly. No student group shall be able to apply for an ex-officio member if their organization belongs to a larger student organization. No college or school government shall be eligible to apply for an ex-officio member. Ex-officio members shall not count towards quorum.

Article V

Assembly Elections

A. Assembly Representatives. Two elections shall be held each year. One shall be held during November, and the other shall be held during March. Each seat shall be held for one year. The seats for each school or college shall be divided as evenly as possible between the fall and winter elections. For the purposes of this Constitution, a school or college shall be defined as a constituent degree granting unit.

1. Term. Each representative shall serve a one year term.

2. Vacancies. If a representative's seat is vacated, then the respective school or college student government may appoint a student from said school or college to fill that seat for the remainder of the term. 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 from said school or college to fill the position. Any vacant seats as of the issuing of candidacy applications for a General Election shall be filled at said election together with any other seats for that school or college. The winning candidates with the n highest point totals (where n is the number of seats up for election excluding vacant seats) shall receive full terms, with the remaining winning candidates receiving the terms of the vacant seats.

3. Method of Voting. A student may only vote for candidates in his/her school or college. A student enrolled in more than one school or college

may only vote for candidates in one of these constituencies. Each voter may vote for 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.

4. Counting of Votes. A first place vote shall count for n points, where n is the number of seats in the constituency, a second place vote shall count for (n-1) points,...,and an n-th place vote shall count for one point. The number of points shall be summed for each candidate, and the n candidates with the most points in each constituency shall be declared the winners. In the event of a tie, the newly elected Assembly shall choose among the tied candidates.

B. Executive Officers. The President and Vice President shall be elected by a vote of the student body at large to a one year term. All other executive officers shall be nominated by the President and confirmed by the Assembly. Any executive officer (except for the President and Vice President) may be removed by a two thirds vote of the Assembly at two consecutive weekly meetings.

1. President and Vice President. The President and Executive Vice President shall be elected together. They shall be elected during the General Election in the winter term. Each student shall 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 among the tied candidates.

2. Treasurer. The President shall nominate a candidate for Treasurer. A majority vote of the Assembly is required to confirm the President's nomination. The Treasurer shall serve a term of one year. If the Treasurer is an MSA representative, then s/he shall retain his/her seat on the Assembly.

3. Student General Counsel. The President shall nominate a candidate for Student General Counsel. A majority vote of the Assembly is required to confirm the President's nomination. If the Student General Counsel is an MSA representative, then s/he shall retain his/her seat on the Assembly.

4. Chief of Staff. The President shall nominate a candidate for Chief of Staff. A majority vote of the Assembly is required to confirm the President's nomination. If the Chief of Staff is an MSA representative, then s/he shall retain his/her seat on the Assembly.

5. Vacancies. The Executive Vice President shall succeed to the office of President in the event that the President resigns or is removed from office. In the event that the office of Executive Vice President, Treasurer, Student

General Counsel, or Chief of Staff becomes vacant, then the President may nominate someone to fill the position. A majority vote of the Assembly is required to confirm the President's nomination.

C. Officers. The chairperson and vice chairperson of each committee shall be elected within two weeks of the seating of new representatives after each General Election or within two weeks of the creation of a committee if the committee is new. A chairperson may be removed by a two thirds vote of the Assembly. A vice chairperson is also elected for each internal committee and for each commission. The vice chairperson may be removed by a two thirds vote of the body which elected that person.

1. Internal Committees. The chairperson and the vice chairperson are elected by the Assembly and from the Assembly.

2. Commissions. The chairperson of each commission is elected by the Assembly with the exception of the chairpersons of the Minority Affairs Commission and the International Student Affairs Commission. The vice chairperson is elected by the commission.

a. The chairperson of the Minority Affairs Commission and the International Student Affairs Commission shall be elected by the organizations and individuals participating in each respective commission. Individuals elected must be approved by the general assembly at large. The vice chairperson shall be elected by the commission.

3. Select Committees. The chairperson is elected by the Assembly.

4. Vacancies. Vacancies created by the resignation or removal of a chairperson or a vice chairperson shall be filled within two weeks of the creation of the vacancy. The vacancy shall be filled with the same procedure used to elect the chairperson or vice chairperson.

