

Constitution of the Student Body of the Ann Arbor Campus of the University of Michigan



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Contents

I	Student Governance	1
	1 Authority.	1
	2 Governments.	1
	3 Supremacy.	2
	4 Elections.	2
II	The Central Legislature	2
	1 The Legislature.	2
	2 The Assembly.	2
	3 The University Council.	3
	4 Proceedings and Membership.	4
	5 Legislative Process and Veto.	5
III	The Central Executive	5
	1 The President.	5
	2 Other Executives.	6
	3 Presidential Succession.	6
IV	The Central Student Judiciary	7
	1 The Central Student Judiciary.	7
	2 Officers and Advocates.	7

V	Ratification, Transition, and Amendments	8
1	Ratification.	8
2	Amendments.	8
VI	Student Organizations	8
VII	Initiatives and Referenda	8
1	Initiatives.	8
2	Referendum.	9
3	Constitutional Conventions.	9
VIII	Student Rights	9
1	Freedom of Speech.	9
2	Freedom of Association.	9
3	Fair Regulation.	10
4	Democratic Representation.	10
5	Fair Housing Regulation.	10
6	Trial by Peers.	10
7	Privacy.	10
8	Due Process.	10
9	Petition.	10
10	Equal Protection.	10

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Preamble

AN EDUCATED CITIZENRY being indispensable to the preservation of our civic rights and liberties; creating, securing, and applying knowledge and wisdom among the people being the chief mission of our university; and active participation in our own education being imperative to the success of these undertakings;

we, the students of the University of Michigan’s Ann Arbor campus, hereby establish this Constitution

to promote academic freedom and responsibility, foster fellowship and collaboration among the Students, and guarantee a public forum for Student expression.

Article I

Student Governance

SECTION 1. AUTHORITY. All authority under this Constitution is derived directly from the students.

SECTION 2. GOVERNMENTS. All student governance powers granted herein shall vest in a Central Student Government. The Central Student Government shall be democratically constituted, and shall consist of central legislative, executive, and judicial powers. All student governance powers not granted herein shall devolve to the additional governments for each school or college, University-owned and operated housing (and for each individual house and building therein), fraternities, sororities, and cooperatives; and for such jurisdictions as the smallest government containing the jurisdiction shall certify. The creation, structure, functions, and operations of each government shall be determined by the government’s student constituency.

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.

37 All general sessions of student government bodies recognized under this Constitution shall be
38 open to students at large. Any body may enter closed session by a majority vote, but shall not take
39 any votes of substance while in closed session.

40 SECTION 3. SUPREMACY. This Constitution and the Compiled Code which shall be made in pur-
41 suance thereof under the Central Student Government or other student governments on this cam-
42 pus shall hold supremacy over any provision of another student code, and judges and justices of
43 student courts shall be bound thereby.

44 SECTION 4. ELECTIONS. The Central Student Government shall have the power to hold elections
45 for its offices and for referenda, coordinate with other governments elections for the offices of those
46 governments, and regulate campaign practices on campus. Elections for Central Student Govern-
47 ment offices shall be twice each year, once in November and once in March. Each term of office
48 shall begin ten days after the election in which the seat was filled has been certified. Elections shall
49 be administered and certified by a University Elections Commission, which will serve at the direc-
50 tion of the Student General Counsel. The Student General Counsel shall have the authority to hire
51 an elections administrator.

52 For bodies represented by a proportional count of students, including the Student Assembly,
53 the Student General Counsel shall present to the Assembly and the students the apportionment for
54 each such body no less than one month before each scheduled election.

55 No representative may run for election or hold office representing a constituency of which that
56 person is not a member. Students enrolled or actively working toward their degree shall be held to
57 be members of the constituency in which they are so engaged.

58 Article II

59 The Central Legislature

60 SECTION 1. THE LEGISLATURE. The central student legislature shall consist of a Student Assem-
61 bly and a University Council.

62 SECTION 2. THE ASSEMBLY. The Assembly shall be composed of representatives elected from
63 among the students every year according to their degree-granting unit, as defined by the Univer-
64 sity's Board of Regents. Each degree granting-unit shall have one representative for every 800
65 students enrolled in that unit, determined by the average of the most recent Winter Term and Fall
66 Term enrollment of each unit. Such apportionment shall be tabulated once each year. Each unit
67 shall have at least one representative. If, after the total enrollment of the unit is divided by 800,
68 the remainder is greater than 400, the unit shall be granted an additional representative. Each
69 representative shall have one vote in the Assembly.

