The Constitution of the Utah State University Student Association

Preamble

The Constitution of the Utah State University Student Association, hereafter referred to as USUSA, 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 USUSA and shall be granted all rights and privileges as established by this Constitution.

Section 1. Authority

Each member of the USUSA 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 USUSA 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-SWC (Statewide Campuses) 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 SWC delivered courses are considered SWC students and have rights and powers granted from this constitution within the USU Statewide Campuses. SWC students will further be organized 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
6. USU Southwest Service Region
7. USU Blanding Service Region
Article II. USUSA Student Government

Section 1. Establishment

The USUSA 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 USUSA Officers

USUSA officers shall conduct all operations according to the provisions set forth in this Constitution and USUSA 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 USUSA shall be vested in the elected and appointed officers who shall represent USUSA 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 USUSA shall be vested in the USUSA officers. Legislative authority may also be vested in the members of the USUSA by initiative and referendum (See Article VIII, Section 3-4).

The USUSA 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 USUSA to assist US/SA officers in fulfilling their charter responsibilities.
C. Appropriate and approve all Student Activity Fee monies.
D. Submit to the USUSA, by a two-thirds vote of the USUSA Executive Council, any proposed amendments to this Constitution.
E. Establish elections rules and supervise all USUSA elections.
F. Participate in and establish procedures for Stater’s Council.
G. Create or amend a USUSA officer charter by a two-thirds vote of the USUSA governing body that an officer sits on (See Article I, Section 1). Proposed charter changes to the USUSA Executive Vice-President charter shall be heard by the USUSA Executive Council. Proposed charter changes to the USUSA Graduate Studies Senator charter shall be heard by the USUSA Academic Senate. A ‘USUSA governing body’ refers to the USUSA body in which an officer resides which has governance in its role of improving the quality of student life at Utah State University.”

H. Call for a referendum of the USUSA (See Article VII, Section 4).

Section 5. Procedures

A. The USUSA Executive Council shall:
   1. Be chaired by the USUSA 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 USUSA 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 Statewide Campuses Executive Council shall:
   1. Be chaired by the SWC 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 SWC Executive Council.
   3. All SWC Executive Council meetings are open to the public.
   4. Conduct meetings according to parliamentary procedure.

D. Statewide Campuses Regional Councils shall:
   1. Be organized within each established SWC Service Region (See Article I, Section 1, Subsection B).
   2. Be chaired by the Regional Executive Vice President.
   3. Convene regular meetings from the first week of fall semester to the last week of spring semester, except during holiday breaks. Meeting cancellations shall be proposed and passed by majority vote of the SWC Executive Council.
5. Ensure all SWC Executive Council and Regional Council meetings be open to the public.

Section 6. Membership

A. 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
10. Administrative Assistant (appointed, non-voting)
11. Public Relations and Marketing Director (appointed, non-voting)

B. In the event that the USUSA 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 USUSA 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 SWC Executive Council shall consist of the following officers:

1. SWC 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
   f. USU Southwest Service Region Executive Vice President
   g. USU Blanding Service Region Executive Vice President

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

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

Article III. USUSA Officers

Section 1. Elections

USUSA elections shall be held in accordance with the Election By-Laws (See Article III, Section 7). The newly-elected USUSA 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 USUSA officers.

Section 3. Eligibility

A. No student shall be eligible to run or apply for any USUSA 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 applies to both academic and behavioral conduct, which 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. Statewide Campuses 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 2.75 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 2.75.
3. Maintaining a GPA of 2.75 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.
5. Free from major USU Student Code violations and/or student conduct probation.
   a. If a student has any pending student conduct hearings, he/she may proceed in running/applying for office. If found guilty the student is subject to removal from office.

Terms of Probation:
1. Probation will last one semester and serve as an opportunity for the officer to regain good standing.
2. Any USUSA officer not in good standing will be ineligible to receive their USUSA scholarship; however, the monthly stipend is excluded from this restriction. For those officers not receiving a monthly stipend, they will be eligible to receive $1,200 for the semester they are on probation.
3. Any USUSA officer who fails to regain good standing at the completion of the probation period will be immediately removed from office.
4. 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.
5. The USUSA Executive Council will have the authority to place an officer on probation by a 2/3 majority vote if the officer is deemed to have acted in a way that is unbecoming of the appropriate office.

B. Candidates for the office of SWC 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 SWC 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 SWC President must be registered students taking a majority of coursework at an SWC 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 SWC President.

Section 4. Holding Office

A. No person shall simultaneously hold more than one USUSA office, unless, elected or appointed to fill a vacant office. Any USUSA member may, however, run for the vacant USUSA 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 USUSA office, excluding the office of USUSA President, shall be filled in the following manner:

A. The USUSA President shall appoint a member of the USUSA to fill the vacancy. Eligibility requirements outlined in Article III, Section 3 must be met. SWC President shall appoint an eligible SWC student to fill the vacancy, which shall be approved by the USUSA President.

