

# **Constitution of the Associated Students of Oregon State University**

*As amended in the 2018 and 2019 ASOSU Elections.*

## **PREAMBLE**

We, the students of Oregon State University, in order to promote academic excellence, encourage the intellectual, social, cultural, and physical development of the student body, and enable the student body to assert its varied interests as members of the academic community through democratic representation, do hereby establish an association and adopt this constitution.

## **ARTICLE I: NAME**

The name of this association shall be the Associated Students of Oregon State University, hereinafter referred to as the ASOSU.

## **ARTICLE II: MEMBERSHIP**

- A. All enrolled students of Oregon State University, who are not represented by other student governments, are members of the ASOSU.
- B. The ASOSU shall not discriminate on the basis of ability, age, color, ethnicity, gender identity/expression, marital status national origin, parental status, race, religion, sex, sexual orientation, citizenship status, or veteran status in any of its policies, procedures or practices.

## **ARTICLE III: LEGISLATIVE BRANCH**

- A. All legislative and fiscal powers herein granted shall be vested in a Congress of the ASOSU, which shall consist of a Senate and a House of Representatives, subject to initiative and referendum of the ASOSU.
- B. The Congress of the ASOSU shall initiate such acts and programs as it deems necessary to carry out its responsibilities as delineated in the ASOSU Constitution.
- C. The Congress of the ASOSU shall establish and maintain a statute system delineating procedural rules of the ASOSU.
- D. The House of Representatives
  1. The House of Representatives shall be composed of twenty five members chosen each year by the ASOSU. Members shall serve for one year.
    - a) Twenty members of the House of Representatives shall be members of the ASOSU who pay undergraduate fees.
    - b) Five members of the House of Representatives shall be members of the ASOSU who pay graduate fees.
  2. The Speaker of the House shall be elected each year by the ASOSU and shall preside over the House of Representatives.
    - a) The Speaker of the House shall not vote unless it will affect the outcome.
  3. The House of Representatives shall choose its officers during its first meeting while in session.
  4. All members of the House of Representatives must have taken the Oath of Office before being allowed to vote.
- E. The Senate
  1. The Senate shall be composed of twelve members, six chosen by the ASOSU each year. Members shall serve for two years. The first general election immediately following passage of this Constitution shall allow six senators to be chosen by the ASOSU to serve for no longer than one year.

2. The Vice President of the ASOSU shall be the president of the Senate, but shall only vote in the event of a tie.
3. The Senate shall choose its officers during its first meeting in summer term, including a President Pro-Tempore to preside over the Senate in the absence of the Vice President.
4. All members of the Senate must have taken the Oath of Office before being allowed to vote.

#### F. Sessions of Congress

1. The House of Representatives shall be in session each academic term, with the option of summer term.
2. The Senate shall be in session each academic term, including summer term.
3. Neither house of Congress shall adjourn for more than ten academic business days while it is in session, except during summer term.

#### G. Congressional Rules

1. Each house of Congress shall operate in accordance with its standing rules, modeled on the latest edition of Roberts Rules of Order.
2. Each house of Congress may establish rules of its proceedings, punish its members for disorderly behavior and with the concurrence of two thirds, expel a member.
3. All meetings of the Congress shall be open to the public and advertised on the ASOSU website.
4. Each house shall keep records of its proceedings, including recorded votes, minutes and agendas, and publish them on the ASOSU website.
5. Each house of Congress shall submit an annual record of its proceedings to the OSU Archives within seven days of its last meeting of spring term.
6. No member of the Legislative Branch shall simultaneously hold a position in the Executive Branch or Judicial Branch of the ASOSU.

#### H. Confirmations

1. The Senate shall be responsible for confirming all Executive Officers before the individuals appointed to those positions officially take office.
2. The Senate shall be responsible for confirming all members appointed by the President to the Judicial Council.

