

The Constitution of the Associated Student Government



ARTICLE I: The Associated Student Government

Section A: Name

The name of the democratic student body government shall be:

‘The Associated Student Government of Colorado Mesa University.’

Section B: Mission

The mission of The Associated Student Government of Colorado Mesa University (the Associated Student Government or ASG) shall be:

‘To promote and support the educational experience and opportunities of the student body by working to expand student participation, collaboration, and involvement on campus.’

Section C: Objectives

The objectives of the Associated Student Government shall be to:

1. Develop and maintain a democratic and representative student government at Colorado Mesa University (CMU).
2. Protect the individual rights and freedoms of all students.
3. Coordinate activities, communication, legislation, services, and organizations of general benefit to all students.
4. Oversee all activities related to student fee assessment and allocation.
5. Monitor the activities of the faculty and administration while protecting the best interest of the students of CMU.
6. Maximize the student experience in academic and non-academic pursuits.
7. Maintain and evaluate all governing documents, making changes to accommodate the evolution of Colorado Mesa University.
8. Recognize and support all official student organizations and bodies.
9. Represent and be an advocate for students to the university administration, the local community, city and county governments, and the State of Colorado.

Section D: Supremacy

1. The Associated Student Government shall be supreme over all existing and future Student Fee-Funded Organizations, SFO Sub-Entities, and Student Clubs. The primary oversight of student clubs will be delegated to the Club Advisory Board and the primary oversight of SFO Sub-Entities shall be retained by their parent organization.
2. The Associated Student Government Constitution shall be supreme over the Articles of the Bylaws, all ASG governing documents, SFO constitutions, club constitutions, and any other supporting document that fall underneath its jurisdiction.

ARTICLE II: Student Bill of Rights

Section A: Applicability

1. The Associated Student Government recognizes that students have certain rights that shall be imperishable and exist as the foundation for democratic governance.
2. The Associated Student Government shall, with all means at its disposal, enforce and uphold these rights to any extent within the bounds of all local, state, and federal laws.

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3. In order to ensure these rights, all students of CMU have specific responsibilities that must be carried out, including being acquainted with all student policies (i.e., student handbook, code of conduct) and respecting the rights of all fellow students as enumerated below.

Section B: Basic Rights

1. 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.

2. Dissenting Opinions

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

3. 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.

4. Demonstration

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

5. Hearing Speakers

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

6. 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.

7. Petitioning

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

8. Soliciting Money

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

9. 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 means by which to change it.

10. 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.

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11. Non-Institutional Obligations

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

12. 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.

13. Suits

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

Section C: Rights Pertaining to Student Government

1. Democratic Governance

The right to organize and maintain a democratic form of representative student government which shall oversee and regulate student affairs; assess and allocate student fees; and involve itself in the formation of college policy.

2. Formulation of Amendments

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

3. Election of Student Officials

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

4. Student Judiciaries

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

5. Removal or Censure of Student Officials

The right to remove elected officials through the ASG grievance process and the Student Supreme Court

6. Appeals

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

Section D: Nondiscrimination Policy

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

ARTICLE III: The Executive Branch

Section A: Executive Authority

The executive power of the Associated Student Government shall be vested in the Executive Branch under the direction of the President.

Section B: Executive Responsibilities

The executive branch of ASG shall be responsible for:

1. Maintaining the internal communication and structure of the organization.
2. Representing the voices of students in all realms of control.
3. Promoting a student-first, involved culture in Student Life and on campus.

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4. Offering guidance and insight for the legislative bodies of ASG.
5. Referring all matters regarding constitutional violation to the Student Supreme Court.
6. Ensuring the functionality and well-being of all student fee-funded organizations.

Section C: The President

The Student Body President shall:

1. Be elected by a plurality of the CMU student population in conjunction with the Vice President.
2. Serve as the Chief Executive of ASG.
3. Enforce the ASG Constitution and all governing documents.
4. Give precedence to student interests over all other considerations.
5. Be of at least junior standing with the Registrar's Office.
6. Be responsible for carrying out the duties and responsibilities of the office as enumerated by this Constitution and all supporting documents.

Section D: The Vice President

1. Be elected by a plurality of the CMU student population in conjunction with the President.
2. Serve as the Presiding Officer of the Student Senate, casting the deciding vote only in the event of a tie during Senate general assembly meetings.
3. Assume the role of President should the office become vacant.
4. Enforce the ASG Constitution and all governing documents.
5. Give precedence to student interests over all other considerations.
6. Be of at least junior standing with the Registrar's Office.
7. Be responsible for carrying out the duties and responsibilities of the office as enumerated by this Constitution and all supporting documents.

