

**COLORADO MESA UNIVERSITY**  
**Associated Student Government Constitution**  
*Amended 2018*

**ARTICLE I:** *The Associated Student Government Constitution*

1. The Constitution of the Associated Student Government shall be supreme over the Associated Student Government Bylaws, the Fee Allocation Committee Bylaws, the Election Rules and Regulations, Senate and Executive job descriptions, Presidential Executive Orders, Judicial Handbook, and all other subsequent documents.
2. All duly ratified Constitutions shall supersede all previous Constitutions.

**ARTICLE II:** *Name*

1. The name of the organization shall be the Associated Student Government of Colorado Mesa University.

**ARTICLE III:** *Student Bill of Rights*

The Associated Student Government recognizes that students have certain rights that shall be imperishable, exist as a foundation for democratic governance, and cannot supersede local, state and federal laws. However, the Associated Student Government also recognizes that students have specific responsibilities that must be carried out in order to ensure these rights. These responsibilities include:

1. Being acquainted with all information provided to the student (i.e. student handbook, student code of conduct, etc.) and following the established policies.
2. Respecting the rights of fellow students as enumerated below.

**Section A:** *Basic Rights*

**Freedom of Speech, Religion, and the Press**

The right to present their ideas on any subject without penalty or censorship with the exception of endangerment to life, property, or intrusion upon the equal rights of others. This right includes the freedom of campus media to engage in meaningful discussion of student issues without verifiable punitive financial retribution from the Associated Student Government. Furthermore, students have the right to religious freedom, except when that freedom infringes upon the rights of others or endangers life or property.

**Dissenting Opinions**

The right to take reasoned exception to views offered as part of academic curriculum or non-academic functions, to be graded solely on academic performance, and to be protected against prejudice or arbitrary evaluation.

**Forming Organizations**

The right to organize, join, and take part in any organization, subject to reasonable regulation by the Associated Student Government, for reasons not limited to, but including: intellectual, religious, social, economic, or cultural purposes.

**Demonstration**

The right to organize and participate in orderly, non-violent demonstrations on and off campus.

**Hearing Speakers**

The right to invite and hear speakers of their choice on subjects that interest them.

**Use of Facilities**

The right to use campus facilities for meetings and other activities subject only to payment of expenses when necessary, and according to such procedures as may be necessary in scheduling rooms for times and purposes to which they are suited.

**Petitioning**

The right to petition the proper authority, protected against prejudice, for changes in faculty, administration, curriculum, and institutional policy.

**Soliciting Money**

The right of any recognized student organization to solicit money on campus, subject to reasonable regulation by the Associated Student Government.

**Information**

The right to obtain truthful and full information, upon inquiry, concerning any college policy affecting them, the adoption proceedings of said policy, and the options by which it may be changed.

**Privacy of Records**

The right to privacy of their academic, non-academic, disciplinary, and financial records with the right of personal examination of such records.

**Non-Institutional Obligations**

The right not to have non-institutional financial obligations placed on the student's institutional account.

**Due Process**

The right to due process, including a speedy and public trial, confrontation of plaintiff and their witnesses, counsel, presumption of innocence, and appeal before the Student Supreme Court.

**Suits**

The right, if aggrieved, to bring a suit before the Student Supreme Court for any punitive violation of rights.

**Section B: *Nondiscrimination Policy***

No student shall be denied these rights due to their sex, age, handicap, race, religion, marital status, veteran status, national or ethnic origins, gender identity, sexuality, or any other discriminatory consideration.

**Section C: *Student Rights Pertaining to Student Government*****Democratic Governance**

The right to organize and maintain a democratic form of representative student government which shall be in charge of overseeing and regulating student affairs, assessing and allocating student fees, and involving itself in the formation of college policy.

**Election of Student Officials**

The right to choose student government officials through the student election process.

**Student Judiciaries**

The right to an independent and impartial judiciary through which students and student organizations may appeal actions of the student government.

**Appeals**

The right to appeal proposed fee increases to the student government and the administration.

**Formulation of Amendments**

The right to refer constitutional amendments to the student body through the initiative process.

