

The Constitution of the Associated Students of Utah State University

Preface

The Constitution of the Associated Students of Utah State University is hereby established to grant all rights, privileges and powers upon registration, to the students of Utah State University and to their representative body, the ASUSU Student Government. This Constitution is established by the authority granted by the Utah State University Board of Trustees, as established by the Utah State Legislature and extended through the President of the University. All actions of the Associated Students of Utah State University, hereafter referred to as the ASUSU, shall be in accordance with the provision of this Constitution.

Article I. Membership and Rights

All students registered at the University, graduate and undergraduate, are members of the ASUSU and shall be granted all rights and privileges as established by this Constitution.

Article II. The ASUSU Student Government

Section 1. Purpose and Mission

The ASUSU Student Government, hereafter referred to as the ASUSUSG, is hereby established to conduct all of its operations for the purpose of improving the quality of student life at Utah State University.

Section 2. Duties of the ASUSUSG Officers

ASUSUSG officers shall conduct all operations according to the provisions set forth in this Constitution, the ASUSU General Laws (See: Article XI, Section 1-2), and to the charter of each respective ASUSUSG office.

Section 3. Representative Authority

The representative authority of the ASUSU shall be vested in the ASUSUSG. The ASUSUSG shall represent ASUSU to the:

- A. Utah State University Administration, Faculty, and Staff.
- B. Utah State University Board of Trustees, Utah State Board of Regents, and the Utah State Legislature.

Section 4. Legislative Authority

The legislative authority of the ASUSU shall be vested in the ASUSUSG. (Legislative authority may also be vested in the members of the ASUSU by initiative and referendum. See: Article VIII, Section 3-4).

The ASUSUSG is authorized to:

- A. Enact legislation through resolutions and bills (See: Article VIII, Section 1-2).
- B. Establish committees comprised of members of the ASUSU to assist ASUSUSG officers in fulfilling their charter responsibilities. (ASUSUSG officers may rescind any appointment of a member of the ASUSU to a committee over which that officer has administrative control.)
- C. Appropriate and approve all Student Activity Fee monies.
- D. Conduct investigations into matters of student welfare.
- E. Submit to the ASUSU, by a two-thirds vote of the ASUSUSG, any proposed amendments to this Constitution.
- F. Establish elections rules and supervise all ASUSU elections.
- G. Participate in and establish procedures for Staters Council.
- H. Create or amend an ASUSUSG office charter by a two-thirds vote of the originating body and the ASUSU Executive Council (ASUSUEC).
- I. Call for a referendum of the ASUSU (See: Article VIII, Section 4).

Section 5. Procedures

- A. The ASUSUEC shall:
 1. Be chaired by the ASUSU President.
 2. Convene weekly meetings from August through April, except during semester and holiday breaks. Meeting cancellations shall be proposed by the ASUSUEC Chair and passed by majority vote of the ASUSUEC.
 3. Conduct and publicize open meetings, which shall be advertised no less than 24-hours prior to the meeting time.
 4. Conduct meetings according to parliamentary procedure.
- B. The ASUSU Academic Senate (ASUSUAS) shall:
 1. Be chaired by the Academic Senate President
 2. Convene weekly meetings from August through April, except during semester and holiday breaks. Meeting cancellations shall be proposed by the ASUSUAS Chair and passed by majority vote of the ASUSUAS.
 3. Conduct and publicize open meetings, which shall be advertised no less than 24-hours prior to the meeting time.
 4. Conduct meetings according to parliamentary procedure.

Section 6. Membership

- A. The ASUSUEC shall consist of the following offices:
 - 1. President
 - 2. Administrative Assistant (ex-officio)
 - 3. Public Relations Director (ex-officio)
 - 4. The following Representatives:
 - a. Academic Senate President
 - b. Athletics and Campus Recreation Vice President
 - c. Campus Diversity and Organizations Vice President
 - d. Executive Vice President
 - e. Graduate Studies Vice President
 - f. Programming Vice President
 - g. Senate Pro Tempore
 - h. Service Vice President
 - i. Student Advocate Vice President

- B. The ASUSUAS shall consist of the following offices:
 - 1. Academic Senate President
 - 2. Graduate Studies Vice President (ex-officio)
 - 3. The Following Senators:
 - a. Agriculture Senator
 - b. Business Senator
 - c. Education and Human Services Senator
 - d. Engineering Senator
 - e. Humanities, Arts, and Social Sciences Senator
 - f. Natural Resources Senator
 - g. Science Senator

Section 7. Order of Succession

The ASUSUEC order of succession is as follows:

- A. President
- B. Executive Vice President
- C. Academic Senate President
- D. Student Advocate Vice President
- E. Programming Vice President
- F. Senate Pro Tempore

Article III. ASUSUSG Officers

Section 1. Elections

The ASUSUSG elections shall be held during the month of March. The newly elected ASUSUSG shall take office upon being sworn in during the third week of April.

