

CONSTITUTION
ASSOCIATED STUDENTS OF BOISE STATE UNIVERSITY

Preamble

We, the students of Boise State University, in order to promote and maintain these 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 University, 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 University, to discharge the authority vested in this association by the State of Idaho and the President 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 University hereafter referred to as the ASBSU.
- Section 2 Membership - All full-time enrolled students of the university shall be members of the ASBSU 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 of the Senate shall consist of two (2) Senators from each school.
- Clause 2 The ASBSU Vice President shall serve as Chairman of the Senate. He/she 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 ASBSU.
 - B. To initiate and approve by majority vote all by-laws or student regulations. After approval, the proposal shall be reviewed by the ASBSU President and approved or vetoed within two (2) school weeks. The veto of the ASBSU 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 University 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 ASBSU 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 ASBSU committees or boards.
- I. The Senate shall enact such other legislation as may be necessary for the general welfare of the ASBSU.

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 university administration.

Section 2

Membership

Clause 1

The Executive Branch shall consist of two (2) elected members and such other appointed positions as may be designated by the ASBSU President and/or the ASBSU Senate.

A. President

B. Vice President

Clause 2

The ASBSU Treasurer will be appointed by the ASBSU President and confirmed by the ASBSU Senate from a list of not more than five (5) names, forwarded by a selection committee consisting of the Dean of the Business School, the Chairman of the Accounting Department, two (2) ASBSU Senators and chaired by the ASBSU Vice President. The Treasurer can be removed from office by a 2/3 vote of the ASBSU Senate.

A. To become effective upon the expiration of the term of office of the Treasurer elected in the spring semester of 1978.

Section 3

Duties of Officers

Clause 1

President

A. To be chief executive officer of the ASBSU.

B. To be the official representative of the ASBSU.

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 ASBSU 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 ASBSU 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 ASBSU Senate.

H. To submit to the ASBSU Senate, for their approval, a budget including associated student programs for the subsequent fiscal year. This shall be submitted during the transition period during 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 ASBSU Senate.

B. He shall serve as chief administrative officer of the ASBSU Senate.

Clause 3

- 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.

Treasurer

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

Article IV Judicial Branch

Section 1

General Provisions

The supreme judicial power of the Associated Students shall be vested in the ASBSU Judiciary. The authority of the ASBSU Judiciary is derived from the Associated Students and as delegated from the University 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 ASBSU Judiciary shall be made to a university judicial appeals board (Student Conduct Board), the structure of which has been agreed upon by Student Senate and the University President.
- C. If they so desire, individuals charged with university violations, or in need of remedial or rehabilitative services, may submit a written request to the university 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 ASBSU Judiciary.

Section 2

Membership of the Judiciary

Clause 1

The ASBSU Judiciary shall consist of five (5) students and two (2) 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 of the ASBSU Judiciary.

- A. The voting members of this selection committee shall be: The past Chief Justice, or a past student member of the ASBSU Judiciary designated by the former Chief Justice, ASBSU Personnel Officer, ASBSU 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 ASBSU Personnel Officer shall be chairman of the selection committee.
- C. Student members of the ASBSU 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 University President.

- Clause 6 The Chief Justice shall be a student. The Chief Justice of the ASBSU Judiciary shall be elected from and by the total membership of the Judiciary. In the last week of April, the ASBSU President will call the first meeting of the ASBSU 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 ASBSU Judiciary.
- Section 3 Powers of the ASBSU Judiciary
- Clause 1 To determine the constitutionality, under the ASBSU Constitution, of any ASBSU action.
- Clause 2 To interpret the ASBSU Constitution upon request of the ASBSU President or ASBSU Senate.
- Clause 3 To have original jurisdiction in cases involving alleged violations of ASBSU Regulations or other ASBSU Actions.
- Clause 4 To have original jurisdiction where jurisdiction has been delegated by the President of the University, in cases involving alleged violations of all university 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 ASBSU Judiciary.
 - B. Be part of groups recognized by the ASBSU.
 - C. Function primarily to enforce those rules and regulations of their own groups own making.
- Clause 7 To hear all appeals from decisions of lower judicial bodies which have been delegated their judicial authority from the ASBSU Judiciary.
- Clause 8 To enjoin ASBSU Government officials from taking actions contrary to the decisions of the ASBSU Judiciary.

Article V Elections and Qualifications

Section 1 Elections

- Clause 1 The ASBSU 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 ASBSU President, Vice President, 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 ASBSU 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 of 2.25 accumulative G.P.A. standing in the registrar's office at the time of election to office and must main-

tain minimum University standards throughout their entire tenure of office.

A. Student who are in a three or four-semester program, and who enter their first semester in the spring shall be considered on the basis of their mid-term G.P.A. for that semester.

Clause 2 Each ASBSU 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 at the time of candidacy and shall have attended this university 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 appointed.

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 ASBSU Senate.

Clause 3 A recall election shall be called for by petition signed by twenty (20) percent of the members of the Associated Students who the individual represents. Associated Student card numbers must accompany the signatures.

A. The petition shall be submitted to the ASBSU Election Board and this board shall determine if the petition fulfills the requirements as established above.

