

# **CONSTITUTION OF THE ASSOCIATED STUDENTS OF COLORADO STATE UNIVERSITY**

## **Preamble:**

The purpose of our organization is to represent a student body comprised of a multitude of individuals and cultures, linked by our common denominators, yet distinguished by our unique experiences. The Associated Students of Colorado State University actively solicits and encourages all of its members, regardless of race, gender, national origin, sexual orientation, religion, differing ability, age and class, to participate fully in both its formal and informal activities. This shall include working to create a diverse reflection of the Colorado State student body in Senate and Cabinet positions, in appointments to committees, and in who is sought for direction on important issues. Furthermore, ASCSU is committed to working toward the removal of all barriers, which prevent members from pursuing their affiliation herein and in achieving the most complete educational experience possible. This commitment will be fulfilled by a continual re-examination of organizational structures for inclusiveness, by creating programs and services that provide education and support, and by speaking out and fighting against acts of discrimination on campus and within the Fort Collins community.

University self-governance is based upon the principle of appropriately shared responsibility and joint effort involving the administration, faculty, and students. Shared responsibility and joint efforts presuppose that all participants employ reasoned discussion as the means of solving problems. University self-governance requires that students have primary responsibility for regulating their own affairs and a significant voice in shaping policy at the department, college and university level. The students of Colorado State University, in accordance with the statutes of the State of Colorado, in order to establish and maintain a representative and orderly system of self-government, to assure legal, social and economic justice do ordain and establish this Constitution of the Associated Students of Colorado State University.

## **Article I: Groundrules**

Section 100: The name of this organization shall be the Associated Students of Colorado State University, hereinafter referred to as ASCSU.

Section 101: This Constitution shall be supplemented by the bylaws of the ASCSU Executive, Legislative, and Judicial branches, and the additional constitutions and bylaws of other ASCSU recognized clubs and organizations. Each of these shall have the authority to adopt such bylaws. None of these documents shall supersede the provisions of this Constitution.

Section 102: Every student of Colorado State University taking at least one (1) credit shall be a member of ASCSU, provided that all fees have been paid that are required by their level of enrollment

Section 103: Every member of ASCSU is entitled to all the rights and privileges outlined by this Constitution.

Section 104: No member of ASCSU shall hold a position in more than one of the three branches (Executive, Judicial and Legislative) of ASCSU except those serving in ex officio status under Section 213.

Section 105: All documents of ASCSU shall be dated.

Section 106: All officials of ASCSU shall be responsible for the duties specified in the job description for their office. No office shall exist without an accompanying job description. Job descriptions shall be created or changed only by the action of a bill passed by the Senate and approved by the President.

Section 107: All references to Graduate School shall apply to students enrolled at the graduate level and to students enrolled in the Professional Veterinary Medicine Program.

Section 108: All meetings of Senate, Cabinet, Supreme Court, and all ASCSU committees shall be open to the public. Exceptions shall be made for confidential discussions involving personnel or ongoing legal matters.

Section 109: All appointments to ASCSU positions shall be required to go through the Senate Ratification Process as defined by Article III, Section 302 of this document, with the exception of Administrative support positions such as the ASCSU Administrative Assistant and Front Desk Staff, which shall be considered non-ratified positions.

## **Article II: Senate**

Section 200: There shall be an ASCSU Senate, which shall facilitate student activities at Colorado State University within the limits placed upon it by this Constitution. It shall further act as liaison to any faculty and administrative bodies of Colorado State and to any other organized bodies whose actions have a bearing upon the members of ASCSU.

Section 201: The Senate shall have the power to initiate and enact any legislation necessary and proper under this Constitution; to delegate its authority as it deems fit; to approve all appointments to any body to which it has delegated authority as well as the standing Directorships in the Executive, and Supreme Court Justices; to affiliate ASCSU with any inter-collegiate or intra-collegiate organizations; to call for special elections; to oversee and manage their affairs as they deem proper; and to remove from office any negligent elected official (President, Vice President, or Senator), or Supreme Court member.

Section 202: Senators shall be elected by a plurality vote of the members voting for that college at the general election, with one Senator from each academic college for every 750 members of ASCSU, or major portion (375) thereof in that college, provided that every college has at least two representatives. The Graduate School shall be represented in the same manner. These Senators shall be allowed to run for only one college as a member or anticipating membership of that college and shall be elected by the members of that college. These Senators must be members of the college that they represent by the first Senate session of fall semester. The term of office for Senators shall begin with their being sworn in at the last session of the spring semester in which they were elected and will last until the new Senate is seated.

