



D. Garrett

v.

T. Lee, B. Gross, E. Baires, M.  
Short, C. Kingsley-Burt, T. Cobb, S.  
Cioffi, D. Sharma, R. Grimesey, and  
J. Foster

January 26, 2012

The issue set before the EDC is three-fold.

- I. GPA Requirement (Article II, Section 2)
- II. Bills of Attainder (Article II, Section 7)
- III. Separation of Powers (Article 6)

I.

Mr. Garrett (the Petitioner) claims that the GPA standard set by the Student Body Constitution of George Mason University (GMU Constitution) and by the Office of Student Involvement (OSI) sets the minimum GPA and also dictates that the GPA requirement cannot be any higher. This commission holds that Student Government can choose to make stricter requirements for membership. The limit set forth by the GMU Constitution and OSI merely set a foundation, limiting student organizations from allowing students below that threshold. Student Government's desire to implement a higher standard for their members does not conflict with any clause in the GMU Constitution. Furthermore, there is a precedent of other organizations, namely honors societies, implementing a GPA requirement higher than the OSI-mandated 2.0. For these reasons, this commission dismisses this claim.

II.

The Petitioner claims that Bill 23's Code of Conduct is a Bill of Attainder. Again, the Commission turns to the idea of a higher standard. The EDC views the Code of Conduct as a higher standard, by which student senators must abide. Much like many jobs require new hires to sign contracts, non-disclosure agreements, and other documents prior to employment, the Senate is merely implementing a higher standard. Refusal to sign a Code of Conduct is not a tacit admission of guilt for actions that may occur in the future, rendering this bill legal and in compliance with the GMU Constitution's Bill of Attainder clause.

III.

The third point from the Petitioner is that this bill usurps EDC authority by circumventing the impeachment process. As outlined during oral arguments, the EDC's authority over the impeachment process remains unchanged.

After hearing testimony from both parties involved the Elections and Dispute Commission has reached the following unanimous decision in regards to both of the aforementioned claims: The EDC holds that the Senate's desire to implement higher standards for its members, in the form of a higher GPA requirement and Code of Conduct, is valid and does not conflict with any



clause found in a superior governing document. Senate is free to enforce its new regulations using the impeachment process. However, this Commission holds that Articles of Impeachment can only be brought forth by an individual, or group of individuals represented as such. A collection of individuals cannot form a group and file Articles of Impeachment under a collective moniker, but instead each person must be individually listed on all documents. Since this Commission is not striking any clauses of Bill 23, the Petitioner's severability claims are rendered moot.

Member of Elections and Dispute Committee present: David J. Bier (Chairman), Christina Lauderdale, Daniel Santiago, Greg Mercer, Jessica Richardson, and Emily Daniel