

CONSTITUTION
OF THE ASSOCIATED STUDENTS OF
WASHINGTON STATE UNIVERSITY

PREAMBLE

We, the undergraduate students of Washington State University, in order to initiate and coordinate student activities in accordance with the purposes and objectives listed in our articles of incorporation; to represent student interests, needs, and welfare within the University community at large on issues affecting student life; and to supplement and complement formal education on the University campus, do affirm and establish this constitution.

ARTICLE I: NAME

1. The name of this organization shall be the "Associated Students of Washington State University," herein called ASWSU.
2. The corporate seal of ASWSU shall be in the form of a circle with the words "Associated Students of Washington State University", in circumferential annulus, the words "corporate seal" in the center.

ARTICLE II: AUTHORITIES AND POWERS

1. ASWSU is organized as a corporation under the laws of the State of Washington and the exercise of its functions shall be consistent with the ASWSU Articles of Incorporation.
2. The ASWSU Senate shall exercise authorities and powers of ASWSU except that the ASWSU President and Vice President shall have such powers as are enumerated in this Constitution.

ARTICLE III: MEMBERSHIP

All regularly enrolled undergraduate students shall be members of ASWSU.

ARTICLE IV: LEGISLATIVE BRANCH

1. The legislative power of ASWSU shall be vested in ASWSU Senate, which shall be composed of six (6) At-Large Senators, at minimum of one (1) Senator for every degree granting undergraduate College, and four (4) Senators to represent uncertified students. Should the above result in an even number of Senators, the number of At-Large Senators shall increase by one (1).
2. Members of the Senate must be members of ASWSU, must be full-time students during the regular academic year, and must be in good academic standing with the University. Members of the Senate shall be elected in the annual general election.
3. Members of the Senate shall hold office from commencement to commencement or until their duly elected successors take office.
4. The Senate, as the legislative branch of ASWSU, shall be the policy-making body of ASWSU and no Executive Branch act or omission shall contravene expressed or implied Senate policy.

5. The Senate shall have and exercise the general powers and duties usually vested in the governing board of a corporation, but specifically to include the following powers and duties:
 - a. to adopt and amend an ASWSU budget, pursuant to Article VIII.
 - b. to authorize entry into contractual or financial relationships of behalf of ASWSU.
 - c. to cause to have published and to approve an annual financial statement.
 - d. to confirm by two-thirds (2/3) consent of seated membership Presidential appointments of Cabinet members, Judicial Board members, and ASWSU Committee chairs.
 - e. to remove ASWSU committee chairs upon a two-thirds (2/3) vote of the seated membership.
 - f. to ensure that elected and appointed ASWSU officials faithfully execute and abide by ASWSU policies.
 - g. to override a Presidential veto by a two-thirds (2/3) vote of the seated membership.
 - h. to impeach ASWSU officers, as provided in Article V, 8, b.
 - i. to post and maintain regular office hours, as required by the By-Laws, throughout his or her term.

The Senate shall not delegate any of the powers specified in Article IV, Section 5 (a) through (i) inclusive. For the purposes of this Constitution, seated membership shall be the number of Senators holding office at any given time.

6. Meetings

- a. The Senate shall meet at least bi-monthly with exceptions for vacations and breaks.
 - (1). A quorum shall be two-thirds of the seated membership of the Senate;
 - (2). All meetings shall be held in accordance with the Open Public Meetings Act RCW 42.30 or successor statutes.
- b. Special meetings may be called by the President, Senate Chair Pro-tempore, one-third (1/3) of the seated Senate membership, or upon petition of ten percent (10%) of the ASWSU membership.
- c. The Vice President shall be the Chair of the Senate. The Chair may only vote to make or break a tie. In the absence of the Chair, the Senate Chair Pro-tempore shall chair the Senate.
 - (1). The Chair Pro-tempore shall be annually elected at the second Senate meeting by a majority vote from the seated Senate membership.

