



STUDENT GOVERNMENT

BOISE STATE UNIVERSITY

CONSTITUTION

PREAMBLE

We, the Students of Boise State University, in order to provide for the organized conduct of student affairs, promote the educational, social, and cultural activities of the Associated Students of Boise State University, finance student activities, facilitate student participation, and act as the official voice of the Associated Student Body, do hereby ordain and establish this Constitution of, by and for the Associated Students of Boise State University.

ARTICLE I

Section 1. We, the Associated Students, shall be known as the Associated Students of Boise State University, hereafter known and referred to as ASBSU.

Section 2. All fee-paying students of the University shall be members of ASBSU with all the rights, privileges, and responsibilities in any university or related activity to which the authority of this Constitution extends.

Section 3: The ASBSU will not discriminate against any individual on the basis of age, race, color, religion, gender, national origin, ancestry, disability, veteran status, political affiliation, gender identity/expression or sexual orientation in matters of employment, services, requests for funds, educational programs, or other activities.

Section 4. All Council members and student justices of the ASBSU, elected and appointed, must be full-fee paying students. All student personnel of ASBSU, elected, appointed, and hired must maintain a cumulative grade point average of 2.50 on a 4.0 grading scale. All ASBSU Council members and student justices, elected and appointed, who receive a service award, must undergo training, as designed by Student Involvement and Leadership Center staff. The heads of each branch are authorized to approve alternative training methods for members of their branch.

Removal of any Council member of ASBSU for failing to meet any of the constitutionally mentioned requirements shall be done through impeachment/resignation. Impeachment will be voted on by the Council members. In the event of the removal of the president, the executive vice-president will then take the role of president. In the event of the removal of a vice-president, the president will appoint students to all vacant positions on the Council. In the event of the removal of both the President and the Executive Vice-President, the ASBSU Council Speaker will take office as President and will appoint students to all vacant positions. An administrative removal shall not occur prior to the tenth day of the fall and spring semesters, nor will administrative removals occur while an academic grievance, filed by the officer in question, is previously underway.

ARTICLE II

Section 1. All legislative powers herein granted shall be vested in a student Council.

Section 2. The membership of the ASBSU Council shall consist of One (1) president and seven (7) vice-presidents as follows: Vice-president of Service and Equities, Vice-president of Student Life, Vice-president of Clubs and Organizations, Vice-president of Academic Affairs, Vice-president of Legislative and Governmental Affairs, Vice-president of Facilities, and Executive Vice-president.

Section 3. The President and Executive Vice-president shall have no vote. All other members of the Council are defined as voting members. If the voting members of the Council are equally divided, the Executive Vice-President will have the tie-breaking vote.

Section 4. The ASBSU President shall be responsible for the internal operations of the ASBSU Council. In the absence of the President the ASBSU Executive Vice-president shall act as President of the ASBSU Council.

Section 5. Quorum shall be defined as four out of the six voting Council members.

Section 6.

1. The ASBSU Council shall approve by majority vote any Council appointee who receives a service award, unless otherwise stated in this Constitution.

2. The ASBSU Council shall initiate all by-laws, regulations, codes, internal and operating rules and all other legislation as may be necessary for the general welfare of the ASBSU.
3. The ASBSU Council shall approve the ASBSU budget, all by-laws, regulations, codes, internal and operating rules, and all other legislation as may be necessary for the general welfare of the ASBSU.
4. The ASBSU Council shall have the sole power of impeachment.
5. The ASBSU Council shall have authority over all ASBSU funds through the approval of a budget and the controlling of all ASBSU accounts and the reserve funds of the ASBSU.
6. The ASBSU Council shall establish and determine the functions of all ASBSU committees and boards, with the exception of any executive committee designated by the President of the ASBSU.
7. The ASBSU Council shall set the time, date and place of all Council meetings and may call special sessions of the ASBSU Council with a two-thirds majority vote. A majority of the current Council membership shall be necessary for a quorum to conduct business.
8. A law, as stated in this Constitution, is defined as a rule of conduct, or action prescribed by the ASBSU that has a binding force, or is subject to sanctions.
9. Every bill which has passed the ASBSU Council shall, before it becomes a law, be submitted to the President of the ASBSU. If approved, the ASBSU President shall sign it, but if not, the ASBSU President shall present it with a veto to the ASBSU Council within two (2) calendar weeks of its passage. The ASBSU Council may overrule the veto of the ASBSU President by overriding the ASBSU President's veto with a two-thirds majority vote, upon which it shall become law. The ASBSU Council shall have no more than two opportunities to override the veto within two (2) calendar weeks of the veto's return. If any bill shall not be returned by the ASBSU President within two (2) calendar weeks after it has been presented to the ASBSU President, the same shall be a law, in like manner as if it had been signed by the ASBSU President; unless the ASBSU Council by their adjournment prevent its return, in which case it shall not be a law.
10. Every bill or resolution, which has a binding and enforceable effect, shall be submitted to the ASBSU President for approval or objection.
11. The following shall require a majority vote as defined by quorum: procedural rules of the ASBSU Council, ASBSU Council Opinions, or other regulations passed for the internal function of the ASBSU Council.
12. All records of proceedings of the ASBSU Council shall be kept and made available to the ASBSU and shall be publicly posted.
13. Vice- Presidents shall be subject to removal from office by recall or impeachment.
14. The ASBSU Council shall hold the term for a period of one year, and be elected by votes cast by the ASBSU enrolled at the time of election.
15. The ASBSU Council members shall have the power and discretion to make all appointments to ASBSU offices and committees with the exception of any office whose membership is determined by election.