Section 203: Senators shall be responsible to their constituents and shall seek advisement on a regular basis from the appropriate representative body of the college from which the Senator is elected. Senators, however, are not bound by the advisement of their respective councils. Senators retain the authority to cast all votes, as they deem fit and proper in accordance with the knowledge they have and the dictates of their conscience. Senators shall report to the Senate the subsequent proceedings of their respective College Council. If no College Council exists, the Senator shall attempt to develop one.

Section 204: Whenever a vacancy in the Senate shall occur, the appropriate College Council (if there is one) shall be notified and said council shall have the power to fill the vacancy in the manner it prescribes. Additionally, College Councils have the power to appoint or elect Associate Senators to represent that college. The Senate shall solicit representatives from colleges lacking a council.

Section 205: The Senate shall meet weekly during fall and spring semester except during the weeks of final examinations and University vacation periods. Special meetings shall be called by the President of ASCSU, the Speaker of the Senate, or upon majority vote of the members of the Senate. All weekly meetings of the full Senate shall be open.

Section 206: The Senate shall be presided over by the Speaker who shall be the duly elected ASCSU Vice President. The newly elected Senate during their first official meeting shall select a Speaker Pro Tempore and a Parliamentarian, and all three officers shall be inaugurated at this session. The Speaker Pro Tempore shall preside over the Senate in the absence of the Speaker. In the absence of both the Speaker and the Speaker Pro Tempore, the Parliamentarian shall preside over the Senate.

Section 207: The Senate shall establish its rules of procedure. Two-thirds of the voting membership shall constitute a quorum. Bylaws of the Senate shall contain job responsibilities of Senators including the offices of Speaker, Speaker Pro Tempore, and Parliamentarian, and shall be approved at the first session of the Senate and shall be the first resolution of the Senate.

Section 208: A bill may be brought to the floor to remove the Speaker, Speaker Pro Tempore, or Parliamentarian. If the bill involves the Speaker, the Parliamentarian shall preside. Removal from office shall be by a two thirds vote of the present voting membership, excluding abstentions, of the ASCSU Senate.

Section 209: When a bill is to be returned to the Senate with the President's veto, the bill shall appear on the next regularly scheduled session of the Senate's agenda under old business with the word "vetoed" next to the bill number. The Senate may override the stated veto with a two-thirds vote of the present voting membership, excluding abstentions, of the ASCSU Senate. Any bills passed on the final session of Senate must be signed or vetoed by the President within one week of passage. This will allow sufficient time for Senate to call a special session to consider a veto override. Reconsideration of a bill may occur only in the session in which it is passed or defeated. All legislation pending before the Senate not acted upon prior to the inauguration of the next Senate is defeated.

Section 210: Members of ASCSU may call for a special bill to be brought to the floor of the Senate by presentation of the Speaker of the Senate of a petition containing the signatures of not less than 1% of the total membership. This bill shall not call for referendum or Constitutional amendment.

Section 211: Associate Senators shall be selected by their Senator and elected by their respective College Council. There shall be at least one and no more than two Associate Senators for each college Senator. Associate Senators must be a member of the college that they represent.

Section 212: The Vice President shall have the authority to excuse a Senator from a College Council meeting for the purpose of attending to other ASCSU business. The Vice President must inform the College Council of any Senators who are excused from a College Council meeting, and each Senator shall be responsible for ensuring that an Associate Senator attends the College Council meeting in their place. This shall not absolve a Senator from any responsibility to their constituents, or from seeking the advisement of their College Council on a regular basis, as required in Section 203.

Section 213: All members of the Cabinet shall sit as *ex officio* members of Senate. They shall be granted rights of debate, but shall hold no voting rights.

Section 214: All legislation passed or tabled, meeting agendas, meeting minutes, and other documents produced by the ASCSU Senate shall be submitted to the Archives and Special Collections Department of the Colorado State University Libraries for historical preservation by and through the ASCSU Administrative Assistant yearly on the first business day following the last meeting of the current Senate.

Section 215: By the last meeting of Senate before any extended break (including but not limited to Winter and Summer breaks) the Senate shall elect by a majority vote a committee consisting of a committee head who shall be a returning Senator, if possible, and at least four members. The committee shall review and vote on any emergency budget redistributions between departments occurring while Senate is not in session. The committee shall hold the same power over the budget as any regularly convening Senate.

Section 216: The committee shall meet within ten business days of receiving the President's written request for a budget adjustment. A decision over whether or not to accept the proposed budget adjustment shall be made and relayed to the President within seven business days of the initial committee meeting. If a decision is not reached, the change may go through as proposed

### **Article III: Executive**

Section 300: The executive power of ASCSU shall be vested in the Executive, which shall consist of the President, Vice President, and the Cabinet of standing Directors.

