

ASUO CONSTITUTION

Amended 3/4/99

1. NAME AND PURPOSE

- 1.1 This organization shall be known as the Associated Students of the University of Oregon (ASUO).
- 1.2 The purpose of the ASUO is to provide for the social, cultural, educational and physical development of its members, and for the advancement of their individual and collective interests both within and without the University.

2. MEMBERSHIP AND RIGHTS

- 2.1 The membership of this Association shall consist of all students at the University of Oregon, Eugene, Oregon, who have paid the current term or semester student incidental fee. Payment of summer term incidental fees is not necessary to maintain membership status for the purpose of holding office.
- 2.2 Student membership of any of the particular classes shall be determined by the academic rules of the University of Oregon.
- 2.3 No agency or program of the ASUO shall make any rule or take any action abridging the privileges and immunities of any person or program under the Constitution and laws of the United States or the State of Oregon, or the rules of the University of Oregon, or the ASUO Constitution.
- 2.4 Access to activities supported in whole or in part through mandatory student incidental fees shall not be denied for reasons of sex, race, religion, age, sexual orientation, marital status, handicap, political view, national origin or any other extraneous considerations. Activities limited to living units legally segregated by sex may be limited by sex.

3. OFFICERS

- 3.1 The elected executive officer of this Association shall be the ASUO President (hereinafter "President").
- 3.2 There shall be an ASUO Student Senate (hereinafter "Student Senate") composed of eighteen (18) members of this Association as defined in Sec. 6.1.
- 3.3 There shall be an ASUO Programs Finance Committee composed of seven (7) members of this Association as defined in Sec. 7.1.
- 3.4 There shall be an ASUO Athletic Department Finance Committee (hereinafter "Athletic Department Finance Committee") composed of five (5) members of this Association as defined in Sec. 8.1.

3.5 There shall be an Erb Memorial Union Board (hereinafter "EMUB") composed of at least seven (7) members of this Association as defined in Sec. 9.1 and in the EMU Governance Document .

3.6 There shall be a Constitution Court composed of five (5) members of this Association as defined in Sec. 10.1.

4. QUALIFICATIONS FOR OFFICE

4.1 All students of this Association shall be eligible to hold elective or appointive office under this Constitution. All students elected or appointed, serving in ASUO governance, programs or committees, shall be required to enroll in and complete each term at least the number of credit hours required by the University to maintain half-time status, except as provided under Section 2.1 of this Constitution, during their term of office.

4.2 No member of this Association shall simultaneously hold more than one elected office under this Constitution. A person may simultaneously hold an elected and appointed position or more than one appointed position unless the Constitution Court determines, upon petition, that a potential conflict of interest exists between the two positions.

4.3 Candidates for the nine Academic Student Senate seats shall either have declared a major with the University Registrar or shall at the time of filing declare which constituent group they seek to represent, based on the major they expect to be enrolled in by the following fall term.

4.4 If a member elected or appointed pursuant to Sec. 5.4 to an Academic Student Senate seat changes majors to one outside of the constituent group s/he was elected or appointed to represent, that member is no longer eligible to serve on the Student Senate and his or her position shall be declared vacant.

4.5 Notwithstanding Section 4.4, a member elected or appointed pursuant to Sec. 5.4 to an Academic Student Senate seat who is a pre-major (undeclared) student may adopt a major and continue to serve on the Student Senate until his or her term of office expires.

4.6 Conflict of interest prohibited. No member holding an elected position on the Student Senate, the ASUO Programs Finance Committee, the Athletic Department Finance Committee, or the EMU Board may vote on the budget of any ASUO or EMU program in which they hold a paid position during their term of office. This section shall be construed so as to prohibit conduct that creates the appearance of a conflict of interest, as well as an actual conflict of interest.

5. DUTIES OF THE PRESIDENT AND VICE PRESIDENT

5.1 The President is the chief executive officer of the ASUO, is responsible for the administration of ASUO programs, and acts as the official spokesperson for students as a whole, within and without the University.

