

BOARD OF REGENTS
BRIEFING PAPER

1. Agenda Item Title: Approval of ASUN Constitution Amendments

2. BACKGROUND & POLICY CONTEXT OF ISSUE:

The last significant revision of the ASUN Constitution occurred in the 1970s. Since then, the student population has grown and the campus has changed. The student body reviewed the Constitution and approved amendments to more accurately reflect the way they want to conduct their government. (See Attachment A) They also recognized a need for some matters to be more specifically defined in bylaws and operating procedures. The amendments were approved by the requisite two-thirds vote of the students in the March 2007 general election. Board of Regents approval is now required for the amendments to take effect.

3. SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:

President Milton D. Glick requests approval of amendments to the Constitution of the Associated Students of the University of Nevada. (Board of Regents Handbook, Title 5, Chapter 16)

4. IMPETUS (WHY NOW?):

With the continuing growth of the campus, ASUN believes now is the time to make constitutional amendments.

5. BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION:

- The amendments make the constitution more concise.
- New components such as an increase in the requisite G.P.A to 2.75 (Article 1 Sec. 1b) and a clear process for removal of officers (Article 2 Sec. 5, Article 3 Sec. 4 and Article 4 Sec. 4) increases accountability.
- The amendments now put the process into written form.
- The student body approved the amendments in a requisite general student election.
- UNR Legal Counsel worked closely with student government (ASUN) and approves of the amendments.
- The UNR Vice President of Student Services approves of the amendments.

6. POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION:

- The current document provides a sufficient organizational structure for the student government.

7. ALTERNATIVE(S) TO WHAT IS BEING REQUESTED/RECOMMENDED:

Leave the constitution unchanged, despite the results of the student vote.

8. COMPLIANCE WITH BOARD POLICY:

- Consistent With Current Board Policy: Title #____ Chapter #____ Section #____
- Amends Current Board Policy: Title #____ Chapter #____ Section #____
- Amends Current Procedures & Guidelines Manual: Chapter #____ Section #____
- Other: Amends Board of Regents Handbook, Title 5, Chapter 16
- Fiscal Impact: Yes____ No____
Explain:_____

Title 5 - NSHE Governing Documents

Chapter 16

CONSTITUTION OF THE ASSOCIATED STUDENTS
OF THE UNIVERSITY OF NEVADA, RENO

Deletions in italics and bracketed; amendments in regular print and bolded.

*[ARTICLE I
The Association*

Section 100.0 This Association shall be known as the Associated Students of the University of Nevada, Reno, hereafter referred to as the ASUN.

Section 110.0 The purpose of the ASUN shall be:

110.1 To provide means for responsible and effective student participation in the organization and control of student affairs;

110.2 To provide an official and representative student organization with powers to receive complaints, investigate student problems, and participate in decisions involving students;

110.3 To take action in the best interest of the student body and the university community;

110.4 To provide an official voice through which student opinion may be expressed;

110.5 To provide means whereby students may gain experience and training in responsible political participation and community leadership; and

110.6 To foster awareness of the student's role in the campus, local, state, national and international communities.

Section 120.0 Membership in the ASUN shall be automatic for undergraduate students registered for one (1) or more credits. (B/R 8/92)

Section 130.0 A government of the ASUN is hereby established, whose purpose shall be to represent and act for the student body. This government shall function through:

130.1 A legislative branch,

130.2 An executive branch, and

130.3 A judicial branch.

Section 140.0 All elected members of this government shall at the time of election and throughout their term be enrolled in at least seven (7) undergraduate credits and have at least a 2.50 grade point average. All appointed members of this government shall at the time of appointment and throughout their term be enrolled in at least seven (7) undergraduate credits and have at least a 2.20 grade point average. (B/R 4/99)

Section 150.0 All members of the ASUN government shall be elected in the general election on the Wednesday and Thursday on or preceding March 15; they shall take office on the Wednesday closest to April 15. (B/R 5/87)

Section 160.0 No member of the government may hold more than one elective ASUN position at any one time.

Section 170.0 No senator serving on the Publications Board will be allowed to serve on the staffs of any ASUN publications.

Section 180.0 All meetings of the ASUN, including but not limited to the ASUN Senate, Programming Board, Grievance Board, Publications Board, and Fiscal Allocations Board, and all Senate subcommittees, will be governed by Robert's Rules of Order, Latest Edition. (B/R 8/92)

ARTICLE II The Legislative Branch

Section 200.0 The legislative branch shall be known as the Senate of the Associated Students of the University of Nevada, Reno, hereafter referred to as the Senate.

Section 210.0 The Senate shall be composed of not more than twenty-two (22) members of the ASUN, as follows:

210.1 One (1) member to be elected from within each college and recognized school.

210.2 The balance apportioned among the colleges to approximate as closely as possible one (1) person, one (1) vote.
(B/R 5/91)

Section 220.0 Every two (2) years, the Senate shall reestablish the number and the apportionment of the senators. This shall be done by a two-thirds (2/3) vote of the

Senate membership.

