## CONSTITUTION

**OF THE**

**ASSOCIATED STUDENTS OF THE UNIVERSITY OF UTAH**

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**PREAMBLE**

*In order to discharge the responsibility of government for the betterment of student life and the University of Utah (“University”) community, the students and the Board of Trustees of the University establish this Constitution of the Associated Students of the University of Utah (“ASUU”).*

The purpose of ASUU is:

## ARTICLE I – PURPOSE

1. To provide for the general welfare of students attending the University.
2. To represent the University’s students regarding issues arising in the University community.
3. To ensure student participation on the academic and administrative policy making levels of the University.
4. To provide educational, cultural, social, and service activities for students.
5. To assess the ASUU fees with Board of Trustees’, and State Board of Regents’ approval.
6. To provide monetary support for student activities through a student activity fee levied by the State Board of Regents as recommended by the ASUU.
7. To provide coordination for student organizations and activities.
8. To provide communication and interaction between students, administration, and faculty.
9. To express student opinion.
10. To provide for participation and involvement in community concerns and affairs.

## ARTICLE II – ORGANIZATION AND MEMBERSHIP

##### Section 1 – Organization and Governing Power

1. The ASUU shall be composed of an Executive Branch, Legislative Branch, and Judicial Branch.
2. Eligible students of the ASUU shall elect all elected officials for a term of approximately one (1) year, from inauguration to inauguration. The date of inauguration shall be set each year by the Elections Registrar on a date within two (2) weeks prior to or one (1) week following the day of undergraduate commencement.
3. In order to be inaugurated, each elected ASUU officer certified as the winner, must meet applicable ASUU eligibility requirements and must either:
	1. Have not violated elections rules; or
	2. Have satisfied any and all penalties assessed by the ASUU.

##### Section 2 – Qualifications for Membership

1. The members of the ASUU shall be all registered students of the University who have paid the ASUU student activity fee of the current term and will be represented by the ASUU government.
2. Current members of the ASUU shall be eligible to vote in the ASUU elections.

##### Section 3 – Eligibility for Offices

1. All elected or appointed officers must be members of the ASUU and maintain eligibility as prescribed in the ASUU Bylaws.
2. Members of the ASUU may not hold more than one position in the ASUU unless specifically authorized in the Constitution or Bylaws.

**ARTICLE III – LEGISLATIVE BRANCH**

##### Section 1 – Representation

1. In order to receive representation in the Legislative Branch, a University College or School (hereinafter referred to as “Colleges”) must:
	1. Not be a subdivision of another College; and
	2. Not be exclusively composed of students who are also enrolled in other Colleges that are represented in the Legislative Branch.
2. Each ASUU member shall be authorized to vote for elected ASUU officials in the College in which the ASUU Member is enrolled. An ASUU member who is enrolled in more than one College at the time of the election shall choose to be a voter of one and only one of the Colleges in which the member is enrolled.

##### Section 2 – Assembly

1. Membership
	1. The Assembly shall consist of delegates representing students in Colleges of the University. The total number of delegates shall be three times the number of Colleges as determined once per year at the Elections Registrar’s discretion.
	2. All Assembly delegates shall be elected from each College of the University by eligible members of the ASUU in accordance with the ASUU Bylaws and University regulations.
2. Apportionment
	1. Assembly seats shall be apportioned among the Colleges in proportion to the number of students enrolled in each College.
	2. Each College shall be guaranteed at least one (1) Assembly delegate.
	3. The Chief Justice of the Supreme Court shall determine the apportionment of the Assembly seats among the Colleges with the advice of the Attorney General, the designee of the Dean of Students’ Office, and the majority consent of the Student Senate, using the most recent College enrollment report.
	4. Students who are enrolled in more than one College shall be counted as evenly split between each College in which they are enrolled, if the necessary enrollment data is available.
3. Powers and Duties
	1. To transact business with a quorum present.
	2. To pass, fail, table, amend, refer, or postpone legislation pertaining to student groups and joint legislation with the Student Senate by a majority vote of the quorum as defined in the ASUU Bylaws.
	3. To propose all Policies, Procedures, Bylaws, Rules, and Regulations of the ASUU with the Student Senate delegates, exclusive of the Student Senate Bylaws, and not in conflict with this Constitution, and pass by a two- thirds (2/3rds) vote of the total members of the Assembly.
	4. To propose the Assembly Bylaws and Rules of Procedure, without Student Senate approval, and not in conflict with this Constitution.
	5. To present all proposed changes in Policies, Procedures, Bylaws, Rules, and Regulations of the ASUU to the President for signature.
	6. To bring Articles of Impeachment against any elected officer of the ASUU, excluding Student Senators, consistent with this Constitution.
	7. To fill Assembly vacancies for the remainder of the term of office as outlined in the ASUU Bylaws
	8. To be responsible for evaluating the performance of all branches of the ASUU government in conjunction with the Senate.
	9. To exercise legislative responsibility for all areas of student concern consistent with the purposes of the ASUU.
	10. To express the Assembly's position through published resolutions.
	11. To override a presidential veto of any Assembly action by two-thirds (2/3rds) vote of the membership of the Assembly, if the Assembly so desires.
	12. To hold regular meetings each year as outlined in the ASUU Bylaws.
	13. To exercise other responsibilities as defined herein.

