CONSTITUTION OF THE
ASSOCIATED STUDENTS OF IDAHO STATE UNIVERSITY
AMENDED APRIL 2012

PREAMBLE

We, the students of Idaho State University, do provide by this Constitution a student association committed to providing effective student participation and representation in all areas of student affairs, that we may, participate in the improvement of educational programs, co-curricular activities, and services, and to advance the common interests and concerns of the student body, do hereby ordain and establish this Constitution.

ARTICLE I—PURPOSE

Section 1—Purpose of ASISU

1. The purpose of ASISU is:
   A. To provide for the general welfare of students attending the University.
   B. To represent students and initiate action upon issues arising in the University community.
   C. To ensure student participation on the academic and administrative policy making levels of the University.
   D. To provide educational, cultural, social and service activities for students.
   E. To assess the ASISU fees with the Board of Trustees.
   F. To provide monetary support for student activities through a student activity fee as recommended by ASISU.
   G. To provide coordination for student organizations and activities.
   H. To provide communication and interaction between the students and the administration and faculty.
   I. To express student opinion.
   J. To provide for participation and involvement in community concerns and affairs.

ARTICLE II—ORGANIZATION AND MEMBERSHIP

Section 1—Organization and Governing Power

1. ASISU will be organized with a legislative, executive, and judicial branch of government as outlined in this Constitution.

2. The governing power of ASISU will be vested in the Student Senate, the ASISU president and vice president and other offices as expressed herein.

3. All elected ASISU officers will be elected by eligible students of the ASISU for a term of one (1) year to begin at the End-of-the-Year Banquet.
Section 2—Qualifications for Membership

1. All students who have paid the ASISU student activity fee may be members of ASISU, during the academic period for which the fee was paid.

2. Those students who have paid the student activity fee and possess a valid student identification card will be eligible to vote in the ASISU elections.

3. All registered students of Idaho State University will be represented by the ASISU government.

Section 3—Eligibility for Offices

1. All ASISU officers must be members of ASISU and maintain eligibility as prescribed in the ASISU Bylaws.

2. Members of the ASISU may not hold simultaneous positions in more than one branch of the ASISU unless otherwise specified in the Constitution or Bylaws

ARTICLE III—LEGISLATIVE BRANCH

Section 1—ASISU Senate

1. Membership
   A. The Student Senate will consist of one or more representative(s) elected from each college of the university and the School of Graduate Studies.
   B. All members of the Student Senate will be elected within each college or school of the university by eligible members of ASISU in accordance with ASISU Bylaws and this Constitution.
   C. The members of the Student Senate will be elected in the same election cycle as the ASISU president and vice president, and serve a term concurrent therewith.
   D. The Student Senate will elect a pro-tempore from within the Student Senate during the first meeting of each term.

2. Powers and Duties
   A. To transact business with a quorum present.
   B. To propose policies, procedures, Bylaws, rules and regulations of ASISU that are not in conflict with this Constitution.
   C. To present to the president of ASISU for signature, all proposed changes in policies, procedures, Bylaws, rules and regulations of ASISU.
   D. To confirm or reject all nominations for ASISU positions made by the ASISU president.
   E. To propose University policies, procedures, rules, and regulations.
   F. To express the Student Senate's position through resolutions.
   G. To assure student representation to university administration, faculty, and staff.
   H. To determine the Student Senate's own rules of procedure.
   I. To override a presidential veto of any Senate action by two-thirds (2/3) vote of the membership of the Student Senate, if the Student Senate so desires.
   J. To be responsible to the student organizations and constituents whom they represent.
   K. To attend at least eighty percent (80%) of regular senate meetings.
   L. To exercise legislative responsibility for all areas of student concern consistent with the purposes of ASISU.
   M. To exercise other responsibilities as defined herein.
ARTICLE IV—EXECUTIVE BRANCH

Section 1—ASISU President

1. Eligibility
   A. The president will be elected on a ticket with the vice president in a university wide general election to be held in accordance with the ASISU Bylaws and Election Code.
   B. The president will be elected by eligible students of ASISU for a term of one (1) year to begin upon inauguration at the End-of-the-Year Banquet.

2. Executive Succession
   A. Should the office of the ASISU president be permanently vacated, the ASISU vice-president will automatically be installed as the ASISU president.
   B. Should the offices of the ASISU president and vice-president be permanently and simultaneously vacated, the pro-tem of the Student Senate will automatically be installed as the ASISU president.
   C. Should the office of the ASISU vice president or ASISU Idaho Falls vice president become permanently vacated, the ASISU president will appoint a new vice president to fill the unexpired term.