- 5.2 The President shall nominate to the President of the University, upon recommendation from the ASUO Committee on Committees, members to the student-faculty committees, appoint members to executive, administrative and ASUO student committees, and make all other appointments to positions deemed necessary.
- 5.3 The President shall appoint a member of the ASUO to serve as Vice President. Such appointment need not be made through formal hiring and affirmative action process provided that the Vice President has been publicly announced as the President's running mate and included on the ballot as such. The President must name one person to perform the duties required of the Vice President by the Constitution. Any non-elected Vice Presidents shall not be in the line of succession to the Presidency.
- 5.4 The ASUO President shall appoint persons to vacant positions of the Constitution Court and the Student Senate. These appointments shall be made within a period of thirty (30) calendar days of the vacancy and shall be subject to confirmation by a majority of the Student Senate within seven (7) calendar days of the appointment.
- 5.5 The President shall submit to the Student Senate a recommendation for the next fiscal year's incidental fee allocation by November 21st to assist the Student Senate in establishing budgeting benchmarks for each of the three Major Programs Committees: the EMU Board, the ASUO Programs Finance Committee, and the Athletic Department Finance Committee.
- 5.6 The President or designee shall submit budget recommendations to the Student Senate for each of the three Major Programs: the EMU, ASUO Programs, and the Athletic Department. The President or designee shall submit budget recommendations to the ASUO Programs Finance Committee for each of the ASUO program budgets.
- 5.7 The President shall submit an accounting of expenditures of all ASUO programs from the previous fiscal year.
- 5.8 The President and the Student Senate shall agree by January 15 on a deadline by which the total incidental fee budget shall be submitted to the University President. If they fail to agree, the Constitution Court shall set the deadline. In the event that the Student Senate fails to meet the deadline, the President shall, following consent of the Constitution Court, be responsible for preparing the ASUO budget and submitting it to the University President.
- 5.9 The President shall hold veto powers over all of the allocations of the Student Senate and over all budget recommendations of the ASUO Programs Finance Committee. The President shall take such action regarding a Major Program budget within 3 school days of receiving written notice of final Senate approval of said budget.
- 5.10 There shall be an ASUO Program Directors' Council established with a representative from each program chosen by the Program director, and a representative of the ASUO Executive chosen by the ASUO President. The President shall submit all proposed administrative or program rules, or changes therein, to the Council for comment. This Council will be chaired by the Executive representative, and shall meet at least twice per term. The President shall make a report of the plans and activities of the ASUO Executive during Fall, Winter, and Spring terms. This Council may also be used as a channel through which procedures such as budget writing may be presented to the program representatives.

- 5.11 The President may make such rules as are necessary to insure the fair and efficient operation of ASUO agencies and programs, and to insure compliance with such budget notes and resolutions as may be approved by the Student Senate. Any such rule, once properly established shall continue in effect indefinitely unless repealed or superseded by subsequent action of a President or Student Senate. The President must provide reasonable notice and an opportunity to comment prior to adoption of any rule to all agencies and programs, including the Program Directors' Council, likely to be affected by the rule.
- 5.12 The President shall publish an annual compilation of rules, resolutions and other policies established by the Executive Office, the Student Senate, ASUO Programs Finance Committee, Athletic Department Finance Committee, ASUO Constitution Court, EMU Board, and other agencies which may from time to time issue rules, resolutions or policies affecting the student body and its programs. This publication shall be provided to all funded programs, to the members of governance bodies and to appropriate University officials, and shall be made available upon request to any member of the University community. Rules published in this manner shall have effect until replaced or eliminated following procedures under Sections 5.10 and 5.11 of this Constitution and other appropriate sources.
- 5.13 The President shall establish a written agreement for each salaried, appointive position in the ASUO Executive Office prior to hiring for the position, setting forth its duties and responsibilities.
- 5.14 Except as otherwise provided in this Constitution, the President shall abide by the ASUO Affirmative Action plan in making appointments to all non-elective salaried ASUO positions.
- 5.15 The President and Elected Vice President shall serve a term in office of one year commencing on May 25 and ending on May 24 of the following year.
- 5.16 The President, with the approval of a majority of those present and voting at a regular meeting of the Student Senate, shall appoint the official student representative(s) or agent(s) to any faculty-administration (Oregon State Board of Higher Education) negotiations in the advent of faculty collective bargaining.
- 5.17 The President shall establish and publish his or her own criteria for fulfillment of duties within one month of taking office. The President shall also perform all duties as required by this Constitution. Articles of impeachment may be brought against the President by a 3/4 vote of the Student Senate. Upon such vote, the Constitution Court shall try the case and reach a decision by majority vote. Articles of impeachment brought before the Constitution Court shall clearly set forth the grounds for removal from office.
- 5.18 Rulings of the ASUO Constitution Court shall be enforced by the President. Failure to enforce such a ruling shall constitute non-fulfillment of duties.
- 5.19 The President shall announce prior to November 1 each year the general guidelines to be used in preparing the Executive budget recommendation.
- 5.20 The ASUO Vice President shall assume all duties pertaining to the office of the President in the President's absence and all other duties as delegated by the President.
- 5.21 The ASUO Vice President shall serve as an ex-officio member of the ASUO Student Senate.

