Executive Council and Academic Senate Equity Resolution

Description: The USUSA Executive Council proposes amendments to the USUSA Constitution to formally create equity between the USUSA Executive Council and USUSA Academic Senate.

WHEREAS members of the USUSA Executive Council and USUSA Academic Senate are voted into office by students at Utah State University to represent specific interests and constituencies,

WHEREAS the USUSA Constitution allows budgets, legislation, and other items to be passed by the USUSA Executive Council without formal votes from the USUSA Academic Senate,

WHEREAS the USUSA Executive Council already allows the USUSA Academic Senate to review and comment on budgets, legislation, and other items before they are passed to effectively create equity between the two bodies,

WHEREAS codifying formal voting rights into the USUSA Constitution would ensure equity between the two bodies for future USUSA Executive Councils and USUSA Academic Senates,

WHEREAS Article II, Section 4, Subsection D of the USUSA Constitution authorizes USUSA officers to “Submit to the USUSA, by a two-thirds vote of the USUSA Executive Council, any proposed amendments to this Constitution,”

BE IT THEREFORE ENACTED THAT the USUSA Executive Council proposes the following amendments to the USUSA Constitution:

WHEREAS the USUSA Constitution does not clearly define the roles of the USUSA Executive Council and USUSA Academic Senate,

BE IT FURTHER ENACTED THAT the USUSA Executive Council proposes amending Article I of the USUSA Constitution to “All students registered at Utah State University, graduate and undergraduate, are members of the USUSA and shall be granted all rights and privileges as established by this Constitution.

The role of the USUSA Executive Council is …

The role of the USUSA Academic Senate is …”

WHEREAS the USUSA Constitution does not authorize the USUSA Academic Senate to propose amendments to the USUSA Constitution,
BE IT FURTHER ENACTED THAT the USUSA Executive Council proposes amending Article II, Section 4, Subsection D of the USUSA Constitution to “Submit to the USUSA, by two-thirds votes of the USUSA Executive Council and USUSA Academic Senate, any proposed amendments to this Constitution.”

WHEREAS the USUSA Constitution requires amendments to USUSA Academic Senate officer charters to be approved by the USUSA Executive Council but does not require amendments to USUSA Executive Council officer charters to be approved by the USUSA Academic Senate,

BE IT FURTHER ENACTED THAT the USUSA Executive Council proposes amending Article II, Section 4, Subsection G of the USUSA Constitution to “Create or amend a USUSA officer charter by (a) two-thirds vote(s) of the originating body(ies) (See Article I, Section 1).”

WHEREAS it is expedient to allow the Graduate Studies Senator to vote exclusively in the USUSA Academic Senate to ensure voting equity between the USUSA Executive Council and USUSA Academic Senate,

BE IT FURTHER ENACTED THAT the USUSA Executive Council proposes amending Article II, Section 6, Subsection A of the USUSA Constitution to “The USUSA Executive Council shall consist of the following officers:

1. President (Chair)
2. Executive Vice President
3. Student Advocate Vice President
4. Athletics and Campus Recreation Vice President
5. Organizations and Campus Diversity Vice President
6. Student Events Vice President
7. Service Vice President
8. Student Alumni Vice President
9. Graduate Studies Senator (non-voting)
10. Administrative Assistant (appointed, non-voting)
11. Public Relations and Marketing Director (appointed, non-voting)”;

WHEREAS the USUSA Constitution does not authorize the USUSA Academic Senate to approve appointments made by the USUSA President to fill vacancies of elected USUSA Academic Senate officers,

BE IT FURTHER ENACTED THAT the USUSA Executive Council proposes amending Article III, Section 5, Subsection B of the USUSA Constitution to “Appointments shall be approved by (a) two-thirds vote(s) of the USUSA governing body(ies) with a vacancy.”

WHEREAS the USUSA Constitution does not authorize the USUSA Academic Senate to charge elected USUSA Academic Senate officers with misconduct or incompetence in office,

BE IT FURTHER ENACTED THAT the USUSA Executive Council proposes amending Article III, Section 6, Subsection B to “If two-thirds of the originating governing body(ies) charge a USUSA officer with misconduct or incompetence in office, then the Hearing Board shall hear the case. If the board
confirms the charge of misconduct or incompetence in office, then an appointment shall be made to fill the vacancy (for Hearing Board, see Article V, Section 3. For vacancy of office procedures, see Article III, Section 5).”