Section 230.0 Term of office shall be one year for members of the ASUN Senate. ASUN Senators may run for an additional term(s).

Section 240.0 Senate shall by a majority vote select three (3) individuals who shall be reelected automatically to their respective boards, subject only to their reelection from their respective colleges. This shall be done no later than four (4) weeks prior to the ASUN primary election.

Section 250.0 The Senate shall have the following powers and duties:

250.1 To enact and amend statutes. Statutes will here designate those laws, which implement provisions of the Constitution.

250.2 To endorse resolutions. Resolutions shall be formal expressions of opinion, will, or intent.

250.3 To formulate policies. Policies shall be defined as provisions and limitations on administrative procedure.

250.4 To make recommendations. Recommendations shall be expressions of approval, disapproval, or advice.

250.5 To issue directives. Directives shall state actions to be taken by executive officers or ASUN boards.

250.6 To approve by a two-thirds (2/3) vote of the senators present all appointments of the executive officers.

250.7 To override the ASUN President's veto by a two-thirds (2/3) vote of the members present.

250.8 To establish those committees necessary for its investigation and actions.

250.9 To grant or refuse recognition to all student organizations.

250.10 To try any elected officer of the ASUN upon his/her impeachment.

250.11 To approve the appointment of an Election Board Chairperson and Election Board members.

250.12 To fill any vacancies in the ASUN government not otherwise provided for.

250.13 To appoint investigative subcommittees.

250.14 The ASUN Senate shall be the sole judge of its own members and may discipline its members for any conduct unbecoming a member of that body. The member may be censured by a majority vote of members present and may be expelled by a two-thirds (2/3) vote of those elected.

Section 260.0 The Senate shall approve or disapprove the actions of the Grievance Board, Programming Board, Publications Board and the Fiscal Allocations Board. (B/R 6/91)

260.1 Approval or disapproval of board action shall require a majority of the Senate membership. (B/R 6/91)

260.2 A directive to reconsider an action or decision may not be passed until the next regular meeting of the Senate.

260.3 Disapproval may not be made of entertainment contracts, once signed, or of professional and classified contracts and salaries. (B/R 6/91)

Section 270.0 The Senate at its first organizational meeting shall elect from its membership a Speaker who shall serve as presiding officer and who shall have the following powers and duties:

270.1 To vote to make or break a tie vote.

270.2 To serve as a voting member of the Executive Council.

270.3 To prepare the agenda for Senate.

270.4 To inform the Senate on all pertinent actions and monies spent by the ASUN during the interim periods.

270.5 To serve as a voting member of the Programming Board.

270.6 To serve as ASUN President in the incapacity of both the ASUN President the ASUN Executive Vice President, and the ASUN Vice President for Clubs and Organizations or vacancy of the aforementioned offices. (B/R 10/02)

270.7 Any other duties that the ASUN shall delegate to him/her. (B/R 6/91)

Section 280.0 Removal of the Senate President shall require a majority vote of the Senate membership.

Section 290.0 The Senate must have a quorum of two-thirds (2/3) of its membership to conduct business.

*ARTICLE III
The Executive Branch*

Section 300.0 The executive branch of the ASUN shall consist of the following officers:

300.1 The ASUN President,

300.2 The ASUN Executive Vice President,

300.3 The Speaker of the Senate,

300.3A The Vice President for Clubs and Organizations, (B/R 10/02)

300.4 The Vice President for Programming.

Section 310.0 The executive branch shall administer the affairs of the ASUN and shall enforce all statutes enacted by the Senate.

Section 320.0 The powers and duties of the ASUN President shall be:

320.1 To act as the chief executive officer.

320.2 To serve as the chairperson of the Fiscal Allocations Board. (B/R 8/92)

320.3 To serve as the chairperson of the Executive Council and as ex officio member of all ASUN boards and committees. (B/R 8/92)

320.4 To make all appointments except those specifically designated to another officer.

320.5 To veto any act, in part or in whole, enacted by Senate. If neither signed, nor vetoed, the act becomes effective in ten (10) days following its passage.

*320.6 To serve as a nonvoting member of the Programming Board, Grievance Board and Publications Board.
(B/R 6/91)*

Section 330.0 The powers and duties of the ASUN Executive Vice President shall be:

330.1 To serve as the chief administrative officer of the Publications boards.

*330.2 To serve as chairperson of Publications Board and to vote only to make or break a tie vote.
(B/R 10/02)*

330.3 To prepare a general budget for his/her term of office, which shall be presented to the Fiscal Allocations board. This budget shall be printed and made available to all members of the ASUN prior to September 1. (B/R 8/92)

330.4 To serve as a voting member of Executive Council. (B/R 8/92)

330.5 To serve as the ASUN President in the incapacity of the ASUN President or vacancy of that office. (B/R 8/92)

330.6 To monitor and report the status of all ASUN accounts to the Senate. (B/R 8/92)

330.7 To review the specifications of all publications and approve the final budgets. (B/R 8/92)

330.8 Any other duties that the ASUN Senate shall delegate to him/her. (B/R 8/92)
(B/R 10/02)

Section 330A.0 The powers and duties of the ASUN Vice President for Clubs and Organizations (VPCO) shall be:

330A.1 To serve as the chief administrative officer of the Clubs and organizations Board.