Section 301: The President and Vice President shall be sworn in during the last session of the Senate, which precedes the term of office they are to serve. Actual term of office shall begin the first working day (Monday-Friday) in June, running through the last working day of May.

Section 302: The President of ASCSU shall be the Chief Executive of the Associated Students and shall be responsible for carrying out the duties and responsibilities of that office as determined by this Constitution. The President shall sign all bills enacted by the Senate or shall return them to the Senate with the President's veto within two regularly scheduled sessions of Senate of the passage of the bill. If the President does not sign or veto a bill enacted by the Senate within the previously stated time period, then the bill shall be considered vetoed. The President shall act as the official ASCSU

representative to the Board of Governors of the Colorado State University System. The President shall act as liaison to the Colorado State faculty and administration, the state legislature, the governor's office, and the Congress of the United States. The President shall prepare an executive budget, which shall be submitted to the Senate for deliberation and apportionment, with no more than 10.5% of the total budgeted expenditures allocated for salaries, excluding the ASCSU Administrative Assistant and any non-ratified positions, as defined by Article 1, Section 109. During the course of the fiscal year the President may reallocate budgeted and unbudgeted funds, as s/he deems necessary. If the President decides to move funds between the departments that exist within ASCSU accounts, the change must be submitted to the Senate in the form of a Supplemental Funding Bill. The bill shall be written and presented by the ASCSU President and/or his/her designee. The Senate may vote to approve the reallocation of funds with a simple majority vote. The President shall negotiate and act as signatory for all contractual agreements relating to ASCSU. Throughout negotiations, the President will keep the Senate updated on progress and will receive input from the Senate. The President will present to the Senate, for the purpose of discussion, any contract that they sign. The President shall coordinate and supervise the work of the Executive.

Section 303: In the case of the President's inability to continue in office or temporary absences, the Vice President shall serve as President. The Vice President, acting as President, shall appoint a new Vice President who shall be ratified by the Senate. If both the President and the Vice President cannot fulfill their term, the Speaker Pro Tempore shall become President and shall appoint a new Vice President to be ratified by the Senate. If the President and Vice President cannot serve and there is no Speaker Pro Tempore, the Director of Finance shall become President and he shall appoint a Vice President to be ratified by the Senate. If the Vice President cannot serve, the President shall appoint a new Vice President to be ratified by Senate. An individual shall have the sole power to determine inability to serve, except in the case of negligence. In the event of temporary absences extending beyond five working days, the President or Vice President shall notify both Director of Finance and the Speaker of the Senate prior to departure and subsequent to return. Salary shall not be accrued during such absences. This does not apply to University vacation periods, illness, emergency, or absence due to normal carrying out of Executive duties.

Section 304: The Vice President shall deal primarily with University and intercollegiate affairs and shall assist the President in carrying out the duties of the Executive. The Vice President shall be responsible for maintaining the ASCSU office complex and coordinating ASCSU services. The Vice President shall sit as the Speaker of the Senate. The Vice President shall report to and be supervised by the President.

Section 305: The President shall appoint an Executive Cabinet including a Director of Finance who will oversee the financial workings of ASCSU and chair the Student Funding Board, one Controller who will oversee and maintain the ASCSU Executive budget and a Director of Marketing who will oversee all marketing and public relations efforts of ASCSU. The President, as they deem necessary, shall appoint Deputy Directors, Associate Directors, Assistant Directors, Executive Assistants, Coordinators and Special Assistants. Each Director shall be responsible for the Constitutionally assigned duties as well as other duties contained in their job descriptions and as may be assigned by the President. All Executive positions shall be ratified by the Senate, responsible to the President, and may be discharged by the President without the approval of the Senate.

Section 306: All meeting agendas, meeting minutes, and various documents produced by the ASCSU Executive Branch critical to their operation shall be submitted to the Archives and Special Collections Department of the Colorado State University Libraries for historical preservation by and through the ASCSU Administrative Assistant yearly on the first business day following the last day of the current Administration as defined in Article III, Section 301.

#### **Article IV: Judiciary**

Section 400: The Judicial power of ASCSU shall be vested in the Supreme Court. This power shall include, but not be limited to, interpreting, upholding, and enforcing the ASCSU Constitution, the acts of the Senate and of all ASCSU administrative boards, and actions of students by virtue of all offices held under this Constitution

Section 401: The Court shall have, but not be limited to, the power to hear disputes between student organizations and recognized clubs, including the ASCSU governmental bodies.