#### I. Legislation

1. Bills and Resolutions that either increase or decrease the spending or revenue of the ASOSU shall originate in the House of Representatives and are subject to approval of the Senate.
2. Bills and Resolutions that alter the functions of the ASOSU shall originate in the Senate and are subject to approval of the House of Representatives.
3. All Bills and Resolutions shall be presented to the President within three days of passing both Houses of Congress. The President shall sign or veto the Bill or Resolution within seven days of the signed receipt of the Bill or Resolution.
4. Any Vote that affects the roles of either the Executive Branch or Judicial Branch shall be presented to the President within three days of passing both Houses of Congress. The President shall sign or veto the Vote within seven days of the signed receipt of the Vote. Votes which only affect the House of Congress that they originate from are exempt from this rule.
5. If the President does not sign or veto legislation within seven days of the signed receipt of the legislation, the legislation shall automatically go into effect. This rule does not apply if the legislation is presented to the President during or after the ninth week of spring term.

6. All legislation that has been vetoed by the President shall automatically be resubmitted to the House of Congress it originated in. Presidential vetoes shall be overruled by a concurrence of two thirds on the members of each House of Congress.

J. Impeachment

1. The House of Representatives shall be responsible for bringing charges of Impeachment when elected or appointed members of the ASOSU are not fulfilling the duties as delineated in the ASOSU Constitution or ASOSU Statutes. The threshold for bringing charges of impeachment to the Senate shall be a simple majority vote of the House of Representatives.
2. The Senate shall be responsible for trying all Impeachments. While trying impeachments, Senators shall be under Oath. When the President or Vice President is tried, the Chair of the Judicial Council shall preside over the Senate.
3. Conviction in cases of Impeachment requires a concurrence on two thirds of the members of the Senate present.
4. Judgment in cases of Impeachment shall not extend further than removal from office.

K. Student Fees

1. The House of Representatives shall be responsible for establishing and maintaining a committee to approve the ASOSU Budget.
2. Congress, in Joint Session, shall vote to approve or reject the annual Student Fee Committee Budget Recommendations.
3. The Congress shall be responsible for establishing Mediation Committees to resolve all rejected Student Fee Committee Recommendations.

L. Vacancies

In the event of vacancies in either the House of Representatives or the Senate, a committee consisting of the Speaker of the House, President Pro-Tempore of the Senate, Judicial Council Chair, President or Vice-President shall appoint a member of the ASOSU to fill the vacancy through an application process.

1. The runner-up in each respective election who have obtained at least 51% of the votes of the lowest winning candidate shall be automatically considered in this application process, but shall not be guaranteed an appointment to the respective seat.

M. Succession

1. If the office of Speaker of the House is vacated during the elected term of office, the House of Representatives shall elect successor from within their membership within seven days. The vacancy must then be filled as outlined in Article III. Section L.

**ARTICLE IV: EXECUTIVE BRANCH**

- A. The Executive power of the ASOSU shall be vested in a President and a Vice President, chosen each year by the ASOSU.
- B. The President and Vice President of the ASOSU shall serve for one year.
- C. The President and Vice President of the ASOSU shall take the Oath of Office before exercising any official duties.
- D. The President of the ASOSU shall be responsible for conducting all administrative affairs of the ASOSU, to include, but not be limited to:
  1. Overseeing and administering the ASOSU budget.
  2. Performing policy oversight and providing assistance to the executive committees, task forces and services, and staff of the Executive Branch.

3. Representing the ASOSU to increase the visibility and influence of the ASOSU both on and off campus.
  4. Performing all duties as outlined in the ASOSU Statutes.
- E. The Vice President of the ASOSU shall :
1. Be responsible for assisting the President as needed and requested, both on and off campus.
  2. Provide supervision to the Executive Officers and Executive Staff.
  3. Perform all duties as outlined in the ASOSU Statutes.
  4. Preside over the Senate of the ASOSU.
- F. The President of the ASOSU shall, in accordance with the ASOSU Constitution and Statutes, and with the advice and consent of the Senate, appoint Executive Officers and members of the Judicial Council.
- G. The President of the ASOSU shall make appointments to Executive Staff positions as outlined in the ASOSU Statutes.
- H. No member of the Executive Branch shall simultaneously hold a position in the Legislative Branch or Judicial Branch of the ASOSU.
- I. The President of the ASOSU shall deliver an address to a Joint Session of Congress at least once each Fall Term to inform all members of the ASOSU on the State of the Students.
- J. Succession
1. If the Executive Office of President is vacated during the elected term of office, the Vice President shall succeed to the office of President. In the event that the Executive Office of Vice President is vacated during the elected term of office, the President shall, with the advice and consent of the Senate, appoint a member of the ASOSU to succeed to the office.
  2. If the Executive Offices of President and Vice President are vacated during the elected term of office, the Speaker of the House shall succeed to the office of President.