330A.2 To act as a liaison between the Senate and all ASUN recognized organizations.

330A.3 To serve as a voting member of the Executive Council.

330A.4 To serve as a chairperson of the Clubs and organizations Board and vote only to make or break a tie.

330A.5 Any other duties that the ASUN Senate shall delegate to him/her.
(B/R 10/02)

Section 340.0 The powers and duties of the Vice President for Programming shall be:
(B/R 3/07)

340.1 To serve as the chief administrative officer of activities sponsored by the ASUN.
(B/R 8/92)

340.2 To serve as the chairman of the Programming Board, voting only to make or break a tie vote. (B/R 8/92)

340.3 To prepare a general budget for his/her term of office, which shall be presented to the Fiscal Allocations Board. This budget shall be printed and made available to all

members of the ASUN prior to September 1.

340.4 To serve as a voting member of the Executive Council.

340.5 To report to the ASUN Senate each week on matters concerning the Programming Board.

340.6 To serve as the ASUN President in the incapacity of the ASUN President, ASUN Executive Vice President, ASUN Vice President for Clubs and Organizations, and Speaker of the Senate, or the vacancy of the aforementioned officials. (B/R 10/02)

340.7 To be ultimately responsible to oversee all Programming Board activities.

340.8 To coordinate a semi-annual activities calendar, at the beginning of each semester and shall distribute a finalized monthly calendar on the first day of each month. (B/R 3/07)

340.9 Any other duties that the ASUN Senate shall delegate to him/her. (B/R 6/91)

Section 350.0 Term of office shall be one year for executive officers. Executive officers may run for an additional term(s).

Section 360.0 The executive officers must have these additional qualifications:

360.1 The ASUN Speaker of the Senate shall meet the qualifications of Senator.

360.2 The ASUN Executive Vice President, ASUN Vice President for Clubs and organizations, and Vice President for Programming shall have completed at least 45 undergraduate credits upon filing for elective office. (B/R 10/02)

360.3 The ASUN President shall have completed at least 60 undergraduate credits upon filing for elective office.

360.4 Membership in the ASUN for any two (2) semesters including the semester during which the election is held. (B/R 6/91)

ARTICLE IV Boards and Committees

Section 400.0 There shall be an Executive Council with general powers of administration, review and recommendation.

400.1 The Council shall consist of the ASUN President, the Executive Vice President, the ASUN Vice President for Clubs and Organizations, the Speaker of the Senate, and

the Vice President for Programming. (B/R 10/02)

400.2 The powers and duties of the Council shall include the following:

400.2A To call special assemblies of the ASUN.

400.2B To recommend to the ASUN Senate the committee and board assignments of all senators in the ASUN Senate.

400.2C All duties and powers not specifically herein delegated shall revert to the ASUN Executive Council.

(B/R 6/91)

Section 410.0 The Fiscal Allocations Board shall have in its charge and control the administration of all ASUN funds to include, but not limited to, ASUN fee revenues, savings, investments and all other funds from whatever sources.

410.1 The Fiscal Allocations Board shall consist of the following voting members: One-third (1/3) of the membership of the ASUN Senate and two (2) programming board members as assigned by the Executive Council and be chaired by the ASUN President who may vote only to make or break a tie vote. The ASUN Administrative Secretary, the ASUN Executive Vice President, the ASUN Vice President for Clubs and Organizations, and the ASUN Vice President for Programming shall serve as non-voting members.

(B/R 10/02)

410.2 The Fiscal Allocations Board shall have the following powers and duties:

410.2A To appropriate annual ASUN fee revenues among the four (4) major ASUN boards: Programming, Publications, Grievance, and Fiscal Allocations.

410.2B To maintain a reserve contingency fund not to exceed five percent (5%) of the total fee revenues.

410.2C To direct all savings and investment functions to be derived solely from non-fee revenues.

410.2D To approve and publish an annual program budget together with publication of general program objectives and a priority statement no later than the last regular school day in September. (B/R 9/95)

410.2E To set the wages of the ASUN officers and senators at least a month before their election. Any increase shall be subject to approval by a majority vote of the students voting in the election.

410.2F To make appropriations from the contingency fund to the four (4) major ASUN boards.

410.2G To direct the savings and investment function of the ASUN as may be necessary.

