

Constitution
of the
Associated Student Body

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We, the Students of the University of Mississippi, in order to promote the welfare of each student attending this institution, to train ourselves in the general principles of democratic government, and to prepare ourselves to assume the privileges and responsibilities of citizens of the State of Mississippi and the United States of America, do ordain and promulgate this Associated Student Body Constitution.

ARTICLE I

GENERAL

Section 1: Name. The name of the organization shall be “The Associated Student Body of the University of Mississippi (herein after cited as ASB).”

Section 2: Purpose. The purpose of this organization is to deal effectively with matters of student affairs, to perpetuate the best traditions of the University of Mississippi, to promote the best understanding between faculty and students, to govern all matters which are delegated to the ASB by the administration of the University of Mississippi, to work with the administration in all matters affecting the welfare of the student body, and to supervise all student body activity in order that it may be conducted for the best interest of the student body as a whole and to the credit of the University of Mississippi.

Section 3: Recognition of Authority. It is recognized that the University of Mississippi is a state institution whose powers and authority are derived from the Legislature through the Board of Trustees of Institutions of Higher Learning. Therefore, any part of this Constitution or of any law passed under the authorization thereof which shall be in conflict with any law of the State of Mississippi, or with any rules or regulations promulgated by the Board of Trustees of Institutions of Higher Learning, or of the Board’s representative, the Chancellor of the University, shall be null and void from the time of its enactment.

Section 4: Definition of Student. Any person, except faculty and administration who shall be duly registered as a student of the University of Mississippi, and who shall be actively engaged in pursuing a prescribed course of work and attending classes on the Oxford campus, shall be deemed a student and shall be entitled to all the rights and privileges allowed under this Constitution.

Section 5: Distribution of Powers. The powers of the ASB shall be divided by function into three distinct departments: legislative powers shall be vested in the University of Mississippi Campus Senate (herein after cited as the Campus Senate); executive powers, in the President of the Associated Student Body (herein after cited as the President); judicial powers, in the ASB Judicial Council (herein after cited as the Judicial Council).

ARTICLE II

ELECTIONS

Section 1: Qualifications for voting. Every student duly registered and qualified as an elector at the time of any student body election shall be entitled to vote in the election of all officers and in all matters which may be submitted to the vote of the student body. A certificate from the Dean of Students shall determine any question as to voting eligibility.

Section 2: Method of Voting. Voting in all elections or on referenda and initiatives shall be by secret paper ballot and in conformity with such other methods as may be developed and prescribed by law.

Section 3: Election Officials. All officials charged with the direction or administration of the election system of the student body shall be appointed in such manner as the Campus Senate may direct by law.

ARTICLE III

THE EXECUTIVE

Section 1: Establishment of the Executive. The executive power of the ASB shall be vested in a President. The President shall be chosen by the direct vote of the students for a term of one year beginning no sooner than one (1) month from the election primary and no later than the first of April, with the date to be determined by the Dean of Students Office, at which time the other newly elected ASB Officers will also begin their terms.

Section 2: Officers Elective. There shall be elected from among the students of the University of Mississippi during the sixth academic week of the spring semester the following Associated Student Body officers:

- A) A President who shall have completed 60 semester hours, 30 hours of which shall have been completed at the University of Mississippi.
- B) A Vice-President, who shall have the same semester hour qualifications as the President, and in addition shall have served a minimum of one semester as a member of the University of Mississippi Campus Senate prior to the time of taking office.
- C) A Secretary, who shall have completed at least 36 semester hours, 24 of which shall have been completed at the University of Mississippi.
- D) A Treasurer, who shall have completed at least 36 semester hours, 24 of which shall have been completed at the University of Mississippi.

All of the above named officers shall have a minimum cumulative GPA of “C” at the time of election.

Section 3: Legislative Powers. The President shall at the beginning of each regular semester, and may at other times at the pleasure of the Campus Senate, present to the Campus Senate information as to the affairs of the ASB; and the president may recommend such measures as deemed necessary. The President shall have the power to veto bills approved by the Campus Senate as prescribed in Article IV, 12 of the ASB Constitution.

Section 4: Executive and Administrative Powers. The President shall see that the laws of the ASB Constitution and Code are faithfully executed. The President shall appoint all officers and assistants necessary to discharge the duties of the office, and shall be empowered to remove the same for just cause.

