



**SUBJECT: CONSTITUTION OF THE SOUTHERN UTAH UNIVERSITY
STUDENT ASSOCIATION**

I. PREAMBLE: We the students of Southern Utah University, in order to assume the privileges and responsibilities of self-governance, do ordain and establish this Constitution as the basis of a fair and representative student government, which promotes an atmosphere of learning, education and service.

II. POLICY:

ARTICLE I
Name

The name of this organization shall be "The Southern Utah University Student Association," hereafter referred to as SUUSA.

ARTICLE II
Membership

All full- or part-time students paying the full corresponding activity fees shall have privileges of membership. All properly registered students who have paid student fees shall have membership privileges.

ARTICLE III
Governmental Structure

The government of the SUUSA shall be vested in three branches: the Legislative, the Executive, and the Judicial.

ARTICLE IV
Legislative Branch

SECTION 1: The Legislative Branch shall consist of the Senate and Assembly of SUUSA.

SECTION 2: The Academic Vice President shall be the President of the Senate, but shall have no vote unless the Senate is equally divided.

SECTION 3: The Senate shall elect a President Pro Tem and shall provide other officers from this body as are deemed necessary. The President Pro Tem shall assume the presidency of the Senate in the absence of the Academic Vice President (see Article V section 9).



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SECTION 4: The Senate shall be composed of three senators from each of the colleges or schools of the University. Senators shall major in the subject area within the college or school they are to represent. If a new college or school is added then a special election shall be held within three full weeks after Fall semester has begun, for the purpose of filling vacant positions.

SECTION 5: The Senate shall have the power to ratify, create, revise, and delete any policies that govern the members of the SUUSA.

SECTION 6: The Senate alone shall have the power to appropriate funds allocated to the Senate. The Senate shall also have the power to evaluate and/or validate these appropriations.

SECTION 7: All bills presented to the Senate must be sponsored by a Senator. All bills must be circled and posted for review by the Senate and the membership of the SUUSA at least one week prior to a vote by the Senate.

SECTION 8: All bills take effect when passed by a majority vote of a quorum of the Senate - as defined in the Constitution Section 17 of Article IV and upon signature of the President. If the President does not approve of action taken by the Senate, s/he may return the bill to the Senate with her/his objections. If, after further consideration, the Senate re-passes the bill by a three-fourths vote of the quorum, it shall then be enacted. Should the President not sign a bill, and not return it within five school days of receipt, the bill shall automatically take effect.

SECTION 9: All SUUSA "line item" student fee allocations must be recommended, evaluated and approved by the Senate. A "line item" shall be defined as any annual need of money, as long as the need is not within clubs and organizations.

SECTION 10: Within five school days of a passed bill and upon petition by 100 members of SUUSA who disagree with a bill passed by the Assembly, Senate, may review and/or revoke the petitioned bill. Within five school days of a passed bill and upon petition of 100 members of SUUSA who disagree with a bill passed by the Senate, the President must review the bill.



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SECTION 11: The Senate shall have the right to review final nominees for appointment by the Executive Council or a member thereof. The Senate shall approve nominees by the Executive Council or a member thereof by a two-thirds vote of the entire Senate.

SECTION 12: All legislative bills shall be kept, and filed for four years. All legislative records are open to inspection by the administration of SUU, or by any member of the SUUSA.

SECTION 13: Both legislative bodies shall have the power to establish committees or other appendages to assist in their legislative functions.

SECTION 14: The Senate shall be responsible for the establishment of all elections policies and procedures.

SECTION 15: The Senate shall have the power to submit to the SUUSA, by a three-fourths vote of the entire Senate, any proposed amendment of this Constitution.

SECTION 16: Unless otherwise provided, both legislative bodies shall conduct themselves under Roberts' Rules of Order.

SECTION 17: In both legislative bodies, a quorum shall consist of at least three-fourths of the voting members.

SECTION 18: Clubs and Organizations Vice President (here after referred to as the C&O Vice President) shall preside over the Assembly, but shall have no vote unless the Assembly is equally divided.

SECTION 19: The Assembly shall have limited legislative power. These powers are limited to: 1) The Assembly alone shall have the power to appropriate funds allocated to the Assembly and evaluate and/or validate these appropriations. 2) The Assembly shall also have the power to define, establish, enforce the requirements of, and adequately govern all chartered clubs or organizations of SUUSA



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SECTION 20: The Assembly shall be composed of two Delegates from each Club and Organization category. The Assembly shall have no less than four categories.