3. Powers and Duties
   A. To be the Chief Executive Officer and spokesman of ASISU.
   B. To act in the interest of the University's student body.
   C. To nominate the chief justice of the Supreme Court to be reviewed by the Student Senate.
   D. To nominate executive board chairs from the student body to be confirmed or rejected by the Student Senate.
   E. To approve or veto any legislation presented by the Student Senate within seven (7) days of the legislation's presentation to the president. In the absence of presidential approval or veto, properly presented legislation shall be enacted on the eighth (8) day after presentation to the president. The president may not veto Constitutional amendments.
   F. To form ad hoc committees.
   G. To make nominations or appointments, as appropriate, to university committees and ability to remove individuals from such committees or reduce stipend.
   H. To make all student appointments to University committees.
   I. To represent the university's student body at university functions.
   J. To oversee all of the ASISU operating budgets.
   K. To be responsible for such additional duties and powers as expressed herein and as may be requested by the Student Senate or the university.

Section 2—ASISU Executive Vice President

1. Eligibility
   A. The vice president will be elected on a ticket with the president in a university-wide general election to be held in accordance with the ASISU Bylaws and Election Code.
   B. The vice president will be elected by eligible students of the ASISU for a term of one (1) year to begin upon inauguration at the year end banquet.

2. Powers and Duties
   A. To function as the ASISU president in the ASISU president's absence.
   B. To serve as a member of the Executive Cabinet.
   C. To serve as the president of the Student Senate.
   D. To be a voting member of the Senate only in the event a Senate vote results in a tie.
   E. To be responsible for calling meetings of the Senate.
   F. To ensure actions directed by the Senate are performed.
G. To serve as an ex-officio member of all association committees.
H. To serve as a voting member of the Student Unions Advisory Board.
I. To be responsible for such additional duties and powers as expressed herein and as may be requested by the president or the Student Senate.

Section 3—ASISU Idaho Falls Vice President

1. Eligibility
   A. The Idaho Falls vice president will be elected on a separate ticket from the ASISU president and executive vice president in a campus wide general election in Idaho Falls to be held in accordance with the ASISU Bylaws and election rules.
   B. The Idaho Falls vice president will be elected by eligible students of the ASISU in Idaho Falls for a term of one (1) year to begin upon inauguration at the year end banquet.

2. Powers and Duties
   A. To serve as a member of the Executive Cabinet.
   B. To serve as the representative of ASISU in Idaho Falls.
   C. To ensure actions directed by the Senate are performed in Idaho Falls.
   D. To serve as an ex-officio member of all association committees and organizations in Idaho Falls.
   E. To be responsible for such additional duties and powers as expressed herein and as may be requested by the president or the Student Senate.

Section 4—Senate Finance Officer

1. The Senate Finance Officer shall be a student appointed by the president and confirmed by the majority of the entire Senate.

2. Powers and Duties
   A. To provide advice and assistance to the Senate Finance Committee and to act for the Finance Committee when the Senate is not in session.
   B. To be in charge of the annual budget process for the parts of the Association over which the Senate has sole authority.
   C. To ensure that student services and operations groups stay within their budgets.
   D. To be responsible for other financial matters as are assigned to him/her by the president, Senate or the Senate Finance Committee.
   E. To help with fee hearings.

ARTICLE V—JUDICIAL BRANCH

Section 1—Supreme Court

1. Composition
   A. The Supreme Court will be composed of five (5) members, which shall consist of one (1) chief justice and four (4) associate justices, appointed by the Student Senate upon nomination by the ASISU president.

2. Term of Office
   A. All justices will be appointed for a two (2) year term from time of appointment, provided they are members of the ASISU.

3. Jurisdiction
   A. The Supreme Court will have that jurisdiction, original and appellate, to afford substantial justice under the ASISU Constitution, Bylaws and regulations (rules).
B. The Supreme Court will have the power of Constitutional review on any action taken by any and all members, groups and bodies of ASISU. The initiation of such action must be by a member of the ASISU.

4. Powers and Duties
   A. Except in extreme extenuating circumstances, 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.
   B. The Supreme Court may impose such non-academic sanctions and penalties upon those guilty of violating the Constitution, Bylaws, policies, procedures or regulations as may be appropriate.
   C. Justices will not participate in any activities that conflict, or give the appearance of conflicting, with the duties of the Supreme Court.

Section 2—Writ of Mandamus

1. Any member of the ASISU may petition the Supreme Court to issue a Writ of Mandamus to any elected official of the ASISU 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 within a reasonable period of time.

ARTICLE VI—OATH OF OFFICE

1. All elected and appointed officers of ASISU must be affirmed by taking the Oath of Office prior to receiving any form of ASISU compensation.