6. THE ASUO STUDENT SENATE_

- 6.1 The Student Senate shall be composed of eighteen members, fifteen (15) of whom shall each serve for a two year term and three (3) of whom shall each serve for a one year term, pursuant to Sec. 12.10 and 12.11. Three (3) Senators shall be elected to serve as members of the ASUO Programs Finance Committee. Three (3) Senators shall be elected to serve as members of the EMU Board and will all serve on the EMU Budget Committee. Three (3) Senators shall be elected to serve as members of the Athletic Department Finance Committee. These nine (9) Senators shall be known as the "Finance Senators". The remaining nine (9) Senators shall be elected by major to represent academic departments and shall be known as "Academic Senators".
- 6.2 The Student Senate shall act on matters relating to the allocation and appropriation of incidental fees, represent the collective and constituent interests of students in all matters considered and/or acted upon by the present General Assembly and University Senate, and/or any matters coming before a shared-governance body or University or departmental administrative channels relating to: student personnel services, University administered housing, campus design, and University budgeting, except as otherwise provided for in this Constitution.
- 6.3 The Student Senate, in order to vote on a Major Program Budget, is required to muster a quorum of two-thirds (2/3) of the filled Student Senate seats, and in order for such a motion to pass it must receive an absolute majority of those filled Student Senate seats.
- 6.4 Notwithstanding Sec. 6.3, the Student Senate shall determine the quorum for all Senate actions other than a vote on a Major Program Budget.
- 6.5 The Student Senate shall take no action impinging upon the duties, responsibilities or authority of the ASUO Executive or EMU Board.
- 6.6 The Student Senate shall establish budgeting benchmarks by November 30th for each Major Program. These benchmarks will serve as a guideline to assist each Major Program committee in developing its budget recommendation for submission to the Student Senate.
- 6.7 The Student Senate shall vote to approve or deny the budgets recommended by the ASUO Programs Finance Committee, the EMU Board, and the AD Budget Committee. The Senate may deny any part of the ASUO Programs Finance Committee recommendation by a vote of 4/5 of the filled seats.
- 6.8 The Student Senate may override any presidential veto of a Senate allocation by a vote of 2/3 of its filled seats. If a Major Program budget is vetoed, the vote to override must take place within five school days of receiving written notification from the President of said veto.
- 6.9 In the event that a veto from the President is not overridden, the Student Senate shall submit a revised budget recommendation to the President within two school days after receiving a new recommendation from the affected Major Program Committee pursuant to Section 7.10, 8.8, or 9.9.
- 6.10 The Student Senate shall hear appeals of Finance Committee or EMUB budget recommendations for any budget within a Major Program if the recommended budget in question is below the amount necessary to fund the current service level, and following a

vote of two-thirds (2/3) of the filled seats of the Student Senate to hear the appeal. Appropriations or allocations granted through the appeal process will be incorporated into the budget recommendations of the affected Major Program. Program budgets that are determined by the Student Senate in this appeal process may not be altered in any way by the respective finance committees.