*410.2H To review bylaws for the board and to amend such bylaws by a two-thirds (2/3) vote of the board and a majority vote of the ASUN Senate.
(B/R 9/95)*

410.3 The Fiscal Allocations Board shall formulate such policies as are necessary for the proper control and management of ASUN funds. (B/R 9/95)

*Section 420.0 The Clubs and Organizations Board shall consist of the following members: The ASUN Vice President for Clubs and Organizations, who shall act as chairperson and may vote only to make or break a tie vote, and one third (1/3) of the membership of Senate, as assigned by the Executive Council.
(B/R 10/02)*

Section 430.0 The Clubs and Organizations Board shall consist of the following voting members: the ASUN Executive Vice president, who shall act as chairperson and may vote only to make or break a tie, and one-third (1/3) of the ASUN Senate as assigned by the Executive Council.

430.1 The Clubs and Organizations Board shall have the following powers and duties:

430.1A To serve as a principal resource or all clubs and organizations as recognized by the ASUN.

430.1B To hear and investigate concerns and/or complaints that in any way involve a club and/or organization of the ASUN.

430.1C To take action on complaints in the following manner:

430.1C1 To make official recommendations to the ASUN Senate.

430.1C2 To refer concerns or complaints to the appropriate ASUN or Administrative Body.

430.1C3 To close its meetings whenever an individual's personal character is brought into questions or when the case relates to the educational record as stated in the Federal Education Rights and Privacy Act (Buckley Amendment).

430.1D To ensure compliance with the ASUN, University of Nevada and/or the organization's national chapter policies and procedures.

430.1E To promote and ensure interest and activity in clubs and organizations with the ASUN.

430.1F To set and approve operating policy for clubs and organizations.

430.1G To allocate those funds authorized by the Fiscal Allocations Board for the purpose of providing annual funding for clubs and organizations.

430.1H To review by-laws for the board and amend such by-laws by two-thirds (2/3) vote of the board and a majority vote of the Senate.

*430.1I To have any other powers and duties that the ASUN Senate shall delegate.
(B/R 10/02)*

Section 440.0 The Publications Board shall have in its charge and control the

administration of all ASUN finances appropriated to it by the Fiscal Allocations Board, as well as the responsibility for the policy of all ASUN publications.

440.1 The Publications Board shall consist of the following voting members: the ASUN Executive Vice President, who shall act as chairperson and may vote only to make or break a tie vote, one-third (1/3) of the membership of the Senate, as assigned by the Executive Council, editors of the student newspaper (Sagebrush), the yearbook (Artemisia) and the arts magazine (Brushfire). Non-voting members shall be the ASUN Manager, the editors of other ASUN publications, except the Sagebrush, Artemisia and Brushfire, the managers of all ASUN publications, any faculty advisers and the ASUN Administrative Secretary.

440.2 The Publications Board shall have the following powers and duties:

440.2A To allocate those funds authorized by the Fiscal Allocations Board for the purpose of providing those publications deemed necessary.

440.2B To appoint the editors and managers of all ASUN publications.

440.2C To remove by a two-thirds (2/3) vote of the voting membership of the Publications Board, the editor or manager of any ASUN publication.

440.2D To review the budget of the ASUN Executive Vice President.

440.2E To review bylaws for the board and to amend such bylaws by a two-thirds (2/3) vote of the board and a majority vote of the Senate.

*440.3 The Publications Board shall formulate such policies as are necessary for the proper control of ASUN funds and the conduct of its business.
(B/R 10/02)*

Section 450.0 The Programming Board shall have in its charge and control the administration of all ASUN finances appropriated to it by the Fiscal Allocations Board, as well as the responsibility for the planning, supervision and presentation of all ASUN sponsored programming.

450.1 The Programming Board shall consist of the following voting members: the Vice President for Programming, who shall serve as chairperson and vote only to make or break a tie vote; ASUN Speaker of the Senate; eight (8) student members - each of whom shall be a chairman of one of the eight (8) committees.

450.1A Committee Chairman will be selected on the following basis: 1) candidates must meet all general requirements for all boards and committees. 2) The selection committee, composed of the outgoing Programming Board, Director of ASUN, Assistant Director of ASUN, Executive Council, and two (2) Senators-at-large, shall recommend a slate of successors from the pool of applicants for each chairmanship. 3) The selection

will be subject to ASUN Senate approval. 4) All chairpersons will be volunteers.

450.1B Filing for the ASUN Programming Board shall close at 5:00 p.m. on the Friday one week after Spring Break or two weeks following the ASUN general election. (B/R 3/07)

450.2 The Programming Board shall have the following powers and duties:

450.2A To review and approve the general budget prepared by the Vice President for Programming for presentation to the Fiscal Allocations Board. This budget shall be presented annually (based on the needs of each committee). (B/R 3/07)

450.2B To review bylaws for the board and to amend such bylaws by a two-thirds (2/3) vote of the board and a majority vote of the ASUN Senate.

