

BOISE STATE UNIVERSITY

910 UNIVERSITY DRIVE

BOISE, IDAHO 83725



ASBSU CONSTITUTION

PREAMBLE

We, the associated 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 educational, social, and cultural activities of the associated students of Boise State University and to finance student activities, to act as the official voice of the associated 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 of the University and to assume such powers and perform such duties as may arise in acting as the official representatives of the associated student body, do hereby ordain and establish this 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 ASBSU.

Section 2 - Membership

All full-fee paying students of the University shall be members of the ASBSU with all the rights, privileges, and 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 Chairperson of the Senate and will vote only in case of a tie or to make a two-thirds (2/3) majority of the total Senate membership.

Clause 3 - Duties of the Senate

- A. To be the supreme policy-making body of the ASBSU.
- B. To initiate and approve by majority vote of the total Senate membership all bylaws or student regulations. After approval, the proposal shall be reviewed by the ASBSU President and approved or vetoed within five (5) class days. The veto of the ASBSU President may be overruled by a two-thirds (2/3) majority vote of the total Senate membership.
- C. To approve by majority vote of the total Senate membership, any Presidential appointee.
- D. To grant official recognition to campus organizations in accordance with the bylaws and policies of the University and the Senate.
- E. To hear and take appropriate action on proposals made by students at large.
- F. Meetings, Rules and Absences. The Senate shall meet weekly during the regular academic year unless the meeting is cancelled for lack of quorum or by special vote of the Senate. A majority of membership 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/her term from three (3) regular meetings, without a reason acceptable to two-thirds (2/3) of the total Senate membership, the position shall then be declared vacant and subsequently 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 and boards.
- I. The Senate shall enact such other legislation as may be necessary for the general welfare of the ASBSU.
- J. The ASBSU Senate may call special meetings by a majority vote of the total Senate membership.
- K. Senators may be removed from office through the recall process or for cause, by a four-fifths (4/5) majority of the total Senate membership.

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 President and/or Vice-President may be removed from office by the recall or impeachment process as outlined in Article VI of this constitution.

Clause 3 - 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 two-thirds (2/3) majority vote of the total membership of the Senate.

Section 3 - Duties of Officers

Clause 1 - President

- A. To be the 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 the total voting membership of the ASBSU Senate, and to fill all vacancies, unless otherwise provided for in the Constitution or legislative acts.
- E. To veto as s/he sees fit any legislation or regulation adopted by the ASBSU Senate by written notification to the Senate presented within five (5) class days following final passage of the enactment.
- F. To dismiss, with stated cause, any official, board member, or committee member appointed by him/her. He/she shall not dismiss any individual appointed by him/her 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 before the transition of the ASBSU administrations 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 Policy Board (ex officio).
- 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. To preside over the meetings of the ASBSU Senate.
- B. To serve as chief administrative officer of the ASBSU Senate.
- C. To assume the duties of the President during his/her absence and shall succeed to the office of the President in the event it becomes vacant, by other than recall or impeachment (as outlined in Article VI).

- D. To carry out all proper duties assigned to him/her by the President or the Senate.
- E. To serve as chairperson of the Academic Grievance Board.
- F. To call special Senate meetings in the absence of the President.

Clause 3 - Treasurer

- A. To provide the financial records of the ASBSU to the members of the ASBSU, upon written request.
- B. To be responsible for the proper execution of all fiscal legislation.
- C. To submit monthly to the ASBSU Senate a report of the general fund of the ASBSU.
- D. To serve as the chairperson of the Financial Advisory Board.
- E. To assist the ASBSU President in the preparation of the budget message as provided in Section III, 1, H, of this Article.

ARTICLE IV - JUDICIAL BRANCH

Section 1 - General Provisions

Clause 1 - 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.

Clause 2 - The authority of the ASBSU Judiciary as derived from the Associated Students is stated and empowered in this Constitution and appropriate legislative acts.

Clause 3 - Appeals from decisions or recommendations of the ASBSU Judiciary in matters involving possible disciplinary action, shall be made to a university judicial appeals board (Student Policy Board), the structure of which has been agreed upon by the Student Senate and the University President.

Clause 4 - The ASBSU Judiciary shall be the supreme judicial body in matters involving the interpretation of the ASBSU Constitution and the appropriate legislative acts.

Clause 5 - If they so desire, BSU students charged with any university violations, or in need of remedial or rehabilitative services, may submit a written request to the University administration to have their cases heard by a committee of faculty and staff personnel appointed by the Vice-President for Student Affairs, instead of the ASBSU Judiciary.

Section 2 - Membership of the Judiciary

Clause 1 - The ASBSU Judiciary shall consist of five (5) ASBSU student members and two (2) BSU teaching faculty.

Clause 2 - Each member shall have equal voting privileges.

Clause 3 - Three (3) ASBSU student members and one (1) BSU teaching 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 - The Judicial Selection Committee shall interview and recommend applicants for positions in the ASBSU Judiciary.

- A. The voting members of this Selection Committee shall be: a former Chief Justice, or a past student member of the ASBSU Judiciary designated by a former Chief Justice; ASBSU Personnel Selection Chairperson, Chairperson of the ASBSU Student Senate; the Advisor to Student Government, or his/her representative; and a past faculty justice designated by the Faculty Senate.
- B. The ASBSU Personnel Selection Chairperson shall chair 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 vote of the total Senate membership. Faculty members 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, and at such other times that the chief justice position is vacant, the ASBSU President will call a meeting of the ASBSU Judiciary for the purpose of electing a Chief Justice.