##### Section 3 – Student Senate

1. Membership
	1. The Student Senate shall consist of one (1) representative elected from each College of the University.
	2. All members of the Student Senate shall be elected from each College of the University by eligible members of the ASUU in accordance with the ASUU Bylaws and University regulations.
	3. The Student Senate shall elect a Chair from within the Student Senate during the first meeting following the date of inauguration to serve as Chair for remainder of that term.
2. Powers and Duties
	1. To transact business with a quorum present.
	2. To pass, fail, table, amend, refer, or postpone legislation pertaining to the Student Advisory Committee and joint legislation with the Assembly by a majority vote of the quorum as defined in the ASUU Bylaws.
	3. To propose all Policies, Procedures, Bylaws, Rules, and Regulations of the ASUU, exclusive of the Assembly Bylaws and Rules of Procedure with the Assembly, and not in conflict with this Constitution, and pass by a two thirds (2/3rds) vote of the total members of the Student Senate.
	4. To propose the Student Senate Bylaws, without Assembly approval, and not in conflict with this Constitution.
	5. To present all proposed changes in Policies, Procedures, Bylaws, Rules, and Regulations of the ASUU to the President for signature.
	6. To conduct confirmation hearings to confirm or reject all nominations for ASUU positions including: all Executive Cabinet Members from the student body, the Justices of the Supreme Court from the student body, and the Chief Justice from the membership of the Supreme Court as nominated by the President. Confirmation hearings must be conducted before the scheduled inauguration ceremony. The Student Senate shall not act on nominations without a quorum of all Student Senate members in attendance as defined by the ASUU Bylaws.
	7. To hold voting seats on the Academic Senate as provided in University Regulations.
	8. To study, research, question, and voice student opinion on matters brought before the Academic Senate.
	9. To propose University Policies, Procedures, Rules, and Regulations.
	10. To express the Student Senate's position in writing through resolutions.
	11. To ensure student representation with University administration, faculty, and staff.
	12. To bring Articles of Impeachment against Student Senators consistent with this Constitution.
	13. To try and to vote on Articles of Impeachment against all elected officers of the ASUU, except Student Senators, consistent with this Constitution.
	14. To override presidential veto of any Senate action by two-thirds (2/3rds) vote of the total membership of the Student Senate, if the Student Senate so desires.
	15. To serve as an Advisory Board of the Department Student Advisory Committees.
	16. To schedule regular meetings each year as outlined in the ASUU Bylaws.
	17. To appoint and fill any Senate vacancies for the remainder of the term of office as outlined in the ASUU Bylaws.
	18. To exercise legislative responsibility for all areas of student concern consistent with the purposes of the ASUU.
	19. To exercise other responsibilities as defined herein.

##### Section 4 – Reconciliation

1. When either the Assembly or Student Senate amends legislation previously passed by the other legislative body, the legislation shall be reconciled by a Joint Reconciliation Committee and returned for approval of the Assembly and Student Senate before presentation to the ASUU President.
2. If, after the legislation has passed the Joint Reconciliation Committee and the legislation is passed by either the Assembly or Student Senate and subsequently amended by the other house, then the legislation shall fail.

