November 1, 2006
In re: Engineering Senator Election Status
Constitutional Council Majority Opinion

Associate Justice Harper:
Senator Sue Ann Huang was elected to represent the Washington University School of Engineering in the spring of 2006 and would normally have served until the spring of 2007. However, halfway through her term, Senator Huang enrolled in the Olin School of Business as a dual degree candidate. At that point, Senator Huang was enrolled in both the School of Engineering and the School of Business. The School of Business is now Senator Huang’s primary school.

On October 12, 2006, Senator Huang asked the Constitutional Council to look into her status as a Senator. Senator Huang wanted to know how her status as a dual degree candidate would affect her election as a Senator in the future and her voting in the present.

Because the Constitution does not speak directly to what happens in the event that a Senator becomes a dual degree candidate, we have to look at how the Constitution responds to Senator transfers from school to school. In a situation where a Senator transfers to a new school entirely, Article VI, Section 4, Part e reads, “Each Senator shall be enrolled in the undergraduate division that he represents. Senators who transfer divisions may complete their term if the school council recognized by the Student Union of the division they are leaving approves their continued representation within three weeks of the transfer.”

Per this section of the Constitution, En Council was notified of the situation and asked to decide whether they would allow Senator Huang to continue her term or whether they would prefer to elect a new Senator. En Council voted unanimously to allow Senator Huang to finish her term. As such, Senator Huang may continue to serve as an Engineering Senator for the remainder of her term. However, if she chooses to run again, she must run as a Senator from the Olin School of Business, as it will be her primary division.

With regard as to where Senator Huang should vote in the meantime, it was determined her vote should count in whichever division the Election Commissioner (who is in charge of dividing the number of Senators between schools) sees appropriate. Since Senator Huang will be representing the Engineering School, it seems appropriate her one vote should be in that school as well.

Because the Constitution does not speak to either of these issues, it is our recommendation that the Constitution be updated so that it may respond if such situations arise in the future.

Constitutional Council determined that, due to the above circumstances, Senator Huang may continue her service as a senator from the School of Engineering.