

December 1, 2008
In re: The Status of School and Class Councils
Constitutional Council Opinion of the Court
Associate Justice Lam

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On October 21, 2008, a constituent submitted a grievance to the Constitutional Council regarding whether or not Class Council and School Council officers could also serve on the Legislative Branch.

Currently, Class Councils and School Councils are listed under the Executive Branch in the Constitution under Article IV, Sections 8 and 9, respectively. Constitutional Council finds that this categorizes Class Council and School Council officers as officers of the Student Union under the Executive Branch. Furthermore, because Article III, Section 3 of the Constitution states that “[n]o constituent may hold more than one Student Union office at the same time,” Class Council and School Council officers cannot also be officers of the Legislative Branch. This conclusion is in accordance with the previous Constitutional Council ruling “In re: Gargoyle Appeal to Treasury,” written by Associate Justice Mendelson.

Chief Justice Zaia filed a concurring opinion, joined by Associate Justice Taylor.

There was no dissent.