

RUSA
4/16/2017
Chris Kay, Parliamentarian

Complainant: Viktor Krapivin, Internal Affairs Chair

Question: The constitution in section 5.02 indicates that each campus caucus shall consist of eight representatives with one per academic year and five elected at large. It would appear that this section contradicts itself. How should this conflict be resolved. Furthermore Section 4.02 of the constitution indicates that 4 at large off campus seats shall be elected in the fall. However there are 15 off campus seats with only 8 elected so far. How many do we elect in the fall?

Findings: Section 5.02 of the Constitution reads as follows, “Campus Councils a. Each Campus Caucus shall consist of eight (8) representatives, with one (1) per academic year, and five (5) elected at-large. Students residing on-campus shall only serve as Representatives on the Campus Council for the campus on which they reside. Students living off campus shall only serve as Representatives of the Off-Campus Council.”¹ If we unpack this section it calls for exactly 8 representatives to be elected for each Campus Caucus. This is broken up so that each class year elects a representative. This means that of the 8 seats that each Campus Caucus is to elect 4 are automatically taken up by the senior, junior, sophomore, and freshmen class representatives. Therefore there remains only 4 open seats within each Campus Caucus. This would conflict with the 5 at-large representatives that the Constitution also appears to require because if we take the 4 class representatives and add the 5 at-large representatives we would get a total of 9 representatives which means that there would be an extra representative. This issue cannot be resolved by reference to another rule since the conflict is self-contained in Section 5.02. However in light of the fact that Section 5.02 specifically calls for 8 representatives and not 9 and since each class ought to be guaranteed its own representation the most reasonable course of action would be to limit the number of at-large representatives to 4. Furthermore if the at-large representatives are limited to 4 then it brings them into parity with the class representatives which seems to be more equitable for each caucus.

Section 4.02 states that “Eight Off Campus Council at large representatives shall be elected in the Spring, the remaining four shall be elected in the Fall. If a seat is left open during the Spring elections, it shall be treated as an at large representative seat in the Fall elections; if it remains open after the Fall elections, the campus council chair may appoint a student to fill it.”² So as to the question of how the body should elect the 7 unfilled off-campus seats, the answer appears to be that those seats should be treated as off-campus, at-large seats to be elected during

¹ RUSA Constitution, Article V, Section 5.02, Sub-section 1

² RUSA Constitution, Article IV, Section 4.02

the fall elections. If those seats fail to be filled during the fall elections then it becomes the Off-Campus Caucus Chair's responsibility to fill the empty seats.