Arbitration Hearing Request
Submitted by GSC Secretary Mark Nabors, GSC Speaker Scout Johnson, GSC Vice Speaker Madeleine Forrest, GSC Treasurer Arley Ward

February 9, 2016

I. Introduction

The Graduate Student Congress (GSC) respectfully submits to the Associated Student Government Judiciary (ASGJ) for review ASG Senate Resolution No. 3, the Grade Forgiveness Policy Act of 2015 (see attached). Because the resolution fails to differentiate between undergraduate and graduate students, the GSC believes that the passage of this bill constitutes an infringement on its constitutional rights and operation, and accordingly submits this arbitration request to ASGJ under Article II § 1 A, B, C, E, and H of the ASG Constitution.

II. ASG Senate Resolution 3 Infringes on GSC’s Rights and Operation

GSC does not question the merit of ASG Senate Resolution 3. However, the GSC believes that the resolution unconstitutionally claims to speak for all students. The ASG Constitution is clear that only the GSC has the authority to speak on behalf of graduate and professional students (see Article II § 1 C). In this case, the GSC was not consulted, meaning this resolution infringes on the GSC’s rights to speak on behalf of its constituency.

The resolution consistently points to “students” without differentiating between graduate and undergraduate students. Indeed, every Whereas clause, along with the two Resolved clauses, seek to speak on behalf of the entire student body. While this may have been an inadvertent oversight on the part of the resolution’s authors, it must be corrected to clarify that this resolution only speaks for undergraduate students. In fact, graduate students do not have a grade forgiveness policy, and it is the belief of the GSC that the majority of graduate students are against such a policy.

III. The GSC Requests a Remedy

The GSC respectfully requests that the ASGJ rule that the rights and operation of the GSC were infringed by ASG Senate Resolution 3, the Grade Forgiveness Policy Act of 2015. This remedy would allow the GSC to consider ASG Senate Resolution 3, and to amend it to differentiate between graduates and undergraduates. Once those amendments are made, a conference committee will be formed to negotiate amendments (which we do not believe will be controversial). If taken, this action by the ASGJ will demonstrate the body’s disciplined and deliberate consideration of all students, and will ensure that minority voices are heard and respected.