Memo

I write this memorandum to inform Students Against Institutional Discrimination (SAID) of the Executive Board’s decision regarding the referendum submission for the Spring 2016 ballot. The referendum was received in accordance with Article VIII of the Student Government Association’s Constitution and Article V of the Association’s Bylaws. The question posed was “Do you believe that it is necessary to initiate a redrafting of the Student Government Association’s Constitution to reflect the interests of the student body?”

By a vote of 4 yea, 0 nay, and 2 abstentions against the approval of Resolution of Governance proposed by SAID, the Executive Board has decided that the referendum submission is not fit for the ballot based on feasibility, adherence to University policy, and fairness of wording. The specific points of the decision and the Executive Board’s rationale are detailed below.

Feasibility:
SAID states in section 3 their referendum “To ratify a proposal for a new Constitution by the conclusion of the Fall 2016 Semester via direct referendum vote from the Undergraduate Student Body.” This section stands in direct conflict with Article XI of the Association’s constitution which states “To amend [the Constitution], a Resolution of Governance, as defined by the Bylaws, must be ratified by a two-thirds vote of the Full Body Senate.” Although section 4a of the referendum does call for legislation to change the ratification process, there is no guarantee that this legislation would pass the full body senate, or be signed into effect by the University President or designee.

It is also important to note that although this legislation is labeled as a Resolution of Governance, the referendum does not contain any amendments to the Constitution, rather just the general statement that it should be amended, operative clauses relating to internal proceedings, and the aforementioned ratification process. Due to these two points, the referendum is not feasible.

Adherence to University Policy:
SAID states in 3a of their referendum that “Ten percent (10%) of the Undergraduate Student Body must participate in the direct referendum vote to validate the result.” This does not adhere to University policy due to the fact that 20% of the Undergraduate Student Body must vote in order to validate a direct referendum.

Fairness of Wording:
The question put forward by SAID states “Do you believe that it is necessary to initiate a redrafting of the Student Government Association’s Constitution to reflect the interests of the student body?” This question was deemed unfair due to the fact that nobody would vote for SGA not to reflect the interests of the student body. The latter half of the question is leading in nature for the reader to assume that the current interests of students are not being represented at all by the Student Government rather than implying that the current state could be improved. Association membership data collected earlier this year implies that representation in senate needs improvement, which is in line with the Executive
Board's sentiments; nonetheless, the latter half of the proposed question is still leading in nature, as it assumes that the current interests of students are not represented at all.

If you feel that the decision of the Executive Board has been reached unfairly, please refer to Article VIII, Section C of the Association’s bylaws for the complete appeals process and then contact the Parliamentarian of the Student Government Association, Alex Carlin, at carlin.a@husky.neu.edu to initiate the appeals process.