D. Central Student Judiciary and Elections. CSJ shall have appellate jurisdiction over the Assembly's General Elections and any special Assembly Election called for the purpose of presenting an initiative, referral, or recall of an Assembly representative.

1. Judicial Decision. CSJ shall act as the appellate court for all complaints of violations concerning these elections. The trial shall be in accordance with the Bill of Rights and the Election Code. Judicial decisions may include fines as penalties. In cases where election regularities are alleged, CSJ shall require a showing of substantial preliminary cause before entertaining such cases, and each such case shall be limited to the charges

and evidence originally raised.

E. Election Board. The Election Board shall oversee the Assembly's General Elections and any special election called for the purpose of presenting an initiative, referendum, or recall of a representative.

1. Intent. It is the intention of this Constitution that the administration of these elections not be hampered by pre-election disputes, and that disputes which arise be settled promptly.

2. Initiation at Election Board. All questions of operation administration, all disputes, and all complaints of violations of the regulations concerning these elections shall be initiated at the Election Board.

3. Apportionment. For the purposes of determining the student enrollment of a school or college, the final source for all data on student enrollment is The University of Michigan Office of the Registrar; however, the Election Board has the authority in interpreting student enrollment data and determining the official enrollment in each school or college for the purpose of apportionment of seats on the Assembly. The average of the most recent Fall and Winter enrollment charts which present a division between Rackham and non-Rackham graduate students will be used in this determination. Apportionment shall occur at least once per academic year. Seat apportionment will take place at the beginning of the academic year or when a new constituent degree granting unit is created.

4. Notification. The Student General Counsel and the Chair of the Rules and Elections Committee shall be jointly responsible for informing the Assembly within one week of the apportionment by the Election Board or upon request by the Assembly of what the official student enrollment is in each school or college and how many seats each school or college is entitled to on the Assembly.

5. Certification. The Election Board will make the decision on certification of the results of these elections after holding a certification hearing within five days of the last day of voting in the election. The Assembly representatives shall be officially removed from the Assembly upon final certification by the Election Board of recall elections.

F. Multiple Constituencies. No representative shall simultaneously serve as the MSA representative from more than one school or college.

G. Write In Votes. Write in votes shall be permitted in all elections.

Article VI

Assembly Procedures

- A. Quorum.** A quorum shall consist of a majority of the total number of votes then in office.
- B. Open Meetings.** Assembly meetings shall be open and the Assembly shall provide a means of participation by constituents.
- C. Notice.** Notices of the time and place of Assembly meetings shall be published in advance of each meeting and the actions of the Assembly compiled by the Administrative Assistant shall be published promptly after each meeting.
- D. Roll Call.** A roll call on any issue shall be taken on request of one fifth of the voting members present.
- E. Rules of Order.** Robert's Rules of Order (Newly Revised) shall be the official rules of procedure for Assembly meetings, except where the Assembly shall adopt other operating procedures, and except that this Constitution shall supersede Robert's Rules and the operating procedures in case of conflict.
- F. Creation of Vacancies.** The seat of members of the Assembly shall be declared vacant upon the failure of the representative to live up to his/her obligation (see Article XI), upon the graduation of the representative, upon the resignation of the representative, by a successful recall election, or upon the withdrawal by a school or college student government of their appointment in the case of an appointed representative (see Article V, Section B, Paragraph 2).
- G. Salaries-Prohibited.** No salary shall be paid to any Assembly officer. However, actual expenses incurred on Assembly business may be reimbursed as provided for in the Compiled Code. This shall not apply to regular office and legal employees.
- H. Allocations.** No allocation to any outside organization shall be made except by a major vote of the Assembly. All disbursements shall require two signatures. No disbursement shall be made without appropriation or authorization by the Assembly. All financial records shall be open for public inspection. There shall be an annual legal audit independent of the Assembly. The Treasurer shall make a monthly detailed written report to the Assembly stating by item, each item of income, each expense incurred during the month (but not billed or paid), each expense billed (but not yet paid), and each item paid.
- I. Attendance Roll Calls.** There shall be a roll call of members present at the beginning

and the end of each Assembly meeting.

