

The Constitution of the Associated Students of Utah State University

Preamble

The Constitution of the Associated Students of Utah State University, hereafter referred to as ASUSU, establishes and outlines the authority of the student association and its relationship to the student body. 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. This Constitution is concomitant to the Utah State University Student Code of Conduct.

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.

Section 1. Authority

Each member of ASUSU will hold the rights, privileges, and powers, as outlined in this constitution, exclusively for the Service Region in which the student is enrolled in the majority of coursework. If a student is enrolled in an equal number of credits at separate regions then that student will be included in the Service Region where the student has earned the majority of credits. No member of ASUSU shall hold rights, privileges, or powers outside of the student's Service Region. Service Regions are established to accommodate for the differing needs of students statewide. Service Regions are divided according to course enrollment as follows:

- A. Students whose course load consists of a majority of non-RCDE (Regional Campuses and Distance Education) courses are considered Logan campus students and have rights and powers granted from this constitution within the USU Logan campus
- B. Students whose course load consists of a majority of RCDE (Regional Campuses and Distance Education) delivered courses are considered RCDE students and have rights and powers granted from this constitution within the USU RCDE Regional Campuses, except those students who are taking a majority of their RCDE courses in the Logan campus. These students' rights and powers are granted from this constitution within the Logan Campus. RCDE Students will further be divided according to the following service regions:
 - 1. USU Brigham City Service Region
 - 2. USU Tooele Service Region
 - 3. USU Moab Service Region
 - 4. USU Uintah Basin Service Region

Article II. The ASUSU Student Government

Section 1. Establishment

The ASUSU Student Government, hereafter referred to as the ASUSUSG, is 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 and ASUSU By-Laws (See: Article X, Section 1-2). Further, every elected and appointed position will have a charter to outline duties, committee responsibilities, and sponsored programs. Officers are required to follow their respective charter, failure to do so is misconduct and subject to recall (See: Article 3, Section 6).

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.
- C. General public.

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.
- C. Appropriate and approve all Student Activity Fee monies.
- D. Submit to the ASUSU, by a two-thirds vote of the ASUSU Executive Council, any proposed amendments to this Constitution.
- E. Establish elections rules and supervise all ASUSU elections.
- F. Participate in and establish procedures for Stater's Council.
- G. Create or amend an ASUSUSG office charter by a two-thirds vote of the originating body and the Appropriate Executive Council (See: Article 1, Section 1).
- H. Call for a referendum of the ASUSU (See: Article VIII, Section 4).

Section 5. Procedures

- A. The ASUSU Executive Council (ASUSUEC) shall:
 - 1. Be chaired by the ASUSU President.
 - 2. Convene meetings from August through April, except during semester and holiday breaks. Meeting cancellations shall be proposed 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 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.

- C. The Regional Campuses and Distance Education Executive Council (RCDEEC) shall:
 - 1. Be chaired by the RCDE President
 - 2. Convene regular meetings from August through April, except during holiday breaks. Meeting cancellations shall be proposed and passed by majority vote of the RCDEEC.
 - 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.

- D. Regional Campus and Distance Education Regional Councils (RCDERC) shall:
 - 1. Be organized within each established RCDE Service Region (see Article I, section 1, subsection B)
 - 2. Be chaired by the Regional Executive Vice President
 - 3. Convene regular meetings from August through April, except during holiday breaks. Meeting cancellations shall be proposed and passed by majority vote of the RCDEEC.
 - 4. Conduct and publicize open meetings, which shall be advertised no less than 24-hours prior to the meeting time.
 - 5. Conduct meetings according to parliamentary procedure.

Section 6. Membership

- A. The ASUSUEC shall consist of the following Officers:
 - 1. President (Chair)
 - 2. Athletics and Campus Recreation Vice President
 - 3. Executive Vice President
 - 4. Graduate Studies Senator

5. Organizations and Campus Diversity Vice President
6. Programming Vice President
7. Senate Pro Tempore
8. Service Vice President
9. Student Advocate Vice President
10. Administrative Assistant (appointed, non-voting)
11. Public Relations Director (appointed, non-voting)
12. RCDE President (non-voting)

B. The ASUSUAS shall consist of the following Officers:

1. Executive Vice President (Chair)
2. Agriculture Senator
3. Arts Senator
4. Business Senator
5. Education and Human Services Senator
6. Engineering Senator
7. Graduate Studies Senator
8. Humanities and Social Sciences Senator
9. Natural Resources Senator
10. Science Senator
11. Administrative Assistant (appointed, non-voting)