Section 5: Oath of Office: The President and all executive officials of the student body, before entering upon the duties of their respective offices, shall take and subscribe to the following oath or affirmation: “I do solemnly swear (or affirm) that I will support and defend the Constitution of Associated Student Body, and that I will faithfully discharge the duties of _____ to the best of my ability.”

Section 6: Administrative Departments. There shall be such administrative departments not to exceed a number determined by the ASB Code with such powers and duties as may be prescribed by law. The heads of said departments shall be appointed by the President with final approval of the Campus Senate preceded by a formal introduction of each appointee by the President or his agent and concluded by an optional question and answer period; said period is left to the discretion of the Senate. Any appointed head may be removed from office by the President for just cause.

Section 7: Succession to Presidency. In the event the office of ASB President, Vice-President, Secretary, or Treasurer becomes vacant without the term of said office being completed, the following provisions shall govern succession:

- A) In the case of the office of ASB President becoming vacant before the end of the term of said office being completed, the ASB Vice-President shall succeed to said office for the remainder of the term.
- B) In the case of the office of ASB Vice-President becoming vacant before the end of the term of said office is completed the President Pro Tempore of the Campus Senate will succeed to the office for the remainder of that term.
- C) In the case of both officers of ASB President and Vice-President becoming vacant simultaneously, the President Pro Tempore shall succeed to the office of President for the remainder of the term. The Campus Senate shall elect a new ASB Vice-President and President Pro-Tempore.

D) In the case of either or both of the offices of ASB Secretary or Treasurer becoming vacant before the term of said office or offices is completed, the ASB President shall appoint a person or persons to said office or offices with the approval of a majority of the Campus Senate to serve for the remainder of the term or terms of said office or offices.

ARTICLE IV

LEGISLATIVE

Section 1: Legislative Power. The legislative power shall be vested in the Campus Senate.

Section 2: Composition of the Campus Senate. The Vice-President of the ASB shall be the president of the Campus Senate. The Campus Senate shall be composed of such number of members as may be prescribed by law but not to exceed 100 members.

Section 3: Members. Any qualified student shall be eligible to be elected to the Campus Senate. A senator must meet such qualifications as the Campus Senate may prescribe by law. (Amended 2-15-01)

Section 4: Election of Members. The elective members of the Campus Senate shall be chosen by a plurality vote of the qualified students of the University of Mississippi for a term of one year. If a member moves from the district from which elected, said senator can petition the Campus Senate as a whole for permission to remain in the Campus Senate, representing the original district, by obtaining twenty-five signatures of residents from that district during a time period to be prescribed by the Campus Senate. Otherwise, the term of office shall be immediately forfeited, and the campus Senate shall select a new senator to finish the forfeited term as soon as possible (Amended 2-15-01)

Section 5: Apportionment. The Campus Senate shall be apportioned according to such procedures as the Campus Senate may enact law. (Amended 2-15-01)

Section 6: Session. The Campus Senate shall be deemed a continuous body during the calendar year for which its members are elected. It shall meet at least four times during each school semester or at such times as may be prescribed by law. Special meetings may be called by the president of the Campus Senate or by a majority of the members of the Campus Senate. (Amended 2-15-01)

Section 7: Organization and Procedure. The Campus Senate shall be the judge of the election, returns, and qualifications of its members, and may by law vest in the Judicial Council the trial and determination of contested elections of its members. It shall determine its rules of procedure, compel the attendance of members,

punish members for disorderly conduct, and with the concurrence of two-thirds of all the members, expel a member for just cause.

Section 8: Transaction of Business. A majority of all the members of the Campus Senate shall constitute a quorum. The Campus Senate shall keep a journal of its proceedings, which shall be open to the public at all times. The Campus Senate shall prescribe the methods of voting on all legislative matters, but a roll call, with the yeas and nays entered upon the journal, shall be taken on the demand of one-fifth of the members present.

Section 9: Bills and Titles of Bills. No law shall be passed except by bill. Every bill for appropriations, codification, revision or rearrangement of existing laws shall be confined to one subject, which shall be expressed in the title. Bills for appropriations shall pertain to no other subject.