WHEREAS the election of USUSA Academic Senate officers are governed by USUSA Election By-Laws but the USUSA Constitution does not authorize the USUSA Academic Senate to approve USUSA Election By-Laws,

BE IT FURTHER ENACTED THAT the USUSA Executive Council proposes amending Article III, Section 3, Subsection C of the USUSA Constitution to “Any revised document of the USUSA Election By-Laws shall be approved by majority votes of the USUSA Executive Council and USUSA Academic Senate.”

WHEREAS the USUSA Constitution does not authorize the USUSA Academic Senate to approve appointments made by USUSA officers to fill vacancies of appointed USUSA Academic Senate officers,

BE IT FURTHER ENACTED THAT the USUSA Executive Council proposes amending Article IV, Section 3, Subsection A of the USUSA Constitution to “Any vacancies shall be filled as determined by the respective USUSA officer and approved by (a) majority vote(s) of the appropriate USUSA governing body(ies).”

WHEREAS the USUSA Constitution does not authorize the USUSA Academic Senate to vote on the removal of appointed USUSA Academic Senate officers,

BE IT FURTHER ENACTED THAT the USUSA Executive Council proposes amending Article IV, Section 4, Subsection B of the USUSA Constitution to “(A) two-thirds vote(s) of the appropriate USUSA governing body(ies);”

WHEREAS the USUSA Constitution authorizes the USUSA Hearing Board to hear cases accusing an officer of misconduct or incompetence in office from the USUSA Executive Council but not from the USUSA Academic Senate,

BE IT FURTHER ENACTED THAT the USUSA Executive Council proposes amending Article V, Section 3, Subsection G of the USUSA Constitution to “In cases of the USUSA Executive Council or USUSA Academic Senate accusing an officer of misconduct or incompetence in office, the board’s written explanation (that may include the call for the removal of an officer from office) shall be sent to the USUSA President. A written explanation that may call for the removal of the USUSA President from office shall be sent to the USUSA Executive Vice President.”

WHEREAS the USUSA Constitution does not delineate the USUSA Academic Senate as a steward of the USUSA budget for Logan campus,

BE IT FURTHER ENACTED THAT the USUSA Executive Council proposes amending Article VI, Section 4, Subsection A of the USUSA Constitution to “The USUSA Executive Council and USUSA Academic Senate are the stewards of the USUSA budget for Logan campus. The RC officers are the stewards of the USUSA budget for RC.”
WHEREAS the USUSA Constitution does not authorize the USUSA Academic Senate to approve the USUSA budget for Logan campus,

BE IT FURTHER ENACTED THAT the USUSA Executive Council proposes amending Article VI, Section 4, Subsection B of the USUSA Constitution to “Approval of the USUSA budget shall be considered and passed by two-thirds votes of the USUSA Executive Council and USUSA Academic Senate for Logan campus and the Regional Campuses Executive Council for regional campuses.”

WHEREAS the USUSA Constitution does not allow requests for additional funding to be considered and approved by the USUSA Academic Senate,

BE IT FURTHER ENACTED THAT the USUSA Executive Council proposes amending Article VI, Section 4, Subsection C of the USUSA Constitution to “Requests for additional funding shall be considered and approved by two-thirds votes of the USUSA Executive Council and USUSA Academic Senate for Logan campus and the Regional Campuses Executive Council for regional campuses.”

WHEREAS the USUSA Constitution lacks language addressing the process to pass resolutions through the USUSA Executive Council and USUSA Academic Senate,

BE IT FURTHER ENACTED THAT the USUSA Executive Council proposes amending Article VII, Section 1 of the USUSA Constitution to “Resolutions shall:

A. Be sponsored by the USUSA officers to request an action of some agency over which the USUSA has no administrative control.
B. Be passed through first and second readings by the USUSA Executive Council and the USUSA Academic Senate for resolutions pertinent to the USU Logan campus. Changes to resolutions must be approved by both bodies, and second readings must be identical before a resolution can be passed.
C. Be published and made available to the USUSA.
D. Be forwarded to appropriate university authorities through Stater’s Council.”