B. 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 ASBSU election board.

Section 2 Vacancies

Clause 1 If the office of the ASBSU 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 ASBSU President shall fill the vacancy by appointment with two-thirds (2/3) majority approval of the voting ASBSU Senate.

Clause 3 A vacancy created by recall shall be filled by an ASBSU 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 ASBSU Senate may, by a two-thirds (2/3) majority vote of the total

Clause 2

membership, place a measure before the ASBSU to obtain approval or rejection by the members of the ASBSU.
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 ASBSU 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 ASBSU for adoption.
- Section 2 Upon petition to the ASBSU Senate by five (5) percent of the members of the ASBSU, a proposed amendment shall be placed before the members of the ASBSU 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 Measure

- Section 1 Upon ratification of this Constitution by a majority of valid ballots cast in a special election called by the ASBSU 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 ASBSU shall continue in office until the first installation of officers under this constitution.

*This copy included amendments
passed during the ASBSU
elections 4/79*

CONSTITUTIONAL AMENDMENTS
ASBSU Election 4/79
(all passed)

CONSTITUTIONAL AMENDMENT #1:

Explanation:

The purpose of this amendment is to make the Constitution more accurately reflect the current budgetary process of the ASBSU.

Current:

Article ~~III~~ ³ To submit to the ASBSU Senate, for their approval, a budget
Section ~~H~~ ³ including associated student programs for the subsequent
Clause 1 fiscal year. This shall be submitted (as soon as possible
Letter H at the beginning of the spring semester.)

Proposed Amendment:

Article II To submit to the ASBSU Senate, for their approval, a budget
Section H including associated student programs for the subsequent
Clause 1 fiscal year. This shall be submitted during the *TRANSI-*
TION PERIOD DURING the spring semester.

CONSTITUTIONAL AMENDMENT #2:

Explanation:

The purpose of this Constitutional Amendment is to make the Constitution reflect current policy. The Treasurer does not serve on the Student Conduct Board because the President and Vice President already serve in that capacity.

Proposed amendment would eliminate this section:

Article III *He shall serve on the Student Conduct Board.*
Section G .
Clause 3

CONSTITUTIONAL AMENDMENT #3:

Explanation:

The purpose of this Constitutional Amendment is to make this section of the constitution coincide with other parts. The Treasurer is now an appointed position.

Current:

Article V The President, Vice President, and Treasurer shall each be
Section 2 registered students at the time of candidacy and shall have
Clause 3 attended this university for at least one semester immediately
prior to the time of candidacy. The Treasurer must be a bus-
iness major with at least two (2) semesters of accounting com-

pleted by the end of the semester in which he is (elected).

Proposed Amendment:

Article V	The President, Vice President, and Treasurer shall each be
Section 2	registered students at the time of candidacy and shall have
Clause 3	attended this university for at least one semester immediately
	prior to the time of candidacy. The Treasurer must be a bus-
	iness major with at least two (2) semesters of accounting com-
	pleted by the end of the semester in which he is <u>APPOINTED</u> .

CONSTITUTIONAL AMENDMENT #4:

Explanation:

The purpose of this Constitutional Amendment is to make this section of the Constitution coincide with others. The Treasurer is no longer an elected position.

Current:

Article V	The election of the ASBSU President, Vice President (<u>Treasurer</u>)
Section 1	and Senate members shall be held no later than six (6) weeks
Clause 2	and not earlier than ten (10) weeks before the end of the
	spring semester on dates established by the ASBSU Senate.

Proposed Amendment:

Article V	The election of the ASBSU President, Vice President, and
Section 1	Senate members shall be held not later than six (6) weeks
Clause 2	and not earlier than ten (10) weeks before the end of the
	spring semester on dates established by the ASBSU Senate.

CONSTITUTIONAL AMENDMENT #5:

Explanation:

The purpose of this Constitutional Amendment is to make it so faculty members no longer have to be tenured to serve as Faculty Justices on the ASBSU Judiciary.

Current:

Article IV	The ASBSU Judiciary shall consist of five (5) students and
Section 2	two (2) (<u>tenured</u>) teaching faculty.
Clause #1	

Proposed Amendment:

Article IV	The ASBSU Judiciary shall consist of five (5) students and
Section 2	two (2) teaching faculty.
Clause #1	

CONSTITUTIONAL AMENDMENT #6:

Explanation:

The purpose of this Constitutional Amendment is to reduce the total number of ASBSU Senators. This will be accomplished by allotting each school two (2) senators instead of one (1) senator for every three hundred and fifty (350) students as is now the practice.

Current:

Article II
Section 1
Clause 1

Membership of the Senate shall consist of (at least 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 Senator member from each school.

A. There shall be one (1) senator from each three hundred and fifty (350) students in each of the schools, with one (1) additional senator for each additional three hundred and fifty (350) students or fractional part thereof above one-half ($\frac{1}{2}$).

B. There shall be at least one (1) senator from each school.

C. The apportionment of senators shall be based upon the previous fall semester's enrollment figures.

Proposed Amendment:

Article II
Section 1
Clause 1

Membership of the Senate shall consist of TWO (2) SENATORS FROM EACH SCHOOL.

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