ARTICLE VII—REMOVAL AND REPLACEMENT

Section 1—Executive

1. The president, vice president, or member of the Cabinet may be recalled from office with a petition signed by at least one thousand (1,000) students and containing a specific statement of the reason(s) for the proposed recall from office.
   A. Following the presentation of the requisite number of signatures and the petition, the Senate at its next regular meeting shall set the period for the recall election.
   B. At the next regular Senate meeting, the accused officer shall be allowed to speak in his/her own defense.
   C. If two-thirds (2/3) of the votes cast at the recall election approve of the recall, the officer shall be removed from office.

Section 2—Legislative

1. A senator shall be automatically removed from office if:
   A. At any time during a semester that a senator has failed to attend sufficient meetings such that he/she will not, by the end of the semester, be able to have attended eighty percent (80%) of the regular Senate meetings of a semester. Regular Senate meetings which occurred while he/she was not a senator, or meetings for which he/she can present to the ASISU vice president a valid written medical, religious or other valid excuse explaining the reason(s) for non-attendance seven (7) days before the meeting, or for a medical reason promptly after the absence, shall not be included in calculating the attendance requirement. Attending a meeting shall be defined as presence at the first and final roll calls between the beginning of the meeting and the time scheduled for adjournment according to the agenda, plus presence (defined as a yes, no, or
abstention) at seventy percent (70%) of roll calls relating to main motions between those two points in time.

B. Each senator must be officially enrolled in the college or school that senator was elected to represent during the entire term of service. In the event any senator changes enrollment to a different college or school, the said senator shall be considered to have resigned position as of the date of enrollment change.

2. Any senator may be recalled from office for grounds with a petition signed by at least ten percent (10%) of that senators constituency and a specific statement of the reasons for the proposed recall.
   A. Grounds will include but are not limited to: violation of specific office duties as defined in the ASISU Constitution, Bylaws, rules, or any other governing documents.  
   B. If two-thirds (2/3) of the votes cast at the recall election approve, the senator shall be removed from office. Only students represented by that senator may cast votes for or against the recall.

3. Replacement
   A. In the event of a vacancy in the ASISU Senate, the person receiving the greatest number of votes for senator, who did not become a senator, shall assume the vacated office.  
   B. If there is no runner up able or willing to fill the vacancy, the ASISU president shall appoint replacement to fill the vacancy. The president’s appointment will require confirmation from the Senate before being seated as a senator. 
   C. If a senator is removed from office, that senator is not eligible to fill any vacated seat within that academic year.

Section 3—Judicial

1. Any member of the ASISU Supreme Court shall be removed from office for malfeasance or dereliction of duty. Charges may be brought by any five (5) senators.

2. In open session, the ASISU Senate shall give equal opportunity to the accused member to defend him/herself as is given to hearing of the accuser(s). Removal shall require a two-thirds (2/3) vote of the entire Senate.

3. Members shall automatically be removed from office for failure to attend eighty percent (80%) of the regular meetings of the Supreme Court in any one (1) semester. The chief justice shall promptly notify the president and Senate of such a vacancy.

4. Interpretation of this section shall be the sole right of the ASISU Senate.

ARTICLE VIII—FISCAL MATTERS

Section 1—Senate Fiscal Authority

1. The Senate has sole authority to approve ASISU funded budgets of student government operations, operation groups, projects, student services, and activity groups and publications.

Section 2—Senate Finance Committee

1. The Senate Finance Committee shall be composed of the finance officer, seven (7) senators, the ASISU president, the executive vice president, and all outreach campus vice presidents.

2. The Senate Finance Committee shall meet at the call of the vice president, the chair of the Finance Committee, the finance officer, or any three (3) senators thereof. Five (5) members shall constitute a quorum.
3. Functions and Powers
   A. The committee shall participate in budget hearings conducted by the Senate Finance chair to allocate revenues to student activities and services, and report to the Senate a recommended annual budget for the Association.
   B. All new appropriations of funds for Association activities, all modifications to annual appropriations for activities under the sole authority of the Senate, shall be presented to the Senate Finance Committee for its consideration, and shall then be forwarded to the ASISU Senate for final action.

Section 3—Balanced Budget

The budget of the ASISU must be in balance such that expenditures for the fiscal year do not exceed revenues from that fiscal year, allowing for a surplus if so desired by the Senate.

Section 4—Sponsorship and Financial Allocations

1. When a group applies to the ASISU Senate for sponsorship and/or affiliation it shall describe its membership requirements and recruiting methods.

2. When a group submits its budget each year to petition for funding, each group shall describe in writing its membership requirements, recruiting methods, and goals. This information shall be sent to the Senate along with budget requests.

3. The Senate shall not fund any activity or group which discriminates against any student by race, color, religion, marital status, national origin, sex, age, sexual orientation, physical disability, or political activity or belief in its method or recruitment and acceptance for membership.

4. The ASISU Executive shall fully investigate, upon receipt of complaint by any member of the ASISU any alleged violation of this section and shall initiate action before the Supreme Court as appropriate. This subsection shall not be deemed to limit in any way the right of any member of the Association to initiate action before the Supreme Court under this section.

