

CONSTITUTION
ASSOCIATED STUDENTS OF BOISE STATE COLLEGE

Preamble

We, the Students of Boise State College, in order to promote and maintain those endeavors germane to student government, do establish this constitution, the purpose of which shall be to provide for the organized conduct of student affairs and to promote the education, social, and cultural activities of the students of Boise State College, to finance student activities, to act as the official voice of the student body, to facilitate student participation in the college community for the betterment of Boise State College, to discharge the authority vested in this association by the State of Idaho and the President of the College and to assume such powers and perform such duties as may arise in acting as the official representatives of the student body, do hereby ordain and establish the following constitution.

Article I Name and Membership

- Section 1 Name - We, the Associated Students under this Constitution, shall be known as the Associated Students of Boise State College hereafter referred to as ASBSC.
- Section 2 Membership - All full-time enrolled students of the college shall be members of the ASBSC with all the rights, privileges, responsibilities in any activity to which the authority of the Constitution extends.

Article II Legislative Branch

- Section 1 Senate
- Clause 1 Membership - the Senate shall consist of twelve (12) members to be elected proportionally according to the number of full-time enrolled students in each of the schools with at least one Senate member from each school. *Prop/Schad*
- Clause 2 The ASBSC Vice President shall serve as Chairman of the Senate. He will vote only in case of a tie or to make a two-thirds (2/3) majority.
- Clause 3 Duties of the Senate
- A. The Senate shall be the supreme policy-making body of the ASBSC.
 - B. To initiate and approve by majority vote all by-laws or student regulations. After approval the proposal shall be reviewed by the ASBSC President and approved or vetoed within two (2) school weeks. The veto of the ASBSC President may be overruled by a two-thirds (2/3) vote of all voting members of the Senate.
 - C. To approve by majority vote of all voting members any Presidential appointee.
 - D. Grant official recognition to campus organizations in accordance with the by-laws and policies of the College and the Senate.
 - E. To hear and take appropriate action on proposals made by students-at-large.

- F. Meeting, Rules and Absences. The Senate shall meet weekly during the regular school year. A majority of all voting members shall constitute a quorum. The Senate shall operate according to Robert's Rules of Order, unless otherwise provided for. If a Senate member is absent during his term from three (3) regular meetings, without a reason acceptable to two-thirds (2/3) of all members, the position shall be declared vacant and then filled by appointment.
- G. The Senate shall have legislative authority over all ASBSC funds and property subject to the provisions of this constitution and the laws of the State of Idaho.
- H. The Senate shall establish and determine the functions of all ASBSC committees or boards.
- I. The Senate shall enact such other legislation as may be necessary for the general welfare of the ASBSC.

Article III Executive Branch

Section 1 Function

The function of the Executive Branch shall be to administer the affairs of the Associated Students and put into operation all policies adopted by the Legislative Branch. It shall coordinate relations with other student associations and with the college administration.

Section 2 Membership

Clause 1 The Executive Branch shall consist of three (3) elected members, and such other appointed positions as may be designated by the ASBSC President and/or the ASBSC Senate.

- A. President
- B. Vice President
- C. Treasurer

Section 3 Duties of Officers

Clause 1 President

- A. To be chief executive officer of the ASBSC.
- B. To be the official representative of the ASBSC.
- C. To be responsible for the execution of all legislation.
- D. To make such appointments as the Constitution and Legislative Acts may require, subject to a majority approval of all voting members of the ASBSC Senate, and to fill all vacancies, unless otherwise provided for in the constitution or legislative acts.
- E. To veto as he sees fit any law, rule, regulation or other action adopted by the ASBSC Senate by written notification to the Senate presented within two (2) school weeks following final passage of the enactment.
- F. To dismiss, with stated cause, any official, board member, or committee member appointed by him. He shall not dismiss any individual appointed by him to fill the vacancy of an elected office.
- G. To perform such other duties as authorized by the ASBSC Senate.
- H. To submit to the ASBSC Senate for their approval a budget including associated student programs for the subsequent fiscal year. This shall be submitted as soon as possible at the beginning of the spring semester.

- I. To call and preside over the executive cabinet and to call special meetings of the Senate.
- J. To establish executive committees.
- K. To serve on the Student Conduct Board.
- L. To perform such other duties that may be necessary to promote the general welfare of the students.
- M. To serve as ex-officio member of all association committees.