Article VII

Initiative, Referral, Referendum, and Recall

A. Initiative. Any action within the authority of the Assembly may be taken directly by the student body through the initiative.

1. Petition. An Initiative Petition shall state the exact legislation desired, and shall be signed by at least 1,000 current students.

2. MSA Action. Once 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.

3. Election Question. In the referendum, the question shall be on the adoption of the initiated legislation and a majority of those voting thereon shall be required for adoption.

4. Binding. 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.

B. Referral. The Assembly may, by vote of a majority present and voting, refer any action it may itself take to the student body. In the case of legislation dealing with an explicitly defined and concerned segment of the student body, the legislation may be submitted to that segment by a vote of two-thirds of the Assembly present and voting. Referred legislation adopted by the student body 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.

C. Referendum. Any action taken by the Assembly may be brought before the student body for its decision in a referendum.

1. Petition. 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.

2. Assembly Action. Once 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.

3. Election 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.

4. Binding. 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.

5. Limitations. 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.

D. Recall. The Recall of the President, Vice President, or any Assembly representative may be initiated by a vote of two-thirds of the fixed membership of the Assembly or by a recall petition signed by 1,000 students or (for representatives) by one-tenth of the school's or college's enrolled students (whichever is less). The only valid signatures on a recall petition for an Assembly representative shall be those of the students of the school or college constituency of the representative. The student petition to recall shall be submitted to the Assembly's Administrative Assistant. The recall election question shall be decided upon at an election to be held no earlier than 17 days and no later than 60 days after the Assembly vote or certification of recall petitions. If the next General Election is to be held within this time period, the recall question shall be decided upon at that election.

1. Reasons. The Assembly resolution or recall petition shall precisely state the reason for desiring a recall.

2. Election Question. Removal from office shall be accompanied by a vote of the student body (in the case of the recall of the President or Vice President) or a vote of the relevant school or college constituency (in the case of the recall of a representative) at an election. In the referendum, the ballot shall state the cause of recall and ask "Shall _____ (the member named in the petition) be recalled for these reasons?" (Reproduced exactly as stated in the petition calling for the recall.) Three-fifths of those voting thereon shall be required for removal. The sufficiency of the reasons for recall shall be an entirely political and not judicial question to be decided by the voters in the referendum.

3. Certification. CSJ shall oversee any recall election question of an Assembly representative, either elected or appointed. In the event that an Assembly representative is recalled in any recall election question CSJ

shall certify the results of the election.

4. Limitations. No person, once recalled, shall be appointed to fill any vacancy of a voting seat on the Assembly.

E. Procedure. No petition, or matter initiated by a Constitutional Convention, may be noted on at any election unless it shall have been filed with the Assembly's Administrative Assistant at least five weeks before such election. However, if any petition is filed on this last filing day, filing shall be reopened for three additional days.

1. Deadline for action by the Assembly. Any Assembly action on a petition, or on referral of propositions by the Assembly, shall be completed at least 17 days before the election involved, and the failure to act by then shall be deemed a refusal to act.

2. Deadlines. All petitions that may require a vote of the student body, or matter initiated by a Constitutional Convention, shall be voted on at an election coming no later than the first general elections at least five weeks after filing. Any petition may include the names of one or more persons or organizations as sponsoring manager; and if a petition contains such, the power to withdraw the petition, up to 17 days before the scheduled referendum, shall then reside with that sponsoring manager.

3. Withdrawing. In all cases, however, any individual signer of a petition may withdraw his/her name from the petition; and if such individual withdrawals shall, up to 17 days before the scheduled referendum or election, make said petition too small, the referendum or recall election shall be canceled.

4. Effective Date. Any legislation adopted in referendum, except for constitutional amendments which have separate provision, shall take effect immediately after certification of the election, unless otherwise provided for as part of the referenda question.

F. Conflict. In the event that, at any one election, there be adopted conflicting legislation or conflicting constitutional matter, the conflict shall be resolved in favor of the parts contained in the proposition receiving the highest number of affirmative votes.