70 Assembly Representatives shall be elected in the March election for a one year term. The method
71 of voting for Assembly representatives shall be a Borda count. Each voter may vote for no more
72 than n candidates in his/her constituency, where n is the number of seats open in the constituency.

73 The voter shall rank the candidates from 1 to n on the basis of preference. A k th place vote shall
74 count for $(n - k + 1)$ points, such that a first place vote shall count for n points, a second place vote
75 shall count for $(n - 1)$ points, et cetera, such that an n th place vote shall count for one point. The n
76 candidates with the most total points shall be declared the winners. In the event of a tie, the newly
77 elected Assembly shall choose amongst the tied candidates.

78 Any student organization with at least 400 active members currently enrolled at the university
79 may apply for a non-voting ex-officio seat on the Assembly. The Assembly shall create, publish,
80 and maintain requirements for review of such applications.

81 The Assembly shall meet at least weekly during the academic year.

82 The Assembly shall have the power to elect its own Speaker, Vice Speaker, and other officers
83 as it shall deem necessary from among its membership. The Speaker shall chair general sessions
84 of the Assembly and serve on the Central Student Government Executive Committee. Assembly
85 officers shall be responsible for accepting items for the Assembly's agenda and docket, and officers
86 may be recalled by a two-thirds majority vote of the Assembly.

87 The Assembly shall have the power to levy dues and provide for their collection equitably
88 among the students. The Assembly shall not raise the level of the fee above a maximum limit ap-
89 proved by a vote of the student body and the Regents. It shall appropriate all funds collected within
90 the fee limit to student organizations and student body programs and events as it shall deem expe-
91 dient. All funds collected in excess of the fee limit shall be placed in a University account created
92 for the sole purpose of holding such funds, and shall only be appropriated upon a referendum
93 empowering the Central Student Government to appropriate such funds.

94 The Assembly shall produce, publish, and maintain Operating Procedures, which shall describe
95 the standing rules, procedures, and internal structures of the Assembly. The Operating Procedures
96 shall provide for the manner of officer election, procedures for the formation and operation of
97 committees, and any other rules of Assembly proceedings necessary for the execution of Assembly
98 duties under this Constitution and the Compiled Code.

99 The Assembly shall produce, publish, and maintain an Assembly Register as an account of
100 all Assembly proceedings. The Register shall minimally include minutes, attendance, reports,
101 recorded votes, and resolutions.

102 The Assembly shall produce, publish, and maintain a Compiled Code of legislation, which shall
103 be a compilation of all regulations, excluding provisions of the Operating Procedures, currently and
104 permanently affecting student government or the student body.

105 The Assembly shall have the power to pass resolutions and amend the Operating Procedures
106 and the Compiled Code. All resolutions to amend the Compiled Code shall pass the Assembly by
107 a simple majority vote.

108 With the agreement of a simple majority of the University Council, the Assembly may place pro-
109 posed amendments to this constitution before the students for ratification according to the process
110 described in Article V of this Constitution.

111 The Assembly may require a student's presence at a hearing by clear and timely subpoena.

112 SECTION 3. THE UNIVERSITY COUNCIL. The University Council shall be composed of represen-
113 tatives chosen by the several degree-granting unit governments every year. One representative
114 shall be elected by the membership of each such government from among their officers or by such
115 other method as that government shall determine. Each representative shall have one vote in the
116 Council. The Council shall meet at least twice monthly during the academic year.

117 The Central Student Government Vice President shall serve as president of the Council, but
118 shall have no vote, unless the Council shall be equally divided. The Council shall choose other
119 officers as it shall deem necessary from among its members. Council officers shall be responsible
120 for accepting items for the Council's agenda and docket, and, excepting the Vice President, officers
121 may be recalled by a two-thirds majority vote of the Council.

122 With the agreement of a simple majority of the Assembly, the Council may place proposed
123 amendments to this constitution before the students for ratification according to the process de-
124 scribed in Article V.