WHEREAS the USUSA Constitution lacks language addressing the process to pass bills through the USUSA Executive Council and USUSA Academic Senate,

BE IT FURTHER ENACTED THAT the USUSA Executive Council proposes amending Article VII, Section 2 of the USUSA Constitution to “Bills shall:

A. Be sponsored by the USUSA to request any action over which the USUSA has administrative control.
B. Be passed through first and second readings by the USUSA Executive Council and the USUSA Academic Senate for bills pertinent to the USU Logan campus. Changes to resolutions must be approved by both bodies, and second readings must be identical before a bill can be passed.
C. Be published and made available to the USUSA.
D. Be indexed as “The By-Laws of the Utah State University Student Association,” if passed by the appropriate governing body, unless they are of a temporary nature.
E. Go into effect, once passed, as designated by the bill.”
WHEREAS the USUSA Constitution does not authorize the USUSA Academic Senate to initiate action on a bill or resolution to the USUSA of Logan,

BE IT FURTHER ENACTED THAT the USUSA Executive Council proposes amending Article VII, Section 4, Subsection A of the USUSA Constitution to “The USUSA Executive Council and USUSA Academic Senate shall initiate action on a bill or resolution to the USUSA of Logan by two-thirds votes of the USUSA Executive Council and USUSA Academic Senate. The RC Executive Council shall defer action on a bill or resolution to the USUSA of RC by a two-thirds vote of the RC Executive Council.”

WHEREAS the USUSA Constitution does not authorize the USUSA Academic Senate to propose amendments to the USUSA Constitution,

BE IT FURTHER ENACTED THAT the USUSA Executive Council proposes amending Article VIII, Section 1, Subsection A of the USUSA Constitution to “Two-thirds majority votes of the total membership of the USUSA Executive Council and the USUSA Academic Senate.”

WHEREAS these 17 amendments are each necessary to formally create equity between the USUSA Executive Council and USUSA Academic Senate,

BE IT FURTHER ENACTED THAT these 17 amendments be proposed to the USUSA as a single voting item during a special election, i.e., “Should the USUSA Constitution be amended to formally create voting equity between the USUSA Executive Council and the USUSA Academic Senate?”

WHEREAS these amendments do not address the shifting role of the Graduate Studies Senator,

BE IT FURTHER ENACTED THAT the 2017-2018 USUSA officers update the necessary charter should the proposed amendments be ratified.

WHEREAS the Academic Opportunity Fund falls exclusively under the USUSA Academic Senate,

BE IT FURTHER ENACTED THAT the 2017-2018 USUSA officers propose legislation to allow the USUSA Executive Council oversight over the Academic Opportunity Fund.

Tags: Executive Council, Academic Senate, USUSA, Constitution, Amendment

Sponsors: Blake Harms, USUSA Executive Vice President

Co-sponsor: Erik Olson, USUSA Engineering Senator; Rebecca Thomas, USUSA Natural Resources Senator; Deidra Thomas, USUSA Education Senator; Grant Bess, USUSA CHaSS Senator; Bridget Brown, USUSA Student Advocate Vice President; Dallin Johnson, USUSA Administrative Assistant
Policy Paper

Committee: Executive Council

In Attendance: VP Blake Harms, VP Jakob Ambuehl, VP Todd Brown, VP Bridget Brown, VP Brendon Brady, VP Joseph Aratari, VP Chelsea Olson, Senator Anuj Khasigwala, Director Spencer Perry, Assistant Dallin Johnson,

Absent: President Michael Peters

History:

The 2013 re-organization of USUSA led to the restructuring of the Executive Vice President (VP) position to chair the Academic Senate (AS). The new Executive VP charter responsibilities included representing AS and their interests on Executive Council (EC). That charter established one of two communicative roles within USUSA (Graduate Studies Senator acting as the second), which then provided leadership for AS by overseeing AS initiatives. This role’s most important implied (but un-chartered) purpose was to act as a line of communication between the AS and EC bodies. To a large extent, the success of communication between both bodies is limited to this position, as it is the only voting member of EC who specifically represents the interests of AS.

