
**MARIST COLLEGE STUDENT GOVERNMENT ASSOCIATION
JUDICIAL BRANCH DECISION**

JBDN: 07022611-115D
To: Stephen Townsend – Class of 2010 President
From: T. Neil Wynne – Chief Justice
Subject: Townsend Elections Grievance
Date: February 26, 2007
Cc: Stephanie Venezia – Elections Commissioner
Patricia Corder – Administrative Advisor to the Judicial Branch
Shannon Roper – Faculty Advisor to the Judicial Branch
Maryellen Conway – Student Body President
Nicholas Staropoli – Speaker of the Senate

Before: Chief Justice T. Neil Wynne, Resident Justice Shayne Temple, Resident Justice Michael Uttley, Resident Justice Krista Gardner, Commuter Justice Marykathryn Gielisse.

Resident Justice Uttley delivers the unanimous decision of the Judicial Board:

Stephen Townsend, president of the class of 2010, submitted a declaration of candidacy for the Spring 2007 election of the Marist College Student Government Association. The elections commissioner reviewed Townsend’s qualifications to participate in the election. Townsend was ruled ineligible to participate in the election as he did not meet the minimum qualifications set forth in the governing documents of the Student Government Association. Townsend initiated a grievance following his disqualification requesting that he be allowed to participate in the elections. We, the Judicial Board, reviewed the grievance. We find that Townsend does not meet the minimum qualifications to participate in the current election and therefore affirm his disqualification.

Townsend’s grievance is based on his interpretation of the governing documents of the Student Government Association. The relevant portions of the documents are as follows:

Student Government Association Constitution, Article VI, Section 3

“Any member of the Student Government Association whose cumulative grade point average falls below a 2.5 ...”

Student Government Association Bylaws, Article VII, Section 2

“Any full-time, undergraduate student with no less than a 2.5 cumulative index, who is not on academic probation, may hold an elected or appointed position ...”

Student Government Association Elections Guidelines

“...not be on academic probation and must also have a cumulative grade point average of 2.5 or higher.”

Townsend first argues that the use of “2.5” as a grade point average calculation is unclear and subject to rounding. He argues that a 2.45 grade point average must be rounded to a 2.5 for the purposes of Article VI, Section 3 of the constitution as 2.5 calls only for one digit following the decimal. The Marist College Center for Advising and Academic Services (CAAS) is responsible for the calculation of students’ grade point averages. Based on the institutional standards set forth by the CAAS, we hold that there is no rounding in grade point average calculations. The requirements for academic achievement awards, scholarship retention, and placement on academic probation are those to which we defer when interpreting the standards of grade point average calculation. One requirement of being named to the biannual Dean’s List is a 3.4 grade point average. The CAAS holds that a grade point average of 3.399 is not sufficient and will never be rounded in any way. They further hold that a student that maintains a 1.999 grade point average will be placed on academic probation because he or she has not attained a 2.0. For these reasons, the argument that a 2.45 shall be rounded to a 2.5 is dismissed.

Townsend further argues that a student with a 2.45 grade point average who is not on academic probation does not violate the Bylaws, Article VII, Section 2 due to the section’s ambiguity. Townsend interprets the passage’s meaning in the following manner: Any student that has less than a 2.5 and is on academic probation does not meet the qualifications to hold an elected or appointed position. We disagree. There are two requirements noted in the passage in question. A student with no less than a 2.5 cumulative index may hold a position, but the student must also not be on academic probation. If either requirement is violated, the student is ineligible to hold a position. Townsend is in violation of at least one of these requirements, and is therefore ineligible to participate in the election.

The Student Government Association Elections Guidelines were the guidelines acted upon by the Elections Commissioner. A grade point average of 2.5 or higher is required to participate in the election. We reject the arguments brought forth by Townsend, and we find that a 2.45 grade point average shall not be interpreted to meet a requirement of “2.5 or higher.”

We are also sufficiently concerned with the grounds for a grade point average requirement. It is of the utmost importance to note why the grade point average standards are in place. The standards are not established arbitrarily. Within Marist College, students’ primary responsibilities lie with academics. The participation in extracurricular activities has the ability to interfere with students’ academic achievements. Prior to being a campus leader, an individual must first perfect his or her academic record. Within the Student Government Association, members must set a positive example for the student body by maintaining an excellent academic record while acting as a leader. This is particularly important with regard to positions that require some of the most demanding time sacrifices. It is important that a campus leader shall not struggle with academics due to a responsibility owed to a constituency.

Wherefore, the Judicial Board, having taken all of the facts into consideration, it is hereby

INTERPRETED, that since the Student Government Association lacks an explicit policy of cumulative index rounding, the Judicial Board must defer to the institutional policies and

procedures of Marist College, specifically the Center for Advising and Academic Services, which does not employ rounding under any circumstances;

INTERPRETED, that to qualify as an elections candidate, a student must meet the following criteria: full-time undergraduate student, no less than a 2.5 cumulative index, not on academic probation. Failure to meet any one of these criteria will disqualify the candidate from the elections;

AFFIRMED, that Stephen Townsend is disqualified from the Spring 2007 Student Government Association Elections;

ORDERED, that the suspension of Mr. Townsend from his position of Class of 2010 President ordered by the Judicial Board on February 22, 2007 is vacated due to the resolution of his grievance; and it is further

RECOMMENDED, that the Marist College Administration summarily remove Stephen Townsend from office as per Article VI, Section 3 of the Student Government Association Constitution.

It is so decided.

T. Neil Wynne
Chief Justice

Published: February 27, 2007