125 Any student organization with at least 400 active members currently enrolled at the university
126 may apply for a non-voting ex-officio seat on the Council. The Council shall create, publish, and
127 maintain requirements for review of such applications.

128 The Council shall form such committees as it deems necessary to execute its duties.

129 The Council shall produce, publish, and maintain a Council Register as an account of all Council
130 proceedings. The Register shall minimally include minutes, attendance, reports, recorded votes,
131 and resolutions.

132 The Council shall oversee the University Elections Commission for administering and certify-
133 ing elections to the Central Student Government. The powers, functions, and composition of the
134 University Elections Commission shall be defined in the Compiled Code.

135 Each school, college, or organization government recognized by membership in the Council
136 shall, from time to time, be able to recommend to the Council such measures as it deems necessary
137 and expedient. After deliberation on such a measure, the Council may, by a simple majority, add
138 the measure at issue to the agenda of the next Assembly meeting. No more than one such measure
139 shall have originated from any single Council member per Council meeting.

140 SECTION 4. PROCEEDINGS AND MEMBERSHIP. The Assembly and University Council shall each
141 determine rules of its own proceedings, including attendance, committee, and constituent service
142 policies. A simple majority of the members duly elected or appointed to serve in the Assembly
143 shall constitute a quorum to do business.

144 No elected officer of the Central Student Government shall, within his or her elected term, hold
145 any other office in the Central Student Government.

146 Any elected or appointed officer of the Central Student Government may be removed from
147 office for delinquency, corruption, or other derelictions. Articles of impeachment must pass the
148 Assembly by a simple majority, after which they shall be presented to the University Council for a
149 hearing. A quorum of no less than half the number of degree-granting units of University Council
150 members must be present to hear impeachment proceedings. When the Council is convened to
151 hear impeachment charges, the Chief Justice of the Central Student Judiciary shall preside. At the

152 conclusion of the hearing, a two-thirds majority of the Council shall be required for conviction. A
153 convicted officer shall be immediately removed from office.

154 If at any time a seat on the Assembly or University Council shall become vacant, the legislature
155 of the inferior constituency controlling the seat shall appoint a new representative in such manner
156 as it shall deem appropriate. The appointed representative shall serve until the next scheduled
157 election, at which time the voters of that constituency shall fill the vacancy by election.

158 SECTION 5. LEGISLATIVE PROCESS AND VETO. If the Assembly passes a resolution concerning an
159 amendment to the Compiled Code or a resolution that would be otherwise binding upon students
160 or student organizations, that resolution must then be submitted to the President. Upon receipt, the
161 President shall sign it within one week or veto it. Vetoed resolutions shall return to the Assembly
162 for reconsideration. After such reconsideration, the President's veto may be overridden by a two-
163 thirds majority of the Assembly.

164 Article III

165 The Central Executive

166 SECTION 1. THE PRESIDENT. Executive power shall be vested in a President of the Central Stu-
167 dent Government, who shall serve as chief executive of and chief advocate for the student body.
168 The President shall serve a one-year term and shall be elected, together with the Vice President,
169 by a vote of the general student body. The Student Body President and Vice President shall be
170 elected together in the March election for a one year term by a vote of the student body at large.
171 The method of voting for the Student Body President and Vice President shall be the method of
172 plurality voting. Each student will be allowed to vote for one slate, and the slate with the most
173 votes shall be declared the winners. In the event of a tie, the newly elected Assembly shall choose
174 amongst the tied candidates.

175 The President shall have the authority to appoint a Treasurer, Student General Counsel, Chief of
176 Staff, and Chief Programming Officer to the Executive Committee, which shall advise the President
177 on all pertinent matters. The President shall also appoint student representatives to university-
178 wide committees. All Executive appointments shall be made with the advice and consent of the
179 Assembly, to be determined by a simple majority vote. The President may likewise recall these
180 officers with a two-thirds majority vote of the Assembly. The President may call the Executive
181 Committee into session at any time, and shall serve as its chair in session.

