

CONSTITUTION

OF THE

ASSOCIATED STUDENTS

OF

EMPORIA STATE UNIVERSITY

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<Updated February 2020>

PREAMBLE

We, the graduate and undergraduate students of Emporia State University, in order to establish a representative government, to encourage the development of leaders and participants on our campus, the community, as well as responsibilities of students in relation to the university, the community, and the general welfare of this institution, do hereby ordain and establish this constitution.

ARTICLE I

Name, Membership, & Purpose

Section 1. The name of the organization will be the Associated Students of Emporia State University.

1.1 The governing body of the Associated Students will be the Associated Student Government.

Section 2. All graduate and undergraduate students of Emporia State University will be members of the Associated Students and will be subject to this constitution and the enacted legislation of the Student Senate and its executive officers.

2.1 No person shall, on the grounds of race, creed, color, national origin, religion, age, sex, marital status, sexual orientation, gender identity, disability, status as a Vietnam Era veteran, immigration/documentation status, political beliefs or opinions, or such other factors that cannot be considered lawfully to the extent specified by federal or state law, be excluded from participation in the organization, be denied the benefits of, or be subjected to discrimination under any program or activity within the organization.

2.2 Membership of Associated Student Government will be determined through general elections held each Spring semester.

2.2.1 Membership of the Associated Student Government may also be satisfied by appointment as outlined in Article III Section 3.

2.2.2 Elections shall remain in compliance with the Associated Student Government Election Regulations.

Section 3. The purpose of the Associated Student Government will be:

- 3.1 To provide the means whereby the members of the student body may express themselves effectively through programs in areas which directly affect the general welfare of the student body in any aspect of the university experience in which they choose to participate.
- 3.2 To establish equitable representation and participation for the students in the governance of the university community.
- 3.3 To promote mutually beneficial cooperation among students, faculty, staff, and administration in furthering the purposes for which the university was founded.
- 3.4 To promote democratic participation in the decisions of the university community.
- 3.5 To provide services of notable benefit to the Associated Students.

ARTICLE II

Officers

Section 1. Executive Branch of Associated Student Government

- 1.1 The executive branch of Associated Student Government will consist of the President and Vice President who will hold office for the same term.
- 1.2 The executives will be elected mid-spring semester, with the exact date to be determined by the Senate and hold office for a term of one (1) year beginning on the day following the school day of the academic year of their election and terminating the same date of the following year.
- 1.3 All candidates for the Office of President or Vice President must:
 - 1.3.1 Be enrolled as a full-time student at Emporia State University and, if elected, maintain full time enrollment status.
 - 1.3.2 Have and maintain a cumulative grade point average of 2.85 or higher.
 - 1.3.3 Submit a petition with signatures of fifteen percent (15%) of the Associated Students to the Senate.
 - 1.3.4 Submit a signed "Duties and Responsibilities Agreement."

Section 2. The President of Associated Student Government will:

- 2.1 Serve as the Chief Executive of the Associated Students.
- 2.2 Act as the official host and representative of the Associated Students.

- 2.3 Represent the concerns of the Associated Students to the Senate, the university administration, and the Kansas Board of Regents.
- 2.4 Have the power to sign Senate legislation or delete by veto such legislation or any part thereof provided that the President acts within ten (10) school days of transmittal of the legislation by the Vice President.
- 2.5 Be responsible for implementing legislation enacted by the Senate.
- 2.6 Appoint and, if necessary, remove the chairpersons of the Senate committees from within the Senate membership.
- 2.7 Preside over meetings of the cabinet and coordinate the performance of duties by the Cabinet members.
- 2.8 Appoint and remove administrative assistants who will aid in the exercise of executive power.
- 2.9 Have the power to appoint students to vacant senate seats and staff positions as detailed in Article III, Section 3.2 of the Constitution of the Associated Students.
- 2.10 Have the power to nominate student representatives to all student/faculty boards, councils, and committees with the approval of the Senate, provided that these appointments are made no later than the 3rd general meeting of the Associated Student Government.
- 2.11 Approve the annual students' services budget and a monthly account of all expenditures.
- 2.12 Have the power to call the Senate into emergency meetings upon proper notification of all senators within 24 hours of the meeting time, provided that a quorum is present.

Section 3. The Vice President of Associated Student Government will:

- 3.1 Serve as President of the Senate.
- 3.2 Prepare the agenda for the Senate.
- 3.3 Forward all acts of the Senate to the office of the President of Associated Student Government within twenty-four (24) hours of their passage.
- 3.4 Assist the President in the performance of the Presidential duties.

- 3.5 Serve as a member of the Cabinet.
- 3.6 Call Senate into emergency sessions upon proper notification to all Senators within 24 hours of the meeting time.
- 3.7 Aid in the preparation of the Legislative Summary along with the Senate Operations Committee and Legislative Director.