- 6.11 The ASUO Vice-President shall vote in cases of a tie.
- 6.12 The Student Senate shall elect from its own membership a President, who shall preside over meetings of the Student Senate, and a Vice President, who shall preside in the absence of the President.
- 6.13 All meetings of the Student Senate shall be in accordance with the Oregon Public Meetings Law. Times and places of such meetings shall be submitted to the Oregon Daily Emerald or announced at least 24 hours in advance of the meeting.
- 6.14 The Student Senate shall budget for an unallocated reserve of not more than 1.5% of the total incidental fee budget, using funds other than surplus from carry over and over realized enrollment.
- 6.15 The ASUO recommended incidental fee assessment for each of the following Major Programs:
- 1) ASUO programs,
 - 2) the Athletic Department, and
 - 3) the incidental fee portion of the EMU budget;
- shall not exceed a 7% increase over the previous year's student incidental fee assessment, unless individually approved by an initiative or referendum held under Section 14 of this Constitution. If placed on the ballot, the measure shall specify the exact amount in both percentage and dollars by which the 7% limitation will be exceeded.
- 6.16 [Repealed 4/28/95].
- 6.17 The terms of all Senators shall begin on May 25 and end on May 24. They shall be elected as set forth in section 12.10 and 12.11 of this constitution.
- 6.18 The ASUO Committee on Committees shall consist of: the Student Senate President as chair of the Committee, two (2) other members selected according to Student Senate rules of procedure, the ASUO Vice President, and one other member of the staff of the ASUO President.
- 6.19 Academic Senators shall serve on at least two Student/Faculty Committee during their term of office.
- 6.20 The ASUO President shall submit appointments requiring Student Senate confirmation to the Chair of the Student Senate. The Student Senate shall confirm or deny appointments within no more than 15 school days of receipt of the applications from the ASUO President, except as provided in section 5.4.
- 6.21 A quorum of the Student Senate shall meet at least once during any three week period, exclusive of dead weeks, final weeks, and weeks when the full University is not in session. Failure to do so will be subject to disciplinary action under section 10.14.
- 6.22 The Student Senate in conjunction with the President, ASUO Programs Finance Committee, Athletic Department Finance Committee and EMU Board, shall establish and publish the budget process schedule by January 15, including the deadlines for the budgets to be submitted to the Student Senate and then to the ASUO President.

6.23 The Student Senate shall establish and publish, by November 1, its own rules of procedure, criteria for fulfillment of duties and guidelines for allocation and appropriation of incidental fees. It shall clearly set forth the conditions which must be met for the release of such fees and, once allocated, there shall be no attempt to attach any further conditions or policies concerning the use of such accounts. Once the programs have fulfilled the conditions for release, they are entitled to the full use of such funds for the established purposes.

6.24 For purposes of section 6.15 only, no allocation that is a component part of any Major Program and has been funded via a direct vote of the students shall be considered in determining whether a Major Program budget exceeds a 7% increase of the previous year's student incidental fee assessment.

7. THE ASUO PROGRAMS FINANCE COMMITTEE

7.1 The ASUO Programs Finance Committee shall be composed of seven (7) members selected as follows: two (2) members elected as Finance Senators for two year terms, one (1) member elected as Finance Senator for a one year term, two (2) members elected at large for two year terms, one (1) member appointed by the ASUO President for a one year term, and one (1) appointed by the ASUO Programs Council for a one year term. The Chair shall be chosen from the elected members.

7.2 The ASUO Programs Finance Committee shall act on all matters relating to the allocation and appropriation of incidental fees to ASUO Programs for the purpose of recommending a budget to Student Senate.

7.3 A quorum of the ASUO Programs Finance Committee shall be four (4).

7.4 The ASUO Programs Finance Committee shall establish and publish its own rules of procedure and criteria for non-fulfillment of duties by November 1.

7.5 All meetings of the ASUO Programs Finance Committee shall be in accordance with the Oregon Public Meetings Law. Times and places of such meetings shall be submitted to the Oregon Daily Emerald or announced at least 24 hours in advance of the meeting.

