

# Court examines campus groups in judicial review

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Undergraduate Student Government Supreme Court

Of the three branches in the Undergraduate Student Government — executive, legislative, and judicial — the Supreme Court is certainly the least visible to the student body.

It is comprised of nine members, including a chief justice and eight associate justices, one of whom acts as court clerk.

Indirectly the court affects the entire student body, yet its function remains a mystery to most. The purpose of this article, therefore, is to make students more aware of how the court functions and why it exists as a separate and vital part of USG.

There are more than 300 undergraduate student organizations which were all at one time registered by the USG Supreme Court. These organizations offer a wide variety of activities to satisfy the needs and interests of most of the student body.

It is the function of the court when registering these organizations to ensure that they draw up a constitution which is fair to all of its members and that the organization adheres to that constitution.

Though this is certainly the court's most important function, it remains the least understood.

Among the options which are open to a student organization once it has become registered is the right to use University property to advertise for either new members or group-sponsored activities. Since useful methods of increasing membership are signs placed in buildings on campus and at information tables at registration, being registered may be important to the livelihood of an organization.

Similarly, university rooms and selected facilities are also available only to registered student organizations. For example, a projector may be obtained to show a movie and a room may be reserved for meetings or activities.

Financially, there are advantages as well. Purchases made under the name of such organizations can be obtained on a tax-exempt basis.

And finally, only registered student organizations are eligible to receive funds from the Association of Student Activities.

The procedures involved in registering a student organization are quite simple. The group of students wishing to become registered draws up a constitution, which should follow the

guidelines set by the court. It is then submitted to ASA and a request to be considered for registration is filed.

The court considers whether to register the group on the basis of its stated purpose, the number of members it has and its uniqueness with respect to other organizations.

In an open session attended by one or more officers of the organization, the court reviews the group's constitution, making sure that it abides by university and legal policy, such as Title 9.

The court also sees to it that the language used is neither too inflexible nor so ambiguous that it could easily be misinterpreted or misapplied.

In this way, the court is able to protect both the original leaders and members and all future ones as well. After this, the court holds a closed session during which the members discuss the previous proceedings and vote on whether or not to register the organization.

The decision is based on a majority opinion of the members present.

An affirmative vote allows the group to be provisionally registered for 10 school weeks. In this way, the court is able to determine whether or not the organization can function for an ex-

pected period of time as a thriving and important part of the university community.

Without this careful oversight, the court might inadvertently refuse registration to a potentially stronger organization simply because an inactive organization was allowed to remain on the books.

In addition, the organization will have a built-in incentive to better serve the student body by sponsoring activities that would make them more appealing to prospective members and those simply interested.

Besides registering new organizations, it is the function of the court to review old organizations, a process which repeats itself approximately every two years. Each member of the court is assigned weekly one or more existing organizations to research so that no inactive group remains undetected for any length of time.

The justice works in conjunction with a member of a task force comprised of students chosen by the court. Together they randomly select names to contact from a list of active members submitted by the group's president.

Other research is done on the organization's use of ASA funding as well as its possible duplication of services with other organizations.

Again these organizations that have been

inactive or that have not maintained the required minimum of 12 members will be put on provisional status for 10 school weeks.

During this time they are expected to campaign for more members and develop their stated objectives. There are also some instances in which the court must revoke the registration of an organization which they determine should not be registered because it is both unnecessary and even a hindrance to other active organizations.

Aside from giving groups their registered status, the Supreme Court protects the rights of individuals both within the organization and without. If anyone or any group has a complaint against a particular organization for discrimination, unfair treatment or abrogation of its constitution, it is with the Supreme Court that these grievances are filed.

The court will hear both sides together in an informal hearing and then render its decision on what action should be taken. Although this is an important function of the court, grievances are rarely filed.

The court has another power which hasn't been exercised in several years — that of the supreme appeals board for complaints concerning USG elections.

## the daily Collegian op-ed

### Freedom House Group loses balance

By DAVID WRIGHT  
President  
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Past president  
Freedom House

Freedom House is a social organization that stresses people from a wide variety of interests and backgrounds working together.

This we feel is perhaps the most important feature of our organization — we stress learning to work with persons different from ourselves rather than working with persons that are selected on the basis of common interests or attitudes. And although we are based on third and fourth floors Ewing, we are open to all persons, male and female, on the entire campus.

By encouraging all individuals to work together, we feel we have provided a richer dormitory life experience for all our members. Our activities include many parties, a charity donation every term, a picnic every May at Stone Valley which serves as a reunion for all our alumni and many services provided for our members. We also have a social lounge which serves as one of many ways of bringing our members together, preferential housing and many fund raising activities such as showing movies on campus.

