The Constitution of the
Utah State University Student Association

Preamble

The Constitution of the Utah State University Student Association, hereafter referred to as USU/SA, 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 ancillary to the Utah State University Student Code of Conduct.

Article I. Membership and Rights

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

Section 1. Authority

Each member of the USU/SA 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 a majority of credits. No member of the USU/SA 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 delivered courses are considered RCDE students and have rights and powers granted from this constitution within the USU RCDE Regional Campuses. 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
5. USU Salt Lake Service Region
Article II. USU/SA Student Government

Section 1. Establishment

The USU/SA officers are elected and appointed to conduct all operations for the purpose of improving the quality of student life at Utah State University.

Section 2. Duties of the USU/SA Officers

USU/SA officers shall conduct all operations according to the provisions set forth in this Constitution and USU/SA 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 III, Section 6).

Section 3. Representative Authority

The representative authority of the USU/SA shall be vested in the elected and appointed officers who shall represent USU/SA to the:

A. Utah State University Administration, Faculty, and Staff.
B. Utah State University Board of Trustees, Utah Student Association, Utah State Board of Regents, and the Utah State Legislature.
C. General public.

Section 4. Legislative Authority

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

The USU/SA officers are authorized to:

A. Enact legislation through resolutions and bills (See Article VIII, Section 1-2).
B. Establish committees comprised of members of the USU/SA to assist USU/SA officers in fulfilling their charter responsibilities.
C. Appropriate and approve all Student Activity Fee monies.
D. Submit to the USU/SA, by a two-thirds vote of the USU/SA Executive Council, any proposed amendments to this Constitution.
E. Establish elections rules and supervise all USU/SA elections.
F. Participate in and establish procedures for Stater’s Council.
G. Create or amend a USU/SA officer charter by a two-thirds vote of the originating body and also the appropriate Executive Council (See Article I, Section 1).
H. Call for a referendum of the USU/SA (See Article VII, Section 4).
Section 5. Procedures

A. The USU/SA Executive Council shall:

1. Be chaired by the USU/SA President.
2. Convene meetings from the first week of fall semester through the last week of classes of spring semester, except during semester and holiday breaks. Meeting cancellations shall be proposed and passed by majority vote.
3. All Executive Council meetings shall be open to the public. Conduct meetings according to parliamentary procedure.

B. The USU/SA Academic Senate shall:

1. Be chaired by the Executive Vice President
2. Convene weekly meetings from the first week of fall semester through the last week of classes of spring semester, except during semester and holiday breaks. Meeting cancellations shall be proposed and passed by majority vote. All Academic Senate meetings shall be open to the public.
3. Conduct meetings according to parliamentary procedure.

C. The Regional Campuses and Distance Education Executive Council shall:

1. Be chaired by the RCDE President.
2. Convene regular meetings from the first week of fall semester through the last week of classes of spring semester, except during holiday breaks. Meeting cancellations shall be proposed and passed by majority vote of the RCDE Executive Council.
3. All RCDE Executive Council meetings are open to the public.
4. Conduct meetings according to parliamentary procedure.

D. Regional Campus and Distance Education Regional Councils 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 RCDE Executive Council.
4. All RCDE Regional Council meetings shall be open to the public. Conduct meetings according to parliamentary procedure.

Section 6. Membership

A. The USU/SA 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. Programming Vice President
7. Service Vice President
8. Graduate Studies Senator
9. Academic Senate Pro Tempore
10. Administrative Assistant (appointed, non-voting)
11. Public Relations and Marketing Director (appointed, non-voting)

B. In the event that the USU/SA President is unable to fulfill his or her duties the following line of authority shall be recognized:

1. Executive Vice President
2. Student Advocate Vice President

In the event a vacancy occurs in the office of President, see Article III, Section 5.

C. The USU/SA Academic Senate shall consist of the following officers:

1. Executive Vice President (Chair)
2. College of Agriculture and Applied Sciences Senator
3. Caine College of the Arts Senator
4. Jon M. Huntsman School of Business Senator
5. Emma Eccles Jones College of Education and Human Services Senator
6. College of Engineering Senator
7. School of Graduate Studies Senator
8. College of Humanities and Social Sciences Senator
9. S.J. and Jessie E. Quinney College of Natural Resources Senator
10. College of Science Senator
11. Administrative Assistant (appointed, non-voting)

*Positions will be automatically updated as per official college titles.

D. The RCDE Executive Council 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
   e. USU Salt Lake Service Region Executive Vice President

E. Each RCDE Regional Council shall consist of the following officers:

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

Article III. USU/SA Officers

Section 1. Elections

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

Section 2. Terms of Office

The term of office is one full calendar year for all USU/SA officers.

Section 3. Eligibility

A. No student shall be eligible to run or apply for any USU/SA office if not in good standing. Once in office, any officer 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, or considered a full-time student by the School of Graduate Studies during their entire term of office, including the spring semester of election or appointment. Regional Campus and Distance Education students are in good standing if 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.

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 USU/SA officer not in good standing will be ineligible to receive their USU/SA 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 USU/SA 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. Any appeals to the eligibility criteria may be submitted to the Office of the Vice President for Student Services. Any decision made by this office are final.

B. Candidates for the office of RCDE Representative must be registered students taking a majority of coursework at the campus or center they wish to represent.

C. 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.

D. 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 USU/SA office, unless, elected or appointed to fill a vacant office. Any USU/SA member may, however, run for the vacant USU/SA 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

Any vacancies in a USU/SA office, excluding the office of USU/SA President, shall be filled in the following manner:

A. The USU/SA President shall appoint a member of the USU/SA to fill the vacancy. Eligibility requirements outlined in Article III, Section 3 must be met. RCDE President shall appoint a member of the RCDE Student Government to fill the vacancy, which shall be approved by the USU/SA President.
B. Appointments shall be approved by a two-thirds vote of the appropriate USU/SA Executive Council.