Clause 2

Vice President

- A. He shall preside over the meetings of the ASBSC Senate.
- B. He shall serve as chief administrative officer of the ASBSC Senate.
- C. He shall assume the duties of the President during his absence and shall succeed to the office of the President in the event it becomes vacant, by other than recall.
- D. He shall carry out all proper duties assigned to him by the President or the Senate.
- E. He shall serve on the Student Conduct Board.

Clause 3

Treasurer

- A. To be the financial officer of the ASBSC, and to administer the financial affairs of the ASBSC.
- B. The financial records of the ASBSC shall be open to the members of the ASBSC.
- C. To be responsible for the proper execution of all fiscal legislation.
- D. To submit monthly to the ASBSC Senate a report of the general fund of the ASBSC.
- E. To serve as chairman of the Financial Board.
- F. To assist the ASBSC President in the preparation of the budget message as provided in Section III, I. H. of this article.
- G. He shall serve on the Student Conduct Board.

Article IV Judicial Branch

Section 1 General Provisions

- Clause 1 The supreme judicial power of the Associated Students shall be vested in the ASBSC Judiciary. The authority of the ASBSC Judiciary is derived from the Associated Students and as delegated from the College President.
- A. Its authority from the Associated Students is delineated in this Constitution and appropriate legislative acts.
 - B. Appeals from decisions or recommendations of the ASBSC Judiciary shall be made to a college judicial appeals board (Student Conduct Board), the structure of which has been agreed upon by Student Senate and the College President.
 - C. If they so desire, individuals charged with college violations, or in need of remedial or rehabilitative services, may submit a written request to the college administration to have their case heard by a committee of faculty and staff personnel appointed by the Dean of Student Personnel Services, instead of the ASBSC Judiciary.

Section 2 Membership of the Judiciary

- Clause 1 The ASBSC Judiciary shall consist of five (5) students and two (2) tenured teaching faculty.
- Clause 2 Each member shall have equal voting privileges.

- Clause 3 Three (3) students and one (1) faculty member shall constitute a quorum.
- Clause 4 No member of this Judiciary shall perform other judicial functions or be involved in the implementation of any other Judicial or Appeals procedure.
- Clause 5 A Judicial Selection Committee shall interview and recommend applicants for positions on the ASBSC Judiciary.
- A. The voting members of this selection committee shall be: the past Chief Justice, or a past student member of the ASBSC Judiciary designated by the former Chief Justice, ASBSC Personnel Officer, ASBSC Chairman of Student Senate and the Advisor to Student Government or his representative and a past faculty justice designated by the Faculty Senate.
 - B. The ASBSC Personnel Officer shall be chairman of the selection committee.
 - C. Student members of the ASBSC Judiciary recommended by this selection committee shall be appointed upon approval by two-thirds (2/3) majority of the total membership of Student Senate. Faculty members recommended by this selection committee shall be appointed upon approval by the College President.
- Clause 6 The Chief Justice shall be a student. The Chief Justice of the ASBSC Judiciary shall be elected from and by the total membership of the Judiciary. In the last week of April, the ASBSC President will call the first meeting of the ASBSC Judiciary for the purpose of electing a Chief Justice.
- Clause 7 Three (3) students and one (1) faculty member shall be appointed in December and two (2) students and one (1) faculty member shall be appointed in April. All members shall be appointed for approximately one year or until the appointment of their successors.
- Clause 8 The selection committee shall fill all vacancies as necessary.
- Clause 9 Members may serve up to three (3) years on the ASBSC Judiciary.
- Section 3 Powers of the ASBSC Judiciary
- Clause 1 To determine the constitutionality, under the ASBSC Constitution, of any ASBSC action.
- Clause 2 To interpret the ASBSC Constitution upon request of the ASBSC President or ASBSC Senate.
- Clause 3 To have original jurisdiction in cases involving alleged violations of ASBSC regulations or other ASBSC actions.
- Clause 4 To have original jurisdiction, where jurisdiction has been delegated by the President of the College, in cases involving alleged violations of all college rules, regulations and policies affecting individuals and groups.
- Clause 5 To operate under general procedures as defined in the appropriate legislative acts.
- Clause 6 To delegate judicial authority to lower judicial bodies. Such lower judicial bodies shall:
- A. Function consistently with established procedures of the ASBSC Judiciary.
 - B. Be part of groups recognized by the ASBSC.
 - C. Function primarily to enforce those rules and regulations of their groups own making.