Our organization will be severely hampered by the Supreme Court decision which revoked our charter. The court has three main reasons for revoking our charter, none of which we feel are valid.

These reasons include: 1) duplication of representation; 2) Freedom House does not meet the basic criteria used by the court for registering student organizations, and 3) Freedom House can obtain all its privileges through other residence hall organizations such as South Halls Council and the Association of Residence Halls Students.

We feel that the Supreme Court's first reason for revoking our charter, i.e., duplication of representation, is in complete disregard of the present existing and well functioning system of student government.

Almost all students at University Park have at least duplicate or even triplicate representation simply by belonging to or living under the jurisdiction of more than one USG registered organization.

For example, members of sororities or special interest clubs have representation through these organizations as well as their dormitory organization government and A.R.H.S.

Given this situation, we feel it makes no sense at all to revoke Freedom House's charter on the basis of duplication of representation.

The Court's second reason for revoking our charter, that is that Freedom House does not meet the basic criteria used by the Court for registering student organizations, we feel is illegitimate.

Firstly, the present court has never presented us with a definition of what its criteria are. Obviously, the court of four years ago did think that we met the

necessary criteria when it granted us our charter.

The only hint of what the present court objects to, that we can tell, is that we are not organized around a well-defined common interest. To that, we can only reply that we feel it is even more important for persons to learn to get along well with people different from themselves, rather than those with which they already have many things in common.

The court's third statement that we can obtain all our privileges from other residence hall organizations is only a half truth at best. Many of the privileges to which we are presently entitled might be obtained through the other existing residence hall organizations, but only through considerable hassle and loss of our autonomy, which is very important to us.

We must also stress privileges might be obtained — the court has spoken with officers of the various other residence hall organizations who have said that they would provide us with some of the privileges to which we are now entitled. However, no where in the constitutions of any of these organizations does it say that they must provide us with the privileges that we enjoy presently.

Obtaining the privileges through other residence hall organizations is a completely arbitrary thing. The officers of South Halls Council and ARHS could say yes to our request for services this year and no the next year.

Thus, our university registered status is our only guarantee of keeping the privileges that have allowed us to build a strong organization.

Freedom House is very displeased with the way the hearings were handled. Out of eight justices, only four were present at both hearings. Well-researched evidence which we presented at the hearings was in conflict with what the court's investigation revealed.

Although the court could not document its findings, it still chose to make a decision based on this disputed evidence. There was also indications of bias on the court's part which surfaced when Freedom House talked to university officials already contacted by the court.

These serious infractions of procedure makes the validity of the court's decision doubtful.

We, the members of Freedom House, feel that the privileges provided us by our university charter are the major factors that have allowed Freedom House to build into a unified organization described by the court itself as "ideal" and "very impressive."

Since the Supreme Court has seen fit to take away the charter of Freedom House while simultaneously claiming that it can obtain its privileges through other organizations, we feel that the burden of guaranteeing these privileges is now on the court.

Without a university charter or a guarantee of the privileges it entails, the USG Supreme Court will have destroyed an active and productive student organization.

### USG Judiciary Decision pulls weight

By HARRY LEIDER  
Chief Justice  
JOSEPH GUYTON  
Associate Justice and Clerk  
Undergraduate Student Government Supreme Court

The Undergraduate Student Government Supreme Court is reviewing all student organizations as part of the duties assigned to it by the University.

The review process consists of an inquiry into an organization's purpose and function within the University as well as monitoring the organization's activities and membership.

The purpose of these reviews is to prevent duplication of purpose among organizations and to make sure each group has a minimum amount of support from the student body.

In the process of this review, the court came across Freedom House, a dormitory house located on third and fourth floor Ewing Hall.

During Spring Term 1974, Freedom House was registered as a student organization by the court.

As a student organization, Freedom House is unique because of its status as a dorm house. In fact, it is the only dorm house ever registered as such by the court.

A similar case was heard last winter by the court concerning Beaver's Phyrst, another dorm house. Beaver's Phyrst sought registration and was refused because the court felt that by registering Beaver's Phyrst, an organization would be created that duplicated the inherent function of a dorm house.

Furthermore, Beaver's Phyrst had no central theme to distinguish it as a student organization.

With such a precedent in mind, it became apparent to the court that a careful investigation of Freedom House was necessary.

Prior to the actual hearing, the court did a preliminary study of the function and structure of Freedom House.

In early October, representatives of Freedom House appeared before the court. These people were questioned about their organization's purpose and activities by the justices, who also attempted to discern why Freedom House found it necessary to be registered as a student organization.