7.6 The ASUO Programs Finance Committee shall assign a tag to each ASUO Program by October 15.

7.7 The ASUO Programs Finance Committee shall submit to the Student Senate a recommendation for allocations and appropriations for ASUO Programs by November 21st for the purpose of assisting the Student Senate in establishing benchmarks.

7.8 The ASUO Programs Finance Committee shall determine and submit a recommended budget for all ASUO Programs to the Student Senate according to the provisions of Sec. 6.22 and 6.23.

7.9 By a vote of 2/3 of its seated members, the ASUO Programs Finance Committee may override any Presidential veto of an ASUO Programs Finance Committee budget recommendation at any time before the recommended Major Program budget is submitted to the Student Senate.

7.10 In the event that a veto of the ASUO Programs Finance budget from the President is not overridden by the Student Senate, the ASUO Programs Finance Committee shall submit a revised budget recommendation to the Student Senate within five (5) school days of receiving written notification from the Senate of the vote to override.

8. THE ASUO ATHLETIC DEPARTMENT FINANCE COMMITTEE

8.1 The ASUO Athletic Department Finance Committee shall be composed of five (5) members selected as follows: two (2) members elected as Finance Senators for two year terms, one (1) member elected as a Finance Senator for a one year term, one (1) member appointed by the ASUO President for a one year term, and one (1) member appointed by the Athletic Department Team Council for a one year term. The ASUO Finance Coordinator will also serve on the Committee as a non-voting member. The Chair shall be chosen from the elected members.

8.2 The Athletic Department Finance Committee shall act on all matters relating to the allocation and appropriation of incidental fees for the Athletic Department at the University of Oregon (hereinafter the Athletic Department) for the purpose of recommending a budget to the Student Senate.

8.3 A quorum of the Athletic Department Finance Committee shall be three (3).

8.4 The Athletic Department Finance Committee shall establish and publish its own rules of procedure and criteria for non-fulfillment of duties by November 1.

8.5 All meetings of the Athletic Department Finance Committee shall be in accordance with the Oregon Public Meetings Law. Times and places of such meetings shall be submitted to the Oregon Daily Emerald or announced at least 24 hours in advance of the meeting.

8.6 The Athletic Department Finance Committee shall submit to the Student Senate a recommendation for allocations and appropriations for the Athletic Department by November 21st for the purpose of assisting the Student Senate in establishing benchmarks.

8.7 The Athletic Department Finance Committee shall submit a recommended budget for appropriations and allocations for the Athletic Department to the Student Senate according to the provisions of Sec. 6.22 and 6.23.

8.8 In the event that a veto of the ASUO allocation for the Athletic Department from the President is not overridden by the Student Senate, the Athletic Department Finance Committee shall submit a revised budget recommendation to the Student Senate within five (5) school days of receiving written notification from the Senate of the vote to override.

9. THE ERB MEMORIAL UNION BOARD (EMUB)

9.1 The Erb Memorial Union Board shall be composed of two (2) members elected as Finance Senators for two year terms, one (1) member elected as Finance Senator for a one year term, four (4) members elected at large for two year terms, and the remaining membership as defined in the EMU Governance Document. Members shall be elected

pursuant to Sec. 12.12. One of the four members elected at large will be selected as the Board Chair.

- 9.2 The EMUB shall have as its central purpose a shared responsibility for the development and maintenance of the Erb Memorial Union.
- 9.3 [Repealed 4/28/95].
- 9.4 The EMUB shall take no actions impinging upon the duties, responsibilities, or authority of the Student Senate, or upon the administration of ASUO Programs.
- 9.5 The EMUB shall establish and publish its own criteria for fulfillment of duties by November 1.
- 9.6 All meetings of the EMUB shall be in accordance with the Oregon Public Meetings Law. Times and places of such meetings shall be submitted to the Oregon Daily Emerald or announced at least 24 hours in advance of the meeting.
- 9.7 The EMUB shall submit to the Student Senate a recommendation for incidental fee allocations and appropriations for the EMU by November 21st for the purpose of assisting the Student Senate in establishing benchmarks.
- 9.8 The EMUB shall submit a recommended budget for incidental fee allocations and appropriations for the EMU to the Student Senate according to the provisions of Sec. 6.22 and 6.23.
- 9.9 In the event that a veto of the EMU budget from the President is not overridden by the Student Senate, the EMUB shall submit a revised budget recommendation to the Student Senate within five (5) school days of receiving written notification from the Senate of the vote to override.