## ARTICLE IV – EXECUTIVE BRANCH

##### Section 1 – President

1. Eligibility
	1. The President shall be elected on a ticket with the Vice President of Student Relations and Vice President of University Relations in a campus-wide general election to be held in accordance with the ASUU Bylaws and University Regulations.
	2. The President must have completed forty-five (45) college semester credit hours (or equivalent) prior to the ASUU Elections filing deadline.
2. Powers and Duties
	1. To be the chief executive officer of the ASUU.
	2. To act in the interest of the University's student body.
	3. To nominate Justices of the Supreme Court.
	4. To appoint Executive Board Directors from the membership of the ASUU and to present for confirmation or rejection by the Student Senate.
	5. To rescind Executive Branch appointments without Student Senate approval.
	6. To appoint an administrative staff, as needed.
	7. To approve or veto any legislation presented by the Assembly or the Student Senate using procedure as outlined in the ASUU Bylaws, without the ability to veto constitutional amendments.
	8. To form Ad Hoc Committees.
	9. To serve as a voting member of the Board of Trustees
	10. To serve as a voting member of the Academic Senate.
	11. To serve as a voting member of University committees as outlined in the ASUU Bylaws and University Regulations.
	12. To make nominations or appointments, as appropriate, to University Committees.
	13. To represent the University's student body at University functions.
	14. To represent the University with the Utah Body President’s Student Association.
	15. To be responsible for such additional duties and powers as expressed herein and as may be requested by the Assembly, the Student Senate, or the University Board of Trustees.

##### Section 2 – Vice President of Student Relations

1. Eligibility
	1. The Vice President of Student Relations shall be elected on a ticket with the President and the Vice President of University Relations in a campus-wide general election to be held in accordance with the ASUU Bylaws and University Regulations.
	2. The Vice President of Student Relations must have completed forty-five (45) college semester credit hours (or equivalent) prior to the ASUU Elections filing deadline.
2. Powers and Duties
	1. To serve as a member of the Executive Cabinet.
	2. To be responsible for calling and chairing the Campus Student Leaders meetings.
	3. To serve as an ex-officio member of the Assembly.
	4. To serve as the ASUU officer responsible for providing monthly executive reports to the Assembly.
	5. To serve as the co-chair of Student Commission meetings .
3. To serve on the University Commencement Committee.
4. Be responsible for a University Gift, which shall be a project or program that shall improve the campus and university experience for future students.
5. To serve as a representative and voting member of committees as outlined in the ASUU Bylaws.
6. To be responsible for such additional duties and powers as expressed herein and as may be requested by the President, Assembly, or the Student Senate.

##### Section 3 – Vice President of University Relations

1. Eligibility
	1. The Vice President of University Relations shall be elected on a ticket with the President in a campus-wide general election to be held in accordance with the ASUU Bylaws and University Regulations.
	2. The Vice President of University Relations must have completed forty-five (45) college semester credit hours (or equivalent) prior to the ASUU Elections filing deadline.
2. Powers and Duties
	1. To function as the President in the President's absence.
	2. To be responsible for the management of the ASUU offices, facilities, and employed personnel in conjunction with the Office of the Vice President of Student Affairs, or its designee, according to University Regulations.
	3. To chair the ASUU Scholarship Board.
	4. To serve as a voting member of the Violence Prevention Advisory Committee.
	5. To serve as an ex-officio member of the Academic Senate.
	6. To serve as the ASUU officer responsible for providing monthly executive reports to the Student Senate.
	7. Coordinate and be responsible for activities with the Alumni Association and the Student Alumni Association, for the benefit of University students
	8. To serve as a representative and voting member of committees as outlined in the ASUU Bylaws.

J. To be responsible for such additional duties and powers as expressed herein and as may be requested by the President, Assembly, or the Student Senate.