Section 4. The President Pro-Tempore of the Senate will:

- 4.1 Be elected by the Senators from among themselves by the third meeting of the fall semester.
 - 4.1.1 The term of office of the President Pro-Tempore will be from the date of election until the end of the academic term.
- 4.2 Preside over the Senate if the Vice President is unable to do so.
- 4.3 Serve as the parliamentarian of the Senate.
- 4.4 Be a member of the Cabinet.
- 4.5 Maintain a Grade Point Average of 2.85 or higher.

Section 5. The Cabinet of the Senate will:

- 5.1 Be composed of the President, Vice President, President Pro-Tempore, chairpersons of the Senate standing committees, Legislative Director, Chief of Staff, Business Affairs Director, and Election Commissioner or any other member seen fit to serve on Cabinet at the discretion of the President.
- 5.2 The duties of the Cabinet are to coordinate the activities and operations of student government, to assist the President in implementing legislation enacted by the Senate, and to communicate the progress of each committee.

Section 6. Succession

- 6.1 To insure continuous and orderly leadership for Associated Student Government, the following order and rule for succession will be followed.
 - 6.1.1 If the President is unable to perform the Presidential duties for whatever reason, the Vice President shall assume the office of the President.

- 6.1.2 If the Vice President is unable to perform the Vice Presidential duties, the Senate President Pro-Tempore will then assume the duties of the Vice President and face immediate Senate confirmation.
- 6.1.3 If the Senate President Pro-Tempore is unable to perform the duties of the Vice President, nominations will be made from the floor of the Senate and the full Senate will vote on the nominations.
 - 6.1.3.1 The nominee must have two thirds (2/3) of the total vote.
- 6.1.4 If no nominee receives two thirds (2/3) of the first ballot, the nominees who placed first and second in the balloting will be placed on a ballot for a second vote.
 - 6.1.4.1 The nominee receiving the most votes will be sworn in as Vice President.
- 6.2 If the office of President Pro-Tempore becomes vacant, the Senate will elect a new President Pro-Tempore at the next general meeting.

Section 7. Removal from Office

- 7.1 Either executive may be removed from office by impeachment that may be initiated by a two-thirds (2/3) vote during a general meeting at the end of general order of the Senate.
- 7.2 A three-quarters (3/4) vote of the Senate during the next general meeting at the end of general order will result in the removal of the impeached.
- 7.3 Either executive may be removed from office by a popular recall election that may be initiated by petitions bearing the signatures of twenty percent (20%) of the student body which have been certified by the Senate Operations Committee.
 - 7.3.1 Upon certification, the Senate will conduct an election of the Associated Students within three (3) weeks of the certification of the petitions.
- 7.4 Either executive may be subject to immediate removal by a two-thirds (2/3) vote of the Senate. Just cause for immediate removal will be:
 - 7.4.1 Failure to maintain a cumulative grade point average of 2.85 or higher.

7.4.2 Found responsible, by the Dean of Students Office, of violating one or more of the following actions as listed under “Prohibited Conduct” in the Student Code of Conduct:

a. Theft of or damage to, or unauthorized access to, possession, control or use of, or entry into University/ESU Foundation or publicly controlled or owned property or the property of another member of the University community, on or off university premises or at a University sponsored activity, including but not limited to, real property, buildings, electronic or physical files, telephones, identification, or computer resources. –

b. Hazing/hate crimes of another person which constitutes any action or activity on or off campus that causes or intends to cause physical or mental discomfort or distress, which may demean, degrade, or disgrace any person, regardless of location, intent or consent of participants, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization. Apathy or acquiescence in the presence of hazing is a violation of this rule. –

c. Forgery, falsification, or alteration, of University, or a member of the university community, documents or records, which include but are not limited to, any physical or electronic documents or records maintained by the University, and those available on university owned or managed websites or other electronic storage medium, including but not limited to those of financial aid, admissions, and registration.—

d. Violations of University Weapons Policy, including possessing or using weapons (concealed or otherwise), including but not limited to, explosives, hazardous objects or chemicals, handguns, pistols, or revolvers, on University property (including but not limited to the Johnson County Metro Learning Center) and at University sponsored events regardless of location. Law enforcement officers are exempted from this policy as are weapons secured at the University Office of Police and Safety. Also exempted are items or materials used in University laboratories and/or in connection with approved University research projects. –

e. Interfering with the discipline process, its outcome, or abuse of the conduct system as well as failure to participate in the formal hearing process.

f. Aiding abetting, procuring, attempts and complicity, or encouraging others to commit acts prohibited by this code. –

g. Violations of conduct associated with academic dishonesty will be reviewed and outcomes determined through the academic conduct policies as outlined in the Emporia State University Policy Manual.