SECTION 21: All Assembly Delegates must be active members of a chartered club or organization within the category they represent upon election or appointment. The Delegates of each category cannot be members of the same club or organization.

SECTION 22: The Assembly shall elect a President Pro Tem and shall provide other officers from this body as are deemed necessary. President Pro Tem shall assume the Presidency of the Assembly in the absence of the C&O President.

SECTION 23: All bills presented to the Assembly must be sponsored by a Delegate of the Assembly. All bills must be circled and posted for review by the Assembly and the membership of SUUSA at least one week prior to a vote by the Assembly.

SECTION 24: All bills take effect when passed by a majority vote of a quorum of the Assembly, as defined in Section 17 of Article IV, and upon signature of the President. If the President does not approve of action taken by the Assembly, the President may return the bill to the Assembly with objections noted. If, after further consideration, the Assembly re-passes the bill by a three-fourths vote of a quorum, it shall then be enacted. Should the President not sign a bill, and not return it within five school days of receipt, the bill shall automatically take effect.

ARTICLE V
Executive Branch

SECTION 1: The Executive Branch shall consist of the Executive Council and the Student Activities Board.

SECTION 2: The Executive Council shall consist of the following elected offices: The President, Academic Vice President, C&O Vice President, and Activities Vice President. These four will be voting members of this body. All actions taken by the Executive Council must be upon the recommendation and approval of the President. A



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Controller and Executive Secretary shall be appointed to this Council, but shall have no voting privileges.

SECTION 3: Duties of the President: All executive powers and responsibilities shall be vested in the President. The President shall be the official representative of the SUUSA both on and off campus. The President may be an honorary member of all boards, councils, or committees of the SUUSA. The President has the authority to appoint the Controller, the Executive Secretary, and other administrative offices as deemed necessary for the efficient operation of the SUUSA. The President may convene the Senate in a special session whenever the demand arises; adequate time (not less than 24 hours) must be given the members of the Senate to comply with the call. If the President so desires, s/he may appoint and preside over a Cabinet to assist in performing administrative responsibilities. Nothing shall limit the President from seeking advice from other individuals.

SECTION 4: Duties of the Academic Vice President: The primary duty of the Academic Vice President shall be to preside over the Senate. During temporary absences or disabilities of the President, the Academic Vice President shall be the acting President until the President returns to the campus, or the disability is removed. During the period while acting President s/he shall continue to function as the President of the Senate. Beyond the period of two weeks the President Pro Tem of the Senate shall assume the duties of the Academic Vice President (see Article IV, section 3). The Academic Vice President shall have the power to fill vacancies in the Senate through appointment. This/these appointment(s) must have the approval of a three-fourths majority vote of the Senate. Vacancies shall be filled within four weeks. The Academic Vice President, in consultation with the President, may appoint a secretary for the Senate.

SECTION 5: Duties of the Activities Vice President: The primary responsibility of the Activities Vice President is to oversee all SUUSA activities. S/he shall also appoint members to the Student Activities Board in consultation with the President. S/he shall conduct the affairs of the Student Activities Board (see Section 8). In case of temporary absence of the President, Academic Vice President, and C&O Vice President, the Activities Vice President shall act as President.



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SECTION 6: Duties of the Controller: The primary responsibility of the Controller shall be to manage the financial records of the SUUSA in accordance with generally accepted standards and procedures of SUU, while representing the accounting arm of SUUSA according to the direction of the President. During the period in office, the Controller shall have the responsibility of educating the SUUSA officers on the proper procedures in requisitioning and collecting SUUSA monies.

SECTION 7: Duties of the Executive Secretary: The primary duty of the Executive Secretary shall be to keep and preserve accurate minutes of all Executive meetings. These minutes shall be open for inspection by any member of the SUUSA. The Executive Secretary shall also transcribe correspondence, and carry out any other assignments delegated by the President.

SECTION 8: The Student Activities Board (STAB): The primary duty of STAB shall be to organize and carry-out social activities and any other activities deemed necessary for the efficient operation of the SUUSA. Members of STAB shall in no way be limited to a fixed number of members. Members of the STAB shall have the authority to choose assistants and organize committees upon approval of the Activities Vice President, in accordance with Article V, Section 5.

SECTION 9: Succession: In case of a vacancy in the office of the President, the Academic Vice President shall become President. In case of a vacancy in the office of the Academic Vice President, the President Pro Tem of the Senate shall become the Academic Vice President, and shall appoint a new Senator. In case of a vacancy in the office of the C&O Vice President, the President Pro Tem on the Assembly shall become C&O Vice President and shall appoint a new Delegate. In case of a vacancy in the office of the Activities Vice President, the President shall appoint an Activities Vice President subject to approval by a three-fourths vote of the.

