

RUSA

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Question: Do members of RUSA have voting rights if their sole claim to membership within the Assembly is granted to them by ex-officio status?

Findings: Within the RUSA Constitution Article V details membership and responsibilities. Within Article V section 5.02 defines voting members and section 5.04 defines non-voting ex-officio members. These two sections are the two primary sections which govern the voting rights of members in the Assembly. Section 5.02 make no mention of the voting status of ex-officio members, in fact the term ex-officio is absent from the entirety of section 5.02. Section 5.04 speaks only to the rights of ex-officio members who have already been certified as non-voting and as such does not provide an answer to the question of voting rights for ex-officio members who are not also labeled non-voting. So these two sections, which are where we would expect to find the answer to our question, are silent on the issue at hand.

However the term ex-officio appears in two other sections of the Constitution. These sections are section 2.01 and section 5.03. In section 2.01 the Parliamentarian is defined as an ex-officio member without voting privileges of the Executive Board and as an ex-officio member of the Internal Affairs Committee. And in section 5.03 the President is defined as an ex-officio member of all committees, except for Internal Affairs. So from sections 2.01 and 5.03 we find that a clear distinction is made between *non-voting ex-officio members* and *ex-officio members*. This could be taken to imply that wherever a distinction of non-voting ex-officio status fails to appear then an ex-officio member has voting rights. However both section 2.01 and 5.03 deal only with ex-officio status of members in committees and not the General Assembly. Therefore the exact status of the voting rights of ex-officio members is still vague.

The Standing rules provide no more clarity than the Constitution. Ex-officio members are mentioned in Article IV.1, Article V.1, and Article XV.5 but in each instance the language is simply a repetition of what can be found in the Constitution.

Robert's Rules of Order provides a small amount of advice, stating "If the ex-officio member is under the control of the society, there is no distinction between him and the other members..."¹ This seems to imply that ex-officio members would have full voting rights within their given committee unless otherwise abridged by the Constitution or by the Standing Rules.

So the exact status voting status of ex-officio members is left unclear by the Constitution and the Standing Rules although Robert's Rules does provide a measure of guidance. In such cases it falls to the Parliamentarian to interpret what can be found in the Constitution, as per Article XV.5.

¹ Needs Citation for 11th edition. 4th edition citation Article IX.51

The Constitution clearly distinguishes two different classes of ex-officio membership, *non-voting ex-officio* and *ex-officio*. This distinction is maintained throughout both the Constitution and the Standing Rules. So because this distinction is made and no prohibition is noted against the voting rights of *ex-officio members* those members appear to be entitled to full voting rights in any Committees which they are appointed to. *Non-voting ex-officio members* do not enjoy those voting rights although this prohibition applies only as far as specified and should not be understood to extend any further than that. However it is important to note that under no circumstances would it be the case that ex-officio members, without concurrently holding a position as detailed in Constitutional Article 5.02, should have voting rights in the General Assembly.