ARTICLE III

Section 1. The ASBSU President shall hold the term for a period of one year, and together with the ASBSU Executive Vice-President, chosen for the same term, be elected by votes cast by the ASBSU enrolled at the time of election.

Section 2. In case of the removal of the ASBSU President from office, death, resignation or inability to discharge the powers and duties of the said office, the same shall devolve on the ASBSU Executive Vice-President. Should vacancies occur in both the offices of ASBSU President and ASBSU Executive Vice-President, the Speaker of the ASBSU Council shall then take office as ASBSU President and appoint an Executive Vice-President.

Section 3.

1. The ASBSU President shall administer the affairs of the Associated Students and shall be charged with executing all laws and rules adopted by the ASBSU.
2. The ASBSU President shall be the primary diplomat and shall develop and maintain relations with the University administration, the local, state, and federal governments, other student associations and all other entities which shall affect the general welfare of the ASBSU.
3. Only the ASBSU President shall initiate and submit a budget for the ASBSU to the ASBSU Council for approval each year and shall administer the budget once approved by the ASBSU Council.

4. The ASBSU President may enter into agreement with other entities for the general welfare of the ASBSU. All legally binding agreements to which the ASBSU President shall enter into shall be approved by a majority vote of the ASBSU Council, with the exception of any financial agreement within the auspices of the executive powers outlined herein.
5. The ASBSU President shall make any order necessary for the legal operation of the executive branch, which shall be made available to the ASBSU, and shall direct any person or entity responsible to the executive branch to perform any legal task, within its scope, that is necessary for the general welfare of the ASBSU.
6. The ASBSU President shall establish such executive committees as necessary to serve the general welfare of the ASBSU.
7. The ASBSU President shall have the sole power and discretion to make all appointments to all university-wide committees that include student participation.
8. The ASBSU President shall have the sole power and discretion to fill any vacancy in elected or appointed office for the remainder of the term of the said vacated office with the approval of the ASBSU Council by majority vote.
9. During times in which the ASBSU Council is in recess, the ASBSU President may fill any vacancy, by appointment, without the approval of the ASBSU Council until such time when the ASBSU Council has reconvened; said appointment shall then be subject to the approval of the ASBSU Council.
10. The ASBSU President may dismiss, with stated cause, any ASBSU official directly appointed by the president, with the exception of elected officials, members of the ASBSU Judiciary or officials whose office, in normal occasions, is filled by election.
11. The ASBSU President shall be empowered to approve or veto all ASBSU Council legislation, with the exception of all internal rules and procedures, as established within this Constitution, and shall have the power to veto, in part or whole, any legislation of a financial nature.
12. The ASBSU President shall call special sessions of the ASBSU Council when necessary to protect and maintain the general welfare of the ASBSU.
13. The ASBSU President shall be a non-voting ex-officio member of all ASBSU committees.
14. The ASBSU President shall preside over the ASBSU executive cabinet and staff and may require the opinion, in writing, of any ASBSU cabinet or executive staff member upon any subject relating to the duties of their respective offices.
15. The ASBSU President shall perform or delegate any such other duties as are necessary to promote and defend the general welfare of the ASBSU.
16. The ASBSU President shall be subject to removal from office by recall or impeachment.

Section 4.