#### **ARTICLE V: JUDICIAL BRANCH**

- A. The judicial power of the ASOSU shall be vested in the Judicial Council.
1. The Judicial Council shall consist of seven members, appointed by the President of the ASOSU with the advice and consent of the Senate.
  2. Members of the Judicial Council of the ASOSU shall serve for four years.
  3. No member of the Judicial Branch shall simultaneously hold a position in the Legislative Branch or Executive Branch of the ASOSU.
  4. The Judicial Council shall choose its officers, including the Judicial Council Chair, from within its membership at the beginning of fall term each academic year.
- B. The power of the Judicial Council shall arise exclusively from any case or controversy brought before it, pertaining to any questions of interpretation of ASOSU Constitution and Statutes.
- C. The Judicial Council shall be the final authority on questions of interpretation of ASOSU Constitution and Statutes.
- D. The Judicial Council shall be responsible for implementing the Judicial Council Policies and, with the advice and consent of the Senate, modify these policies to meet current needs.

#### **ARTICLE VI: ELECTIONS AND HOLDING OFFICE**

- A. An Elections Committee shall be established no later than Friday of the fifth week of fall term.

1. The Elections Committee of the ASOSU shall consist of at-large members of the ASOSU, at least one Senator, one Representative, and one Judicial Council member, as well as representation from student groups who will be utilizing the ASOSU Ballot in the General Election.
  2. The Vice President of the ASOSU shall supervise the creation of the Elections Committee.
- B. It shall be the duty of the Elections Committee of the ASOSU to:
1. Set election dates, filing deadlines, the inauguration date and election rules within the bounds of the statutes, and publicize these to the ASOSU.
  2. Arrange the election process and provide opportunities for the candidates to express their views to the ASOSU.
- C. Election Procedures and Regulations of the ASOSU Elections Committee
1. Elections shall be held for the following positions
    - a) Members of the Senate
    - b) Members of the House of Representatives
    - c) Speaker of the House
    - d) President
    - e) Vice President
    - f) Student Fee at Large Members
    - g) Student Fee Committee Chair
  2. The election procedures shall be printed by the first day a candidate may file for election.
  3. The Senate may make changes in procedures and regulations in the term prior to that printing. Changes shall not be made after printing without the consent of every candidate.
  4. No member of the elections committee shall run for an elected office while serving on the elections committee.
  5. Elections shall be by secret ballot.
- D. Requirements for Candidacy or Appointed Positions
1. Candidates for any elected or appointed office must meet University requirements to hold office.
    - a) Undergraduate students shall have earned at least six hours of credit in their most recently completed term, be currently registered for at least six hours, not be on conduct probation, and have a minimum cumulative grade point average (GPA) of 2.00.
    - b) Graduate students shall have earned at least five hours of credit in their most recently completed term, be currently registered for at least five hours, not be on conduct probation, and have a minimum cumulative grade point average (GPA) of 3.00.
- E. Failure to enroll during summer term shall not disqualify an otherwise qualified candidate for elections or appointment.
- F. Holding Office
1. The Oath of Office:
    - a) I (full name)... enter into this solemn oath as (position)... of the Associated Students of Oregon State University... with the solemn pledge to be constantly faithful... to the obligation I now accept.
    - b) I swear to uphold and execute... to the best of my abilities... the provisions of the Constitution and such acts... as may be passed according to those provisions.