C. The appointee shall serve the remainder of the one-year term.

If a vacancy in the office of USU/SA President or RCDE President occurs, a special election will be called by the members of the respective Executive Council in which the USU/SA will elect a new USU/SA President or 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 a USU/SA 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).

Section 7. USU/SA Election By-Laws

A. The USU/SA Election By-Laws shall be ancillary to this Constitution.

B. Any revised document of the USU/SA Election By-Laws shall be proposed in the form of a bill.

C. Any revised document of the USU/SA Election By-Laws shall be approved by a majority vote of the USU/SA Executive Council.

D. The revised document of the RCDE Election By-Laws shall be approved by a majority vote of the RCDE Executive Council.

Article IV. USU/SA Appointed Positions

Section 1. Selection

The USU/SA President-Elect will appoint the Administrative Assistant and the Public Relations and Marketing Director. The USU/SA Programming Vice President-Elect will appoint the Activities Director, Arts and Lectures Director, and Traditions Director.

Section 2. Eligibility
See Article III, Section 3.
Section 3. Vacancies of Appointed Positions

Any vacancies shall be filled as determined by the respective USU/SA 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 execution of the following conditions:

A. Submission of written charges by any member of USU/SA;
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, a conviction handed down by the Hearing Board.

Article V. USU/SA Hearing Board

Section 1. Membership

A. The USU/SA Hearing Board shall consist of 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 USU/SA President and approved by a majority vote of the USU/SA Executive Council. The former President will assist the newly elected USU/SA President during the selection process.
C. The Hearing Board Pool Chair shall be a student appointed by the USU/SA 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 July 1 of each year.
E. One voting member of USU/SA Executive Council 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 USU/SA 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 USU/SA Hearing Board is established to:

A. Interpret this Constitution.
B. Interpret the USU/SA By-Laws and the constitutionality of those laws.
C. Hear and rule on charges against a USU/SA candidate for USU/SA Election By-Laws violation (See Article III, Section 7).
D. Hear and rule on charges of USU/SA officer misconduct and incompetence (See Article III, Section 6).

Section 3. Jurisdiction and Procedures

The USU/SA Hearing Board shall hear cases in the following manner:

A. Members of the USU/SA 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 USU/SA Election By-Laws by a USU/SA 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 member 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 members.
F. A member 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 USU/SA Executive Council 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 USU/SA President. A written explanation that may call for the removal of the USU/SA President from office shall be sent to the USU/SA Executive Vice President.
H. All recall elections for the USU/SA President shall be held within 14 days of the board’s decision, excluding days when no classes are held.
I. All appointments for vacant USU/SA offices shall be made within 14 days, excluding days when no classes are held.
J. All decisions by the Hearing Board shall be binding unless rescinded by the Office of the Vice President for Student Services. All decisions by the Hearing Board shall be submitted to the USU/SA President 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 USU/SA funds and shall act as the financial agent of the USU/SA. It shall be his/her specific duty to receive, bank, and account for all of the USU/SA funds.
Section 2. Disbursements

Requisitions for USU/SA Logan shall bear the signature of the Director of Student Involvement and Leadership, or his/her designee. Requisitions for USU/SA 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 USU/SA funds shall be made available to any member of the USU/SA.

Section 4. USU/SA Budget

A. The USU/SA Executive Council is the steward of the USU/SA budget for Logan campus. The RCDE officers are the stewards of the USU/SA budget for RCDE.

B. Approval of the USU/SA budget shall be considered and passed by a two-thirds vote of the appropriate Executive Council.

C. Requests for additional funding shall be considered 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 USU/SA officers to request an action of some agency over which the USU/SA has no administrative control.

B. Be published and made available to the USU/SA.

C. Be forwarded to appropriate university authorities through Stater’s Council.

Section 2. Bills

Bills shall:

A. Be sponsored by the USU/SA to request any action over which the USU/SA has administrative control.

B. Be published and made available to the USU/SA.

C. 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 expenditure nature.

D. Go into effect, once passed, as designated by the bill.
Section 3. Initiatives

Legislative action shall be proposed by members of USU/SA 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 appropriate USU/SA body for consideration.
C. The presentation shall occur at the next annual election or a special election called by the USU/SA President.
D. The legislation shall pass upon majority approval of the USU/SA body, according to campus or RCDE Service Area.

Section 4. Referenda

Referenda shall be called in the following manner:

A. The USU/SA Executive Council shall initiate action on a bill or resolution to the USU/SA of Logan by a two-thirds vote of the USU/SA Executive Council. The RCDE Executive Council shall defer action on a bill or resolution to the USU/SA of RCDE by a two-thirds vote of the RCDE Executive Council.
B. The proposed bill or resolution shall then be presented to the respective USU/SA body for approval.
C. The presentation shall occur at the next annual election or a special election called by the USU/SA President.
D. The legislation shall pass upon majority approval of the appropriate USU/SA body.

Article VIII. 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 USU/SA Executive Council.
B. An initiative petition signed by 15 percent of the USU/SA 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. A Constitutional amendment shall take effect after it is approved on a majority of the ballots cast at a regular or special election.

Article IX. 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. USU/SA By-Laws

Section 1. Purpose

The USU/SA By-Laws shall serve as the body of statutory law for the USU/SA.

Section 2. Function

The USU/SA By-Laws shall be established and rescinded by the normal legislative process with a two-thirds vote. All USU/SA officers shall be subject to the By-Laws. Any person(s) in violation of the law(s) shall be subject to formal recourse.