450.3 The ASUN Programming Board shall formulate such policies as are necessary for the proper control of ASUN funds and the conduct of its business. (B/R 10/02)

ARTICLE V The Judicial Branch

Section 500.0 The Judicial Branch of the ASUN shall function through:

500.1 The Student Judicial Council

500.2 Any and all Special Hearing Boards that shall be embodied by the Board of Regents of the University and Community College System of Nevada under the Disciplinary Rules and Procedures for cases of student misconduct.

Section 510.0 The Student Judicial Council shall hear and try all cases referred to its jurisdiction by a proper authority.

510.1 The Council shall consist of five (5) members and such advisors and administrative representation as it shall deem necessary.

510.1A The Chief Justice

510.1B The Associate Chief Justice

510.1C Three (3) Associate Justices

510.2 The Judicial Council shall have the following powers and duties:

510.2A To act as the primary hearing board for student misconduct under the

Disciplinary Rules and Procedures of the University of Nevada.

510.2B To interpret the Constitution of the ASUN and all acts of the Senate upon the request of the Executive Council or any member of the Senate or ASUN Member.

510.2C To direct the reapportionment of the Senate upon the failure of that body to reapportion itself.

510.2D To rule on the validity of all ASUN elections in the case of a discrepancy.

510.2E To act as an arbitration board for any cases referred to it from any organization recognized by the ASUN.

*510.2F To chair impeachment hearings brought before the Senate.
(B/R 6/91)*

Section 520.0 All justices must have at least junior standing, meet ASUN GPA requirements and be in good disciplinary standing with the university.

520.1 Chief Justice

520.1A Presides at all meetings.

520.1B Directs call of all meetings.

520.1C Maintains council records.

520.1D Must have at least one semester of Judicial Council experience.

520.2 Associate Chief Justice will assume Chief Justice's duties in his/her absence. The Associate Chief Justice must have at least one semester of experience.

520.3 All new justices of the Student Judicial Council should be elected by the Senate before the term of the retiring justices expires.

520.4 The Chief Justice and Associate Chief Justice shall be chosen by majority vote of the Judicial Council.

*520.5 All justices and alternates shall attend at least one training session.
(B/R 6/91)*

Section 530.0 The members of the Student Judicial Council shall be chosen in the following manner:

530.1 The Student Judicial Council, the ASUN President, and the Speaker of the Senate shall submit to the Senate two (2) names for each council opening.

530.2 From the nominations given them, the Senate shall elect justices by a majority vote of the Senators present.

530.3 After vacant seats are filled, the candidates with the next two highest votes will be named alternates.
(B/R 6/91)

Section 540.0 Tenure of office shall be two (2) years for justices.

Section 550.0 Justices may be removed from office in the following manner:

550.1 The Executive Council or any member of the Senate may impeach, for cause, one or more members of the council.

550.2 The Senate may then bring the justice(s) to trial by a two-thirds (2/3) vote of the membership; and

550.3 The Senate will try and remove with a three-fourths (3/4) vote.
(B/R 6/91)

Section 560.0 A quorum for disciplinary cases and appeals from the Election Board shall consist of four (4) members, and the quorum for ASUN related cases shall consist of five (5) members. A quorum must be present before a case can be heard.

Section 570.0 The Chief Justice shall submit a written report each month of the disposition of cases handled during the preceding month to the Senate.

Section 580.0 All disciplinary cases shall follow the procedure of Chapter VI, University and Community College System of Nevada Code . All other cases shall, whenever applicable, follow the procedure of the Division Hearing Committee as outlined in that chapter.

ARTICLE VI Amendment, Initiative, Impeachment and Recall

Section 600.0 Amendment of this constitution shall require the following procedure:

600.1 Proposal by a two-thirds (2/3) vote of the Senate membership, or

600.2 Proposal by a petition signed by ten percent (10%) of the ASUN membership, with at least one percent (1%) of the signatures from each college; and

600.3 Approval by a two-thirds (2/3) affirmative vote of those voting in the ASUN general election.

*600.4 Approval by the University and Community College System of Nevada Board of Regents.
(B/R 6/91)*

Section 610.0 Impeachment

610.1 Definition

610.1A Any ASUN officer or senator shall be liable to impeachment for malfeasance in office.

610.1B Judgment shall be limited to removal from office and disqualification to hold any other ASUN office.

610.2 Procedures

610.2A Document proof or supported allegations of malfeasance may be presented to, or realized by (in the case of excessive unexcused absences) the Executive Council for review.

610.2B Upon cause, the Executive Council must act upon charges and refer the case to the Senate Rules and Action Committee for any evidentiary hearing.

610.2C Upon hearing from the accused and the accuser(s), the Senate Rules and Actions Committee shall either dismiss the case or present it to the Senate, which may impeach the accused by a two-thirds (2/3) vote.

610.3 Hearing

610.3A The Chief Justice and the ASUN Judicial Council will chair the impeachment hearings before the Senate.

610.3B The accused and the accuser(s) shall be allowed to present their case.