1. The ASBSU Vice-President of Academic Affairs shall serve as the student representative of all issues deriving from academic affairs. This includes but is not limited to attendance at Faculty Senate, Dean's Council, Department Chair meetings, and regular meetings with the Provost. They will also serve on and make appointments to academic grievance committees. They shall serve as the administrative liaison for academic affairs.
2. The ASBSU Vice-President of Service and Equity is responsible for providing service opportunities for the ASBSU and promoting the equitable treatment of all students. These responsibilities include but are not limited to the Director of the Volunteer Service Board, the liaison with the Martin Luther King committee, and ASBSU representative to the Cultural Center, Women's Center, and Service Learning.
3. The ASBSU Vice-President of Clubs and Organizations shall serve as the representative of student organizations to the ASBSU Council and BSU Administration departments. They shall serve as the Chair of the ASBSU Financial Advisory Board, and facilitate the operation of clubs and student organizations.
4. The ASBSU Vice President of Legislative and Government Affairs shall represent student interests to the government of the state of Idaho. The Vice President of Legislative and Government Affairs' activities shall include, but not be limited to, attending Student Board of Education meetings, Idaho State Legislature meetings, and lobbying for issues concerning ASBSU, such as tuition, etc. The Vice President of Legislative and Government Affairs shall work in harmony with the ASBSU President to determine lobbying direction.
5. The ASBSU Vice-President of Student Life shall represent student interest in all areas involved in student life, including but not limited to Director of the Student Programs Board, the Chair of any health advisory board, Chair of the ASBSU Traditions Committee, and ASBSU representative to on-campus housing and student life.

6. The ASBSU Vice-President of Facilities shall represent student interests in all issues arising from or related to university facilities and shall serve as the ASBSU representative for campus growth, new buildings, and be the student liaison with the Student Union Board of Governors.
7. The ASBSU Executive Vice President shall assist the President with the ASBSU budget, serve as the liaison between the ASBSU Council and ASBSU Judiciary, be aware of all University Policy and changes, oversee all ASBSU Policy and Bylaws, have the responsibility of appointing student representatives for all student seats on University committees, and Chair the ASBSU Council Ways and Means committee.
8. All ASBSU Vice Presidents shall be subject to removal from office by recall or impeachment.
9. The ASBSU Council shall approve by majority vote all job description creations/changes, treating each as a separate bill.
10. All vice-presidents shall be empowered to appoint staff members as they see fit in order to accomplish their respective responsibilities. Vice president staff members receiving a service award shall be approved by a majority vote of the Council.

Section 5.

1. The Chair of any ASBSU appropriation advisory committee shall be designated by the President of ASBSU, from the ASBSU Council, excluding the ASBSU President.

Section 6

1. The ASBSU Election Board shall be established as a non-judicial executive body, and shall oversee all general and special elections in accordance with the ASBSU Code.

ARTICLE IV

Section 1.

1. The sole judicial power of the ASBSU shall be vested in an ASBSU Judiciary and such other lower courts deemed necessary by the same.
2. The power of the ASBSU Judiciary is ordained and established by this Constitution and by the President of Boise State University.

Section 2.

1. The ASBSU Judiciary shall consist of five students who shall be appointed by the ASBSU President and approved by ASBSU Council by majority vote.
2. A simple majority of the Justices shall constitute a quorum to conduct business for the ASBSU Judiciary.
3. The Chair of the Judiciary shall be the Chief Justice, who will be elected by and from the total membership of the ASBSU Judiciary, and must be a student member of the same. The Chief Justice shall be elected at the last regular meeting in April each year or at times when a vacancy of the Chief Justice occurs.
4. Five student justices shall be appointed for a term of one year. In occasions when an incumbent student Justice seeks reappointment, the candidate shall be interviewed by the current membership of the ASBSU Judiciary. If approved the reappointment shall automatically occur. If reappointment is denied, the ASBSU President shall make an appointment to fill any open vacancy, subject to the approval of the ASBSU Council.

Section 3.

1. The ASBSU Judiciary shall have the sole power of judicial review of all ASBSU actions, and in all matters of constitutional interpretation.
2. The ASBSU Judiciary shall have original jurisdiction over all cases involving the alleged violations of ASBSU regulations, rules and laws with the exception of cases in which the ASBSU Judiciary or Vice-President for Student Affairs establishes a lower court or courts and delegates the authority for any such case to the same. Any such lower court shall act in accordance with established procedures of the ASBSU Judiciary, the ASBSU Constitution, rules, regulations and policies.
3. The ASBSU Judiciary shall accept or reject cases brought before it by petition or appeal and shall only rule on issues resulting from petitions or appeals brought forth with the exceptions outlined in this Constitution.
4. The ASBSU Judiciary shall be an appellate body for all cases originating from lower courts.
5. The ASBSU Judiciary may enjoin any ASBSU government official from taking action contrary to the decisions of the ASBSU Judiciary.