Section 10: Passage of Bills. No bill shall become law unless it has been duly entered in the Campus Senate journal and has received the assent of a majority of all the members present. No act shall become effective until published, as prescribed by law.

Section 11: Required Reading of Bills. A member may require that a bill be read in full before the University of Mississippi Campus Senate, prior to its final passage upon a motion duly made and seconded to such effect with the concurrence of one-fifth of all members present.

Section 12: Action by the President. Upon passage by the Campus Senate, each bill shall be presented to the President. The President may sign the bill or may return it with objections attached to the Campus Senate within one week of its presentation. If the President shall not sign the bill within one week, it shall be considered vetoed and returned to the Campus Senate. Any bill returned by the President shall be reconsidered by the Campus Senate, and if, upon reconsideration, two-thirds of the members present shall agree to pass the bill, it shall become a law. In all such cases the vote of the Campus Senate shall be by roll call, and entered on the journal.

Section 13: Impeachment Powers. Upon petition of twenty percent of the student body for the impeachment of any elected officer of the ASB or appointed member of the Judicial Council, the Campus Senate shall have the power to try the case according to the Campus Senate Rules, and, if warranted, to remove from office by a two-thirds vote of the members elected thereto.

Section 14: The Campus Senate shall elect, each fall, a President Pro Tempore who shall serve in accordance with rules of the Campus Senate.

ARTICLE V

JUDICIAL

Section 1: Establishment of the University of Mississippi Student Judiciary, to be composed of the ASB Judicial Council, which shall be the supreme judicial body of the ASB, and such inferior courts as the Campus Senate shall from time to time establish.

Section 2: Election and Tenure of Judicial Council Members. The Judicial Council shall be composed of a Chair who shall be elected from the students at the time of the spring officer elections and eight members who shall be appointed by the Chair of the Judicial Council, with final approval by the ASB President, and the advice and consent of a majority of the members of the Campus Senate present. The tenure of the Chair shall be two years.

Section 3: Qualifications for Judicial Council Membership. The Chairman of the Judicial Council must be a full-time student at the University of Mississippi Oxford Campus and must have completed at least 36 undergraduate semester hours in any University or College. Other members of the Judicial Council must be full-time students at the University of Mississippi and must have completed 12 semester hours. All members shall have a cumulative grade point average of "C" both at the time of election and for the duration of their term.

Section 4: Jurisdiction of the Judicial Council. The Judicial Council shall have jurisdiction to hear and decide all cases arising under this constitution and all laws or resolutions passed by the Campus Senate.

Section 5: Ineligibility of Members of the Judicial Council to Other Offices. No member of the Judicial Council shall hold any other position in either the legislative, executive, or judicial branch or the ASB, but this provision shall not be construed to exclude any member of the Council from holding office either in a club, or any school or college of the University of Mississippi.

Section 6: Constitution of a Quorum: A quorum shall be required of all judicial bodies before hearing and deciding a case unless otherwise authorized by law. A quorum of the Student Judicial Council consists of five members. All other inferior judicial bodies shall determine their own quorum which shall consist of no less than a majority of their members.

Section 7: Procedure before the Student Judiciary: Unless otherwise provided by law, the Judicial Council and all inferior courts that may be established shall adopt and employ their own rules of procedure.

Section 8: No law or procedure shall be enacted by the Campus Senate or construed by the Judicial Council or its inferior courts which abridges any right of a student guaranteed by the Constitution or laws of the State of Mississippi or the Constitution of the United States of America.

Section 9: Nothing in the ASB Constitution or in any existing law or procedure enacted in the future shall deny a student the right to a hearing conducted in such a manner as to do substantial justice.

ARTICLE VI

INITIATIVE AND REFERENDUM

Section 1: Initiative. The students reserve to themselves the power, by a petition signed by ten percent of the qualified students, to propose laws and, by a petition signed by fifteen percent of the qualified students, to propose amendments to this Constitution, as prescribed by law, and directly to enact or reject such laws and amendments at the polls. This reserved power shall be known as the initiative. The initiative shall not be used to appropriate student body funds, not to enact special legislation. No measure submitted by the initiative shall contain therein the name of any person to be designated as administrator of any office to be established by the proposed law or constitutional amendment.