- 7.4.3 If either executive is found responsible, by the Dean of Students Office, of violating one or more of the actions not mentioned above, but listed under “Prohibited Conduct” in the Student Code of Conduct, the Senate shall determine the severity of the violation. The severity of the action shall determine if the executive is removed immediately, impeached, or allowed to continue serving in office.

ARTICLE III

Student Senate

Section 1. Composition of the Student Senate

- 1.1 The Associated Students will be represented by Senators from their respective academic schools or colleges, including those students who have not declared an academic major and at large members of the university.
- 1.2 The recognized academic areas are School of Business, College of Liberal Arts & Sciences, The Teachers College, Graduate Studies, and Freshman Students.
- 1.3 At-Large membership is any full-time, degree seeking student enrolled in the university regardless of academic school or college to represent the Associated Students as a whole.
- 1.4 The membership of the Student Senate will not exceed twenty-four (24).
- 1.4.1 This membership will be comprised as follows:
- 1.4.1.1 School of Business (5)
 - 1.4.1.2 The Teachers College (5)
 - 1.4.1.3 College of Liberal Arts & Sciences (5)
 - 1.4.1.4 Graduate Studies (2)
 - 1.4.1.5 Freshman (3)
 - 1.4.1.6 At-Large (4)
- 1.4.2 At-Large membership can only be filled by appointment after the general spring elections have been held as outlined in Article III Section 3.

Section 2. Qualifications and Responsibilities of a Senator

- 2.1 At the time of election or appointment and throughout the term of office, a Senator must be a full time student and will have and maintain a cumulative grade point average of at least 2.65, with the exception of first semester freshman, who have not yet established a grade point average.
- 2.2 A Senator will be responsible for maintaining effective communication between the Student Senate and the Senator's constituency, including RSOs assigned by either executive.
 - 2.2.1 A Senator shall contact assigned RSOs a minimum of twice a month.
- 2.3 Each Senator shall serve as a member of a committee within the Student Senate.
- 2.4 Senators are encouraged to participate in programs sponsored by the Associated Student Government.
- 2.5 Each Senator shall complete one (1) office hour per week.
 - 2.5.1 Office hours shall be defined by the executives.
 - 2.5.2 Senators serving as Committee Chairs shall complete a minimum of three (3) office hours per week.

Section 3. Election & Appointment of Senators

- 3.1 All candidates for election to the office of Senator must submit a petition of fifty (50) signatures of the members of their academic school or college.
- 3.2 The President of Associated Student Government shall have the power to appoint students to vacant positions.
 - 3.2.1 These appointments will be received and be subject to approval by the Senate Operations Committee, who will then present the appointments to the Senate for confirmation, accompanied by a recommendation to accept or not to accept.
 - 3.2.2 No vacancies by appointment may be filled until after the spring general election with the exception of Presidential or Vice Presidential positions.
 - 3.2.3 Recommendations for appointments shall be voted on by the Student Senate with a majority vote to accept or oppose the appointments.

- 3.2.3.1 Accepted appointees shall not be subject to the governing laws of the Associated Student Government, nor have voting power until sworn in.

Section 4. Term of Office

- 4.1 The term of office of the Senators will begin on June 1 of the year of their election and terminate on the day following the termination of the academic year.
 - 4.1.1 Senators appointed will take office immediately upon appointment and terminate on the day following the termination of the academic year.

Section 5. The Student Senate will:

- 5.1 Be the legislative body of Associated Student Government
- 5.2 Enact, by majority vote, by-laws of the constitution to be known as the Rules of Procedure for Student Senate.
- 5.3 Have the power to recognize, rescind recognition and monitor student organizations in accordance with the current recognition policies.
 - 5.3.1 The Student Senate will not have the power to intercede in internal affairs of a Recognized Student Organization unless:
 - 5.3.1.1 The organization or a situation in that organization presents a threat to the well-being of a student, students, Emporia State University, or the university's relationship with the community.
 - 5.3.1.2 The organization requests such intercession.
- 5.4 Have the power to regulate on-campus activities, official off campus assemblies, and individuals in the interests of the university community.
- 5.5 Have the power to make rules and regulations necessary for proper administration of elections and installations of elected officials.
- 5.6 Have the ability to confirm or reject, by majority vote, positions appointed by the President.
- 5.7 Have the power to certify the results of the general election as outlined in Article X of the Associated Student Government Election Regulations.