6. The ASBSU Judiciary shall sit on the committee that reviews and recognizes all constitutions of any entity seeking recognition from the ASBSU.
7. The ASBSU Judiciary may impose sanctions upon any individual found in violation of the ASBSU Constitution, ASBSU Council legislation, rules or regulations, or other rules and regulations not otherwise stated or expressly denied to the ASBSU Judiciary. Sanctions may include but are not limited to loss of privileges, censure, admonition, restitution and any other sanction the ASBSU Judiciary feels appropriate as approved by the Boise State University Vice-President for Student Affairs.
8. Judicial opinions, decisions and records of proceedings shall be kept and made available to the ASBSU in accordance with University policy.
9. Student Justices of the ASBSU Judiciary are subject to removal from office by impeachment.

ARTICLE V

Section 1. The ASBSU Council shall regulate and specify the manner and conduct of all elections through appropriate legislation, within the constraints of the ASBSU Constitution.

Section 2. Elections for the ASBSU President, and ASBSU Vice- Presidents shall be held in the second (2) week of April for a period not less than two consecutive week days but not more than five (5) consecutive week days, as determined by ASBSU Code. The ASBSU Judiciary may, if necessary, set different dates than what is provided for in this Constitution for any emergency purpose.

Section 3. All ASBSU elected officers shall be installed no later than two (2) calendar weeks following the last day of polling. This section may be temporarily suspended by the Judiciary should it be necessary for the general welfare of the ASBSU.

Section 4. No person shall be disqualified from office nor running for office for any frivolous or trivial reason.

Section 5. Any initiative shall be considered law upon its acceptance by a majority of the ballots cast by membership of the ASBSU in a general or special election. Each initiative shall be placed before the membership of the ASBSU in an election once a petition is filed with the validated signatures and student identification numbers of five (5) percent of the membership of the ASBSU. No initiative shall be considered law if it is in contradiction with the Constitution of the ASBSU.

Section 6. Any law shall be considered null and void if a referendum for the said law is rejected by a majority of the members of the ASBSU in a general or special election. Each referendum shall be placed before the membership of the ASBSU in an election once a petition is filed with the validated signatures and student identification numbers of five (5) percent of the total membership of the ASBSU.

ARTICLE VI

Section 1. All ASBSU elected officers shall be subject to removal from office by recall.

Section 2. A petition containing the validated signatures and student identification numbers of five times the total number of signatures required for placement on the ballot shall be necessary for a recall election against the said ASBSU officer.

Section 3. Subsequent to the validation of a petition in proper form, a recall election shall be held against the officer listed in the said petition. For an officer to be recalled from office, two-thirds of the votes cast must be in favor of the recall, provided that the number voting in the recall election is at least equal to the number of constituents who voted for said officer in the election in which said officer achieved office or normally would have achieved office. A recall election shall occur within thirty (30) calendar days of the validation of the petition calling for the recall.

Section 4. No officer shall be recalled, nor a petition be circulated calling for the recall of an officer, who has not held the office from which recall is being sought for more than thirty days. No person shall be recalled from office who has less than thirty (30) calendar days left before the natural expiration of the term.

Section 5. The ASBSU Council shall legislate the form and manner of all recall elections within the guidelines of this Constitution.

Section 6. Any ASBSU Council member may propose the dismissal, with stated cause, of any ASBSU official with the exception of elected officials, members of the ASBSU Judiciary or officials whose office, in normal occasions, is filled by election. ASBSU official shall be defined as any personnel receiving a paid service award.

ARTICLE VII

Section 1. All ASBSU Vice-Presidents shall complete all duties explained in the job description of the position held. Any Council member who fails to comply with job description requirements shall be subject to the impeachment process.

Section 2. All elected officers of the ASBSU, and the student Justices shall be subject to removal from office by impeachment for mis-, mal- or nonfeasance of duty or for high crimes or misdemeanors against the ASBSU.

Section 3. The ASBSU-Council shall have the sole power of impeachment. The accused officer shall have the right to a fair and impartial hearing by the ASBSU Council in which the Chief Justice shall preside, unless the Chief Justice is the accused, in which case the President shall preside.

Section 4. No officer shall be tried for impeachment until the accused has been notified, in writing, of the charges seven (7) calendar days prior to the hearing. A hearing shall take place no later than three (3) calendar weeks after the accused has received written notification. No trial for the impeachment of the accused officer shall take place without the indictment of two-thirds of the total membership of the ASBSU Council.