Section 2: Referendum. The students also reserve to themselves the power, by a petition, of ten percent of the students, to require that measures enacted by the Campus Senate be submitted to the qualified voters for their approval or rejection. This reserved power shall be known as the referendum.

ARTICLE VII

FINANCE

Section 1: The Fiscal Year. The fiscal year of the Associated Student Body shall coincide with the fiscal year of the University of Mississippi, in that it shall commence on July 1 and end on June 30 of the following year.

Section 2: The Budget Appropriations for the coming fiscal year shall be approved in accordance with guidelines set forth in the Associated Student Body Code.

Section 3: Expenditure of Funds. No Associated Student Body funds shall be expended except in accordance with appropriations made by law, nor shall any obligations for payment of money be incurred except as authorized by law.

ARTICLE VIII

AMENDMENTS

Section 1: Amending Procedure. Amendments to the Constitution may be proposed by the Campus Senate at any two regular meetings, or by petition of the student

body as prescribed in the Article VI, 1 of the ASB Constitution. Any such amendment presented in the Campus Senate and twice agreed to by two-thirds of the members elected thereto shall be entered each time on the journal, with the record of the roll call vote, and submitted after the second legislative action for approval by a majority of the qualified students voting in the next regular election.

ARTICLE IX

ENACTMENT

Section 1: This Constitution shall go into effect on the ninth day of November, 1982.

Section 2: This Constitution shall go into effect as comprehensively revised on the third day of October, 2000.

ARTICLE X

ASB STUDENTS' BILL OF RIGHTS

A DECLARATION OF RIGHTS made by the students of the University of Mississippi in the exercise of their sovereign powers, which rights do pertain to them and their posterity, as the basis and foundation of government. All laws promulgated under the ASB Constitution shall be subject to the rights reserved by the students of the University of Mississippi under this Students' Bill of Rights.

Section 1. Freedom of speech

The freedoms of speech and of the press are among the great bulwarks of liberty, and can never be restrained except by despotic governments; that any student may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right; that the Campus Senate shall not pass any law abridging the freedom of speech or of the press nor the right of the people to peaceably assemble, and to petition the ASB for redress of grievances.

Section 2. Freedom of religion

The Campus Senate shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.

Section 3. Privacy

The right of the students to be secure in their persons, papers, and effects shall not be violated.

Section 4. Due process

Excluding violations of elections law, which shall be under the sole jurisdiction of the Elections Commission and the ASB Judicial Council, no student shall be held to answer for a violation of the ASB Code or Constitution unless on a presentment

of an indictment; nor shall any student be subject for the same offense to be twice put in jeopardy; nor shall be compelled in any case to be a witness against him/herself; nor be deprived of liberty or property without due process of law.

Section 5. Rights of the accused.

In all prosecutions under the ASB Code and Constitution, the accused shall enjoy the right to a speedy hearing and ruling, by an impartial body of the ASB; to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him/her; and to have the assistance of counsel for his/her defense.

Section 6. Excessive fines.

Excessive fines shall not be imposed.

Section 7. Equal Protection; non-discriminatory statement

The ASB shall not discriminate against any student based on race, gender, age, ethnicity, ability or disability, marital status, classification, sexual orientation, socioeconomic status, religious affiliation, or national origin. Respect, tolerance and goodwill are the keystones to enjoying the diversity of our campus and it is the duty of the ASB to encourage and promote that these ideals. The ASB is committed to achieving an intellectual, cultural and social environment on campus in which all are free to think and make their contribution. We will achieve an environment in which every student may think, learn and grow without prejudice, intimidation, and discrimination. We will achieve an environment in which personal dignity and respect for the individual are recognized by all students.

Section 8. All records shall be public.

All documents, memorandums, minutes, rulings and applications shall be public records and made available to the students upon request for their inspection. Information contained on such documentation that is covered under privacy laws of the state of Mississippi and the United States of America shall be stricken from such records upon such request for inspection. This definition in this section shall not be construed to limit what is considered a public record or the ASB.

Section 9. Limitation of powers.

The powers of the ASB are limited to the powers enumerated in the ASB Constitution.

Section 10. Reservation of powers not enumerated to the students.

The powers not granted by the students to the ASB in the ASB Constitution, are reserved to the students.