C. The RCDEEC shall consist of the following officers:

1. RCDE President
2. The following Executive Vice presidents:
 - a. USU Brigham City Service Region Executive Vice President
 - b. USU Tooele Service Region Executive Vice President
 - c. USU Moab Service Region Executive Vice President
 - d. USU Uintah Basin Service Region Executive Vice President

D. Each RCDERC shall consist of the following officers:

1. The Regional Executive Vice President
2. Representatives from campuses and centers within the service region

Article III. ASUSUSG Officers

Section 1. Elections

The ASUSUSG elections shall be held in accordance with the Election By-Laws (See: Article III, Section 7). The newly elected ASUSUSG shall take office upon being sworn in during the latter part of April.

Section 2. Terms of Office

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

Section 3. Eligibility

- A. No student shall be eligible to run or apply for any ASUSUSG office if not in good standing. Once in office, anyone who fails to maintain good standing will immediately be placed on probation.

Good Standing shall be defined as:

1. Carrying a minimum of 12 credits per semester as an undergraduate, or considered a full-time student by the School of Graduate Studies during the academic year.
2. Maintaining a USU cumulative GPA at or above 2.5 if the student has completed two or more semesters at USU. If the student has not completed two semesters at USU, then the student's overall college cumulative GPA must be at or above 2.5.
3. Maintaining a GPA of 2.5 or higher, for all semesters while in office, including the spring semester of election or appointment. The summer semester shall only count for or against an officer's good standing if nine or more credits are taken. However, all summer classes will be calculated into the cumulative GPA.
4. Free from academic warning, probation, or suspension.

Terms of Probation:

1. Probation will last one semester and serve as an opportunity for the officer to regain good standing.
 2. Any ASUSUSG officers not in good standing will be ineligible to receive their ASUSUSG Scholarship; however the monthly stipend is excluded from this restriction. For those officers not receiving a monthly stipend, they will be eligible to receive \$800.00 for the semester they are on probation.
 3. Any ASUSUSG officer who fails to regain good standing at the completion of the probation period will be immediately removed from office.
 4. No student shall be allowed to maintain their position at Regional Campus and Distance Education unless in good standing and successfully carrying a minimum of six credits per semester as an undergraduate, or a minimum of three credits per semester as a graduate student during the academic year.
- B. Any appeals to the eligibility criteria may be submitted to the Office of the Vice President for Student Services. Any decisions made by this office are final.
- C. Candidates for the office of RCDE Representative must be registered students taking a majority of coursework at the campus or center they represent.

- D. Candidates for the office of RCDE Executive Vice President must be registered students taking a majority of coursework at a campus within the service region that they serve.
- E. Candidates for the office of RCDE President must be registered students taking a majority of coursework at an RCDE campus and residing in the local service region of the campus. Students who are registered for and taking the majority of their coursework in the Logan campus service area are not eligible for the office of RCDE president.

Section 4. Holding Office

- A. No person shall simultaneously hold more than one ASUSUSG office, unless succession occurs (See: Article 2, Section 7). 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.
- B. If a college senator changes colleges while in office, that senator must resign.

Section 5. Vacancies of Office

The ASUSU President order of succession is as follows:

- A. ASUSU President
- B. Executive Vice President
- C. Student Advocate Vice President

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.

If a vacancy in the office of RCDE President occurs, a special election will be called by the members of the RCDE Executive Council in which the ASUSU of RCDE will elect a new RCDE President.

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 Hearing Board Chair that charges one or more officers with misconduct or incompetence in office, and the petition contains the signatures of 15 percent or more of the officer's constituents registered on the day the petition is

submitted, then a recall election shall be held or an appointment made to fill the vacancy. (For Hearing Board 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 appropriate Executive Council charges an ASUSUSG 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 a recall election shall be held or an appointment made to fill the vacancy. (For Hearing Board and recall election procedures, See: Article V, Section 3. For vacancy of office procedures, See: Article III, Section 5.)

Section 7. ASUSU Election By-Laws

- A. The ASUSU Election By-Laws shall be ancillary to this Constitution.
- B. All amendments to the ASUSU Election By-Laws shall be proposed in the form of a bill.
- C. All amendments to the ASUSU Election By-Laws shall be approved by a majority vote of the ASUSUEC.
- D. All amendments to the RCDE Election By-Laws shall be approved by a majority vote of the RCDEEC.