Consolidation of the Graduate Senate as a part of USUSA reorganization led to the position of “Graduate Vice President” becoming the “Graduate Studies Senator” with representation on both bodies to ensure graduate student voices are still heard.

Researching student government positions of other land-grant universities, we found that USUSA is set up in a way that no other land-grant university runs their student government. Many of these universities (Iowa State University, University of Wyoming, University of Oregon, Auburn University, University of Arizona, etc.) have three branches of student government set up similarly to the United States Government, with Executive, Legislative, and Judicial branches. The University of Wyoming, University of Oregon, Auburn University, and the University of Arizona all have a legislative branch that is made up of many senators (30, 30, 34, and 19 senators respectively) with a diversity of students from various colleges and programs (similar to USU’s eight senators from the eight colleges, but with multiple members from the same college/program). Additionally, the University of Oregon’s legislative branch is divided into two houses, mimicking the US bicameral system with Senate (whose members are elected for two terms), and a House of Representatives (whose members are elected for one term). The University of Oregon’s Senate primarily oversees event planning and academics while the House of Representatives is responsible for legislation.

Lack of information sharing:

USUSA has an excellent framework for representing the varying interests and desires of the student body. The system we have encourages cooperation and is heavily supported by administration. However, there are limitations that recur yearly due to miscommunication and lack of information sharing. The following examples demonstrate specific instances in recent memory where these limits have become apparent:
• **ALEKS, Placement, Preparation, and Learning (math placement exam replacement)**

This issue has come to the forefront in several critical examples. At the end of the 2016-2017 school year, the USUSA officers were asked to give input on implementing a new testing system known as ALEKS. This system was intended to benefit incoming students, at no cost of their own, by subsidizing that cost through other funding allocations eventually tied to all students. In this example, the proposal was brought up by an officer of USUSA to discuss in Academic Senate with a proposal and no associated visual presentation. This led the 2016-2017 Academic Senate to be against the idea of putting this financial burden onto all students to provide the service and believed it better to remain as a use charge to those utilizing it.

The following day, EC heard a presentation from a university administrator involved in the decision explaining why the university believed the system was essential. After hearing that presentation, EC felt the aforementioned Senators’ concerns were unfounded. They voted to approve the recommendation and it was taken on to be implemented with the sole consent of EC. The following week, AS was upset and felt their input was overlooked. Several individuals called into question the nature and purpose of their body (AS) and brought specific feedback from their councils. These councils largely disapproved of the way the system was designed. More importantly, they believed they were not informed to the same degree as EC and felt they could not be accountable to their constituents in a meaningful way.

This interaction undermined the unity of USUSA and embittered some individuals, straining the relationship between both bodies. Because the event happened immediately before annual office transitions, incoming Senators were greeted with frustration from their predecessors, concerning perceived illegitimacy of their positions and the body as a whole. While this issue was not directly legislative, the inequity of the bodies led to that a breakdown of unity and communication. USUSA’s overall ability to work together was reduced, to the detriment of the students.

• **Budgeting Process of Spring 2017**

This issue was further illustrated to the incoming 2017-2018 USUSA officers when budgetary items were discussed with both bodies present. There were disagreements on certain budgetary allocation recommendations that were eventually resolved with discussion among both bodies. However, the point was made that AS has no formal vote on these matters and this led to perceived disenfranchisement and confusion. This lack of unity undermined the student body theme of “Everyone Belongs” internally among USUSA. When combined with the ALEKS debate, this issue called into question the nature of representation at USU and the potential pitfalls of our system of government.

• **GPA Officer Requirements Legislation**

An immediately relevant example of these pitfalls came from ECR 2018-02. This legislation was introduced to increase the grade requirement of all USUSA officers and ensure consistency between USUSA and other groups under the Student Affairs department. While the topic was mentioned as a possibility, the legislation itself was not presented, discussed, or given consideration in AS. While
this legislation would have most likely been supported, half of USUSA’s representative body was not involved in the process. Since this was about Grade Point Average (GPA,) a purely academic requirement, AS might have offered proper guidance and approval/disapproval of this requirement. The chance for a dialogue was extinguished, and the legislation was put forward as a fully supported measure of USUSA. This highlights the potential for miscommunication and division between USUSA bodies when the consent of both bodies is not needed.