G. Fee Limit Proposals. The maximum limit of the Michigan Student Assembly fee may be raised or lowered by a majority vote of the Assembly and a vote of a majority of students voting in a general election, or by a petition signed by 500 students currently enrolled at the Ann Arbor Campus of the University of Michigan and a majority of students voting in a general election. The limit shall not be voted on during the Spring or Summer terms, or during a special election. A limit of zero dollars shall be a valid limit

option.

1. Multiple Proposals. If more than one proposal for a change in the maximum limit of the Michigan Student Assembly fee is on the ballot in a general election, each fee proposal shall be considered as a separate question. The Assembly shall initiate no more than two proposals for a change in the fee limit. The Assembly proposals shall differ from each other in value by at least five percent of the value of the current limit.

2. Limit Conflicts. In the event that more than one fee proposal receives a majority of votes cast on a particular proposal, the fee limit proposal with the highest number of affirmative votes shall be the new maximum limit to the Michigan Student Assembly fee. If the number of affirmative votes is tied, the proposal representing the smallest percent change from the current level of the maximum limit shall be the new maximum limit.

Article VIII

Amendments

This Constitution may be amended by any of the following procedures:

A. Amendments by the Assembly. The Assembly may, by a vote of two-thirds of its members present and voting, initiate an amendment to this Constitution and refer it to the student body at a referendum. If three-fifths of those voting on the initiated amendment in the referendum approve, the amendment shall be adopted.

B. Amendment by Petition. An amendment to this Constitution may be initiated by a petition signed by at least 1,000 current students, and filed in the same manner as the petition to initiate legislation. If three-fifths of those voting on the initiated amendment approve it, then the amendment shall be adopted.

C. Amendments by Constitutional Convention. 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 in the Assembly's Operating Procedures. 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.

D. Student Process. The adoption of an amendment, or of this Constitution itself, shall be an entirely student process as provided above and in Article IX, Section C, and shall

not be reviewed by any non-student body.

E. Effective Date. An amendment to this Constitution shall not take effect until 45 days after certification of the election in which it was adopted unless otherwise provided for as part of the amendment question

Article IX

Bill of Rights

It is the intent of this Constitution to assure equal and effective participation in student government to all members of the student body. Therefore, the following shall be considered unchallengeable rights of each individual student and shall be upheld and integrated into all present and future policies and actions taken by the Assembly or any part thereof.

A. Enumerated Rights. To help foster and preserve an enlightened, free, just, and democratic academic community, the Assembly shall recognize and undertake to guarantee these rights as rights of students:

- 1. Freedom of Speech.** The right to express their views on any subject without penalty except where the form of that expression endangers life, property, or the equal rights of others.
- 2. Freedom to Publish.** The right to publish and disseminate their views on and off campus free from censorship.
- 3. Freedom from Censorship.** The right to establish and issue publications free from censorship or other official action aimed at controlling editorial policy, with the selection and removal of editorial staffs reserved to the organization sponsoring the publication.
- 4. Demonstration.** The right to organize and participate in orderly, non-violent demonstrations on and off campus.
- 5. Forming Organizations.** The right to form, join, and participate in any group or organization for intellectual, religious, social, economic, or cultural purposes, subject to reasonable regulation by the Michigan Student Assembly.
- 6. Hearing Speakers.** The right to invite and hear speakers of their choice on subjects of their choice.

7. Use of Facilities. The right to use campus facilities for meetings and other activities subject only to payment of normal expenses where necessary, and to such uniform regulations as may be required for scheduling time and place and assuring the use of facilities for purposes to which they are suited.

8. Soliciting Money. The right, subject to reasonable regulations, of recognized student organizations to solicit money on campus.

9. Petitioning. The right to petition the appropriate authority for changes in faculty, administration, curriculum, and University policy, without fear of reprisal.

10. Dissenting Opinions. The right to take reasoned exception to the data or views offered as part of academic instruction without fear of penalty, to be graded solely on academic performance, and to be protected through responsive and well-defined procedures against prejudice or capricious evaluation.

11. Uniform Regulations. The right to be subject only to such uniform rules and regulations as have been fully and clearly formulated, published, and generally made known to everyone concerned.