610.3C The accused will be removed from office by a three-fourths (3/4) vote of the Senate membership.

Section 620.0 Recall

620.1 Definition

620.1A All the ASUN officers or senators are subject to recall by members of the ASUN.

620.1B No officer or senator may be subject to recall before he/she has held office for two (2) months.

620.2 Procedures - College Senators

620.2A A petition with the signatures of fifty percent (50%) of the college members that voted in the previous election in the college of the senator in question must be presented to the ASUN Judicial Council for verification.

620.2B Upon verification, ASUN will hold a special election within three (3) weeks from the date the petition was submitted to the Judicial Council.

620.2C The reasons for recall as stated on the petition shall be printed on the ballot.

620.2D Recall shall require a two-thirds (2/3) vote of the total number of students who signed the recall petition.

620.2E If a senator is recalled then primary and general elections as needed shall be held within two (2) weeks and solely within the membership of that college.

620.3 Procedures - Officers Elected At-Large

620.3A A petition with the signatures of fifty percent (50%) of the ASUN members that voted in the previous election must be presented to the ASUN Judicial Council for verification.

620.3B Upon verification, ASUN will hold a special election within three (3) weeks from the date the petition was submitted to the Judicial Council.

620.3C The reasons for recall as stated on the petition shall be printed on the ballot.

620.3D Recall shall require a two-thirds (2/3) vote of the total number of students who signed the recall petition.

620.3E If an at-large officer is recalled, then primary and general elections as needed shall be held within two (2) weeks with the ASUN voting at-large.

620.3F At-large shall mean any ASUN elective officer whose constituency comes from more than one (1) university college.

Section 630.0 Initiative and Referendum

630.1 Any statute, resolution or enactment may be put to a vote of the student body.

630.2 Procedures

630.2A A petition with the signatures of fifty percent (50%) of the total number of ASUN members that voted in the previous election must be presented to the Judicial Council

for verification.

630.2B Upon verification ASUN shall be charged with the duty of submission of the question to the voters at the next succeeding election.

630.2C Approval shall require a two-thirds (2/3) vote of the total number of students who signed the initiative/referendum petition.
(B/R 6/91)

Section 640.0 Fiscal Procedures

640.1 ASUN shall follow System and University fiscal policies when expending student government fees collected by the Board of Regents and the revenue generated therefrom.

ARTICLE VII Implementation

Section 700.0 This constitution, upon its approval by the ASUN and the Board of Regents of the University and Community College System of Nevada, effective April, 1990, shall supersede the constitution of the ASUN, with all its amendments.]

PREAMBLE

WE, THE UNDERGRADUATE STUDENTS OF THE UNIVERSITY OF NEVADA, RENO in order to form a more perfect association, advance our interests, set forth our duties, and provide for meaningful participation in the governance of our University, do hereby establish this Constitution for the Associated Students.

ARTICLE I—THE ASSOCIATION

SECTION 1. This Association shall be known as the Associated Students of the University of Nevada, Reno, hereinafter referred to as the ASUN, the Associated Students, or the Association.

(a) **MEMBERSHIP.**—Membership in the Association is automatic for students registered for at least one undergraduate credit.

(b) **QUALIFICATIONS TO HOLD OFFICE.**—All members of the government of the Association, at the time of their election or appointment and throughout their terms, shall meet the general qualifications as follows:

(1) Maintain a minimum 2.75 cumulative grade point average.

(2) Be enrolled in at least seven undergraduate credits.

(c) **ELECTION AND TERMS.**—A general election shall be held on the Wednesday and Thursday on or preceding March 15 and those elected shall take office on the Wednesday closest to April 15.

(d) **LIMITATION ON HOLDING OFFICE.**—No person shall hold more than one office, elected or appointed, at any one time.

(e) **COMPENSATION.**—The elected members of this government shall receive a compensation to be set by law. Any increase in compensation will take effect after

the next intervening general election, which shall be subject to approval by a majority vote of the students voting in the election on that question.

SEC. 2. OATHS.

(a) The Senators and members of the executive and judiciary of this government, before entering into office, shall take an oath to support this Constitution.

SEC. 3. FISCAL PROCEDURES.

(a) The ASUN shall follow System and University fiscal policies when expending student government fees collected by the Board of Regents and the revenue generated therefrom.

ARTICLE II—THE LEGISLATIVE BRANCH

SECTION 1. The legislative power of the Association shall be vested in a Senate of the Associated Students.

(a) **COMPOSITION AND TERM.**—The Senate shall be composed of not more than twenty-two Senators, who shall be elected to a term of one year.

(b) **APPORTIONMENT OF SEATS.**—Each college and school shall have at least one seat. Thereafter, the seats shall be apportioned among the colleges and schools proportionally according to their respective enrollment numbers. The apportionment and number shall be set by law every two years.

(c) **QUALIFICATIONS.**—No person shall be eligible to be elected to the Senate who is not a member of the college or school from which that person is elected.