Section 2. Terms of Office

The term of office for all members of the ASUSUSG is for a period of one year.

Section 3. Eligibility

Academic good standing will hereafter be defined as being free from academic warning, probation, and suspension, as well as maintaining the cumulative GPA standard for academic good standing as well as in one's respective college.

- A. No student shall be elected or appointed to an ASUSUSG office if not in academic good standing.
- B. No student shall be allowed to maintain office unless in good standing and successfully carrying at least 12 credits per semester as an undergraduate and 6 credits per semester as a graduate student during the academic year.
- C. Candidates for the office of an ASUSUSG Senator must be registered in the college they wish to represent as of the filing deadline for declaration of candidacy in the ASUSU general election. Graduate students may be candidates as senators for the college in which their graduate degree is housed.
- D. No elected ASUSUSG officer will receive an ASUSUSG Scholarship (excluding the monthly ASUSU stipend) if not in academic good standing beginning with the spring semester the ASUSUSG officer is elected. Upon the officer regaining academic good standing, the scholarship will be reinstated.
- E. Should an officer be placed on academic warning while in office, including the spring semester in which they are elected, he/she shall immediately be placed on office probation for the semester in question. Should he/she fail to attain good standing at the completion of the semester, the officer will be removed from office.

Section 4. Holding Office

- A. If a vacancy in the office of ASUSU President occurs, a special election will be called by the Executive Vice President in which the ASUSU will elect a new ASUSU President. If the Executive Vice President is a presidential candidate, the election will

be called by an officer not running for the presidential office following the order of succession.

- B. No person shall simultaneously hold more than one elected office. An ASUSUSG member may, however, run for the vacant ASUSU presidential office or be appointed to an alternate office while still in office. If elected or appointed to two offices, that person must resign from the first office held within two days.
- C. If a college senator changes colleges while in office, that senator must resign.

Section 5. Vacancies of Office

Any vacancies in an ASUSUSG office, excluding the office of ASUSU President, shall be filled in the following manner:

- A. The ASUSU President shall appoint a member of the ASUSU to fill the vacancy (Eligibility requirements outlined in Article III, Section 3 must be met).
- B. Appointments shall be approved by a two-thirds vote of the ASUSUEC.
- C. The appointee shall serve the remainder of the one-year term.

Section 6. Recall of Officers

All elected officers are subject to removal from office by one of the following manners:

- A. If a petition is filed with the Student Court Chief Justice charging one or more officers with misconduct or incompetence in office and containing 15 percent or more of the number of the officer's constituents registered on the day the petition is submitted, a recall election shall be held or an appointment made to fill the vacancy. (For Student Court and recall election procedures, See: Article V, Section 3 and for vacancy of office procedures, See: Article III, Section 5.)
- B. If two-thirds of the ASUSUEC charges an ASUSUSG officer with misconduct or incompetence in office, the Student Court shall hear the case. If the Court confirms the charge of misconduct or incompetence in office, a recall election shall be held or an appointment made to fill the vacancy. (For Student Court and recall election procedures, See: Article V, Section 3 and for vacancy of office procedures, See: Article III, Section 5.)

Section 7. ASUSU Election Bylaws

- A. The ASUSU election bylaws shall be ancillary to this Constitution.
- B. All amendments to the ASUSU election bylaws shall be proposed in the form of a bill.
- C. All amendments to the ASUSU election bylaws shall be approved by a majority vote of the ASUSUEC.

Article IV. ASUSUGS Appointed Positions

Section 1. Definition and Selection

Appointed positions are those appointed by members of the ASUSUEC as stipulated by their respective charters. All statutory appointees must be approved by majority vote of the ASUSUEC.

Section 2. Term of Position

The term of the position is for a period of no more than one year and shall expire with the first official meeting of the ASUSUEC following the inauguration.