Article IV. ASUSUSG Appointed Positions

Section 1. Selection

The ASUSU President-Elect will appoint the Administrative Assistant and the Public Relations Director. The ASUSU Programming Vice President-Elect will appoint the Activities Director, Arts and Lectures Director, and Traditions Director. The Graduate Studies Senator and the Office of Research and Graduate Studies will appoint the Graduate Director of Campus Affairs and the Graduate Director of Research.

Section 2. Eligibility

See Article III, Section 3

Section 3. Vacancies of Appointed Positions

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

Section 4. 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 appropriate Executive Council;
- C. The student in question has received an account of the charges;
- D. The student in question had a hearing before the Hearing Board with a full opportunity to present a case, to have someone act on the student's behalf, and to plead the case; and,
- E. A conviction handed down by the Hearing Board.

Article V. ASUSU Hearing Board

Section 1. Membership

- A. The ASUSU Hearing Board shall consist of the seven student members of the Hearing Board Pool including one appointed RCDE student.
- 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 President will assist the newly elected ASUSU President during the selection process. The RCDE student member of the hearing board shall be appointed by the newly elected RCDE President.
- C. The Hearing Board Pool chair shall be a student appointed by the ASUSU President.
- D. Board members serve a one-year term, although members can 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. Board members shall be members of the ASUSU. One voting member of ASUSUEC will be appointed to the Hearing Board by the President. The members of the Hearing Board 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 board shall follow Article III, Section 5.

Section 2. Jurisdiction

The ASUSU Hearing Board is established to:

- A. Interpret this Constitution.
- B. Interpret the ASUSU By-Laws and the constitutionality of those laws.
- C. Hear and rule on charges against an ASUSUSG candidate of ASUSU Election By-Laws 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 Hearing Board shall hear cases in the following manner:

- A. Members of the ASUSU shall submit to the Hearing Board Chair a written statement of the question, complaint, charge, or dispute and all relevant case details.

- B. The Chair shall convene the Hearing Board within seven days of receiving a statement (excluding days when no classes are held).
- C. The Hearing Board may call relevant parties to testify before the board throughout the board's deliberations. In cases regarding the recall of officers and the violation of ASUSU Election By-Laws by an ASUSUSG candidate, the Hearing Board shall extend to the accused student an opportunity to present a defense.
- D. The Hearing Board shall review the brief and determine if the scope of the case is within the board's jurisdiction (See: Article V, Section 2). If the board rules that the case is beyond the board's jurisdiction, a justice that voted with the majority opinion shall submit to the author(s) of the statement a written explanation of the board's decision.
- E. All decisions of the board 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 board's decision.
- G. In cases of the ASUSUEC accusing an ASUSUSG 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 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 board'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 Hearing Board shall be binding unless rescinded by the President of the University.
- K. All decisions of the Hearing Board shall be submitted to the ASUSUEC Administrative Assistant within 14 days of the Board's decision (excluding days when no classes are held).

Article VI. 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

Requisitions for ASUSU Logan shall bear the signature of the Director of Student Involvement and Leadership, or his/her designee. Requisitions for ASUSU RCDE shall bear the signature of the Executive Director of Finance, 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 for Logan campus. The RCDESG is the steward of the ASUSU budget for RCDE.
- B. Approval of the ASUSU budget shall be considered in the form of a bill and passed by a two-thirds vote of the appropriate Executive Council.
- C. Requests for additional funding shall be considered in the form of a bill and approved by a two-thirds vote of the appropriate Executive Council.

Article VII. 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. Be indexed as "The By-Laws of the Associated Students, "if passed by the appropriate governing body, unless they are of a temporary expenditure nature.
- D. Go into effect, once passed, 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 respective Logan or RCDE constituents.
- B. The proposed bill or resolution shall then be presented to the ASUSU appropriate body for consideration.
- 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 body, according to campus or RCDE Service Area (See: Article I, Section 1.B).

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 of Logan campus by a two-thirds vote of the ASUSUEC. The RCDEEC shall defer action on a bill or resolution to the ASUSU of RCDE by a two-thirds vote of the RCDEEC.
- B. The proposed bill or resolution shall then be presented to the respective ASUSU body 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 appropriate ASUSU body.

Article VII. 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 each Executive Council.
- 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 VIII, 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 X. ASUSU By-Laws

Section 1. Purpose

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

Section 2. Function

The ASUSU By-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 By-Laws. Any person(s) in violation of the law(s) shall be subject to formal recourse.