(d) **VACANCIES.**—When vacancies occur in the Senate, those seats shall be filled as the Senate by law provides. When one-third of the Senate is vacant, the Senate shall fill such vacancies by special election, to be held as the Senate by law provides.

(e) **OFFICERS.**—The Senate shall choose its Speaker and other officers.

SEC. 2. PROCEDURE.

(a) The Senate shall be the judge of the elections, returns and qualifications of its own members.

(b) **QUORUM.**—A quorum to do business is two-thirds of the membership.

(c) **RULES AND DISCIPLINE.**—The Senate may determine the rules of its proceedings and punish its members for disorderly or inappropriate behavior as it sees fit. In the instance of expulsion, the concurrence of two-thirds of the Senators present is required.

SEC. 3. POWERS, DUTIES AND LIMITATIONS OF THE SENATE.

(a) The Senate shall have the following powers and duties:

(1) To make all laws and regulations necessary and proper for the ASUN.

(2) To set a budget for the ASUN, but no money shall be spent from the treasury without appropriations made by law; a regular statement and account of receipts and expenditures of all public money shall be published annually at a minimum.

(3) To establish a policy with respect to the recognition of student organizations.

(b) The Senate shall not do the following:

(1) Rescind contracts, once signed.

(2) Disapprove the salaries and contracts of classified and professional staff.

(3) Create laws that presume binding authority beyond the jurisdiction of the Associated Students.

SEC. 4. LEGISLATION.

(a) **PRESENTMENT TO PRESIDENT.**—Every bill which shall have passed the Senate shall, before it becomes a law, be presented to the President of the Associated Students.

(b) **APPROVAL; VETO.**—If the President approves the bill, he or she shall sign it. If not, he or she shall return it, with his or her objections, to the Senate, who shall enter the objections in their records, and proceed to reconsider it.

(c) **RECONSIDERATION.**—If, after reconsideration, two-thirds of the Senators present agree to pass the bill, it shall become a law.

(d) **TIME LIMIT ON VETO.**—If any bill shall not be returned by the President within five working days after it shall have been presented to him or her, the same shall be a law, as if he or she had signed it, unless the Senate by their adjournment prevent its return, in which case it shall not be a law.

(e) **LINE ITEM VETO; RECONSIDERATION.**—The President may reduce or eliminate one or more items of appropriation while approving other portions of a bill. The President shall append to the bill a statement of the items reduced or eliminated with the reasons for the action. The President shall transmit to the Senate a copy of the statement and reasons. Items reduced or eliminated shall be separately reconsidered and may be passed over the President's veto in the same manner as bills.

SEC. 5. IMPEACHMENTS.

(a) The Senate shall have the power of impeachment.

(b) The Senate shall have the power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. The Chief Justice shall preside over impeachments of executive officers. The Vice President shall preside over impeachments of judicial officers. No person shall be convicted without the concurrence of two-thirds of the Senators present.

(c) Judgment in cases of impeachment shall not extend further than removal from office, and disqualification to hold any office of honor, trust or profit under the Associated Students.

ARTICLE III—THE EXECUTIVE BRANCH

SECTION 1. The executive power of the Association shall be vested in a President of the Associated Students, who shall be elected for a term of one year. A Vice President shall be elected to serve for the same term.

(a) **ELIGIBILITY.**—

(1) No person shall be eligible to be elected to the office of President who has not completed 60 undergraduate credits and been a member of the Association for two consecutive semesters.

(2) No person shall be eligible for the office of the Vice President who has not completed 45 undergraduate credits and been a member of the Association for two consecutive semesters.

(b) ELECTION.—The President and Vice President shall be elected by a majority of the students voting in the election.

(c) VACANCY.—

(1) Whenever the office of President becomes vacant, the Vice President shall become President. The Senate shall establish the further lawful succession order.

(2) Whenever there is no Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a two-thirds vote of the Senate.

(d) DECLARATION OF DISABILITY BY PRESIDENT.—The President may transmit to the Speaker of the Senate a written declaration that he or she is unable to perform the powers and duties of the office. Until the President transmits a written declaration to the contrary, such powers and duties shall be executed by the Vice President as Acting President.

(e) COMPENSATION.—The President's compensation shall not be increased or decreased during his or her term.

(f) OATH OF OFFICE.—Before entering into office, the President shall take the following oath or affirmation: "I, AB, do solemnly swear (or affirm) that I will faithfully execute the office of President, and will, to the best of my ability, preserve and protect the Constitution of the Associated Students of the University of Nevada."

SEC. 2. POWERS AND DUTIES OF THE PRESIDENT.

(a) The President shall have the power to enter into agreements on behalf of the Associated Students as the Senate may by law provide.

(b) The President shall nominate and appoint, provided two-thirds of the Senators present concur, justices of the Judicial Council and all other officers of the Associated Students, whose appointments shall be established by law: but the Senate may by law vest the appointment of such inferior officers in the President alone, in the Judicial Council, or in the heads of departments.