7. Senators and Senators-elect may be removed from office via the following recall process:

- a. Petitions calling for removal from office of a named Senator or Senator-elect shall be signed by ten percent (10%) of the Senator or Senator-elect's constituents and shall be submitted to the Vice President for verification.
- b. Upon verification, the Senate shall set a reasonable date or dates for a recall election.
- c. The following percentages of constituent voter turnout are required for validation of the recall election:
 - (1). At-Large Senators: fifteen percent (15%).
 - (2). Off-Campus Senators: ten percent (10%).
 - (3). Living-Group Senators: twenty per-cent (20%).
- d. A majority affirmative vote shall be required for recall.
- e. Challenging a recall election
 - (1). Should a named ASWSU Senator or Senator-elect challenge a re-call proceeding or impeachment proceeding, he or she shall temporarily

vacate his or her office until the challenge is resolved.

8. Vacancies

- a. Should a Senate vacancy occur, the President and Vice President shall submit, within fifteen (15) school days of the occurrence of the vacancy, a list of three (3) nominees for the vacancy. At the next scheduled Senate meeting, the Senate by plurality vote of seated membership may select one of the three candidates to fill the vacancy or request a new list of nominees within fifteen (15) school days.
 - (1). Should the President and Vice President fail to comply with clause (a), the Senate may confirm by a two-thirds (2/3) vote of seated membership, a nomination from the floor.
- b. Should more than three vacancies simultaneously occur at any one time, a special election to fill the positions must be scheduled within a reasonable time period.

ARTICLE V: EXECUTIVE BRANCH

1. The executive power of ASWSU shall be vested in the Executive Branch of ASWSU. The Executive Branch shall be composed of the ASWSU President and ASWSU Vice President, and any cabinet officers the President and Vice President appoint and the Senate confirms.
2. Members of the Executive Branch must be members of ASWSU, must be full-time students during the regular academic year, and must be in good academic standing with the University. The President and Vice President shall run as a ticket and be elected in the annual general election.
3. Members of the Executive Branch shall hold office from commencement to commencement or until their duly elected successors take office.
4. The ASWSU President shall be the chief executive officer of ASWSU and all other members of the Executive Branch shall be responsible to the President. The President shall have and exercise the general powers and duties usually vested in the chief executive officer of a corporation, but specifically to include the following powers and duties:
 - a. to preside over all meetings of the general membership of ASWSU.
 - b. to appoint Cabinet Officers, and Judicial Board members, subject to the consent of the Senate.
 - c. to make all appointments not otherwise covered by the Constitution.
 - d. to remove all Presidential appointees, except Judicial Board members.
 - e. to veto any acts and confirmations of the Senate except resolutions, Senate vacancy appointments, and referenda, and provide written notification of such vetoes to the Vice president and Senate Chair Pro-tempore within four (4) school days of the Senate action.
 - f. to post and maintain regular office hours, as required by the By-Laws, throughout his or her term of office (including summers).

The President shall have other powers and duties as many are prescribed by the Senate or the ASWSU By-Laws.

5. The ASWSU Vice President shall have and exercise the following powers and duties:
 - a. to be the Chair of the ASWSU Senate.

- b. to have general control of ASWSU Committees, as specified in the By-Laws, within the policies established by the Senate.
- c. to exercise such power and authority as may be delegated by the President, except those powers and duties enumerated in sections 4 (a), (b), (d), and (e) of Article V.
- d. to assume and execute all the powers and duties of the President should the President be absent or unable to perform his or her obligations.
- e. to post and maintain regular office hours, as required by the By-Laws, throughout his or her term of office (including summers).

The Vice President shall have other powers and duties as may be prescribed by the Senate or the ASWSU By-Laws.