Section 402: ASCSU Supreme Court Justices shall serve as members of the All University Hearing Board in accordance with Supreme Court bylaws, the Student Conduct Code, and the procedures of the Hearing Board.

Section 403: The ASCSU Supreme Court shall be comprised of seven (7) members of ASCSU, which include one (1) Chief Justice and six (6) Associate Justices. The ASCSU Supreme Court shall also be assisted by four (4) Student Advocates. Upon ASCSU Presidential nomination the Associate Justice(s) and Student Advocate(s) shall be approved with a majority vote of the present voting membership, excluding abstentions, of the ASCSU Senate. Associate Justices shall serve a two-year term beginning on the day of their approval until the same day two years later. Student Advocates shall serve a one-year term beginning on the day of their approval until the same day one year later. Upon vacancy, an applicant shall be nominated by the ASCSU President and approved with a majority vote of the present voting membership, excluding abstentions, of the ASCSU Senate to fill the position.

Section 404: The Chief Justice shall be nominated by the outgoing ASCSU President within the two weeks following the ASCSU elections and approved with a majority vote of the present voting membership, excluding abstentions, of the ASCSU Senate during the preceding academic year for which they will serve. The Chief Justice shall serve a one-year term beginning on June 1st of the year of their appointment until May 31st one year later. The Chief Justice shall be responsible for the supervision of court business.

Section 405: Appellate jurisdiction will be retained by the ASCSU Supreme Court when they are the original hearing body of a case. Members of the ASCSU Supreme Court that participate in the original case shall not be included in the appeals hearing.

Section 406: All decisions of the Court shall be binding on all affected parties, elected officials, and appointees. The Court shall actively pursue the compliance of its rulings by all parties. Failure of any party to comply with the Court's decisions shall result in the Court's request for initiation of formal impeachment proceedings by the Senate or other requests for removal from office. The Court shall work closely with the proper administrative officers of the University if necessary. There shall be open records of all internal sessions of the ASCSU Supreme Court.

Section 407: The Supreme Court shall determine its rules of procedure and bylaws on an annual basis and shall make such rules open to the public. These rules shall be completed and presented to the Senate. The Court shall legislate its own internal policy.

Section 408: All members of the Senate, the President, the Vice President, the Directors of the Executive, and all members of the judiciary shall, before entering their respective offices, take and subscribe to the following affirmation as administered by a Justice of the Supreme Court or the Speaker of the Senate: "I, state your name, do solemnly swear to defend and uphold the rules and regulations set forth by the Constitution of the Associated Students of Colorado State University and will rightfully perform the duties of my office to the best of my ability."

Section 409: The Supreme Court shall not accept a case with the same individual or organization representing both sides of a case (i.e., acting as both plaintiff and defendant). An organization may not file a case against itself, although an individual or individuals within an organization may file against the organization as a whole. In cases involving the branches of ASCSU, the Vice President, if he or she chooses to do so, may represent only one branch.

Section 410: All meeting agendas, meeting minutes, and various documents produced by the ASCSU Judicial Branch critical to their operation, not defined as classified or private, shall be submitted to the Archives and Special Collections Department of the Colorado State University Libraries for historical preservation by and through the ASCSU Administrative Assistant yearly on the first business day following the last day of the current Administration as defined in Article III, Section 301.

## **Article V: College Councils**

Section 500: Each college of Colorado State University, including the Graduate School and Intra-University Program, should have a College Council or similar organization to represent the particular interests and concerns of students within each college. Each College Council shall consist of openly and democratically selected representatives who shall be full-time students within that college.

Section 501: College Council representatives shall be selected according to the provisions of the Constitution or bylaws of their respective College Councils, which shall conform to such general requirements as the Senate or the Elections Committee shall from time to time provide.

Section 502: For purposes of this article, the official College Council shall be the organizational entity with the authority to elect Senators to fill ASCSU vacancies within their colleges. While remaining independent in respect to programming, College Councils shall be considered units of ASCSU and shall be subject in all matters to the ASCSU constitutional, legislative and judicial oversight. ASCSU shall not interfere with the internal finances of College Councils other than ASCSU allocated funding per Student Funding Board rules. This Amendment will not preclude College Councils from applying for funding from ASCSU.

## **Article VI: Impeachments**

Section 600: Impeachment hearings shall be initiated in Senate against a Senator upon the presentation to the Speaker of a petition of one of the following: (1) signatures of not less than 10% of the members of said Senator's college, (2) by three Senators, (3) by the President plus any two Senators, or (4) by a College Council's recommendation to the Speaker of the Senate. Upon fulfillment of any one of the above conditions, impeachment proceedings shall begin within one week. At that time the Senate shall select a committee to gather facts concerning the accusations. The committee shall inform said Senator of the impending negligence hearing and shall report their findings to the Senate. Negligence hearings may include presentations by said Senator and by the party(s) responsible for initiation of the action. A Senator shall immediately be removed from office upon a two-thirds majority vote of the Senate. Such Senator has appeal privileges to the Supreme Court, which may overrule the impeachment only on the finding of procedural errors and not on substantive grounds.

