



## OPINION OF THE OFFICE OF ATTORNEY GENERAL

Casey Stiteler  
President  
Associated Students of the University of Nevada

Dear Mr. Stiteler,

In response to your request, I offer the following opinion:

The question posed is in regards to the minimum grade point average required to hold office in the government of the Association as per the Constitution of the Associated Students of the University of Nevada, Article I, Section I, Subsection b, Sub-subsection 1. More specifically, the question posed is in regards to the required establishment in which the minimum grade point average must be achieved.

The language of the Constitution of the Associated Students of the University of Nevada, Article I, Section I, Subsection b reads as follows:

*“(b) QUALIFICATIONS TO HOLD OFFICE.—All members of the government of the Association, at the time of their election or appointment and throughout their terms, shall meet the general qualifications as follows:*

*(1) Maintain a minimum 2.75 cumulative grade point average.*

*(2) Be enrolled in at least seven undergraduate credits.”*

Since the language specifically states that a member is to maintain a 2.75 cumulative grade point average, it is indicative that the student must first have a grade point average at the university to maintain. Incoming freshmen students at the University of Nevada do not maintain their high school grade point averages to build off of using grades achieved in higher education courses. As such, a high school grade point average would not satisfy the requirement in question. Further, unless a high school student has completed higher education courses prior to entrance to the University of Nevada as a freshman enrolled in seven undergraduate credits or more, a freshman student would not be eligible to hold office in the government of the Association until the student’s second semester on campus.

Where a higher education transfer grade point average is concerned, Subsection b does not restrict transfer students from meeting the criteria to hold office in the government of the Association. Students who transfer into the University of Nevada maintain a grade point average from their previous institution based on the course work that the Admissions and Records Office accepts for transferrable credits. This then established transfer grade point average is built upon using grades achieved in courses completed at the University of Nevada. As long as a transfer student's transferable credits yielded a transfer grade point average of 2.75 and the transfer student was enrolled in 7 undergraduate credits at the time of election or appointment, the transfer student would be eligible for office in the government of the Association by the criteria set in the Constitution of the Associated Students of the University of Nevada.

### **In Conclusion**

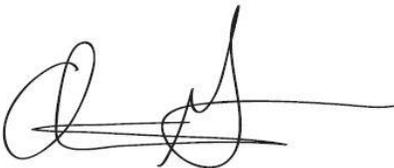
A high school grade point average does not satisfy the requirement stated in the Constitution of the Associated Students of the University of Nevada, Article I, Section I, Subsection b. A grade point average transferred to the University of Nevada from another institution of higher education does satisfy the requirement stated in the Constitution of the Associated Students of the University of Nevada, Article I, Section I, Subsection b.

Should the Association desire that a student be a member of the Association in order to be elected or appointed to the government of the Association, I recommend that a Sub-subsection 3 be added to Article I, Section I, Subsection b of the Constitution through the appropriate actions and that reads as follows:

“(3) Be a current member of the Association.”

It shall be noted, however, that additional restrictions and requirements regarding holding office in the government of the Association stated in the Constitution still hold and should not be disregarded.

Respectfully,

A handwritten signature in black ink, appearing to be 'Christina Gunn', with a long horizontal line extending to the right.

Christina Gunn  
Attorney General  
Associated Students of the University of Nevada