- c) These things I solemnly affirm... and stand ready to be challenged... should I fail in my obligation.
2. In accordance with University regulations, Undergraduate students with a grade point average (GPA) of less than 2.00 during any one academic term while holding office shall be automatically removed for the remainder of his/her term in the office; unless his/her cumulative GPA on hours earned at Oregon State University is above 2.00. Undergraduate students earning less than a 2.00 GPA for two consecutive academic terms while holding office shall be removed permanently from office. Full time status shall be defined as six credit hours per term.
3. In accordance with University regulations, Graduate students with a grade point average (GPA) of less than 3.00 during any one academic term while holding office shall be automatically removed for the remainder of his/her term in the office; unless his/her cumulative GPA on hours earned at Oregon State University is above 3.00. Graduate students earning less than a 3.00 GPA for two consecutive academic terms while holding office shall be removed permanently from office. Full time status shall be defined as five credit hours per term.

## **ARTICLE VII: AMENDMENT, REFERENDUM, INITIATIVE, RECALL, AND REVISIONS**

### A. Amendment

1. Amendments to the ASOSU Constitution may be initiated by a signed petition of no less than five percent of the members of the ASOSU or by a bill passed by a two thirds majority vote of both houses of the ASOSU Congress.
2. The ASOSU may amend this Constitution by a two thirds majority vote of the voting members.
3. A minimum of fifteen percent of the members of ASOSU are required to vote in order for an amendment to pass.

### B. Legislative Referendum

1. The Senate, acting on a petition signed by no less than five percent of the members of the ASOSU, may refer any proposed legislation to the ASOSU. A simple majority of those voting is required for passage of the legislation.

### C. Legislative Initiative

1. The ASOSU may petition for initiative measures. All proposed petitions must be submitted to the Judicial Council prior to circulation for signatures. The Judicial Council shall insure that the petition is in correct form, and shall see that clarity, consistency, and full disclosure is maintained throughout the entire initiative process. The Judicial Council must take action, once the petition has been submitted, within five days, excluding finals week and breaks between terms.
2. A petition must be signed by at least five percent of the ASOSU and presented to the President of the ASOSU to verify signatures. Within three weeks following verification of signatures, the President of the ASOSU, in cooperation with the ASOSU Elections Committee, will authorize a special election concerning the petition. A simple majority of those voting is required for passage of the initiative.
3. A petition shall be declared null and void by the President of the ASOSU, and therefore not subjected to a special election if:
  - a) The petition was not submitted to the Judicial Council prior to the collection of signatures.
  - b) The petition was not signed by at least five percent of the ASOSU.
  - c) The signed petition was not submitted for an election vote during the deadline year it was registered.

### D. Financial Initiative and Financial Referendum

1. The process for Financial Initiatives and Financial Referendum are defined in the Student Fee Committee bylaws.

E. Recall

1. The elected officials of the ASOSU shall not be subject to recall for six weeks following their election. After that time, recall of any elected official of the ASOSU may be initiated.
2. Recall shall be initiated by a signed petition of at least ten percent of the ASOSU, or by forty percent of the number of students who voted in the previous election or by a signed petition of two thirds of the members of the Senate.
3. The petition shall be reviewed by the Judicial Council to ensure clarity and full disclosure.
4. After proper initiation of recall, the Elections Committee shall call a special election within three weeks. A two thirds majority of those voting in the special election is required for recall.

F. Revision

1. Revision shall be taken to mean changes in grammar or structure that do not change the intent of the Constitution.
2. A revision of the Constitution may be adopted by a bill passed by not less than a two thirds majority of the elected members of both houses of the Congress of ASOSU and approved by the Judicial Council.

**ARTICLE VIII: ENACTMENT**

Upon passage of Ballot question 1, this Constitution shall take effect at noon, on June 1<sup>st</sup> of 2019. This Constitution shall supersede all previous ASOSU Constitutions, and the ASOSU Statutes, as amended by the ASOSU Congress through June 1<sup>st</sup> of 2019, shall carry over under the new ASOSU Constitution.