Section 601: Impeachment hearings shall be initiated in Senate against the President of the Executive upon the presentation to the Speaker of a petition of one of the following: (1) signatures of not less than 10% of all ASCSU members, (2) by three Senators. Impeachment hearings shall be initiated in Senate against the Vice President of the Executive upon the presentation to the Parliamentarian or Speaker Pro Tempore of a petition of one of the following: (1) signatures of not less than 10% of all ASCSU members, or (2) by three Senators. Upon fulfillment of any of the above conditions, impeachment proceedings shall begin within one week. At that time, the Senate shall select a committee to gather facts concerning the accusations. The committee shall inform said official of the impending negligence hearing and shall report their findings to the Senate. Negligence hearings may include presentations by the said official and by the party(s) responsible for the initiation of the action. An official shall be immediately removed from office upon a two-thirds majority vote of the Senate. Such official has appeal privileges to the Supreme Court, which may overrule the impeachment only on the finding of procedural errors and not on substantive grounds.

Section 602: In the event that there are grounds for impeachment of an ASCSU Supreme Court Associate Justice or Student Advocate, a petition containing the signatures of not less than 10% of all members of ASCSU, or by three (3) Senators, or by the Chief Justice will be presented to the President of ASCSU. In the event that there are grounds for impeachment of the ASCSU Supreme Court Chief Justice, a petition containing the signatures of not less than 10% of all members of ASCSU, or by three (3) Senators, or by no less than 50% of the Associate Justices will be presented to the President of ASCSU. The President shall then form an Ad Hoc committee to investigate the complaint. The Ad Hoc committee has ten (10) business days after appointment to present their findings to the ASCSU Senate. A member shall be immediately removed from office upon a two-thirds majority vote of the Senate. This member shall have appeal privileges to a jury of six members of ASCSU to be randomly chosen by the ASCSU faculty advisor. This body shall be presided over by the President, the Speaker of the Senate, and one member of the Judiciary all of whom serve as *ex officio* members. This jury may overrule impeachment only on the finding of procedural errors and not on substantive grounds.

Section 603: Impeachment hearings shall be initiated in Senate against a member of the Student Funding Board upon presentation to the Speaker of a petition containing the signatures of not less than 5% of all members of ASCSU, by three Senators, or by the President plus any two Senators, or the Director of Finance plus any two Senators. Upon fulfillment of any one of the above conditions, impeachment proceedings shall begin within one week. At that time, the Senate shall select a committee to gather facts concerning the accusations. The committee shall inform said member of the impending negligence hearing and shall report their findings to the Senate. Negligence hearings may include presentations by the said member and by

the party(s) responsible for the initiation of the action. A member shall be immediately removed from the Student Funding Board upon a two-thirds majority vote of the Senate. This member shall have appeal privileges to the Supreme Court, which may overrule the impeachment only on the finding of procedural errors and not on substantive grounds.

Section 604: No Senator or Associate Senator representing a college may be impeached without the approval of his/her respective College Council. The College Council as a whole can accept the approval of the President of the College Council as approval. This section shall not be interpreted as restricting the power of the Senate to finalize all impeachments.

## **Article VII: Elections and Referenda**

Section 700: ASCSU shall conduct the general election of its President, Vice President, and Senators during the first three days of the third week after Spring Break. All elections shall be administered by the Executive Branch of ASCSU.

Section 701: The President and Vice President shall be elected on a single ticket. The President, Vice President, and all members of the Executive Cabinet shall serve their term of office in accordance with Section 301 of this Constitution.

Section 702: The number of Senators to be elected from each college shall be determined in accordance with Section 202 of this Constitution, using the average of the official enrollment count for the fall and spring semesters as provided by the Registrar's Office. Senators shall be elected individually, and shall take office in accordance with Section 202 of this Constitution.

Section 703: All candidates for the office of President or Vice President shall be members of ASCSU, with a minimum Colorado State University cumulative grade point average of 2.25. All candidates for the office of Senator shall be members of ASCSU, with a minimum Colorado State University cumulative grade point average of 2.00. Any student without a Colorado State University grade point average, such as a new student or a recent transfer student, need not meet the grade point average threshold. Every elected or appointed member of ASCSU must remain as a full-time student in good academic standing through the spring and fall semesters of his or her term of appointment.