12. Joint Concerns. The right to be exempt from any rule or regulation the subject of which is not legitimately a joint concern or common interest of the group, organization, or constituency governed by it, but is rather a matter concerning the individual members considered severally, that is, an individual's health, safety, morals, or personal behavior.

13. Non-academic Rules. The right to be governed only by such non-academic rules as can be changed by a democratic constituency to which those governed belong.

14. Parietal Regulations. The right of those residents in University owned, affiliated, or associated housing to establish democratically, subject to their own periodic review, all parietal regulations governing their dress, conduct, and activities within their residence.

15. Democratic Government. The right to form and maintain a democratic student government with the power to administer and regulate those affairs primarily concerning students, to levy and collect assessments on students, and to be represented in the formulation of all University policy.

16. Fair Judiciaries. The right to an independent, fair, and impartial

judiciary with jurisdiction in all cases the outcome of which cannot be expulsion, suspension, fine, or other University disciplinary action.

17. Democratically Drawn Judiciary. The right in all non-academic areas to be originally judged by a judiciary drawn from and responsible to a democratic constituency to which they belong.

18. Suspension and Expulsion. The right to be exempt from suspension or expulsion from the University except for academic failure, failure to pay a University debt, or a violation of a University regulation when continued presence on campus endangers other members of the academic community.

19. Due Process. The right to judicial due process, including a speedy trial, confrontation of plaintiff and his witnesses, counsel, presumption of innocence, protection against cruel and unusual punishment, and appeal.

20. Double Jeopardy. The right not to be twice put in jeopardy for the same offense.

21. Suits. The right, if aggrieved, to bring suit within the regular judiciary system for any punitive violation of rights.

22. Search and Seizure. The right to be secure in their persons, possessions, and residence against unreasonable invasion, search, and seizure.

23. Privacy of Records. The right to privacy of their academic, non-academic, and disciplinary records with the right of personal examination of such records.

24. Non-University Obligations. The right not to have non-University financial obligations placed on the student's University account.

25. Information. The right to inquire into, and be honestly and fully informed of, the reasons for any University policy affecting them, the process by which it was adopted, and the means by which it might be changed.

26. Discrimination. The right to enjoy all these rights, all other rights, and all benefits extended to all students by the University, without regard to race, sex, color, religion, creed, national origin or ancestry, age, marital status, sexual orientation, gender identity, gender expression, disability, Vietnam-era veteran status, or any other arbitrary or unreasonable consideration.

B. Unenumerated Rights. The enumeration of these rights shall not be construed as in any way nullifying or otherwise limiting any other rights possessed by students severally or together.

C. Limitation of Governments, Judiciaries, and Amendments. No action by any student government of The University of Michigan, nor by its judiciary, nor any amendment to this Constitution adopted while this clause is in effect, shall deny to any student of the University equal protection of the laws or equality of the weight of his or her vote. "Equality of the weight of vote" means that the vote of each student of The University of Michigan is as nearly equal as possible to the vote of each other student with regard to the election of voting representatives on student governments and all other types of decision-making. The existence of equal representation or equal decision-making power among constituencies of significantly different populations indicates a denial of inequality of the weight of vote. Likewise, the existence of unequal decision-making power among constituencies of similar sizes indicates a denial of equality of the weight of the vote. Determinations of compliance with this section are entirely judicial matters.

Article X

Central Student Judiciary

A. CSJ Composition. The Central Student Judiciary (hereinafter generally referred to as "the judiciary") shall consist of ten members, full-time students of the University at the time of their appointment, of whom not more than six shall be from any one school. At least one of the members must be from the Law School.

1. Term. Each member of the judiciary shall serve for a term of one year, five appointed at the beginning of the fall term and five appointed at the beginning of the winter term. No one shall serve more than three terms in succession.

2. Recall by CSJ. Any judiciary member failing to accept the responsibilities of his office may, by a two-thirds vote of the full membership of the Judiciary, be removed from office.

3. Recall by the Assembly. The Assembly may, upon a second reading, and by three-fourth vote of the full membership, remove from office one or more members of the Judiciary. The Assembly shall, by majority vote, fill the vacancy or vacancies so made, voting on each appointment separately.