10. THE CONSTITUTION COURT

- 10.1 The Constitution Court shall be composed of five (5) members appointed by the ASUO President. at least two of whom shall be a second or third year law student.
- 10.2 The Constitution Court shall have supreme and final authority on all questions of interpretation of this Constitution and any rules promulgated under it, including elections rules and complaints.
- 10.3 The Constitution Court may delegate its authority to act as a fact-finder and to make initial recommendations to a member of the ASUO who shall act as a Hearings Officer.
- 10.4 Upon receiving a complaint, a Hearings Officer shall take testimony and shall make a recommendation on the question to the Constitution Court within four calendar days. The Hearings Officer shall compile a written record of the complaint and its disposition, along with the recommended decision, which shall be filed with the ASUO Administrative Assistant and shall be presented to the Constitution Court in the event of an appeal.
- 10.5 Complaints arising under the ASUO Elections Rules may be delegated to a Hearings Officer for a ruling. Such a ruling is final unless overturned by the Constitution Court. A Hearings Officer sitting as a judge of election rule complaints may be delegated the authority to impose special sanctions, including but not limited to denial of accession to office or the ballot, payment of any cost incurred in handling the complaint, performance

of specific duties for the Elections Board or revocation of any rights arising out of status as an ASUO Program or Recognized or Registered Group.

- 10.6 The Constitution Court shall select its own chair.
- 10.7 The Constitution Court shall promulgate its own rules of procedure and rules to be used by Hearings Officers.
- 10.8 Hearings Officers shall be appointed by the Constitution Court on a case-by-case basis, and shall hold no continuing authority to review or make recommendations on other unrelated actions.
- 10.9 Any member or administrative body of the Association may refer any question regarding correct construction or interpretation of any part of this Constitution or any rule promulgated under it to the ASUO Constitution Court. Members of the Court may not make such requests.
- 10.10 The Court shall, when practical, hear questions within seven calendar days after they are presented. The Court shall endeavor to rule on each question within ten calendar days after presentation.
- 10.11 The term of office of members of the Constitution Court shall not expire until leaving or graduating from the University of Oregon. Absence during summer term dates does not constitute leaving the University. Upon re-enrollment at the University of Oregon, continued service as a Court member would require re-appointment.
- 10.12 Members of the Court may be removed from office by the President should the President and at least twelve of the members of the Student Senate voting, after a public hearing, determine that the member is guilty of non fulfillment of duties.
- 10.13 All questions relating to non fulfillment of duties, except as provided in Section 10.12, shall be decided by the Constitution Court.
- 10.14 Upon failure of a quorum of the Student Senate to meet at least once during any three week period, the Constitution Court shall have the authority to remove all members of the Student Senate.
- 10.15 All rules, resolutions, and policies established by the ASUO Executive office, the ASUO Programs Finance Committee, the Athletic Department Finance Committee, the EMU Board, and the Student Senate shall be reviewed and approved by the Constitution Court for compliance with the ASUO Constitution before going into effect. All such rules, resolutions and policies shall take effect as promulgated unless declared unconstitutional by the Constitution Court upon review. The Court shall respond as required in Sec. 10.10.

{Section 11 repealed by ballot measure, 4/27/94}

12. REGULAR ELECTIONS

- 12.1 The ASUO Elections shall be conducted in a manner consistent with the best interests of the student body. The elections shall be conducted in a fair, orderly and impartial manner, and the educational atmosphere of the University shall not be compromised, by any member of the ASUO involved in the electoral process.