(c) The President shall fill vacancies that occur during the recess of the Senate by granting commissions which shall expire once the Senate reconvenes.

(d) The President shall give to the Senate information of the state of the Association, and recommend to their consideration such measures as he or she shall judge necessary and expedient.

(e) The President shall submit a proposed budget to the Senate.

(f) The President may convene the Senate on extraordinary occasions.

(g) The President shall take care that the laws be faithfully executed.

SEC. 3. POWERS AND DUTIES OF THE VICE PRESIDENT.

(a) The Vice President shall be charged with fulfilling those duties assigned to him or her by the President or the Senate of the Associated Students.

SEC. 4. REMOVAL FROM OFFICE.

(a) The President, Vice President and all other executive officers of the Associated Students shall be removed from office on impeachment for, and conviction of, malfeasance, failure to discharge the powers and duties of office.

ARTICLE IV—THE JUDICIAL BRANCH

SECTION 1. The judicial authority of the Association shall rest with a Judicial Council of the Associated Students.

(a) COMPOSITION AND TERM.—The Council shall consist of a Chief Justice of the Associated Students and four associate justices, who shall serve terms of two years.

(b) QUALIFICATIONS.—No person shall be appointed a justice who has not completed 60 undergraduate credits and been a member of the Association for two consecutive semesters.

(c) REQUIREMENT OF GOOD STANDING.—A justice may not continue to serve in office who is not in good disciplinary standing with the University.

(d) COMPENSATION.—Justices shall receive a compensation for their services, which shall not be decreased during their continuation in office.

SEC. 2. POWERS AND DUTIES OF THE COUNCIL.

(a) The judicial power shall extend to—

(1) all cases which shall arise under this Constitution and the laws of the Associated Students; and

(2) controversies among members of the Association.

(b) The Council shall adjudicate all cases where the constitutionality of an act of the Senate, the President of the Association, or any member of the Association is called into question.

(c) The Council shall have the authority to interpret acts of the Senate.

(d) The Council shall have the authority to direct the reapportionment of the Senate when that body fails to do so.

SEC. 3. PROCEDURE.

(a) QUORUM.—The quorum of the Council to conduct business is a majority of the membership.

(b) DECISIONS.—The concurrence of three justices is required to issue any decision of the Council.

(c) The Senate may by law establish such rules and procedures necessary for the operation of the Council, but may delegate such rulemaking authority to the Council.

(d) UNIVERSITY DISCIPLINARY PROCEEDINGS.—The Council shall follow the applicable provisions of the Nevada System of Higher Education Code with respect to University disciplinary proceedings.

SEC. 4. REMOVAL FROM OFFICE.

(a) The justices shall be removed from office on impeachment for, and conviction of, malfeasance, failure to discharge the powers and duties of office.

ARTICLE V—AMENDMENT, RECALL, INITIATIVE AND REFERENDA

SECTION 1. AMENDMENT.

(a) The Senate, whenever two-thirds shall deem it necessary, shall propose amendments to this Constitution, or, on the petition of 10 percent of the membership of the Association, shall place an amendment on the ballot.

(b) In either case, an amendment shall be valid as part of this Constitution when ratified by two-thirds of the students voting on the question in an election and when assented to by the Board of Regents of the Nevada System of Higher Education.

SEC. 2. RECALL ELECTIONS.

(a) All elected members of this government are subject to recall from office by election, but no person shall be recalled from office without first serving two months.

(b) **PROCEDURES.—**

(1) A petition of half of the number of students who voted in the previous election of the officer or senator to be recalled is required to order a recall election.

(2) If the petition qualifies, a special election shall be held within three weeks.

(3) The concurrence of a majority of the students voting in the election shall be required to recall an officer or senator.

(4) A vacancy created by recall shall be filled by special election within two weeks of the recall.

SEC. 3. INITIATIVE.

(a) Any item of enactment may be put to a vote of the students by petition. No measure repealing a prior action shall be done by initiative.

(b) **PROCEDURES.—**

(1) A petition of half of the number of the students who turned out to the polls at the general election shall be required to place an item of enactment on the ballot.

(2) A measure that qualifies shall be placed before the students in the next general election.

(3) A majority of the students voting on the question shall be required for its adoption.

SEC. 4. REFERENDA.

(a) A referendum shall be used to repeal any item of enactment of the Senate.

(b) **PROCEDURES.—**

(1) A petition of half of the number of the students who turned out to the polls at the general election shall be required to place an item of enactment on the ballot.

(2) A measure that qualifies shall be placed before the students in the next general election.

(3) A majority of the students voting on the question shall be required for its adoption.

ARTICLE VI—IMPLEMENTATION

SECTION 1. This Constitution, upon its approval by the Associated Students, in general election, and the Board of Regents of the Nevada System of Higher Education, shall supersede the current constitution with all its amendments.