##### Section 4– Attorney General

1. Eligibility
	1. The Attorney General shall be elected on an independent ticket separate from the President, Vice President of Student Relations, or the Vice President of University Relations in a campus-wide general election to be held in accordance with this Constitution, ASUU Bylaws, and University Regulations.
	2. The Attorney General must have completed thirty (30) college semester credit hours (or equivalent) prior to the ASUU Elections filing deadline.
2. Powers and Duties
	1. Act as counsel to the ASUU government or any part thereof, regarding this Constitution, the ASUU Bylaws, and University Regulations.
	2. Ensure that this Constitution and the ASUU Bylaws are understood and obeyed by the members of the Legislature and the officers of the Executive Branch.
	3. Attend both General Student Senate and General Assembly to ensure this Constitution and ASUU Bylaws are followed.
	4. Assist members of the Legislature and the officers of the Executive Branch to draft legislation.
	5. Present information pertinent to the Legislature to commence the impeachment process.
	6. Serve as liaison from ASUU to the University's Office of General Council.
	7. Review each bill passed by the Legislature and determine if said bill would create contradictions within the bylaws or violate the ASUU Constitution. If Attorney General determines that a bill would create a contradiction within or between the ASUU bylaws and the ASUU Constitution, then the Attorney General shall inform the President of ASUU of the contradiction, prior to the President of ASUU signing or vetoing the bill, and then draft corrective legislation for the consideration of the Legislature.
	8. Serve as a non-voting member of the University Joint Apportionment Board.
	9. Represent the ASUU in all disputes, in which the same is a party, in all disputes heard by the ASUU Supreme Court, the Committee on Student Affairs, and the Board of Trustees, with the exception of conflicts of interest as explained in the ASUU Bylaws.

##### Section 5 – Executive Succession

1. The Vice President of University Relations shall function as the President in the President’s absence.
2. Should the office of the President be permanently vacated, the Vice President of University Relations shall become the President.
3. Should the offices of the President and the Vice President of University Relations be permanently and simultaneously vacated, the Vice President of Student Relations shall become the president.
4. Should the office of the Vice President of University Relations become permanently vacated, the President shall appoint a new Vice President of University Relations from the current Senate to fill the unexpired term.
5. Should the office of the Vice President of Student Relations become permanently vacated, the President shall appoint a new Vice President of Student Relations from the current Assembly to fill the unexpired term.

## ARTICLE V – JUDICIAL BRANCH

##### Section 1 – Supreme Court

1. Membership
	1. The Supreme Court shall be composed of seven (7) members, which shall consist of one (1) Chief Justice and six (6) Associate Justices, appointed by the Student Senate upon nomination by the President.
2. Term of Office
	1. Justices shall be appointed for an indefinite term of office and may remain in office provided they are members of the ASUU in good standing.
	2. The Chief Justice shall serve a one (1) year term subject to reappointment.
3. Jurisdiction
	1. The Supreme Court shall have:
		1. Jurisdiction to afford substantial justice under the ASUU Constitution, Bylaws, and Regulations; and
		2. Jurisdiction delegated to it by Board of Trustees and appropriate University committees.
	2. Appeals of Supreme Court decisions can only be made to the Committee on Student Affairs.
	3. The Supreme Court shall have the power of ASUU constitutional review on any action taken by any and all members, groups, and bodies of the ASUU. The initiation of such action must be by a member of the ASUU.

##### Section 2 – Powers and Duties

1. Chief Justice
	1. The Chief Justice shall determine the apportionment of the Assembly seats among the Colleges with the advice and consent of the Student Senate, using the most recent college enrollment reports available.
	2. The Chief Justice shall determine the composition of the Elections Committee with the advice of the Elections Registrar.
	3. The Chief Justice shall preside over formal trials arising from Articles of Impeachment. The Chief Justice shall not vote in impeachment hearings. In the absence of the Chief Justice, or if the Chief Justice is the target of the impeachment hearing, one of the other Justices of the Supreme Court shall preside.
2. Supreme Court
	1. The Supreme Court shall have such powers and authorities as are necessary to afford substantial justice including, but not limited to:
		1. The power to Subpoena;
		2. The power to Order;
		3. The power to Enjoin;
		4. The power to Compel by sanction or penalty;
		5. The power to render Findings, and
		6. To propose Judicial Branch Bylaws and procedures, subject to approval of the Assembly and the Student Senate.
	2. All Supreme Court injunctions, decisions, Writs, and sanctions must be preceded by a hearing at which all interested parties have the opportunity to be heard, except in extreme extenuating circumstances.
	3. The Supreme Court may impose such non-academic sanctions and penalties upon those found responsible of violating the ASUU Constitution, Bylaws, Policies, Procedures, or Regulations as may be appropriate.
	4. Justices shall not participate in any activities that conflict, or give the appearance of conflicting with, the duties of the Supreme Court.