- 12.2 The regular ASUO election shall be held no earlier than April 1 and no later than May 1 of each year.
- 12.3 All officers elected under this Constitution shall serve a term of office commencing on May 25 and ending on May 24 of the last year of their term of office.
- 12.4 Any member of this Association is eligible to vote for candidates seeking elective office, except in elections of Academic Student Senate seats, in which only members of the appropriate constituent group may vote for their representative.
- 12.5 The ASUO President shall appoint an Elections Board Chair and, no later than February 15 each year, appoint four members to the Elections Board upon recommendation of the Elections Board Chair. The Chair and Board are subject to confirmation by a majority of the Student Senate. The Elections Board shall be responsible for promulgation of election rules and procedures, and for the overall direction of the elections. The Elections Board shall interpret the Election Rules on request and shall have the authority to hear complaints of violations. The Elections Board shall have the authority to act as hearings officers and form a Hearings Committee that must include but is not limited to three Elections Board members. All rule interpretations and Hearings Committee decisions may be appealed to the Constitution Court.
- 12.6 A candidate in the ASUO election may file for only one position contested in that election.
- 12.7 Elections for positions currently filled by appointees or currently vacant shall be held at the earliest regular ASUO election in order to fill the remainder of the term.
- 12.8 A majority of votes cast in the ASUO Executive election shall be necessary to elect. If no candidate receives a majority, a run-off election shall be held within one week between the two candidates receiving the highest number of votes.
- 12.9 If the election is for a multiple position seat, e.g., EMUB, ASPAC, ASUO Programs Finance Committee, Athletic Department Finance Committee or Student Senate, and more candidates than twice the number of seats available file or receive the required number of votes as write-ins, then twice the number of candidates than seats available shall go on to the general election ballot, based on the number of votes received. One-year and two-year seats shall be elected separately.
- 12.10 Candidates for Student Senate shall run for numbered seats. Senators elected to serve as members of the ASUO Programs Finance Committee will hold seats 1, 2 and 3. Senators elected to serve as members of the EMUB will hold seats 4, 5, and 6. Senators elected to serve as members of the Athletic Department Finance Committee will hold seats 7, 8 and 9. Academic Senators will hold seats 10 through 18 which will be based on proportional academic constituencies. The Constitution Court shall review these constituencies every two years and rearrange them if necessary to ensure reasonably equal representation. A disparity of 15% or less from the ideal size shall be deemed reasonably equal. Nine of the eighteen members of the Student Senate shall be elected to represent academic constituencies. The remaining nine Senators shall be elected to serve as members of the Major Program Committees, pursuant to Sec. 6.1. A majority of votes cast in the Student Senate elections shall be necessary to elect. If no candidate receives a majority, a run-off election shall be held between the two candidates receiving the highest number of votes for that particular numbered position.

- 12.11 Finance Senate members elected to seats 1, 4, and 7 shall serve a term of one year. Finance Senate members elected to seats 2, 5, and 8 shall serve a term of two years and be elected in even numbered years. Finance Senate members elected to seats 3, 6, and 9 shall serve a term of two years and be elected in odd numbered years. All Academic Senators shall serve a term of two years. Academic Senators elected to even numbered seats (10, 12, 14, 16 and 18) will be elected in even numbered years. Academic Senators elected to odd numbered seats (11, 13, 15, and 17) will be elected in odd numbered years.
- 12.12 Two of four elected EMU Board members will be elected in odd numbered years. In odd numbered years the names of the four candidates receiving the most votes in the primary election will be placed on the ballot for the general election. Similarly, in even numbered years, two board members will be elected in the general election from among the four who received the most votes in the primary election. Each EMU Board member elected in this way shall serve a term of two years.
- 12.13 For the purpose of implementing the amendments in 1994, the members of the Student Senate and EMUB elected to fill two year seats elected in odd numbered years shall serve only one year. These seats will be placed on the ballot for re-election in 1995.
- 12.14 Seat One of the Programs Finance Committee will be elected in odd-numbered years. Seat Two shall be elected in even-numbered years. Each Programs Finance Committee member elected in this way shall serve a term of two years. For the purpose of implementing the amendments in 1995, the member of the Programs Finance Committee elected to Seat One in 1996 shall serve only a one-year term. This seat will be placed on the ballot for re-election in 1997.