6. The interests and affairs of ASWSU shall be managed jointly by the President and Vice President during the summer session, consistent with any Senate directives.
7. Cabinet officers shall have and exercise those powers and authorities delegated by the President consistent with the ASWSU Constitution and By-Laws, except those powers and duties enumerated in sections 4 (a) through 4 (e), inclusive, of Article V.
8. Removal of President, Vice President, President-Elect or Vice President-Elect.
 - a. The aforementioned ASWSU officers may be removed from office via the following recall process:
 - (1). Petitions calling for removal from office of a named ASWSU officer shall be signed by ten percent (10%) of the ASWSU membership and shall be submitted to the Senate Chair Pro-tempore for verification.
 - (2). Upon verification, the Senate shall set a reasonable date or dates for a recall election.
 - (3). A recall election shall require a fifteen percent (15%) voter turnout of the ASWSU membership for validation.
 - (4). A majority affirmative vote shall be required for recall.
 - b. The aforementioned ASWSU officers may be removed from office via the following impeachment process:
 - (1). ASWSU officers may be impeached for failure too reasonably and \ properly execute their powers and duties.
 - (2). A two-thirds (2/3) affirmative vote of the seated membership of the ASWSU Senate shall be required to bring impeachment proceedings against ASWSU officers.
 - (3). The Chief Justice of the Judicial Board shall preside over the impeachment proceedings, which shall commence within a reasonable time after the Senate vote to bring impeachment proceedings.
 - (4). A three-quarters (3/4) affirmative vote of the seated membership of the senate shall be required to impeach an ASWSU officer.
 - c. Vacancies
 - (1). Should the office of President become vacant, the Vice President shall become President.
 - (2). Should the office of Vice President become vacant, the President shall appoint a Vice President for the unexpired term, subject to the two-thirds (2/3) consent of the seated membership of the Senate.
 - (3). Should both offices become simultaneously vacant, the Senate shall elect from its membership a President Pro-tempore and shall schedule an

election within a reasonable time period to fill the vacancies.

- (4). This section (Article V, section 7 (c)) shall also apply to vacancies in the Presidential-elect and Vice President-elect offices.

d. Challenges to Recall and Impeachment

- (1). Should a named ASWSU officer challenge a recall proceeding or impeachment proceeding, he or she shall temporarily vacate his or her office until the challenge is resolved.

ARTICLE VI. JUDICIAL BRANCH

1. The judicial power of ASWSU shall be vested in the ASWSU Judicial Board, which shall be composed of up to seven (7) members. The Chair of the Judicial Board shall be the Chief Justice, who shall be elected by the Justices from the Judicial Board membership at the beginning of each academic year and whenever the position is vacant.
2. Members of the Judicial Board must be members of ASWSU, must be full-time students during the regular academic year, must be in good standing with the University, and shall hold no other elected or appointed positions within ASWSU, except that members may serve on University and ASWSU ad-hoc committees. Members shall be appointed by the President and confirmed by a two-thirds (2/3) vote of the seated Senate membership.
3. Members of the Judicial Board shall serve from their appointment until the termination of their undergraduate enrollment, not including summers between academic years.
4. The Judicial Board shall have and execute the power to act on all cases and controversies arising under the ASWSU Constitution or By-Laws, and in addition shall have the following powers and duties:
 - a. shall not act without quorum of four (4) members.
 - b. to act within five (5) school days of the formal filing of a complaint with the Chief Justice, such action to include, but not be limited to, taking the complaint under advisement, or rendering an opinion.
 - c. to reconsider, upon petition of either party to the complaint, a prior act if two (2) or more Justices deem it appropriate.
 - d. to validate or invalidate all ASWSU elections upon receipt of all pertinent information, consistent with Article 7, Section 2 (c).
 - e. to establish by a majority vote Judicial board procedures and guidelines.
5. The Chief Justice shall have and execute the following duties:
 - a. Call and preside over sessions of the Judicial Board.
 - b. Notify both parties of the date, time, and location of the hearing.
 - c. Notify defendants in writing of the charges against them at least five (5) school days before the hearing.
 - d. Make available written copies of all judicial Board decisions to the President, Senate Chair Pro-tempore, and the parties involved within five (5) school days of the hearing.
6. A member of the Judicial Board may be removed from the Judicial Board upon a (3/4) vote of removal by the seated membership of the Senate.