Section 704: All ASCSU elections shall be organized and executed by the Elections Manager. The President shall select an impartial and unbiased member of ASCSU to serve as the Elections Manager. The Elections Manager shall not be eligible to hold a position in the Executive or Judicial branches the following school year, with the exception of the Elections Manager position. The President shall present this nominee to the Senate for ratification no later than the week immediately prior to Fall Break, and the candidate shall be ratified by a majority vote of the present voting membership, excluding abstentions, of the ASCSU Senate. If the President cannot find a willing Elections Manager by Fall Break, he or she must go before Senate to ask permission to extend the time period to winter break and/ or extend eligibility requirements. In doing so, the President must demonstrate by written record a thorough attempt to find a willing and eligible Elections Manager. Should the President not wish to nominate the Elections Manager, the task shall be handed down the chain of command as outlined in Section 303 of this Constitution. Whoever nominates the Elections Manager is ineligible to be an elected official the following school year, with the exception of the Elections Manager position. Should none of the individuals in the chain of command wish to select an Elections Manager, the Senate shall elect a member of Senate to be the nominating official of the Elections Manager. The Elections Manager, once ratified, shall be a member of the Executive Cabinet and shall serve as an ex-officio member of Senate. The Elections Manager shall not be eligible to run for any elected office.

Section 705: All ASCSU elections shall be overseen by the Elections Manager and the Elections Committee. The President and the Elections Manager shall select nine impartial and unbiased members of ASCSU to serve on the Elections Committee. The President shall present these nominees to the Senate for ratification no less than four weeks prior to Spring Break, and the candidates shall be ratified by a majority vote of the present voting membership, excluding abstentions, of the ASCSU Senate. Members of the Elections Committee shall not be eligible to run for any elected office.

Section 706: If the newly elected President and Vice President both resign from their positions prior to being sworn into office, the ticket with the next highest number of votes shall assume the positions of President and Vice President. In the event that one member of the newly elected ticket resigns prior to being sworn in, succession shall be determined by

Section 303 of this Constitution. In this case, the Speaker Pro Tempore in office at the conclusion of the previous Senate's last meeting shall chair the first meeting of the newly elected Senate, and shall preside until a new Vice President has been ratified.

Section 707: Referenda shall not deal with any aspect of student fees.

Section 708: ASCSU shall conduct all elections and referenda in accordance with the ASCSU Referenda and Elections Code. The ASCSU Referenda and Elections Code shall govern all aspects of elections and referenda not explicitly covered by this Constitution, including the execution of an election, the operation of the Elections Committee, and the responsibilities of the Elections Manager and Elections Committee members. The ASCSU Referenda and Elections Code shall remain in effect at all times, and shall not require yearly re-adoption. The ASCSU Referenda and Elections Code may only be amended by a Senate bill specifically delineating all proposed amendments. The Senate may pass such a bill with a majority vote of the present voting membership, excluding abstentions, of the ASCSU Senate until six weeks prior to Spring Break. A two-thirds vote of the present voting membership, excluding abstentions, of the ASCSU Senate shall be required to pass such a bill beginning six weeks prior to Spring Break. A three-quarters vote of the present voting membership, excluding abstentions, of the ASCSU Senate shall be required to pass such a bill during the second week prior to Spring Break. No legislation related to elections shall be voted upon or brought to the Senate the week prior to Spring Break or during the election period. At the conclusion of the elections period such a bill may be passed by a majority vote of the present voting membership, excluding abstentions, of the ASCSU Senate. A bill to amend the ASCSU Referenda and Elections Code shall take effect upon signature of the President.

### **Article VIII: Fiscal Management**

Section 800: Final responsibility to the Board of Governors and authority for student fee policy shall be vested in the President, Student Fee Review Board, Student Funding Board, and Senate of ASCSU.

Section 801: Funds may be moved between ASCSU departments by the President, only with the approval of Senate in the form of a Supplemental Funding Bill that shall be written and presented by the President. If the President wants to make multiple transfers between ASCSU departments, the changes may be presented in one Bill. In both cases the transfers need only a simple majority vote to be approved

Section 802: ASCSU shall receive from assessed student fees a specified amount of money each year for the full or partial support of student activities that are permissible under this Constitution (the "ASCSU Fee"). Once approved by the Senate, the money designated for allocation to student organizations shall be neither allocated nor diminished except by an action of the Student Funding Board or the Senate in accordance with the ASCSU Constitution. The ASCSU Student Funding Board shall have responsibility and authority for allocating such funds in a viewpoint neutral manner, using the criteria set forth in Section 817.”