B. Appointments shall be approved by (a) two-thirds vote(s) of the USUSA governing body(ies) with a vacancy. Appointments to the USUSA Executive Vice-President office shall be approved by the USUSA Executive Council. Appointments to the USUSA Graduate Studies Senator office shall be approved by the USUSA Academic Senate.

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

If a vacancy in the office of USUSA President or SWC President occurs, a special election will be called by the members of the respective Executive Council in which the USUSA will elect a new USUSA President or SWC 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 a USUSA governing body charges a USUSA officer with misconduct or incompetence in office, it becomes the responsibility of the USUSA President (or in the case of charges brought against the USUSA President, the USUSA Executive Vice President) to present the case to the hearing board along with a recommendation regarding the outcome of the vote. At that time, 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. USUSA Election By-Laws

A. The USUSA Election By-Laws shall be ancillary to this Constitution.
B. Any revised document of the USUSA Election By-Laws shall be proposed in the form of a bill.
C. Any revised document of the USUSA Election By-Laws shall be approved by a majority vote of the USUSA Executive Council.
D. The revised document of the SWC Election By-Laws shall be approved by a majority vote of the SWC Executive Council.

Article IV. USUSA Appointed Positions

Section 1. Selection

The USUSA President-Elect will appoint the Administrative Assistant and the Public Relations and Marketing Director. The USUSA Student Events 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 USUSA officer and approved by (a) majority vote(s) of the appropriate (as determined by a majority vote of the USUSA President, Executive Vice President, and Senate Pro Tempore) USUSA governing body(ies). Any SWC vacancies shall be filled as determined by the respective USUSA officer and approved by a majority vote of the SWC 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 USUSA;
B. (A) two-thirds vote(s) of the appropriate (as determined by a majority vote of the USUSA President, Executive Vice President, and Senate Pro Tempore) USUSA governing body(ies). For SWC appointed positions, a two-thirds vote of the SWC 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. USUSA Hearing Board**

**Section 1. Membership**

A. The USUSA 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 USUSA President and approved by a majority vote of the USUSA Executive Council. The former President will assist the newly elected USUSA President during the selection process.

C. The Hearing Board Pool Chair shall be a student appointed by the USUSA 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 USUSA 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 USUSA 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.

F. One member of the Hearing Board Pool shall be a Statewide Campuses student suggested by the SWC President and appointed by the USUSA President.

**Section 2. Jurisdiction**

The USUSA Hearing Board is established to:

A. Interpret this Constitution.

B. Interpret the USUSA By-Laws and the constitutionality of those laws.

C. Hear and rule on charges against a USUSA candidate for USUSA Election By-Laws violation (See Article III, Section 7).

D. Hear and rule on charges of USUSA officer misconduct and incompetence (See Article III, Section 6).

**Section 3. Jurisdiction and Procedures**

The USUSA Hearing Board shall hear cases in the following manner:

A. Members of the USUSA 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 USUSA Election By-Laws by a USUSA 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 a USUSA governing body 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.

H. All recall elections for the USUSA President shall be held within 14 days of the board’s decision, excluding days when no classes are held.

I. All appointments for vacant USUSA 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 Affairs. All decisions by the Hearing Board shall be submitted to the USUSA 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 USUSA funds and shall act as the financial agent of the USUSA. It shall be his/her specific duty to receive, bank, and account for all of the USUSA funds.

Section 2. Disbursements

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

Section 4. USUSA Budget

A. The USUSA Executive Council is the steward of the USUSA budget for Logan campus. The SWC officers are the stewards of the USUSA budget for SWC.
B. Approval of the USUSA 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 USUSA officers to request an action of some agency over which the USUSA has no administrative control.
B. Be published and made available to the USUSA.
C. Be forwarded to appropriate university authorities through Stater’s Council.

Section 2. Bills

Bills shall:

A. Be sponsored by the USUSA to request any action over which the USUSA has administrative control.
B. Be published and made available to the USUSA.
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 USUSA in the following manner:

A. A petition signed by 15 percent of the respective Logan or SWC constituents.
B. The proposed bill or resolution shall then be presented to the appropriate USUSA body for consideration.
C. The presentation shall occur at the next annual election or a special election called by the USUSA President.
D. The legislation shall pass upon majority approval of the USUSA body, according to campus or SWC Service Area.

Section 4. Referenda

Referenda shall be called in the following manner:

A. The USUSA Executive Council shall initiate action on a bill or resolution to the USUSA of Logan by a two-thirds vote of the USUSA Executive Council. The SWC Executive Council shall defer action on a bill or resolution to the USUSA of SWC by a two-thirds vote of the SWC Executive Council.
B. The proposed bill or resolution shall then be presented to the respective USUSA body for approval.
C. The presentation shall occur at the next annual election or a special election called by the USUSA President.
D. The legislation shall pass upon majority approval of the appropriate USUSA 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 USUSA Executive Council.
B. An initiative petition signed by 15 percent of the USUSA 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. USUSA By-Laws

Section 1. Purpose

The USUSA By-Laws shall serve as the body of statutory law for the USUSA.

Section 2. Function

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