7. Vacancies

- a. The President shall appoint a new member to the Judicial Board within twenty-five (25) school days of the occurrence of a vacancy on the Judicial Board, subject to confirmation by the Senate.
- b. Should the President fail to comply with clause (a), the Senate may confirm, by a two-thirds (2/3) vote of seated membership, a nomination from the floor.

ARTICLE VII: ELECTIONS

1. The annual ASWSU election shall be the Tuesday and Wednesday before spring break, except that the dates may be changed because of extenuating circumstances upon a three-quarter (3/4) vote of the seated ASWSU Senate.
2. Campaign Expenditure Limitations
 - a. The total amount, which may be spent by each ticket in the campaign for the offices of President/Vice President, shall be four percent (4%) of the President's salary. The total amount ASWSU Senate candidates may spend on their election is one percent (1%) of the President's salary, except District 1 and At-Large candidates may spend up to one and one-half percent (1.5%).
 - b. All expenditures made by a candidate must be reported and accompanied by an itemized report. All donations made to a candidate shall also be established for all donations. Reporting procedures and evaluation procedures shall be established in the By-Laws.
 - c. Violations
 - (1). Upon a Judicial Board determination that a candidate or executive ticket has exceeded their respective campaign expenditure limitation, a one of one dollar for every dollar over-spent shall be imposed on the candidate or executive ticket. Failure by the candidate or executive ticket to tender full payment prior to taking office shall result in the invalidation of that candidate's or executive ticket's election to office.
 - (2). Upon a determination by the Judicial Board that a candidate or executive ticket has exceeded their respective campaign expenditure limitation by fifteen percent (15%) or more, the election to office of that candidate or executive ticket shall be invalidated. In such a case, the monetary fines of Article VII, Section 2, (c) (1) shall not apply.
3. Voting
 - a. Residents of living groups may vote for the Senate candidate of their choice in their respective living group districts.
 - b. Off-campus residents may vote for off-campus Senate candidates.
 - c. All members of ASWSU may vote for the At Large Senate candidates.

ARTICLE VIII: FINANCE

1. The annual ASWSU budget shall be recommended to the Senate-elect pursuant to the By-Laws for final action by the Senate-elect prior to commencement.
2. The Senate-elect shall have the power to adopt an ASWSU budget before taking office.

ARTICLE IX: REFERENDUM AND INITIATIVE

1. The Senate, upon two-thirds (2/3) vote of the seated membership, may submit to the membership of ASWSU any measure, which it determines to be of substantial student interest, where upon a vote of the membership of ASWSU, shall be promptly scheduled for a reasonable time.
2. Upon petition of ten percent (10%) of the membership of ASWSU, an initiative shall be submitted to the membership of ASWSU for a vote within a reasonable time period.
3. Initiatives and Referendum shall carry the same weight as Senate legislation.

ARTICLE X: AMENDMENTS

1. Proposed amendments and revisions shall be presented to the members of ASWSU for approval upon a two-thirds (2/3) vote of the seated membership of the Senate or upon petition of at least ten percent (10%) of the members of ASWSU.
2. Proposed amendments and revisions, which are to be presented to the members of ASWSU for approval, shall be publicized in a reasonable manner and for a reasonable period of time prior to action by the membership of ASWSU.
3. This Constitution may be amended or revised by a majority vote of ballots cast on the proposed modification at any regular ASWSU election or special election called for that purpose, provided however, that a minimum of fifteen percent (15%) of the membership of ASWSU vote in either type of election.

ARTICLE XI: PARLIAMENTARY AUTHORITY

Robert's Rules of Order, Newly Revised (1980, ed.), or successor editions, shall be the recognized authority for procedure not covered by this Constitution and By-Laws.

ARTICLE XII: BY-LAWS

By-Laws shall be adopted by a two-thirds (2/3) vote of the seated membership of the Senate.