Section 803: The Student Funding Board shall be comprised of the following: The Director of Finance, appointed by the President of ASCSU; one Executive representative, appointed by the President from within Cabinet; five ASCSU members drawn from the ranks of Senators, Associate Senators, Senate officers and four members who shall not hold other positions in ASCSU (at-large members) appointed by the Director of Finance with Senate approval. The Senate shall have appropriate time to question appointees prior to voting on approval.

Section 804: Members of the Student Funding Board shall sit for the duration of their appointed or elected time in office. New Senate members shall be appointed at the first meeting of the newly elected Senate and Executive members shall be approved upon appointment by the President.

Section 805: Upon a vacancy in the membership of a Senate member the Senate shall appoint a new member. Upon a vacancy in the membership of an Executive representative the President shall appoint a new member from the Cabinet.

Section 806: The at-large members shall be confirmed by the Senate with a plurality vote. Senate shall have the ability to call for impeachment any Student Funding Board member following the procedures set forth in Section 603.



Section 807: The Director of Finance shall chair the Student Funding Board. The Director of Finance shall vote only in the case of a tie. The Director of Finance shall have the responsibility of carrying out the decisions of the Student Funding Board and shall monitor all aspects of the President's budget. In the event that the Director of Finance is unable to chair the Student Funding Board another member of the Student Funding Board may chair in accordance with Student Funding Board bylaws. The Chair shall vote only in the event of a tie.

Section 808: The Student Funding Board shall have the power to set their own by-laws, rules of order, rules of procedure, and fiscal rules as they deem necessary, provided that all allocations of the ASCSU Fee shall be done in a viewpoint neutral manner. Senate must approve any fiscal rules passed by the Student Funding Board.

Section 809: The Student Funding Board may approve allocations up to \$10,000. If a specific request exceeds \$10,000, it must be ratified by the Senate through a bill following the Board's recommendation. Funding requests presented to Senate must be accompanied by an itemized budget. Any request brought forth in the form of a Bill to ratify Student Funding Board Allocations must be approved by the Senate in a viewpoint neutral manner.

Section 810: Any decision made by the Student Funding Board may be appealed to the Senate in the form of a bill in compliance with Senates bylaws. Appeals may be made only in the event that rules of procedure were not followed. The Student Funding Board shall be bound to implement Senate's decision.

Section 811: All data concerning student fee policy and expenditures shall be open for inspection at reasonable times by all members of ASCSU and by proper officials of the State of Colorado.

Section 812: The ASCSU Vice President shall chair the Student Fee Review Board. All additional members shall be appointed in accordance with the Student Fee Review Board bylaws.

Section 813: All members of the Student Fee Review Board shall be confirmed by a plurality vote. Senate shall have the ability to call for impeachment of any Student Fee Review Board member following the procedures set forth in Section 603.

Section 814: The Student Fee Review Board shall review and make recommendations as to all permanent student fees and increases thereto within inflation in a viewpoint neutral manner, using the criteria set forth in Section 817. The Student Fee Review Board may also recommend (i) new fees to be pledged as revenue to repay bond financing and, (ii) fee increases above inflation , fee decreases, and the elimination of fees to the ASCSU Senate.

Section 815: The Student Fee Review Board shall have the power to set their own bylaws, rules of order, rules or procedure, and fiscal rules as they deem necessary.

Section 816: Any recommendation brought forth in the form of a bill by the Student Fee Review Board must be approved in a viewpoint neutral manner by two consecutive, two-thirds votes of the present voting membership, excluding abstentions, of the ASCSU Senate in the affirmative. Senate can override the Presidential veto by a three-fourths vote of the present voting membership, excluding abstentions, of the ASCSU Senate.

Section 817: All student fee policy and expenditures shall comply with federal and state laws as well as University policy as set forth by the Board of Governors.

Section 818: Any recommendation made by the Student Fee Review Board may be appealed to the Senate in the form of a bill in compliance with Senate bylaws. Appeals may be made only in the event the appropriate guidelines were not followed. The Student Fee Review Board shall be bound to implement Senate's decision.

Section 819: Any Senate process pertaining to a recommendation regarding the imposition or allocation of student fees shall be handled in a viewpoint neutral manner by application of the following criteria:

1. The services and programs relation to the organization's purpose
2. The organization's ability to effectively use the student activity fee

3. The organization's adherence to its planned budget and accountability for its expenses throughout the past fiscal year
4. The ability of an organization to effectively deliver their services
5. The program's potential for direct student involvement
6. The effort and thought reflected by the budget request
7. The justification and the clarity of the budget presentation by the organization
8. The ability of an organization to generate revenue to support the organization's activity.
9. The activities and programs are open to all fee paying students.
10. The number of students involved in the organization's past activities.