##### Section 3 – Writ of Mandamus

1. Any member of the ASUU may petition the Supreme Court to issue a Writ of Mandamus to any elected official of the ASUU or its student governing bodies. The Writ may only be issued after a timely hearing by the Supreme Court at which each party has the opportunity to be heard.
2. It is grounds for impeachment for an official or governing body served with a Writ of Mandamus to fail to perform the specified duties enumerated by the Writ within a reasonable period of time.

## ARTICLE VI – OATH OF OFFICE

##### Section 1 – Affirmation

1. All appointed officers of the ASUU must be confirmed by the Student Senate, and all elected and appointed officers of the ASUU must be affirmed by taking the Oath of Office prior to receiving any form of ASUU compensation. The Oath of Office for all the ASUU officers shall be administered by the Chief Justice of the Supreme Court, or in the absence of the Chief Justice, by one of the other Justices of the Supreme Court.

##### Section 2 – Oath of Office

1. The Oath of Office shall be:

*I, (name of individual), do solemnly swear that I will support the Constitution of the Associated Students of the University of Utah and all its purposes and procedures; and that I will endeavor to the best of my abilities to fulfill the duties,*

*obligations, and responsibilities of the office to which I have been elected (or appointed).*

## ARTICLE VII – IMPEACHMENT

##### Section 1 – Initiation

1. Articles of Impeachment may be brought against any officer of the ASUU for failure to fulfill the duties of office, failure to follow this Constitution and the ASUU Bylaws, or for committing actions unbecoming the holder of that office.
2. Articles of Impeachment may be brought by:
	1. A two-thirds (2/3rds) vote of all Representatives of the Assembly; or,
	2. Five hundred (500) members of the ASUU by signing a formal petition containing Articles of Impeachment, the signatures therein to be verified by the Supreme Court; or,
	3. The Student Senate against a member of the Student Senate by a two-thirds (2/3rds) vote of all Student Senate members.

##### Section 2 – Trial

1. Procedure
	1. Any officer against whom an Article of Impeachment has been brought, who is not a Student Senator, shall be tried by the Student Senate in a formal trial at which the Chief Justice of the Supreme Court shall preside.
	2. A member of the Student Senate against whom an Article of Impeachment has been brought shall be tried by the student members of the Committee on Student Affairs and the Student Behavior Committee together in a formal trial at which the Chief Justice of the Supreme Court shall preside. The combined number of student members of the Committee on Student Affairs and the Student Behavior Committee assembled must equal no less than seven (7) for an Impeachment trial to proceed against a Student Senator.
	3. At trial, the member of the ASUU bringing forth the Article of Impeachment shall have time to present their case to the voting body. The officer against whom Articles of Impeachment have been brought will have equal time to present their defense to the voting body. The voting body will then have time to question both sides before adjourning to deliberate.
2. Conviction
	1. To be convicted of an impeachment charge, an officer who is not a Student Senator must be found guilty by at least a two-thirds (2/3rds) majority vote of all members of the Student Senate.
	2. To be convicted of an impeachment charge, a Student Senator must be found guilty by at least a two-thirds (2/3rds) majority vote of the combined student members of the Committee on Student Affairs and Student Behavior Committee assembled to try the case.
3. Removal
	1. Any officer who is impeached and convicted shall be immediately removed from office and shall be ineligible to hold other ASUU positions during that academic year.

## ARTICLE VIII – RATIFICATION & AMENDMENTS

##### Section 1 – Ratification of the Constitution

1. This Constitution shall become effective upon the approval of the Board of Trustees and a majority vote of the members of ASUU members voting in a general ASUU election or referendum.