**ARTICLE IV: Objectives**

The objectives of the Associated Student Government shall be to:

1. Coordinate activities, communication, legislation, and services of general benefit to students.
2. Develop and maintain a representative student government at Colorado Mesa University.
3. Evaluate all student government governing documents and petition for changes to accommodate the evolution of Colorado Mesa University.
4. Maximize the student experience in academic and non-academic pursuits.
5. Monitor the activities of the faculty and administration while protecting the best interests of the students.
6. Oversee the activities related to student fee assessment and allocation.
7. Promote and support the educational experience and opportunities of the student body by working to expand student participation, collaboration, and involvement on their campus.
8. Protect the individual rights and freedoms of students.
9. Recognize all official student organizations.

## **ARTICLE V: *The Executive Branch***

### **Section A:** *Executive Authority*

The executive power of the Associated Student Government shall be vested in the President and the Vice President.

### **Section B:** *The President*

The President shall:

1. Be elected by a plurality of the general student population in the spring prior to their term.
2. Be the Chief Executive of the Associated Student Government.
3. Be responsible for carrying out the duties and the responsibilities of the office as enumerated by this Constitution, the subsequent Articles of the Bylaws, and all other supporting documents.
4. Enforce the Constitution and the Bylaws according to the powers vested in this Constitution, the subsequent Articles of the Bylaws, and all other supporting documents.
5. Give precedence to the interests of the students over all other considerations.
6. Be of at least a full-time junior status with the Registrar's Office.
7. Be a student in good standing with the Registrar's Office.

### **Section C:** *The Vice President*

The Vice President shall:

1. Be elected by a plurality of the general student population in the spring prior to their term in conjunction with the President.
2. Be appointed by the President, or Acting President, in the event of a vacancy of the Vice Presidential office. The appointment must be confirmed by 2/3 (two-thirds) affirmative vote of quorum of the Student Senate.
3. Assume the position of President, should that office become vacant.
4. Serve as the presiding officer over the Student Senate according to Robert's Rules of Order.
5. Shall cast the deciding vote in the event of a tie during general assembly meetings.
6. Be of at least a full-time junior status with the Registrar's Office.
7. Be a student in good standing with the Registrar's Office.

### **Section D:** *The Student Trustee*

The Student Trustee Shall:

1. Be elected by a plurality of the student population in the spring prior to their term.
2. Represent the students of Colorado Mesa University to the Board of Trustees of Colorado Mesa University.
3. Be of good standing with the Registrar's Office.
4. Abide by the Board of Trustees Policy Manual.

#### **Section E: Executive Membership**

1. All members of the Executive branch shall not concurrently serve in any other role within the Associated Student Government.

### **ARTICLE VI: The Legislative Branch**

#### **Section A: Responsibilities and Authority**

The Student Senate shall serve as the legislative body of the Associated Student Government and shall be responsible for:

1. Initiating and enacting legislation which it shall deem necessary and proper under this Constitution, subsequent Articles of the Bylaws, and all other supporting documents.
2. Senators may introduce legislation by presenting a bill to the Vice President who, in turn, shall place the bill on the Student Senate's agenda for action in a timely fashion.
3. Confirming all appointments by 2/3 (two-thirds) affirmative vote of quorum for any vacancies within the Associated Student Government.
4. Removing any negligent Supreme Court Justice that fails to meet the enumerated duties of their office.
5. Refer all matters regarding Constitutional violation and/or interpretation to the Student Supreme Court including, but not limited to, the impeachment of negligent Senators and Executive Officers.
6. The Student Senate may override any Presidential veto or Executive Order with a 2/3 (two-thirds) affirmative vote of quorum of the Student Senate.
7. Each Senator shall be entitled to one vote.
8. Each Senator is responsible to report to their constituents on all matters before the Senate.

#### **Section B: Membership**

1. Senators:
  - a. The Student Senate shall consist of 26 (twenty-six) Senators elected by a plurality of the general student population, or appointed by the Senate Leader and confirmed by the Senate in times of vacancy, and shall represent their constituency in all matters before the Senate.
  - b. The Student Senate shall consist of 1 (one) of each of the following members:
    1. Campus Resident Senator
    2. Disabled Students Senator
    3. Freshman Senator
    4. Minority Student Senator
    5. Montrose Campus Senator
    6. Western Colorado Community College Senator
  - c. The Student Senate shall consist of the following members which will be affected by the census, but to total 20 (twenty):