- 5.8 Have the power to propose amendments to the Constitution of the Associated Students.
- 5.9 Have the power to create ad hoc committees which will investigate and report in any appropriate area of student life, and to carry out the legislative and student service programs of the Associated Students.
- 5.10 Formulate and review budget policy as it applies to all Senate appropriations.
- 5.11 Appropriate monies from the student activities fee to organizations and activities according to the current finance policy.
- 5.12 Provide for the compilation and publication of legislation at the close of the spring semester, in order that the Associated Students be informed of the Senate members present.
- 5.13 Submit referenda to the Associated Students by a two-thirds (2/3) vote of the Senate members present.
- 5.14 Have the power to petition the President of Associated Student Government or the President of the Student Senate to call a special meeting by a two-thirds (2/3) vote of the Senate members present.

Section 6. Committee Structure

- 6.1 The committee structure of the Student Senate shall be in accordance with the structure set forth in the Student Senate Committee Structure Policy.
- 6.2 Each committee shall be chaired by a Senator.
 - 6.2.1 These chairs shall be appointed by the President.
- 6.3 Duties of the Chair include:
 - 6.3.1 Maintain strong communication with the executives.
 - 6.3.2 Schedule weekly committee meetings and create the agendas for these meetings.
 - 6.3.3 Promote organizational growth within ASG respective to the duties of each committee.
 - 6.3.4 Follow guidelines set in Article III Section 2.5.2.
- 6.4 Each committee shall also have a Vice Chair.
 - 6.4.1 The Vice Chair will be elected by the members of each committee.

6.5 Duties of the Vice Chair include:

6.5.1 Take minutes at weekly committee meetings.

6.5.2 Assist the Chair with the Chair's duties, if needed.

6.5.3 Serve as the Chair if the chair is unable to perform the Chair's duties or is removed from office.

Section 7. Legislative Process

7.1 Legislation shall proceed and transact in accordance with the procedures set forth in the Rules of Procedure for Student Senate.

7.2 All members of the Senate will have one vote; the President of the Senate is required to vote in case of a tie and will vote in only such a case.

Section 8. Meetings of Student Senate

8.1 The Student Senate will meet for a minimum of seven (7) meetings per semester as to be determined by the Vice President at the beginning of Vice President's term.

8.2 The meetings may be called by either executive officer preceding the fall legislative sessions.

8.4 The Rules of Procedure for Student Senate will govern the procedures of Senate meetings.

8.4.1 *Robert's Rules of Order* will be consulted should the Senate's rules fail to address a specific situation.

8.5 The Standing Committees of the Senate will meet at least once a week while the Senate is in session.

8.6 Absences during a legislative session will cause a Senator to be removed from office, if the Senator is not compliant with the Student Senate Attendance Policy.

8.7 A quorum will be two-thirds (2/3) of the Senate roll.

8.8 The Senate will have at least two (2) advisors from the administration.

8.8.1 One of these advisors should be present at all meetings of the Senate.

8.8.2 These advisors will be appointed by the Senate with the approval of the President of the University.

Section 9. Removal from Office

- 9.1 Any senator may be removed from office by impeachment that may be initiated by a two-thirds (2/3) vote at a regular meeting at the end of general order of the Senate or by a petition of ten percent (10%) of that Senator's constituents.
- 9.2 A three-fourths (3/4) vote of the Senate at the next regular meeting at the end of general order will result in the removal of the impeached.
- 9.3 Just cause for removal will be:
 - 9.3.1 Violation of or disregard for any part of the constitution or Associated Student Government.
- 9.4 Just cause for immediate removal will be:
 - 9.4.1 Any violation of Article III, Section 2.1 and/or Article III Section 7.42.
 - 9.4.2 If a Senator is found responsible, by the Dean of Students Office, of violating one or more of the actions not mentioned in Article III Section 7.42 but listed under "Prohibited Conduct" in the Student Code of Conduct, the Senate shall determine the severity of the violation. The severity of the violation shall determine if the Senator is removed immediately, impeached, or allowed to continue serving in office.

ARTICLE IV Initiative Referendum

- Section 1. The Associated Students may initiate a referendum by submitting a petition of ten percent (10%) of the Associated Students.

ARTICLE V Amendments

- Section 1. Amendments to this constitution may be proposed by a two-thirds (2/3) majority vote of the Student Senate or by initiation of the Associated Students as provided in Article V.
- 1.1 In either procedure, the amendment(s) must obtain a majority of votes cast in a campus-wide election. An amendment so passed will take effect the semester or summer session following its ratification.

ARTICLE VI
Ratification

Section 1. This constitution will be ratified by two-thirds (2/3) vote of the Student Senate and be ratified by a majority vote of those voting in a general campus election.

1.1 This constitution will take effect at the beginning of the next legislative session following ratification.

1.1.1 The Student Senate of each legislative year will be responsible for implementing this constitution.