Section 3. Eligibility

Students appointed shall:

- A. No student shall be appointed to an ASUSUSG position if not in academic good standing.
- B. No student shall be allowed to maintain their position unless in good standing and successfully carrying at least 12 credits per semester as an undergraduate and 6 credits per semester as a graduate student during the academic year.
- C. No student appointed to an ASUSUGS appointed position will receive an ASUSUSG Scholarship (excluding the monthly ASUSU stipend) if not in academic good standing beginning with the spring semester the appointments are made. Upon regaining academic good standing, the scholarship will be reinstated.
- D. Should an student be placed on academic warning while in their position, including the spring semester in which they are elected, he/she shall immediately be placed on office probation for the semester in question. Should he/she fail to attain good standing at the completion of the semester, the student will be removed from their position.

Section 4. Vacancies of Appointed Positions

Any vacancies shall be filled as determined by the respective ASUSUSG Officer and approved by majority vote of the ASUSUEC.

Section 5. Removal of Appointed Positions

Persons holding appointed positions shall be removed upon fulfillment of the following conditions.

- A. Submission of written charges by any member of ASUSU
- B. A two-thirds vote of the ASUSUEC
- C. The accused received the charges against him/her

- D. A trial before the Student Court with full opportunity to present a case and to have someone act in behalf of and plead of the accused person
- E. A conviction be handed down by the Student Court.

Article V. ASUSU Student Court

Section 1. Membership

- A. The ASUSU Student Court shall consist of seven justices, which are the seven student members of the Hearing Board Pool.
- B. The student members of the Hearing Board Pool shall be appointed by the newly elected ASUSU President and approved by a majority vote of the ASUSUEC. The former Academic Senate President will assist the newly elected ASUSU President during the selection process.
- C. The Hearing Board Pool chair shall serve as Chief Justice.
- D. Justices shall serve a one-year term. Justices may be appointed to serve more than one term. All new student appointments to the Hearing Board Pool shall be made on or before April 30th of each year.
- E. Justices of the court shall be members of the ASUSU. No justice shall concurrently be a member of the ASUSUSG. The justices of the student court shall be subject to the same eligibility requirements as the ASUSUSG officers as outlined in Article III of this Constitution (See: Article III, Section 3). Vacancies shall be filled as needed. Procedures for filling a vacancy in the Court shall follow Article III, Section 5.

Section 2. Jurisdiction

The ASUSU Student Court is established to:

- A. Interpret this Constitution.
- B. Interpret the ASUSU General Laws and the constitutionality of those laws.
- C. Hear and rule on charges against an ASUSUSG candidate of ASUSU election bylaws violation (See: Article III, Section 7).
- D. Hear and rule on charges of ASUSUSG officer misconduct and incompetence (See: Article III, Section 6).

Section 3. Jurisdiction and Procedures

The ASUSU Student Court shall hear cases in the following manner:

- A. Members of the ASUSU shall submit to the Student Court Chief Justice as written statement of the question, complaint, charge, or dispute and all relevant case details.
- B. The Chief Justice shall convene the Student Court within seven days of receiving a statement (excluding days when no classes are held).
- C. The Student Court may call relevant parties to testify before the Court throughout the Court's deliberations. In cases regarding the recall of officers and the violation of

ASUSU election bylaws by an ASUSUSG candidate, the Student Court shall extend to the accused student an opportunity to present a defense.

- D. The Student Court shall review the brief and determine if the scope of the case is within the Court's jurisdiction (See: Article V, Section 2). If the Court rules that the case is beyond the Court's jurisdiction, a justice that voted with the majority opinion shall submit to the author(s) of the statement a written explanation of the Court's decision.
- E. All decisions of the Court will be made by the majority vote of the justices.
- F. A justice that voted with the majority opinion shall submit to the author(s) of the statement a written explanation of the Court's decision.
- G. In cases of the ASUSUEC accusing an ASUSUSG officer of misconduct or incompetence in office, the Court's written explanation (that may include the call for the removal of an officer from office) shall be sent to the ASUSU President. A written explanation that may call for the removal of the ASUSU President from office shall be sent to the ASUSU Executive Vice President.
- H. All recall elections for the ASUSU President shall be held within 14 days of the Court's decision (excluding days when no classes are held).
- I. All appointments for vacant ASUSUSG offices shall be made within 14 days (excluding days when no classes are held).
- J. All decisions of the Student Court shall be binding unless rescinded by the President of the University.
- K. All decisions of the Student Court shall be submitted to the ASUSUEC Administrative Assistant within 14 days of the Court's decision (excluding days when no classes are held).