182 The President may appoint Executive Commissions to study issues on campus, publish reports
183 concerning issues under such purview, and recommend to the Executive Branch such measures
184 as they shall deem appropriate. Commissions shall serve a term of one year, but may be granted
185 successive terms by an annual vote of the Assembly. If a Commission has been in active operation
186 for three years, the Assembly may grant that Commission a three-year term. The President shall,
187 with the consent of a simple majority of the Assembly, appoint Commission chairs, who shall not
188 be considered officers of the Central Student Government. Members of the Commission may elect
189 from among their number any other officers they deem expedient. The President may remove a
190 Commission chair with the written concurrence of three other executives. The powers, functions,
191 and composition of these Commissions shall be defined in the Compiled Code.

192 The President may call into session the Assembly or the University Council at the President's
193 discretion. The President shall serve as a non-voting ex-officio member of the Assembly.

194 The President and Vice President may, jointly or severally, recommend to the Assembly for its
195 consideration such measures as they shall deem appropriate. The President shall, prior to the end
196 of each academic year, submit to the Assembly and the students at large, a report of the state of
197 student government and of the student body.

198 SECTION 2. OTHER EXECUTIVES. The Vice President shall serve as a non-voting ex-officio mem-
199 ber of the Assembly and of any Assembly committee he shall elect.

200 The President shall appoint a Treasurer, who shall be the chief financial officer of the Central
201 Student Government. The Treasurer and all other officers authorized by the Assembly to disburse
202 funds must be bonded. The Treasurer shall disburse funds appropriated by the Assembly as pro-
203 vided for in this Constitution and in the Compiled Code, and shall create, publish, and maintain
204 a manual to guide student organizations in pursuing budget allocations. The Treasurer shall, at
205 the direction of the President, assist the legislature in drafting a proposed annual budget for the
206 Central Student Government and present it to the Assembly for a vote. The Treasurer may serve as
207 a non-voting ex-officio member of any legislative body regarding student finance.

208 All financial records of the Assembly shall be open to public inspection. There shall be an annual
209 audit of the finances of the Assembly, which shall be made promptly available for complete public
210 inspection.

211 The President shall appoint a Student General Counsel. The Student General Counsel shall be
212 the chief representative of the Central Student Government in matters before student judiciaries.
213 The Student General Counsel may retain up to three student representatives to serve as assistants
214 in such matters. The Student General Counsel shall advise the Executive and the Legislature on the
215 interpretation of the Constitution and the Compiled Code, and may serve as a non-voting ex-officio
216 member of any legislative body concerning rules and elections of student government.

217 The President shall appoint a Chief of Staff. The Chief of Staff shall oversee attendance and
218 procedural policies at meetings of the Executive Committee and executive commission meetings.
219 The Chief of Staff shall solicit and receive reports of the various organs of government, maintain
220 and publish executive records, and ensure collaboration among the various executive commissions.
221 The Chief of Staff may serve as a non-voting ex-officio member of any legislative body concerning
222 rules and elections.

223 The President shall appoint a Chief Programming Officer. The Chief Programming Officer shall
224 serve as principal advisor to the President on matters of student programming, assist executive
225 commissions in the long-range planning and execution of their mandate, and supervise the com-
226 munications of the Central Student Government. The Chief Programming Officer may serve as a
227 non-voting ex-officio member of any legislative body concerning campus communication.

228 SECTION 3. PRESIDENTIAL SUCCESSION. If the office of Vice President, or of any Executive Office
229 normally appointed by the President, becomes vacant, the President shall name a replacement with
230 the advice and consent of a simple majority of the Assembly. Upon removal or incapacitation of
231 the President, the Vice President shall assume the duties of the presidency. If both the office of

232 President and Vice President shall be simultaneously vacant, the Speaker of the Assembly shall
233 assume the duties of President.

234 Article IV

235 The Central Student Judiciary

236 SECTION 1. THE CENTRAL STUDENT JUDICIARY. Judicial authority shall be vested in one Central
237 Student Judiciary and in such courts as degree-granting units and specific interest organizations
238 shall create. The Central Student Judiciary shall consist of nine Justices selected from among the
239 students. No more than four Justices shall be enrolled in any one degree-granting unit. The term
240 for Justices shall be one year, and justices may serve consecutive terms. New Justices shall be
241 recommended to the Assembly for confirmation by sitting Central Student Judiciary Justices, and
242 shall be confirmed by a simple majority vote.