1. At Large Senator(s)
  2. Graduate Senator(s)
  3. Art and Design Senator(s)
  4. Biological Sciences Senator(s)
  5. Business Senator(s)
  6. Computer Science, Mathematics and Statistics Senator(s)
  7. Engineering Senator(s)
  8. Health Sciences Senator(s)
  9. Kinesiology Senator(s)
  10. Language, Literature and Mass Communication Senator(s)
  11. Music Senator(s)
  12. Physical and Environmental Sciences Senator(s)
  13. Social and Behavioral Sciences Senator(s)
  14. Teacher Education Senator(s)
  15. Theatre Arts Senator(s)
- d. The number of seats allocated to each Student Senate seat will be based on the census issued by Colorado Mesa University in the fall of even years. The allocation of seats will take affect during the spring election of the odd year following the census.
  - e. Every Senate group that is affected by the Census will have a minimum of one Senate seat.
2. All members of the Legislative branch shall not concurrently serve in any other role within the Associated Student Government.
  3. All Executive Officers of the Associated Student Government shall serve as ex-officio members to the Senate.
    - a. The Vice President shall be an exception when serving as the presiding officer and when giving the deciding vote in the event of a tie.

### **Section C: *Senate Leader***

The Senate Leader shall:

1. Be elected through a plurality vote of the Student Senate during the first official meeting of the Senate.
2. Serve as the presiding officer over the Senate in times of the Vice President's absence. When serving as the presiding officer, the Senate Leader forfeits his/her right to vote, except in the event of a tie during General Assembly meetings.
3. Perform all other duties required by this Constitution, subsequent sections of the bylaws, and all other supporting documents.
4. In the event of a Senate Leader vacancy, the Presiding Officer will hold an election to select a new Senate Leader. Any Senator that meets the requirements of the position may run in the election. The Student Senate will choose from candidates and be confirmed by plurality of quorum.
5. Be a student in good standing with the Registrar's Office.
6. Have experience in the Associated Student Government of Colorado Mesa University.

### **Section D: *Senate Meetings***

1. General Assembly meetings of the Student Senate shall be held each week during the fall and spring semesters, except during the week of final examinations and Colorado Mesa University defined vacations.
2. Special meetings of the Student Senate may be called by the Vice President or by a majority vote of quorum by the Student Senate. Notice must be given to the Senate membership no less than 24 (twenty-four) hours prior to the meeting.
3. All meetings of the Student Senate shall be open to the public.

4. Quorum shall be 2/3 (two-thirds) of the voting members of the Student Senate. No business shall be conducted without quorum.
5. An ex-officio member shall be defined as a non-voting representative, whom can only speak when given the floor by a Student Senator.

### **Section E: *Standing Committees***

Standing committees shall include:

1. Fee Allocation Committee
2. Fee Review Committee
3. Internal Committee
4. External Affairs Committee
5. Election Committee

## **ARTICLE VII: *The Judicial Branch***

### **Section A: *Judicial Authority***

The Judicial power of the Associated Student Government shall be vested in the Student Supreme Court. The jurisdiction of the Student Supreme court shall be limited to those entities and outlined in the Associated Student Government Constitution, the subsequent Articles of the Bylaws, and all other supporting documents. Rulings by the Student Supreme Court regarding the Associated Student Government shall be duly enforced by the President and adhered to by the Student Senate and all other Associated Student Government entities.

### **Section B: *Membership***

All Student Supreme Court members shall:

1. Be appointed by the President and confirmed by 2/3 (two-thirds) affirmative vote of quorum of the Student Senate.
2. Consist of:
  - a. 1 (one) Supreme Court Chief Justice
  - b. 2 (two) Supreme Court Justices
3. Not concurrently serve in any other role within the Associated Student Government.

## **ARTICLE VIII: *Removal and Censure of Associated Student Government Officials***

### **Section A: *Grievance Process***

1. A grievance may be submitted to the Supreme Court Justices by any student. The Supreme Court Justices have the authority to decide if the grievance contains substantial evidence to proceed to a hearing.
  - a. If the Supreme Court Justices determine that not enough evidence is present to conduct a hearing, all parties involved will be notified.
    - i. Should the involved parties disagree with the decision to not conduct a hearing, only the parties involved may appeal to the Student Senate to conduct the Investigation Process.