Article VI. Graduate Student Senate

The Graduate Student Senate shall be the representative body for Graduate Students at Utah State University. The organization and procedures of the Graduate Student Senate shall be set forth in the Graduate Student Senate Constitution and Bylaws. Any changes to the Graduate Student Senate Constitution and Bylaws, which would directly change ASUSU allotted seats on various ASUSU and university administrative committees, must be approved by a two-thirds vote of the ASUSUEC. The President of the Graduate Student Senate shall be the official liaison between the Graduate Student Senate and the ASUSUSG.

Article VII. Finance

Section 1. Custodian of Funds

The University Vice President for Business and Finance shall be the custodian of the ASUSU funds and shall act as the financial agent of the ASUSU. It shall be his/her specific duty to receive, bank, and account for all of the ASUSU funds.

Section 2. Disbursements

All requisitions shall bear the signature of the Director of Student Activities, or his/her designee. All requisitions thus signed shall be submitted to the University Vice President for Business and Finance in compliance with established procedures.

Section 3. Financial Reports

Financial reports from any organization spending ASUSU funds shall be made available to any member of the ASUSU.

Section 4. ASUSU Budget

- A. The ASUSUEC is the steward of the ASUSU budget.
- B. Approval of the ASUSU budget shall be considered in the form of a bill and passed by a two-thirds vote of the ASUSUEC.
- C. Requests for additional funding shall be considered in the form of a bill and approved by a two-thirds vote of the ASUSUEC.

Article VIII. Resolutions, Bills, Initiative, and Referenda

Section 1. Resolutions

Resolutions shall:

- A. Be sponsored by the ASUSUSG to request an action of some agency over which the ASUSU has no administrative control.
- B. Be published and made available to the ASUSU.
- C. Be forwarded to appropriate university authorities through Stater's Council.

Section 2. Bills

Bills shall:

- A. Be sponsored by the ASUSUSG to request any action over which the ASUSU has administrative control.
- B. Be published and made available to the ASUSU.
- C. If passed by the appropriate governing body, be compiled in a code designated "The General Laws of the Associated Students," unless they are of a temporary expenditure nature.
- D. Once passed, go into affect as designated by the bill.

Section 3. Initiatives

Legislative action shall be proposed by members of the ASUSU in the following manner:

- A. A petition signed by 15 percent of the present ASUSU proposing a bill or resolution set forth in full in said petition shall be presented to the President.
- B. The proposed bill or resolution shall then be presented to the ASUSU for approval.
- C. The presentation shall occur at the next annual election or a special election called by the ASUSU President.
- D. The legislation shall pass upon majority approval of the ASUSU.

Section 4. Referenda

Referenda shall be called in the following manner:

- A. The ASUSUEC shall defer action on a bill or resolution to the ASUSU by a two-thirds vote of the ASUSUEC.
- B. The proposed bill or resolution shall then be presented to the ASUSU for approval.
- C. The presentation shall occur at the next annual election or a special election called by the ASUSU President.
- D. The legislation shall pass upon majority approval of the ASUSU.

Article IX. Constitutional Amendments

Section 1. Manner of Proposing Amendments

Amendments to this Constitution shall be proposed by one of the following manners:

- A. Two-thirds majority of the total membership of the ASUSUEC.
- B. An initiative petition signed by 15 percent of the ASUSU members, calculated on the basis of the number of registered students the day the initiative is submitted. (For initiative filing procedures, See: Article VII, Section 3.)

Section 2. Ratification of Amendments

A Constitutional amendment shall take effect after it is approved on a majority of the ballots cast at a regular or special election.

Article X. Fee Structure

The Utah State University Fee Board shall follow the USU student fee policy as approved by the University President and Board of Trustees.

Article XI. General Laws

Section 1. Purpose

The ASUSU General Laws shall serve as the body of statutory law of the ASUSU and the ASUSUSG.

Section 2. Function

The ASUSU General Laws shall be established and rescinded by the normal legislative process with a two-thirds vote. All members of the ASUSUSG shall be subject to the General Laws. Any person(s) in violation of the law(s) shall be subject to formal recourse.