Section 5. An officer shall be removed from office if, after a hearing, five- sixths of the total membership of the ASBSU Council vote in favor of removal. The officer being impeached shall have no vote in the impeachment proceedings. If impeachment proceedings are held against a voting member of Council, the Executive Vice-President will become a voting member of the Council for the duration of the impeachment process.

Section 6. Judgments in cases of impeachment shall not extend further than the removal from office and disqualification to hold and enjoy any office of honor, trust or profit under the ASBSU. However, the party convicted shall be liable and subject to indictment, trial, judgment and punishment according to law.

ARTICLE VIII

Section 1. On the request of one (1) of the two (2) branches of the ASBSU, and the majority approval of the second branch, a convention shall be called for proposing amendments and/or revisions to this Constitution. A request may only be submitted if approved by majority vote of the branch that submitted the request. Delegates shall be selected by the branches of ASBSU in which they reside. The branches of ASBSU shall select delegates from the branch they reside. the Chief Justice shall appoint three (3) student Justices and the ASBSU President shall appoint three (3) vice-presidents. Two (2) students-at-large shall be appointed by the ASBSU President with the approval of the ASBSU Council. When amendments and/or revisions are proposed through a constitutional convention, approval by two-thirds (2/3) of the total number of the delegates at the convention shall be necessary for proposing amendments and/or revisions to this Constitution.

Section 2. Proposed amendments and/or revisions shall be submitted to the membership of the ASBSU in a general or special election and shall be approved by a majority of the membership of the ASBSU casting ballots upon which the proposed amendments and/or revisions shall be valid to all intents and purposes as part of this Constitution.

Section 3. All amendments to this Constitution shall be added at the end of the text of this Constitution and shall be labeled as Amendment I and continued numbered so forth.

Section 4. All revisions shall be added in the appropriate text.

ARTICLE IX

Section 1. Upon ratification of this Constitution by a majority of valid ballots cast by the membership of the ASBSU in an election called by the ASBSU Council, this Constitution shall be valid in all intents and purposes.

Section 2. Any and all existing constitutions, by-laws, rules and regulations within the ASBSU that are inconsistent with this Constitution shall hereby be considered null and void.

Section 3. The current officers of the ASBSU shall continue in office until the first installation of officers under this Constitution. All Council members and judicial officers of the ASBSU shall be bound by oath of affirmation to support, protect and defend this Constitution.

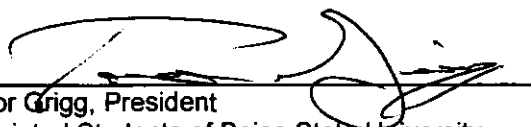
ARTICLE X

Section 1. The ASBSU will maintain a minimum of 10% of the previous year's operating budget in a contingency account. The contingency account can only fall below 10% of the previous year's operating budget with a majority vote of the entire ASBSU Council and a signature by the ASBSU President.

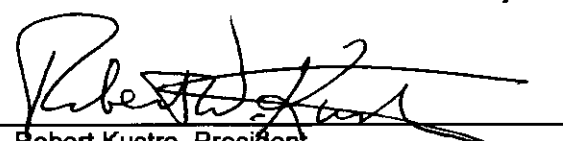
ARTICLE XI

Section 1. Except for election purposes, this Constitution shall not be altered or in effect until Inauguration Day, 2011.

Confirmation and Approval:


Trevor Grigg, President
Associated Students of Boise State University

4/19/2010
Date


Dr. Robert Kustra, President
Boise State University

4/19/10
Date

Confirmation and Approval History:

- In the 2009-2010 academic school year, new structures of student government were explored by student government officials.
- In late February, 2010, a new student government structure was proposed to the existing student government, which was unanimously supported.
- A Constitutional Convention was held from March 5, 2010 through March 15, 2010, attended by Ashlee Mendive, Chase Johnson, Danny Edvalson, Gabe Iacoboni, Johnni Wuest, Justin White, Lindsey Wright, and Trevor Grigg.
- On March 15, 2010, Constitutional Convention delegates voted in favor of this new Constitution by a vote of 6-0-0, with two delegates absent.
- This new Constitution was ratified by student votes on April 7-8, 2010.



Be it known that on this 19th day of April, 2010, the undersigned do hereby endorse and promise to uphold and defend the Constitution of the Associated Students of Boise State University as ratified by the voice of the students on the 8th day of April, 2010.

Dr. Robert Kustra, President, Boise State University

Trevor Grigg, President, ASBSU

Stephen Heleker, President-Elect, ASBSU