## **Section B: *Investigation Process***

1. To initiate an investigation, the Student Senate shall discuss and conduct a 2/3 (two-thirds) affirmative vote of quorum to refer a negligent Senator, Executive Officer, or Supreme Court Justice. The Student Senate may also initiate an investigation when the Student Supreme Court's decision to not proceed with a hearing is appealed.
2. The Student Senate will nominate a Senator or Executive Officer to be the lead investigator, with the approval of a 2/3 (two-thirds) affirmative vote of quorum. The lead investigator will appoint 2 (two) Senators with the approval of a 2/3 (two-thirds) affirmative vote of quorum of the Student Senate. The 3 (three) Associated Student Government members will form the Investigation Committee.
3. The Investigation Committee will present a formal report through a unanimous decision within 5 (five) business days. The investigation will begin upon the approval of a lead investigator.
  - a. Should the Investigation Committee require more time to complete the investigation, the Investigation Committee may request additional time in the form of legislation from the Student Senate. The extension of time must be approved by a majority vote.
    - i. If the request for additional time is denied, the Investigation Committee will have 24 hours to unanimously decide whether or not there is sufficient evidence to present to the Supreme Court Justices.
  - b. If the Investigation Committee finds evidence, the Student Supreme Court hearing shall be held.
  - c. If the Investigation Committee does not find evidence, all parties shall be notified, and the case shall be dismissed.
  - d. In the event that the Investigation Committee is investigating a negligent Supreme Court Justice, the committee will refer the formal report to the Student Senate. The Student Senate will hear the formal report and shall vote to remove the Supreme Court Justice through a 2/3 (two-thirds) affirmative vote of quorum at the following General Assembly meeting.

## **Section C: *Hearing Process***

1. In the event that a hearing is held, the Student Supreme Court shall follow the Associated Student Government Constitution, subsequent Articles of the Bylaws, and all other supporting documents.
2. If the Student Supreme Court finds substantial evidence through the Grievance Process, or the Investigation Committee refers their findings to the Student Supreme Court, the Student Supreme Court shall conduct a hearing.
3. If the Student Supreme Court finds the party guilty, the Student Supreme Court shall impose the appropriate punitive measures.
4. If any party involved disagrees with the hearing decision, he/she may appeal the decision. The appeal will go to the Advisors of the Associated Student Government who will then determine whether the process was conducted appropriately.

## **ARTICLE IX: *Biennial Budget Process***

The Associated Student Government shall conduct the Biennial Budget process in the fall semester of an even year. Throughout this process, the Associated Student Government shall establish a budget for each student fee-funded organization based off of the request from the organization. The Associated Student Government shall follow the Biennial procedure outlined in the Associated Student Government Constitution, subsequent Articles of the Bylaws, and all other supporting documents.

## **ARTICLE X:** *Amending Governing Documents*

### **Section A:** *Constitution*

1. Amendments to this Constitution may be initiated by the student body through the submission of a petition containing the signatures of no less than 10% Full Time Equivalent (FTE) of the most recent student census. All petitioned amendments shall contain the exact wording to be submitted during the student vote.
2. The Student Senate may refer a Constitutional amendment to the student body through a 2/3 (two-thirds) affirmative vote of quorum of the Student Senate. All referred Constitutional amendments shall be sent to the ballot by the Student Senate no less than 3 (three) weeks prior to the student vote.
3. Upon receipt of a valid petition from the student body or a referral by the Student Senate, the Vice President shall organize and conduct an election in compliance with the Associated Student Government Constitution, subsequent Articles of the Bylaws, and all other supporting documents.

### **Section B:** *Bylaws and All Supporting Documents*

1. The Bylaws and all supporting documents, with the exception of the Judicial Handbook, may be amended by a 2/3 (two-thirds) affirmative vote of quorum of the Student Senate following the totality of the 3 (three) consecutive readings at General Assembly meetings of the Student Senate.
2. Supporting documents shall be recognized by the Student Supreme Court and defined in the Bylaws.
3. Amendments to the Bylaws and all supporting documents are subject to approval or veto by the President.
4. Amendments to the Judicial Handbook must be recommended to the Chief Justice. All approved amendments must be confirmed by the Student Senate by a 2/3 (two-thirds) affirmative vote of quorum.