##### Section 2 – Constitutional Amendments

1. Amendments may be proposed by a two-thirds (2/3rds) majority vote of all members of the Assembly and a two-thirds (2/3rds) majority vote of all members of the Student Senate; or by a formal petition signed by five hundred (500) members of the ASUU, the signatures therein to be verified by the Supreme Court.
2. The President shall present a properly proposed Amendment to the Board of Trustees for approval. Board of Trustees’

approval shall be preceded by review and recommendations by such University organizations as the Board of Trustees may require.

1. Constitutional amendments must be ratified by fifty percent plus one (50% +1) of the University's Colleges in a referendum of ASUU members. The referendum shall be conducted in accordance with the ASUU Bylaws. Each College may conduct its own vote with all votes being concluded within three (3) months of the Amendment's formal proposal. If an Amendment receives a simple majority vote in each of the fifty percent plus one (50%+1) of the University's Colleges, and has received Board of Trustee approval, the Amendment shall be deemed ratified and effective.
2. Any Constitutional amendments must be approved by a Special Joint Review Committee composed of members of the Student Senate and Assembly in accordance with this Constitution and the ASUU Bylaws, Policies, and Procedures.

## ARTICLE IX – PROCEDURES TO ESTABLISH AND AMEND BYLAWS AND POLICIES

##### Section 1 – Proposal

1. The Assembly may propose the ASUU Bylaws of the Assembly not in conflict with the Constitution by a two- thirds (2/3rds) vote of all Assembly members.
2. The Student Senate may propose Bylaws of the Student Senate, not in conflict with the Constitution of the ASUU, by a two-thirds (2/3rds) vote of all Student Senate members.
3. Either the Assembly or Student Senate may, by a two-thirds (2/3rds) vote of all members in the respective body, propose changes to the ASUU Bylaws of the Supreme Court, not in conflict with this Constitution.
	1. Proposed changes to the Supreme Court Bylaws shall require a two-thirds (2/3rds) vote of all members in both the Assembly and Student Senate before presentment to the President.
4. Either the Assembly or Student Senate may, by a two-thirds (2/3rds) vote of all members in the respective body, propose changes to the general ASUU Bylaws, Policies, and Procedures, not in conflict with the Constitution.
	1. Proposed changes to the general ASUU Bylaws and Policies and Procedures shall require a two-thirds (2/3rds) vote of all members in the Assembly and Student Senate before presentment to the President.
5. Any changes to the ASUU Bylaws or Procedures must be approved by a Special Joint Review Committee composed of members of the Student Senate and/or Assembly, with the exception of Senate and Assembly Bylaw changes, in accordance with this Constitution and the ASUU Bylaws, Policies, and Procedures.

##### Section 2 – Presentment

1. Properly proposed changes to the Bylaws of the Assembly, the Bylaws of the Student Senate, and the general ASUU Bylaws, Policies, and Procedures shall be presented to the President for executive review. The President shall approve or veto changes to the ASUU Bylaws, Policies, and Procedures within ten (10) business days of presentation. In the absence of Presidential approval or veto, properly presented Bylaw or Policy and Procedure changes shall be enacted on the eleventh (11th) day after presentation to the President.
2. A presidential veto may be overridden by a two-thirds (2/3) vote of all members in both the Assembly and the Student Senate.
3. A presidential veto of proposed Assembly or Senate Bylaw changes may be overridden by a two-thirds (2/3) vote of all members of the body proposing the Bylaw changes.

##### Section 3 – Ratification

1. The President must notify the Board of Trustees of all Constitutional Amendments, enacted or rescinded Bylaws, and ASUU Policy and Procedure changes.
2. Changes to the ASUU Bylaws, Policies, and Procedures pertaining to student, faculty, or administration committees shall be subject to the approval of the appropriate University organization or officer as may be required by the Board of Trustees.
3. The ASUU Bylaw, Policy, and Procedure changes must be presented to the Board of Trustees Academic/Student Affairs Committee, followed by presentation to the entire Board of Trustees. In the absence of Board of Trustee disapproval or postponement, properly presented ASUU Bylaw, Policy, and Procedure changes shall be enacted the day following presentation to the Board of Trustees