October 19, 2016

In re: Senior Class Council Vacancies

ASSOCIATE JUSTICE HENZER joined by Chief Justice Buchbinder, Associate Justice Broitman, Associate Justice Stolberg, Associate Justice Scher-Zagier

On September 24, 2016, Constitutional Council received an interpretation request concerning the constitutionality of students holding Class Council offices if they are no longer full time students at Washington University. Specifically, two students currently in Vice Presidential positions (VP Finance and VP Programming) on Senior Class Council will not be returning as full time students for the second semester of their two-semester term of office. The Council holds that these students cannot remain Class Council officers if they are not full time students.

We based our decision on Article II Section 4 of the Student Union constitution, which states that “only constituents of the Student Union may hold office.”

The Council first asked if the positions held by the seniors in question are Student Union offices. The constitution defines a Student Union office as “any elected office defined in” the “Class Council Constitution.” Because the Class Council Constitution defines both Vice President of Finance and Vice President of Programming as offices, the positions in question are offices by the standard set by the Student Union Constitution (Class Council Constitution, Article IV, Section 3,5).

Having established that the positions held by the seniors in question are in fact offices, we then asked if the offices will fall vacant when the students currently holding office are no longer full time students. Article II Section 1 of the constitution defines constituents of the Student Union as “all full-time undergraduate students of Washington University in St. Louis”. Beginning in the Spring 2017 semester, the seniors in question will no longer be full time students. Because they will no longer be full time students, they will also no longer be constituents. Therefore, the seniors in question cannot be officers. Once the seniors in question are not officers, the officer positions will be vacant. The constitution states that if a Class Council “position falls vacant” then “candidates will be nominated within two (2) weeks by the Class Councils” (Article IV, Section 9g). The Class Council therefore must nominate candidates to fill the vacancies on Senior Class Council within the first two weeks of the Spring 2017 semester.

There was no dissent