Clause 7 - Three (3) ASBSU student members and one (1) BSU faculty member shall be appointed in December, and two (2) ASBSU student members and one (1) BSU 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 necessary.

Clause 9 - Members may serve up to three (3) consecutive 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 except in the case wherein original jurisdiction has been designated by the University President or by the office of the Vice-President for Student Affairs to a lower judicial body. In this case, the ASBSU Judiciary becomes the appellate board.

Clause 4 - To have original jurisdiction, where jurisdiction has been delegated by the President of the University, in cases involving alleged violations of any University rules, regulations and policies affecting individuals and/or 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 group's 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 or by the office of the Vice-President for Student Affairs.

Clause 8 - To enjoin ASBSU Government officials from taking actions contrary to the decisions of the ASBSU Judiciary.

Clause 9 - To review, recommend, and make initial approval of constitutions for organizations seeking official recognition of the ASBSU.

Clause 10 - Sanctions may be imposed by the ASBSU Judiciary upon the individual proven guilty for violation of the Code of Conduct, ASBSU Constitution, ASBSU Senate Acts, or other misconduct on campus, or off campus while representing BSU. Sanctions may include expulsion, suspension, conduct probation, loss of privileges, censure, admonition, restitution, and others as specified in the student policies and procedures.

Clause 11 - To grant temporary recognition to a student group organized for a one-time event or single purpose of supporting or opposing a candidate or issue on a ballot measure in any special or regular ASBSU election.

ARTICLE V - ELECTIONS AND QUALIFICATIONS

Section 1 - Elections

Clause 1 - The ASBSU Senate shall have the power to regulate and supervise, as set forth in the Election Code, 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 general election of the ASBSU President, Vice-President, and one (1) Senator from each school shall be held not earlier than forty-five (45) calendar days and not later than ninety (90) calendar days after the beginning of the spring semester on dates established by the ASBSU Senate. The remaining half of the Senate shall be elected not less than fifteen (15) calendar days and not later than forty-five (45) calendar days after the start of the fall semester on dates established by the ASBSU Senate. The Homecoming election may be conducted in conjunction with the general election.

Clause 3 - Newly elected officers, except those Senators elected in the fall semester, shall be installed not later than fifteen (15) calendar days before finals of the spring semester. The remaining half of the Senate shall be installed not later than sixty (60) calendar days after beginning of the fall semester. All elective officers shall serve for one (1) year or until successors are duly installed.

Section 2 - Qualifications

Clause 1 - Students shall have a minimum of 2.25 cumulative G.P.A. (Grade Point Average) standing at the time of election to office and must maintain minimum University standards throughout their entire tenure of office. Students 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 midterm G.P.A. for that semester. For students attending Boise State University for the first time and wishing to run for office, they must meet the following qualifications. First semester students must have a high school G.P.A. of 2.75 (or equivalent) or a general educational development (G.E.D.) score equivalent to a 2.75 G.P.A. Transfer students must have a cumulative G.P.A. of 2.25 from their most recent university/college.

Clause 2 - Each ASBSU Senator shall be a full-fee paying student, registered and attending classes toward their declared major at the time of candidacy and during his/her 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 (1) 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 s/he is appointed.

Clause 4 - All elected officers must be full-fee paying students during their tenure of office.

ARTICLE VI - RECALL, IMPEACHMENT, 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 by the represented constituents in which a two-thirds (2/3) majority of the total Senate membership vote for recall of the specified officer(s), providing the number voting in the recall election is equal to four-fifths (4/5) of the represented constituency voting in the previous election.

Clause 2 - A recall election shall be called for by petition signed by twenty (20) percent of the members of the Associated Students whom the individual represents. Student numbers must accompany 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 upon receipt of the petition by the ASBSU Election Board.

Section 3 - Impeachment

Clause 1 - After a fair and impartial hearing has been conducted, any elected or appointed officer(s) provided for in this Constitution may be removed from office by a four-fifths (4/5) majority vote of the total Senate membership. The accused ASBSU official shall be notified in writing at least seven (7) calendar days prior to the date of the hearing and shall have the right to be informed of the nature and the cause of the accusation and also be afforded the opportunity to present evidence on his/her behalf.

Clause 2 - The presiding officer of the hearing shall be the Vice-President of the ASBSU. If the ASBSU Vice-President is the

accused, then the Senate Vice-Chairperson shall be the presiding officer.

Clause 3 - The hearing shall take place not later than fifteen (15) calendar days after the accused has been notified in writing.

Clause 4 - The accused shall have the right to an appeal to the ASBSU Judiciary. The appeal must be filed not later than seven (7) calendar days after receipt of the verdict by the Senate hearing committee.

Section 3 - 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 total ASBSU Senate membership.

Clause 3 - A vacancy created by recall or removal for cause shall be filled by an ASBSU special 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 of office.

ARTICLE VII - INITIATIVE AND REFERENDUM

Section 1 - Initiatives

Clause 1 - The signature requirements for an initiative petition from the student body shall be twenty (20) percent of the total ASBSU membership. Student numbers must accompany signatures.

Clause 2 - A majority of votes cast shall be sufficient for passage of this initiative.

Section 2 - Referendums

Clause 1 - The ASBSU Senate may, by a two-thirds (2/3) majority vote of the total Senate membership, place a measure before the ASBSU to obtain approval or rejection by the members of the ASBSU.

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 ASBSU Senate may, by a two-thirds (2/3) majority vote of the total Senate 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. Student 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 an election called by the ASBSU Senate, this document shall immediately become effective.

Section 2 - All existing constitutions, bylaws, 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.

Passed by the Associated Students of Boise State University in conjunction with the ASBSU general elections on March 16 & 17, 1983.