SECTION 10: Duties of the C&O Vice President: The primary duty of the C&O Vice President shall be to preside over the Assembly. S/he shall enforce all bylaws, policies, and rules established to govern the Assembly and clubs and organizations. S/he will oversee all C&O activities, and coordinate the scheduling of activities with the Activities Vice President. S/he has the power to freeze funds and call



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a special committee to investigate any club or organization in violation of bylaws, policies, or rules. In case of temporary absence of the SUUSA President and the Academic Vice President, the C&O Vice President shall act as the SUUSA President. The Clubs and Organizations Vice President shall have the power to fill vacancies in the Assembly through appointment. This/these appointment(s) must have the approval of three-fourths of the Assembly and must have the approval of three-fourths of the Senate. Vacancies shall be filled within four weeks. The Clubs and Organizations Vice President, in consultation with the President, has the authority to appoint a secretary of the assembly.

ARTICLE VI
Judicial Branch

SECTION 1: The Judicial power of the SUUSA, which includes the authority to issue Writs of Mandamus and Judicial Review, shall be vested in a Judicial Council. A writ may be issued after the Judicial Council arrives at a majority opinion determined by a simple majority. Failure upon the part of any SUUSA official or governing body served with a writ to perform the specified duties enumerated in the writ within a reasonable time, or to cease performing some unauthorized act, will be considered grounds for impeachment charges.

SECTION 2: The Judicial Council shall consist of a Chief Justice and four Associate Justices.

SECTION 3: The Chief Justice shall be appointed by the President subject to approval by a three-fourths majority vote of the Senate. Any vacancy shall be filled within four weeks.

SECTION 4: The primary responsibility of the Chief Justice shall be to keep informed of the legal affairs of the SUUSA. S/He shall ensure that all elected and appointed officers of the SUUSA meet the qualifications for office and are sworn into office as set forth in this Constitution. S/He shall ensure that all activities of the SUUSA conform to this Constitution and the rules and regulations passed by the Senate. The Chief Justice shall have the authority to delegate assignments to the Associate Justices as needed. The Chief Justice shall serve on a year term subject to reappointment. In the event that



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the Chief Justice is not reappointed s/he shall retain a position within the Judicial Council.

SECTION 5: The Judicial Council shall be managed by the Chief Justice. The Chief Justice shall act as spokesperson of the Judicial Council. All members of the Judicial Council shall be voting members. All issues brought before the Judicial Council shall be decided by a majority vote.

SECTION 6: Judicial Council members including the Chief Justice will not participate in any activities that conflict with the duties and interests of the Judicial Council, including but not limited to publicly endorsing or campaigning for candidates for SUUSA office.

SECTION 7: Justices shall be nominated by the President of SUUSA, and confirmed by a two-thirds majority vote of the Senate. Any vacancies shall be filled within four weeks.

SECTION 8: All members of the Judicial Council shall remain in office until graduation, resignation, or no longer than three years. Judicial Council members, including the Chief Justice, must remain in good standing as specified in Article VII, Section 2.

SECTION 9: In the event that any member of the Judicial Council intends to declare candidacy for any elected office, s/he must resign from the Judicial Council.

ARTICLE VII
Qualifications and Elections of Officers

SECTION 1: The following shall be the generally elected officers of SUUSA: the President, the Academic Vice President, the C&O Vice President, the Activities Vice President, and members of the Senate.

SECTION 2: No student shall be elected or appointed to office or allowed to maintain an office of the SUUSA unless s/he is an enrolled student in good standing at SUU and is a member of SUUSA, as defined in Article II of this Constitution. Good standing shall be defined as not being on social or academic probation or suspension and having a minimum 2.5 cumulative GPA.



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SECTION 3: The term for all offices shall be one year unless otherwise provided for in this Constitution. All officers shall remain in office until the end of their term, or until the office is vacated or abolished.

SECTION 4: No person shall hold two offices concurrently, elected or appointed, in the government of SUUSA.

SECTION 5: General elections for all elected SUUSA offices shall be held the eleventh Wednesday of Spring Semester. Nominations and Primary elections shall be scheduled such as to make General Elections possible on said day.