- **Charter Modification**

  Should a member of Academic Senate see the need to change their charter, they are unable to justify their reasoning to the body on which they sit, of their peers with like-positions, but rather are required to present it to Executive Council who then approves or denies the proposed charter change. The current officer generally knows their position better than others, and Academic Senators cannot vote on changes they see fit.

  The 2017-2018 group of USUSA officers have thus far enjoyed a unique camaraderie and powerful commitment to US, USUSA, and the student body. The divisions that had become common between EC and AS were largely avoided and this led to an innovative environment for discussion and problem solving. As such, a task force made up of members of both bodies was established with the purpose of creating a meaningful solution to the issues that came to light. This task force began work in late October 2017 to research potential solutions. This process began with high level discussions on the motivation and goals for this project, developed into research on representative governments at the university level and the national level, and then eventually led to writing the proposed legislation. In late January, these pieces came together into an ASR and ECR to accomplish our goal. This group has thought deeply on the nature of USUSA and how we can ensure the cooperative and unified nature of USUSA and can be highlighted to improve the Aggie experience. This history represents the development of this legislation. It is the intent of this policy paper to demonstrate the diligence and careful thought put into these recommendations for improving the functionality of USUSA. They are made with honest intentions and were not chosen lightly.

  The task force believes that by creating this bicameral legislative process, students at USU will be represented more wholly. EC’s members are voted in by all students to represent the needs and interests of various departments under Student Affairs, as their titles reflect, whereas Academic Senators are voted individually by their colleges and collectively represent all student’s academic interests and that of the academic bodies of the university (the colleges and schools of USU.)

**Purpose:**

The purpose of this legislation is to improve the functionality of the Utah State University Student Association by formalizing the vote of the Academic Senate in all matters of USUSA. The legislation has two components: the first is to better represent student need to administrators and within USUSA, and the second is to establish language in the USUSA constitution that codifies the behaviors already performed by USUSA to ensure the voice of the student body is effectively heard.

Fundamentally, this bill ensures the vote of Academic Senate is required to pass legislation. In so doing, the burden of communication that currently falls to the Executive VP, Graduate Studies Senator,
and Administrative Assistant would be reduced. Shifting this burden is vital in order to reduce mis/non-communications between the two USUSA bodies. By formally requiring approval in both bodies, information sharing and general cooperation are encouraged to produce meaningful resolutions that formally demonstrate the approval of USUSA.

In elevating the status of Academic Senate, though, this creates a double vote in the Executive VP (in the event of a tie) and Graduate Studies Senator positions. The Executive VP’s double vote was deemed acceptable since tie-breaking authority is typically reserved for Executive positions, but it was determined that the Graduate Studies Senator would only be a voting member of the Academic Senate. The Graduate Studies Senator is currently a member of both bodies, and this creates a clear need to limit the position’s vote to only one body. There are compelling reasons for the Graduate Studies Senator to be on either body, which is why the position will remain on the Executive Council as a non-voting member. They are compensated like a VP, yet they do not have their own office. They are not voted on by the entire student body, yet they have a broader focus than one demographic and do not have a formalized “week” of events pertaining to the School of Graduate Studies. This greatly reduces the likelihood of there being a double vote in any circumstances. As Academic Senate will have an odd number of individuals, the tie-breaking vote from the Executive VP would only be needed in the event that the full body is not present. This also preserves the necessity of a tie-breaking vote from the USUSA President in the event of a tie in Executive Council.

Pros:

- Formalizes good practices already in place
- Facilitates cooperation between USUSA bodies
- Encourages information sharing
- Reduces communication burden on specific officer positions
- Better represents USU students and their respective academic interests
- Ensures USUSA unity on initiatives
- Allows both student affairs and the academic portions of students’ college experiences are represented

Cons:

- Longer timeframe for legislative process
- Potential for more tie-breaking votes
- New process will take adjustment.