The findings were very interesting at that early stage: Freedom House was found to be a very impressive and highly functional group of people.

However, their purpose seemed nebulous — they had no concrete idea or goal to build their organization on, beyond the purpose of a dorm house.

The activities were very similar to those produced by most dorm floors, although better organized.

Such activities as parties, beverage concessions on the floors and movies were among those discussed at the initial hearing. Freedom House also presented its argument defending its registered status.

Their argument centered around "certain advantages" given to them through their registration. Freedom House claimed that its status enabled it to 1) deposit money in an Associated Student Activities account, entitling them to make purchases that are

exempt from the state sales tax; 2) reserve rooms on campus for activities which it was sponsoring (i.e. movies); 3) use a University WATS line to make long distance calls free of charge; 4) obtain preferential housing for members of Freedom House who did not live in Ewing Hall but desired to move there, and 5) gain "prestige" as an officially registered student organization.

At this time, the court felt it was of the utmost importance to look into the matter carefully, with a second hearing two weeks later.

In the interim, members of the court met with administrative officials such as the director of Associated Student Activities, the vice president for Student Affairs and the director of Residential Life to discuss various aspects of the case.

During this time, the claims of Freedom House were carefully analyzed. The court found these claims to be accurate and true and went into the second meeting with that in mind.

During the court's closed session at the second meeting, before hearing Freedom House, the theory was presented that Freedom House could obtain the same services and privileges as a dorm house without being registered as a student organization. This would be achieved by utilizing the system provided for them through their area government and the Association of Residence Halls Students.

This concept was then presented to Freedom House in open session later that night. Representatives of Freedom House found this concept "unacceptable" on the basis of the information they had obtained during the time between hearings, when they also met with administrators.

After lengthy and, at times, heated discussion, the court excused the representatives of Freedom House and decided to investigate the actual workability of the theory.

In the next week, members of the court met with representatives of ARHS and the South Halls Residence Association. Those representatives agreed that Freedom House could, in fact, maintain their privileges by working with ARHS and SHRA.

For example, the treasurer of SHRA is willing to establish an unrestricted account for Freedom House. This account is exempt from all sales tax since SHRA deposits its money with ASA.

Also, ARHS is able to reserve rooms for Freedom House whenever they are needed for activities. The continued use of a WATS line was not considered since, as of Jan. 1, 1978, the University will no longer provide such free services.

The preferential housing argument was also somewhat suspect since registered status does not guarantee such a privilege.

Therefore, the court's theory proved to be both viable and practical. The only claim remaining concerned the "prestige" derived from being registered.

The court concluded that such a claim was not an adequate reason to be registered as a student organization and revoked the registration of Freedom House as of Nov. 19.

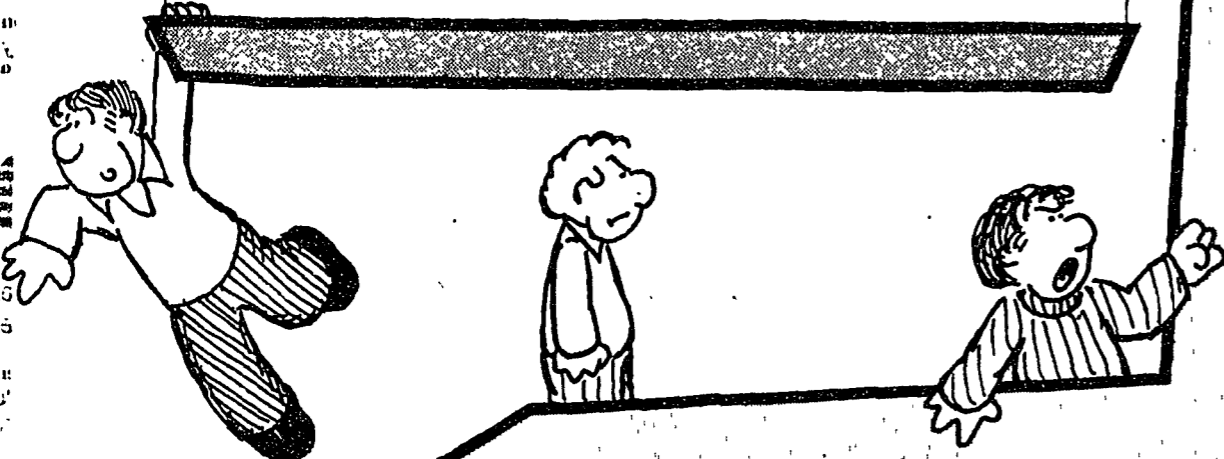


Illustration by Mark VanDine