

## **ASUO Constitution Court**

On Motion for Clarification

[Submitted October 29, 2009. Decided November 3, 2009. Published November 4, 2009]

PER CURIAM

### I

On October 29, 2009, the ASUO President Emma Kallaway and ASUO Senate Treasurer Lyzi Diamond submitted a joint motion for clarification of ASUO Constitution § 13.10. Specifically, the question presented is whether an applicant for ASUO Academic Senator Seat 19, who is simultaneously a National Student Exchange participant here at the University of Oregon, and an Education major at his home university, is precluded from filling that seat by virtual of the apportionment of Academic Senator seats among academic disciplines.

Under §13.10, Academic Senators are apportioned according to the representation of their disciplines among the University's student population. As the apportionment exists now, Senate Seat 19 is reserved for Journalism students and National Student Exchange participants. Senate Seat 20 is reserved for School of Education and Community Education students.

### II

The purpose of a motion for clarification under the ASUO Constitution is so that the Constitution Court may issue advisory opinions on any vagueness or ambiguity contained within the Constitution's language. An advisory opinion neither limits nor prejudices the Court in any future proceeding in which this matter is contested in a case or controversy before the Court.

### III

The Court concludes that under the ASUO Constitution an applicant who is both a National Student Exchange participant and, functionally, a School of Education student, is eligible for Academic Seat 19. Students with multiple majors are not uncommon. The purpose which animates the division of Academic Senate seats among the University's many disciplines is to ensure that all the diverse courses of study at the University are as adequately represented within the ASUO as possible.

There is nothing inherent in sharing identities among many possible disciplines which precludes a student from fulfilling that purpose.

IV

To reiterate, this is an advisory opinion issued on a motion for clarification. The Court has not had the benefit of the adversarial advocacy of opposing points of view, as is the norm among the legal community. An advisory opinion neither limits nor prejudices the Court in any future proceeding in which this matter is contested in a case or controversy before the Court, and this opinion therefore has merely persuasive, not precedential value.

*So ordered.*