November 6, 2006
In re: Student Group President on Leave of Absence
Constitutional Council Majority Opinion

Chief Justice Zaia:

The President of “The Amateurs” began a leave of absence during the 2006 Spring semester. This student had not re-enrolled for the 2006 Fall semester, nor is it certain whether or not she will return for the 2007 Spring semester. She did, however, retain her position as President of “The Amateurs,” a Washington University a cappella group.

On November 6th, 2006, Student Union President Paul Moinester asked Constitutional Council to establish whether she is permitted to retain her Presidency during her leave of absence.

“The Amateurs” is a student group recognized by Student Union. Article II, Section 4 of the Student Union Constitution states that “all members of the Student Union who hold a position in the Student Union must be members in good standing.” Since “The Amateurs” is a Student Union group, all officers, including the President, must be students in good standing. As defined by Article I of the Student Union Constitution, “all full and part-time undergraduate students regularly enrolled in Washington University in St. Louis who have paid the appropriate activity fee shall be considered members in good standing.”

The current President cannot be considered a student in good standing. She is not enrolled in any classes for the 2006 Fall semester, clearly failing the “full or part-time undergraduate student” requirement. In addition, since she has been on leave of absence since the 2006 Spring semester and did not return for the 2006 Fall semester, therefore she has not paid her activity fee for this year. Thus, she fails the “activity fee” requirement for good standing as well. Without fulfilling these criteria, she is not a student in good standing.

Additionally, Article VI, Section 1, Part c. of the Statutes to the Constitution of the Student Union reads, “all officers of [a student] group must be made up of the student body.” A student, while on a leave of absence, is not considered a member of the student body. Thus, this student is not eligible to hold any student group officer positions. Should this student re-enroll and pay her activity fee, however, she will once again be eligible to run for President of “The Amateurs.”

Constitutional Council determined that, due to the above circumstances, the student in question can no longer serve as President of “The Amateurs”.

There was no dissent.

Amended November 13, 2007 by Chief Justice Zaia: the name of the student involved has been removed to preserve her anonymity.