243 The Central Student Judiciary may hear appeals from inferior courts, challenges under this
244 Constitution and the Compiled Code, Central Student Government elections, and any other case
245 they deem appropriate. It shall be served by a paid Reporter, who shall maintain a public record
246 of their opinions which shall be available to all students. The Central Student Judiciary may elect
247 to redact any information necessary to guarantee student privacy in accordance with the Family
248 Education Rights and Privacy Act.

249 The Central Student Judiciary shall write, publish, and maintain a Manual of Procedure for
250 Appeal and Original Jurisdiction consistent with the provisions of the Constitution. The manual
251 shall include provisions for informing a student of his or her rights, for assuring the impartiality of
252 the panel hearing the case, and for jury trial whenever suspension or expulsion from the University
253 is possible.

254 The Central Student Judiciary may require a student's presence at a hearing by clear and timely
255 subpoena.

256 The Central Student Judiciary shall enforce no regulation inconsistent with this Constitution in
257 content or origin.

258 SECTION 2. OFFICERS AND ADVOCATES. Justices shall select from among their number a Chief
259 Justice, who shall serve a one year term. No Justice shall serve more than one term as Chief Justice.
260 The Chief Justice must have served at least one semester as a Justice before elevation to Chief Jus-
261 tice. The Chief Justice shall determine which Justices will hear individual cases. In any legislative
262 term, the Chief Justice shall preside over the Assembly until a Speaker is elected.

263 The Chief Justice shall oversee the selection of several Student Advocates, who shall serve one
264 year terms. Student Advocates shall meet regularly with leaders of student organizations, and hold
265 public meetings with interested students, to advise them of students' rights and responsibilities be-
266 fore the Central Student Judiciary. Student Advocates shall be available to represent organizations
267 or students before the Central Student Judiciary. Student Advocates shall be justly compensated
268 for their service. Student Advocates may advise the Legislature or any Executive Officer in matters

269 of this Constitution, the Compiled Code, or pending legislation. Their opinions shall not bind the
270 Central Student Judiciary or any other office of the Central Student Government.

271 **Article V**

272 **Ratification, Transition, and Amendments**

273 SECTION 1. RATIFICATION. This Constitution shall be ratified immediately with the consent of
274 three-fifths of voting students. All officers filling any office by election or appointment at the time
275 of ratification shall continue to exercise their powers and duties until their successors are selected
276 in accordance with this constitution or the measures enacted pursuant thereto. All officers elected
277 concurrently with ratification shall take office and complete the term to which they were elected
278 under the All-Campus Constitution of 1986 and existing codes and continue to serve until their
279 successors are elected pursuant to this constitution. The sitting student government at the time
280 of ratification shall adopt operating procedures, election regulations, and such changes as may be
281 necessary to adapt student government to this constitution by March 2011. Student government
282 shall not adopt any amendments to the All-Campus Constitution of 1986 and shall not amend this
283 constitution before April 2011.

284 SECTION 2. AMENDMENTS. The Central Student Legislature may present amendments to this
285 Constitution to the students by a two-thirds majority of the Assembly and a two-thirds majority
286 of the University Council. After such passage, the Elections Committee shall arrange for a special
287 election of the students. If, during such special election, three-fifths of voting students shall vote to
288 affirm the amendment, it will be enacted.

289 **Article VI**

290 **Student Organizations**

291 The Assembly shall provide minimum requirements for the establishment and operation of student
292 organizations in the Compiled Code. Any association of students meeting the minimum require-
293 ments for student organizations shall be recognized by the Central Student Government as such
294 and registered as a student organization.

295 No member of a student organization may benefit financially from membership in the organi-
296 zation.

297 **Article VII**

298 **Initiatives and Referenda**

299 SECTION 1. INITIATIVES. Any action within the authority of the Assembly may be taken directly
300 by the student body through the initiative. Initiative Petition shall state the exact legislation desired,

301 and shall be signed by at least 1,000 current students.

302 When the petition has been filed with the Assembly, the Assembly shall either adopt the legis-
303 lation or submit it to the student body. The Assembly may in addition submit alternate legislation
304 to the student body as a separate question. The question shall be on the adoption of the initiated
305 legislation and a majority of those voting thereon shall be required for adoption.

306 Initiated legislation adopted by the student body shall be binding on the Assembly, and the As-
307 sembly shall not legislate contrary to valid vote of the student body until the next General Election.