- Clause 7 To hear all appeals from decisions of lower judicial bodies which have been delegated their judicial authority from the ASBSC Judiciary.
- Clause 8 To enjoin ASBSC Government officials from taking actions contrary to the decisions of the ASBSC Judiciary.

Article V Elections and Qualifications

Section 1 Elections

- Clause 1 The ASBSC Senate shall have the power to regulate and supervise all student elections as specified in this Constitution. This shall not include recall and initiative elections. It may also call such special elections as may be necessary.
- Clause 2 The election of the ASBSC President, Vice President, Treasurer, and Senate members shall be held not later than six (6) weeks and not earlier than ten (10) weeks before the end of the spring semester on dates established by the ASBSC Senate.
- Clause 3 Newly elected officers shall be installed no later than two (2) weeks before finals of the spring semester. All elective officers shall serve for approximately one (1) year or until successors are duly installed.

Section 2 Qualifications

- Clause 1 Students shall have a minimum 2.25 cumulative G.P.A. standing at the time of election to office and must maintain minimum college standards throughout their entire tenure of office.
- Clause 2 Each ASBSC Senator shall be a full-time student of the school he represents during his tenure of office.
- Clause 3 The President, Vice President and Treasurer shall each be registered students having completed at least 48 credit hours at the time of candidacy and shall have attended this college for at least one semester immediately prior to the time of candidacy. The Treasurer must be a business major with at least two (2) semesters of accounting completed by the end of the semester in which he is elected.
- Clause 4 All elected officers must be full-time students during their tenure of office.

Article VI Recall and Vacancies

Section 1 Recall

- Clause 1 Any elected or appointed officer(s) provided for in this Constitution shall be removed from office subsequent to an election in which a two-thirds (2/3) majority of those voting vote for recall of the specified officer(s).
- Clause 2 A recall election shall be called for by a two-thirds (2/3) majority vote of the total membership of ASBSC Senate.
- Clause 3 A recall election shall be called for by petition signed by twenty (20) per cent of the members of the Associated Students whom the individual represents. Associated Student card numbers must accompany the signatures.

- A. The petition shall be submitted to the ASBSC election board and this board shall determine if the petition fulfills the requirements as established above.
- D. If the petition fulfills the stated requirements, the recall election shall be held within fifteen (15) school days on receipt of the petition by the ASBSC election board.

Section 2 Vacancies

- Clause 1 If the office of the ASBSC President is vacated by other than recall, the Vice President shall succeed to the Presidency.
- Clause 2 If a vacancy in any other elective office is created by other than recall, the ASBSC President shall fill the vacancy by appointment with two-thirds (2/3) majority approval of the voting ASBSC Senate.
- Clause 3 A vacancy created by recall shall be filled by an ASBSC election held within twenty (20) school days of such vacancy.
- Clause 4 To be eligible for appointment to any vacant office, the candidate must meet the same qualifications as set forth in Article V, Section 2 of this Constitution.
- Clause 5 Elections or appointments to vacated offices shall be effective for the remainder of the current term.

Article VII Initiative and Referendum

Section 1 Initiatives

- Clause 1 The requirements for an initiative petition from the student body shall be identical to those requirements for a recall petition. A majority of votes cast shall be sufficient for passage.

Section 2 Referendums

- Clause 1 The ASBSC Senate may, by a two-thirds (2/3) majority vote of the total membership, place a measure before the ASBSC to obtain approval or rejection by the members of the ASBSC.
- Clause 2 A majority of the votes cast in a special or general election shall be required for the adoption of a referendum.

Article VIII Amendments

- Section 1 The ASBSC Senate may, by a two-thirds (2/3) majority vote of its membership, propose amendments to this Constitution and submit them to the members of the ASBSC for adoption.
- Section 2 Upon petition to the ASBSC Senate by five (5) per cent of the members of the ASBSC, a proposed amendment shall be placed before the members of the ASBSC for adoption. Associated Student card numbers must accompany signatures.
- Section 3 A majority of the votes cast in an election shall be required for the adoption of a proposed amendment.

Article IX Enabling Measures

- Section 1 Upon ratification of this Constitution by a majority of valid ballots cast in a special election called by the ASBSC Senate, this document shall immediately become effective.

- Section 2 All existing constitutions, by-laws, rules and regulations that are inconsistent with this Constitution are declared null and void.
- Section 3 The current officers of the ASDSC shall continue in office until the first installation of officers under this Constitution.