Section 820: No branch of ASCSU may commit to distribute funds unless proper funding is available at the time of commitment.

### **Article IX: Amendments**

Section 901: A special bill to amend this Constitution may be brought to the floor of the Senate in the form of a standard bill or by the presentation to the Speaker of the Senate of a petition containing the signatures of not less than 5% of the members of ASCSU. Amendment bills shall be publicized. All proposed amendments must specifically delineate the exact changes being proposed. Passage of this bill requires a two-thirds majority vote of the present voting membership, excluding abstentions, of the ASCSU Senate on two successive Senate sessions. The first vote shall take place no sooner than one week after the initial presentation of the bill. Upon the two successive two-thirds vote of Senate and Executive approval, this amendment shall become effective. A three-fourths majority of the present voting membership, excluding abstentions, of the ASCSU Senate is required to override a Presidential veto.

Section 902: This Constitution may be amended at any time by a majority vote in a referendum with no less than 10% of the members of ASCSU voting. Such an amendment shall be placed on a referendum by the Elections Manager upon receipt of a petition containing the signatures of not less than 10% of the members of ASCSU to that effect.

### **Article X: Ratification of this Constitution**

Section 1000: Upon amendment, this Constitution shall be ratified by the majority vote of not less than 10% of the voting members of the Associated Students of Colorado State University by placement of the question "Do you vote to approve the Constitution of the Associated Students of Colorado State University?" at the end of the general election ballot.

Section 1001: All amendments to this Constitution made in accordance with Article IX, Section 901 must be approved prior to Spring Break for inclusion on the general election ballot.

Section 1002: Upon successful ratification by the student body, the Chief Justice of the ASCSU Supreme Court shall verify that Article X, Section 1003 is updated with the correct date of ratification, which shall be the date in which voting concludes in the general election, as defined in Article VII, Section 700.

Section 1003: This Constitution renders all previous constitutions null and void, and was ratified in the above prescribed manner on April 7, 2010.

### **Bill of Rights:**

**Amendment I**

Students at Colorado State University have the right to self-governance to include the right to recommend student fees and the right to participate in administration of those student fees; the right to fair, functional, accessible and productive representation by student government; the right to have their needs and concerns represented by ASCSU on any level; and the right to easily access student government representation and the right to lobby on the state level.

**Amendment II**

The right to quality education, academic excellence, challenging curricula, excellence in teaching, and current, updated technology; the right to evaluate faculty and classes; the right to competent advisors and advising programs leading to efficient progression toward degree requirements; and the right to participate in extracurricular activities and programs which are enriching, entertaining, diverse, and enhance academic development will not be denied students of Colorado State University.

**Amendment III**

Every Colorado State University student has the right to be recognized as a community, state, and national and an international citizen; the right to be treated with respect and professionalism by all administrators, faculty, staff and fellow students; the right to freedom from discrimination or harassment on the basis of race, age, color, religion, national origin or ancestry, sex, gender, disability, veterans status, political beliefs, handicap, creed, genetic information, or sexual orientation, gender identity and gender expression.

**Amendment IV**

Colorado State University students may freely exercise their full rights as citizens without fear of University interference; the right to engage in discussion, to exchange thought and opinion, and to speak, write, or print freely; the right to join associations, to peaceful assembly and protest; the right to clearly stated rules, policies, regulations, and appeals processes; and the right to freedom from illegal searches and seizures.

**Amendment V**

The right to a safe and functional physical environment including all buildings, parking areas, bikeways, and walkways; and the right to special needs accessibility shall not be infringed.

**Amendment VI**

The right to clearly stated rules, policies, regulations, and appeals processes; and the right to fair and impartial treatment in instances of general and academic discipline and academic evaluation shall not be denied any student.

**Amendment VII**

Colorado State University students shall have the right to appeal decisions affecting students and students' rights, and the right to fair and impartial treatment in instances of general and academic discipline and academic evaluation.

**Amendment VIII**

All students have the right to quality lifestyle services to include housing, food services, health care, entertainment, and childcare.

**Amendment IX**

The right to privacy of student records will not be denied to any student.

**Amendment X**

All students of Colorado State University have a right to fully exercise freedom of speech and freedom of press, and should not be subject to prior restraint or any other censorship by any administrator, regent, or governing board of Colorado State University; nor should any student be subject to disciplinary action solely on the basis of conduct that is speech or other communication that, when engaged in outside of campus, is protected from governmental restriction.