308 SECTION 2. REFERENDUM. Any action taken by the Assembly may be brought before the student
309 body for its decision in a referendum. A referendum petition shall state the exact legislation or part
310 thereof which is to be voted upon, and shall be signed by at least 1,000 current students.

311 When the petition has been filed with the Assembly, the Assembly shall either repeal the legis-
312 lation cited, or submit the matter to the student body at an election. The Assembly may in addition
313 submit an amended form of the contested legislation to the student body as a separate question.

314 In the referendum, the question shall be on sustaining the action of the Assembly in adopting
315 the legislation, and a majority of the voting thereon shall be required for adoption. This action shall
316 be binding on the Assembly and the Assembly shall not legislate contrary to a valid vote of the
317 student body until after the next general election.

318 The referendum shall not extend to Constitutional amendments, not to the part of any appro-
319 priation that would normally have been expended by the time of the referendum, nor to elections
320 in the Assembly authorized in this Constitution.

321 SECTION 3. CONSTITUTIONAL CONVENTIONS. Amendments to this Constitution may also be
322 initiated by a vote of two-thirds present and voting of a duly called and elected Constitutional
323 Convention. The manner of calling, electing, filling vacancies, and submitting and dividing ques-
324 tions, and the operating procedures for such convention, shall be specified by the Assembly. Any
325 amendments initiated by such a convention shall be referred to the student body at an election. If
326 three-fifths of those voting on an amendment approve it, the amendment shall be adopted.

327 Article VIII

328 Student Rights

329 SECTION 1. FREEDOM OF SPEECH. No authority, academic or civil, shall infringe upon a stu-
330 dent's freedom of speech, freedom to publish, or freedom peaceably to assemble and demonstrate
331 grievances.

332 SECTION 2. FREEDOM OF ASSOCIATION. Students shall have the right to form, join, and engage
333 in organizations and associations; to use campus facilities for meetings and other activities, subject
334 only to normal expenses when necessary and to such uniform regulations as may be required for

335 scheduling and use purposes; and to, through such organizations and subject to such regulations,
336 solicit money on campus.

337 SECTION 3. FAIR REGULATION. Students shall be free from all rules and regulations not uniform
338 in nature or not fully and clearly formulated, published, and made known to all students. No
339 student shall be subject to any non-academic rule over which no democratic constituency to which
340 that student belongs may amend.

341 SECTION 4. DEMOCRATIC REPRESENTATION. Students shall have the right to form and maintain
342 a democratic student government vested with the power to administer and regulate affairs pri-
343 marily concerning students, to levy and collect dues, and to be represented in the formulation of
344 University policy.

345 SECTION 5. FAIR HOUSING REGULATION. Residents in University-owned, affiliated, or associ-
346 ated housing shall have the power to, democratically and subject to periodic review, regulate dress,
347 conduct, and activities within their residence.

348 SECTION 6. TRIAL BY PEERS. Students shall have the right to a fair and impartial hearing for
349 all grievances under this Constitution or any regulation promulgated by the University before a
350 judiciary of their peers.

351 SECTION 7. PRIVACY. Students shall be free from unreasonable searches and seizures in their
352 persons, possessions, and residences, and shall enjoy full access to and privacy of their academic,
353 non-academic, and disciplinary records.

354 SECTION 8. DUE PROCESS. Students shall enjoy the rights of due process before any University
355 judiciary, to include the right to a speedy hearing, the right to confront accusers and witnesses,
356 the right to competent counsel, a presumption of innocence in all disciplinary matters, freedom
357 from cruel and unusual punishment, and the right to an appeal. No student shall be twice put
358 in jeopardy for the same offense, or suspended or expelled except in cases of academic failure,
359 failure to pay a University debt, or failure to abide by the safety and rights of other members of the
360 University community.

361 SECTION 9. PETITION. Students shall enjoy the right to inquire into, and be honestly and fully
362 informed regarding, any university policy, the process by which it was adopted, and the means by
363 which it might be changed; and students shall be able to petition the University for redress of any
364 policy.

365 SECTION 10. EQUAL PROTECTION. Students shall enjoy equal protection of laws and rules with-
366 out regard to race, religion, gender, sexual orientation, age, marital status, disability, creed, or any
367 other unreasonable consideration.