SECTION 6: The oath of office for all elected and appointed officials shall be administered by the Chief Justice. Said oath shall be administered at an inaugural event or in the presence of two or more witnesses and shall take place in the third week prior to the end of Spring Semester, or within two weeks of appointment. Failure to take the oath of office shall create a vacancy in the office which shall be filled as provided by this Constitution. The Oath shall be: "I (stated name) do solemnly affirm that I will faithfully execute the office of (stated office) and will, to the best of my ability, uphold and defend the Constitution of the Southern Utah University Student Association." The oath of office must be taken by the elected or appointed officer and may not be taken in proxy.

SECTION 7: An appointed officer is said to be nominated to the given position, until the day the Senate approves the appointment. An officer is said to be elected when the proclamation of the results of the election are made public.

SECTION 8: The election of the Assembly Delegates is to be held during the three weeks following the general elections.

SECTION 9: Delegates of the Assembly will be elected by club members from within their C&O category. All Assembly delegates must then be approved by the Senate before taking office. Delegates may be removed from office following the procedure outlined in Article VIII.

ARTICLE VIII



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Impeachment, Automatic Removal, and Recall

SECTION 1: Impeachment: Impeachment action may be brought against elected officers upon failure to uphold their duties as outlined in this Constitution, or upon failure to act in a manner which is deemed necessary for the effective operation of SUUSA, as defined by the Senate. Impeachment is available for all elected officers and all members of the Judicial Council of the SUUSA.

SECTION 2: Any 100 members of the SUUSA may by petition initiate impeachment against said officer(s) by presenting a duly executed petition to the Chief Justice, who is then responsible to form an Impeachment Committee. The Petition shall state with specificity the alleged failure of the officer(s) to uphold his/her/their constitutional duties.

SECTION 3: Impeachment Committee: As the need arises, an Impeachment Committee must be formed. This committee shall consist of:

- (a) The Chief Justice of the Judicial Council.
- (b) President and three Vice Presidents of SUUSA.
- (c) Three members of the Senate.
- (d) Three additional members of the Judicial Council.
- (e) Two delegates of the Assembly.

Unless any one of these aforementioned members of SUUSA is currently being considered for impeachment, in which case the said member will be excused from the committee. This committee shall be chosen by the Chief Justice through a means of random selection in the presence of the Senate. No one being considered for impeachment may be a member of the Impeachment Committee. The Chief Justice shall act as spokesperson for the committee and shall not have a vote unless there is a tie. If the Chief Justice is being considered for impeachment then the senior member of the remaining Judicial Council will act as the spokesperson for the committee and shall not have a vote unless there is a tie.

SECTION 4: The primary duty of the Impeachment Committee shall be to represent the SUUSA to determine whether impeachment litigation is justified and should be carried out. The Impeachment



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Committee shall communicate its decision in writing to the Academic Vice President.

SECTION 5: If the majority vote is in the affirmative, the Academic Vice President shall then instigate Senate proceedings concerning the matter. The officer under consideration of impeachment shall be heard by the Senate with the Academic Vice President presiding. In the event that the Academic Vice President is tried for impeachment, the President Pro Tem of the Senate shall preside as a voting member. A three-fourths vote of the entire Senate shall be necessary to impeach and remove any officer. Any Senator being tried for impeachment shall have a vote in the impeachment trial.

SECTION 6: Automatic Removal: An officer of the SUUSA shall be automatically removed from office upon failure to maintain qualifications for office as outlined in Article VII, Section 2 of this Constitution.

SECTION 7: Recall: A recall motion may be brought against any elected officer of the SUUSA through a petition signed by at least 20 percent of the membership of the SUUSA. Following presentation of the petition to the Senate, a general vote of the SUUSA must be held. A majority vote shall be necessary to remove an officer from office.

ARTICLE IX
Amendments

SECTION 1: Amendments to this Constitution may be proposed by:
(a) A three-fourths vote of the entire Senate, or (b) a petition signed by 20 percent or more of the membership of the SUUSA.

SECTION 2: Amendments become effective when ratified by a majority of those voting in a General Election of the SUUSA and approved by the Board of Trustees.

ARTICLE X
Ratification

SECTION 1: This Constitution shall become effective upon approval of three-fourths vote of the entire Senate, a majority of those voting in a General Election, and the Board of Trustees.



SOUTHERN UTAH UNIVERSITY
Policies and Procedures

Policy # 5.42
Date Approved: 05/03/91
Date Amended: 03/22/02
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SECTION 2: No provision of this Constitution is to be construed in any way as binding upon University authority established by the State of Utah, in such a manner as to restrict in the performance of statutory duties or exercise of rightful powers.

FORMER POLICY
DO NOT USE