B. Selection Process. Except for vacancies created by a vote of the Assembly, vacancies in the Judiciary shall be filled by appointment from applicants. An Interviewing Board

shall be composed of the Chairman of the Judiciary, one Judiciary member appointed from among those not leaving office, and three students appointed by the Assembly, at least one of whom shall not be a member of the Assembly, and at least one of whom shall be a member of the Assembly.

1. Chairperson. The Chairperson of the Judiciary shall preside at meetings of the Interviewing Board.

2. Submission to the Assembly. The Interviewing Board shall submit to MSA a list of nominees certified by all interviewers as qualified to be members of the Judiciary. The number of nominees shall not exceed the number of vacancies. If any of the vacancies to be filled is for an unexpired term, the Interviewing Board shall indicate which of its nominees is to be appointed to fill the unexpired term. Nominees shall take office unless MSA, within two weeks after it has been presented the list of nominees at a regular business meeting, rejects the list. Incumbent members of the Judiciary shall continue until the Interviewing Board presents a list of nominees satisfactory to the Assembly.

3. Diversity. The Interviewing Board shall, as far as consistent with high competence among those nominated, nominate applicants from as many schools as possible.

C. Inferior Judiciaries. The Assembly may establish such inferior judicial bodies as the Assembly may from time to time deem appropriate. However, the Judiciary shall have appellate jurisdiction over any case brought against a student, group of students, student organization, and heard anywhere in the University; shall have original jurisdiction over any case in which either there is no other judicial body with jurisdiction or the Judiciary, upon request of the defendant, determines that it should exercise original jurisdiction.

D. Manual of Procedure. The Judiciary shall write and publish a Manual of Procedure for Appeal and Original Jurisdiction consistent with the provisions of the Constitution. The Manual, and subsequent amendments to it, shall not be deemed in force until approved by the Assembly or if subsequently disapproved by the Assembly. The Manual shall include provisions for informing a student of his rights, for assuring the impartiality of the panel hearing the case, and for jury trial whenever suspension or expulsion from the University is possible.

E. Penalty. When a regulation under which a student is charged does not establish a maximum penalty, the Judiciary acting as the body of original jurisdiction may only warn a student or fine him no more than \$50. When a regulation under which a student organization is charged does not establish a maximum policy, the Judiciary, acting as the body of original jurisdiction, may only warn the student organization, curtail its activities for some specified length of time not to exceed four months, or fine it not more than

\$250.

F. Limitations. The Judiciary shall enforce no regulation, the content or origin of which is inconsistent with this Constitution.

Article XI

Member Obligations

A. Responsibilities of Assembly Members. Assembly members shall be responsible for each of the following tasks:

- 1. MSA Meetings.** Members shall be responsible for attending weekly MSA meetings. Members shall be responsible for checking their MSA mailbox regularly so that they are knowledgeable about the issues which will be discussed at meetings.
- 2. Committees.** Each representative must be a member of and participate in at least one of the following committees.
 - a. MSA Internal Committees.
 - b. MSA Commissions.
 - c. MSA Select Committees.
 - d. Other Committees. The requirement to serve on an MSA committee may be waived by the Steering Committee if the Assembly serves on a University Committee, such as Student Legal Services Board, a Regental Committee, or a SACUA Committee, and the Steering Committee determines that membership on said committee takes a substantial amount of time.
- 3. Elections.** Members must work for at least four hours at a polling site during any MSA Election in which they are not candidates.
- 4. Constituent Contact.** Members must contact constituents on a regular basis. Constituent contact is meant to include things such as a mailing to constituents, an open discussion with constituents, liaison with one's school or college government, or any similar communication. An informal discussion with friends is not a form of constituent contact.

5. MSA Office. Each member shall be in the office at least one hour each week at times other than when the member is attending an MSA meeting.