Section 5—Fiscal Accountability

1. The ASISU shall specify, in the Bylaws, restrictions on the use of ASISU funds.

2. Those restrictions may be waived with a two-thirds (2/3) vote of the entire Senate Finance Committee, subject to final approval by the Senate. A waiver granted by the Finance Committee may be overturned by a majority vote of the Senate at the next regular Senate meeting.

3. Any time a fund waiver is granted, the standardized form will be included with the agenda for the next regular Senate meeting.

ARTICLE IX—RATIFICATION & AMENDMENTS

Section 1—Ratification of the Constitution

1. This Constitution will become effective upon the approval of a majority vote of the members of ASISU voting in a general ASISU referendum and two-thirds (2/3) majority vote of the entire Senate.

2. Ratification of this Constitution shall repeal the existing Constitution, and all Bylaws, rules and regulations which are inconsistent with this Constitution.

Section 2—Constitutional Amendments
1. Amendments may be proposed by a two-thirds (2/3) majority vote of all seats of the Student Senate; or by a formal petition signed by 6% of the members of the ASISU, the signatures therein to be verified by the ASISU Supreme Court followed by ASISU presidential review.

2. This constitution may be amended with a sixty percent (60%) majority vote in a general ASISU referendum.

Section 3—Presentment

1. The president may approve or veto ASISU Bylaws or policy and procedure changes, within seven (7) days of their presentation to the president. In the absence of presidential approval or veto, properly presented Bylaw or policy and procedure changes shall be enacted on the eighth (8) day after presentation to the president.

2. A presidential veto may be overridden by a two-thirds (2/3) vote of all seats in the Student Senate.

3. If the president vetoes proposed Senate Bylaw changes, the veto may be overridden by a two-thirds (2/3) vote of all seats of the senate.

ARTICLE X—ELECTIONS

Section 1—General

1. Control of all ASISU elections and related activities shall rest with the Elections Commission, made up of a commissioner and members appointed by the president and approved by a majority vote of the Senate, as empowered by the ASISU Bylaws. The elections commissioner shall be responsible for the execution and conduct of all ASISU elections.

2. Only students currently enrolled at Idaho State University and members of ASISU may vote.

3. One (1) regular ASISU election shall be held each year during the spring semester. No special election shall be held to fill vacancies in elected offices. This shall not be construed to prohibit recall elections.

Section 2—Election Dates

1. The specific dates for regular elections and for any special elections shall be set by the ASISU Senate. The election period for special elections must be during the spring or fall semester, not on a Saturday or Sunday, and not on an official school holiday. The election period for regular elections must be during the spring semester, not on a Saturday or Sunday, and not on an official school holiday.

2. The Senate shall set the election (voting) period of a recall election no later than one regular meeting following receipt of the petition. A recall election must be held no later than the second regular Senate meeting following the setting of the voting date(s).

3. The time of the vote on an initiative, referendum, or amendment shall be set by the Senate.

Section 3—Election Publicity

Notice of an election and full statement of any proposed recalls, initiatives, referenda, and/or amendments shall be published at least once prior to the election period in the ASISU-funded newspaper.

Section 4—Voting
1. All voting in Association elections shall be by secret ballot. Any member of the ASISU may request a paper ballot even if the election is being primarily conducted by electronic device.

2. All election returns will be certified by the elections board and approved by the ASISU Senate within two weeks of the election, except in case of protest in which one extra week will be allowed. All election protests must be received by the chief justice, in writing, within three (3) school days of the election date. The ASISU Supreme Court shall be the final authority for all questions regarding elections.

Section 5—Initiatives and Referendums

1. Initiatives may be proposed by a formal petition presented to the ASISU Senate signed by 6% of the members of the ASISU, the signatures therein to be verified by the ASISU Supreme Court.

2. Referendums may be proposed by a majority of the ASISU Senate.

3. ASISU will have the unaltered text of the initiative or referendum along with dates, times, and methods for voting published in the student newspaper, along with a student email memorandum sent to students at least once before the date of the vote.

4. A vote of the association on proposed initiatives shall occur within four (4) weeks of the date the ASISU Senate receives the Initiative petition (excluding holiday and vacation break). Referendum voting shall occur on a date set by majority vote of the ASISU Senate.

5. Majority approval of those voting on the initiative or referendum is needed for it to pass. The content may not be altered after passage, except to make the form of its presentation compatible with ASISU documents.

6. The ASISU president shall have no veto power over initiatives or referendums.

Section 6—Campaign Rules, Procedure and Finance

The Senate shall be responsible for further enactment of election guidelines and procedures in the Bylaws and for approving specific election rules, including campaign financing regulations, upon the recommendation of the Elections Commission.