## **ARTICLE XI:** *Student Initiatives and Student Senate Referendums*

1. Initiatives may be brought by the student body through the submission of a petition to the Associated Student Government President containing valid signatures of no less than 10% Full Time Equivalent (FTE) of the most recent official census of the student body. All initiative petitions shall contain the exact wording of the proposed ballot item.
2. The Student Senate may refer a referendum to the student body shall be approved by a 2/3 (two-thirds) affirmative vote of quorum of the Student Senate. Referendums shall not require the signature of the President. Referendums shall take place no sooner than 2 (two) weeks following the referendum's passage by the Student Senate.
3. Upon receipt of a valid student initiative petition or Student Senate referendum resolution, the Vice President shall include the valid student initiative petition and/or referendum in the next election in compliance with the election code.

## **ARTICLE XII:** *Ratification*

1. This Constitution shall become binding upon the Associated Student Government and the students of Colorado Mesa University upon an affirmative majority vote of at least 10% Full Time Equivalent (FTE) of the most recent student census.
2. Refer the investigation's findings to the Student Supreme Court for impeachment proceedings.
3. If at any time, the Vice President chooses not to refer an investigative matter to the Student Supreme Court and the Student Senate deems the matter in need of judicial review, the Student Senate shall refer such matters to the Student Supreme Court for an impeachment hearing through a two-thirds majority vote of quorum at any official meeting of the Senate.



4. When referred matters concerning negligent ASG members by either the Vice President or the Student Senate, the Student Supreme Court shall conduct an impeachment hearing and shall find the ASG member charged as innocent or guilty. If found guilty, the Student Supreme Court shall reserve the right to procure that punishment deemed appropriate to the violation, including expulsion from office and all lesser penalties.
5. At any time, credible evidence suggests that a Supreme Court Justice has not met the constitutional requirements of their office, the Vice President shall conduct an investigation and refer the findings to the Student Senate which, if deemed necessary and appropriate by the Senate, shall expel the justice through a two-thirds majority vote of quorum at any official meeting of the Senate.

#### **ARTICLE IX:** *Constitutional Amendments*

1. Amendments to this Constitution may be initiated by the student body through the submission of a petition containing the signatures of not less than 10% FTE of the most recent student census. All petitioned amendments shall contain the exact wording to be submitted during the student vote.
2. The Student Senate may refer a Constitutional amendment to the student body through an affirmative two-thirds majority vote of quorum. All referred Constitutional amendments shall be sent to the ballot by the Student Senate not less than three weeks prior to the student vote.
3. Upon receipt of a valid petition from the student body or a referral by the Student Senate, the Vice President shall organize and conduct an election in compliance with the election code referred to in subsequent Articles of the Bylaws.

#### **ARTICLE X:** *Bylaws*

1. The Constitution of the Associated Student Government shall be supreme over the ASG bylaws, the FAC bylaws, the election rules and regulations, Senate and Executive job descriptions, Presidential Executive Orders, and the judicial handbook.
  - a. The bylaws may be amended by an affirmative vote of a two-thirds majority of quorum following each of three consecutive readings at regular meetings of the Student Senate.
  - b. The election rules and regulations may be amended by an affirmative simple majority vote of quorum following each of two consecutive readings at regular meetings of the Student Senate.
  - c. The judicial handbook and all subsequent amendments shall be approved by a two-thirds majority vote of quorum following each of three consecutive readings at regular meetings of the Student Senate. It may not be amended by the Student Senate. All amendments to the judicial handbook must be submitted by the Chief Justice.
2. The bylaws of the Associated Student Government shall be binding with the same force as the Constitution, provided that provisions within the bylaws do not conflict with the Constitution nor can it take place of the Student's Bill of Rights.
3. Bylaw amendments are subject to approval or veto by the President.

#### **ARTICLE XI:** *Student Initiatives and Student Senate Referendums*

1. Initiatives may be brought by the student body through the submission of a petition to the ASG President containing valid signatures of no less than 10% FTE of the most recent official census of the student body. All initiative petitions shall contain the exact wording of the proposed ballot item.
2. The Student Senate may refer a referendum to the student body by an affirmative two-thirds majority vote of members present at any official meeting of the Senate. Referendums shall not require the signature of the President. Referendums shall take place no sooner than two weeks following the referendum's passage by the Student Senate.

3. Upon receipt of a valid student initiative petition or Student Senate referendum resolution, the Vice President shall organize and conduct an election in compliance with the election code.

**ARTICLE XII:** *Ratification*

1. This Constitution shall become binding upon the ASG and the students of Colorado Mesa University upon an affirmative majority vote of at least 10% FTE of the most recent student census. When duly ratified, this Constitution shall supersede all previous Constitutions.