B. Penalties. A member will be removed from office when s/he accumulates twelve absences. An absence will be excused by the President if and only if: the member is seriously ill, if the member had an exam at the same time as the member obligation, or if there was a death in the member's family within one week of the member obligation. Exceptions to this may be granted only by a two thirds vote of the Assembly. Each of the following shall constitute one absence:

1. Attendance Roll Calls. For each roll call which the member misses at the beginning or the end of an Assembly meeting.

2. Committee Meetings. For each committee meeting which the member misses. Each member shall have one committee for which s/he is responsible (See Article XI, Section A, Paragraph 2).

3. Elections. For each hour, less than four, in which the member has not worked at a polling site.

C. Additional Obligations. Additional obligations for Executive Officers and for committee chairpersons may be defined in the Compiled Code.

Article XII

Student Organizations - Bill of Rights

The following shall be considered unchallengeable rights of each student organization and shall be upheld and integrated into all present and future policies and actions taken by the Assembly or any part thereof. No group may be denied recognition on the basis of these rights.

A. Enumerated Rights. To help foster and preserve an enlightened, free, just, and democratic academic community, the Assembly shall recognize and undertake to guarantee these rights a rights of all student organizations of the University of Michigan.

1. Freedom of Speech. The right to express their views on any subject without penalty except where the form of that expression endangers life, property, or the equal rights of others.

2. Freedom to Publish. The right to publish and disseminate the organizations views on and off campus free from censorship.

3. Freedom from Censorship. The right of a student organization to establish and issue publications free from censorship or other official action aimed at controlling editorial policy, with the selection and removal of editorial staffs reserved to the student organization sponsoring the publication.

4. Demonstration. The right of a student organization to participate in orderly, non-violent demonstrations on and off campus.

5. Hearing Speakers. The right of a student organization to invite and hear speakers of their choice on subjects of their choice.

6. Use of Facilities. The right of a student organization to use campus facilities for meetings and other activities subject only to payment of normal expenses where necessary, and to such uniform regulations as may be required for scheduling time and place and assuring the use of facilities for the purpose to which they are suited.

7. Soliciting Money. The right of a student organization, subject to reasonable regulations, to solicit money on campus.

8. Petitioning. The right of a student organization to petition the appropriate authority for changes in faculty, administration, curriculum, and University policy, without fear of reprisal.

9. Dissenting Opinions. The right of a student organization to take reasoned exception to the data or views offered as part of academic instruction without fear of penalty.

10. Joint Concerns. The right of a student organization to be exempt from any rule or regulation for which the subject is not legitimately a joint concern or common interest of the group, student organization, or constituency governed by it, but is rather a matter concerning the individual members considered severally, that is, and individual's health, safety, morals, or personal behavior.

11. Freedom of Self-Definition. The right of religious and political organizations to maintain autonomy in ordering their internal affairs, so that they may be free to select their own leaders, define their own doctrines, resolve their own disputes, and determine their own institution

Determining that the above activities are in furtherance of an organization's religious or political mission, and that only those committed to that mission should conduct them, is thus a means by which religious

and political organizations define themselves.

12. Fair Judiciaries. The right of the student organization to an independent, fair, and impartial judiciary.

13. Due Process. The right of a student organization to due process, including a speedy trial, confrontation of plaintiff and their witnesses, counsel, presumption of innocence, protection against cruel and unusual punishment, and appeal.

14. Double Jeopardy. The right of a student organization not to be twice put in jeopardy for the same offense.

15. Search and Seizure. The right of a student organization to be secure in their persons, possessions, and residence against unreasonable invasion, search, and seizure.

16. Information. The right of a student organization to inquire into, and be honestly and fully informed of, the reasons for any University policy affecting them, the process by which it was adopted, and the means by which it might be changed.

17. Discrimination. The right of a student organization to enjoy all these rights, all other rights, and all benefits extended to student organizations by the University, without regard to a particular race, color, sex, sexual orientation, social class, political views, national origin, or religious creed of the group or its individual members.

B. Unenumerated Rights. The enumeration of these rights shall not be construed as in any way nullifying or otherwise limiting any other rights possessed by students severally or together.

C. Limitation of Government, Judiciaries, and Amendments. No action by any student government of the University of Michigan, nor by its judiciary, nor any amendment to this Compiled Code adopted while this clause is in effect, may deny to any student organization of the University equal protection of the laws.