13. REPLACEMENT, RECALL AND IMPEACHMENT

- 13.1 The vacancy of any office elected under this Constitution shall, with approval of those present and voting at a regular meeting of the Student Senate, be filled by appointment by the ASUO President if the vacancy occurs more than four weeks prior to the next scheduled ASUO election.
- 13.2 Vacancies on the Constitution Court shall be filled in accordance with Section 5.4 of this Constitution.
- 13.3 Non fulfillment of duties for three weeks will be considered a vacancy of any office elected or appointed under this Constitution.
- 13.4 Impeachment and removal from office of the ASUO President may be under the process set forth in Section 5.17 of this Constitution, in addition to the process of Section 13.3.
- 13.5 Should the offices of ASUO President and Vice President become vacant concurrently, the President of the Student Senate shall become interim President. The Interim

- President shall hold an election for the office of ASUO President within a reasonable time not to exceed three weeks excluding finals and vacations.
- 13.6 The ASUO President-elect and Vice President-elect shall succeed the President and/or Vice President should either of those officers resign or be recalled after their successor's election but before their terms are completed.
- 13.7 The membership shall have the power to recall any elected ASUO official by a majority vote.
- 13.8 Persons desiring the recall of any officer shall notify the ASUO President and the Elections Board in writing prior to any actions to bring about the recall of said officer(s). The ASUO President and/or the Elections Board shall furnish to persons desiring the recall of any officer(s) an adequate number of ASUO petition forms. The ASUO petition forms shall set forth the name(s) of the officer(s) to be recalled, their positions, the names of all persons initiating the recall petitions and organization on whose behalf those persons are acting and the time and date of initiation of recall petitions.
- 13.9 Persons desiring the recall of any officer(s), having completed the requirements set out in Sec. 13.8, shall obtain the signatures of not less than 10% of the members of the ASUO within a one-month period from the date of initiation of the recall petition.
- 13.10 All recall petitions must be turned over to the Constitution Court within one month of the initiation of the recall petitions. A majority of the members of the Constitution Court shall determine the validity of the signatures on the recall petitions. Upon validation of the signatures and petitions, a special election shall be called by the ASUO President at which time the question of recall shall be submitted to the voters.
- 13.11 Should the Constitution Court validate a petition calling for the recall of the ASUO official constitutionally responsible for calling and holding the elections, the Constitution Court shall, by a 4/5 vote, appoint a person independent of the Executive to administer the elections.

14. INITIATIVE, REFERENDUM AND AMENDMENT

- 14.1 Except as otherwise provided in this Constitution, an initiative may be placed on the ballot by a petition containing the signatures of at least 5% of the members of this Association, as defined in Section 2.1 of this Constitution. The petition shall set forth the precise and exact wording of the initiative as it would appear on the ballot, and the petition must be presented to the ASUO President at least two weeks prior to the election.
- 14.2 Proposals to amend this Constitution or to recall an elected official must contain the signatures of 10% of the members.
- 14.3 The ASUO President may place an amendment or other initiative on the ballot without petition.
- 14.4 The Student Senate may by a 2/3 vote of its seated members, place on the ballot proposals, referendums, and amendments without petition.
- 14.5 The wording of all proposals to be placed on the ballot must be approved by the Constitution Court prior to circulation of petitions and placement on the ballot under

Sections 14.1-14.4 inclusive. The wording of all measures shall present the question in a clear and objective fashion, and shall include no wording inclined to influence voters.

- 14.6 Multiple year funding commitments funded with incidental fees shall be authorized only through the initiative and referendum process and approved by direct vote of the student body. Commitments for multiple year incidental fee funding shall not exceed a period of two consecutive fiscal years. This rule shall not affect approved ballot measures for multi-year funding previously to, or during, the Spring 1998 election.

15. ENABLING CLAUSE

- 15.1 The Constitution shall go into effect immediately upon the validation by the elections officer of the results of the election, if those results show a majority of the voters favor adoption of the Constitution.

- 15.2 Constitutional amendments and other ballot measures shall go into effect immediately, or as specified by the measure, and upon the validation by the elections officer of the results of the election, if those results show a majority of the voters favoring adoption of the amendment or measure, except that amendments or measures affecting the elections process shall go into effect upon settlement of all disputes arising under the prior language.

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