Section E: The Student Trustee

1. Be elected by a plurality of the CMU student population.
2. Serve as the Chair Pro-Tempore of the House of Representatives.
3. Serve as the Chair of the Conference Committee.
4. Represent the students of CMU to the Board of Trustees of Colorado Mesa University.
5. Be of at least junior standing with the Registrar's Office.
6. Be responsible for carrying out the duties and responsibilities of the office as enumerated by this Constitution and all supporting documents.

Section F: Appointed Executives

The executive seats that shall be appointed by the President and confirmed by the Senate are:

1. Chief of Staff
2. Chief Financial Officer
3. Director of External Affairs
4. Press Secretary

Section G: The Presidential Cabinet

The Presidential Cabinet shall:

1. Consist of the directors of each student fee-funded organization.
2. Act in accordance with all ASG governing documents.

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3. Be granted executive power only while in session or while acting in the capacity of a representative of the Presidential Cabinet.
4. Be absolved of meeting ASG executive membership requirements.

Section H: Executive Membership

The minimum requirements for membership as an executive of ASG are as follows:

1. Be a student in good standing with the Registrar's Office.
2. Be a full-time equivalent (FTE) student.
3. Maintain an institutional GPA of at least 2.0.
4. Not serve concurrently in any other role within the Associated Student Government

ARTICLE IV: The Legislative Branch

Section A: Legislative Authority

The legislative power of the Associated Student Government shall be vested in the Student Senate and House of Representatives under the direction of the Senate Leader and the Speaker of the House.

Section B: Legislative Responsibilities

The Student Senate and the House of Representatives shall serve as the bicameral legislature of the Associated Student Government and be duly responsible for:

1. Initiating and enacting legislation which it shall deem necessary and proper for the benefit of students at CMU under this Constitution and all other supporting documents.
2. Referring all matters regarding constitutional violation to the Student Supreme Court.
3. Overriding Presidential Veto's that are deemed unjust or unconstitutional.
4. Reporting to their constituents on all matters under consideration.
5. Casting their votes for the best interests of students regardless of personal convictions.
6. Confirming appointments by a two-third (2/3) affirmative vote of quorum for any vacancies within the Associated Student Government, provided the candidates meet all requirements.
7. Removing any negligent Supreme Court Justices.

Section C: The Senate Leader

The Senate Leader shall:

1. Be elected by a plurality vote of the Student Senate during general assembly during the opening session of each Senate or in the event of a vacancy.
2. Serve as the Chair Pro-Tempore of the Senate, forfeiting their right to vote when acting as the Presiding Officer except in the event of a tie.
3. Be responsible for carrying out the duties and responsibilities of the office as enumerated by this Constitution and all supporting documents.

Section D: The Speaker of the House

The Speaker of the House shall:

1. Be elected through a plurality vote of the House of Representatives during the opening session of each House or in the event of a vacancy.
2. Serve as the Presiding Officer of the House, casting their vote last in the roll call.

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3. Be responsible for carrying out the duties and responsibilities of the office as enumerated by this Constitution and all supporting documents.

Section E: Elected Senators

The sixteen (16) elected senatorial positions of ASG are as follows:

Academic Department Senators

1. Art and Design Senator
2. Biological Sciences Senator
3. Computer Science and Engineering Senator
4. Davis School of Business Senator
5. Health Sciences Senator
6. Kinesiology Senator
7. Language, Literature, and Mass Communication Senator
8. Mathematics and Statistics Senator
9. Music Senator
10. Physical and Environmental Sciences Senator
11. Social and Behavioral Sciences Senator
12. Teacher Education Senator
13. Theatre Arts Senator

Non-Departmental Senators

14. Graduate Programs Senator
15. Montrose Campus Senator
16. Western Colorado Community College Senator

Section F: Elected Representatives

The eleven (11) elected representative positions of ASG are as follows:

1. Representative for Disabled Students
2. Representative for Minority Students
3. Representative for Non-Traditional Students
4. Representative for Student Athletes
5. Representative for Student Ideologies
6. Representative for Student Safety and Mental Health
7. Representative for Transfer and International Students
8. Representative At Large
9. Representative At Large
10. Representative At Large
11. Representative At Large

Section G: Legislative Meetings

1. Both chambers shall hold a weekly General Assembly meeting starting the second week of school and culminating the week before graduation. General Assembly meetings shall not be held during final examination weeks and CMU-defined breaks.

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2. Special meetings may be called by the Presiding Officer of each chamber or by a majority vote of quorum. Notice shall be delivered to all members no less than twenty-four (24) hours prior the designated meeting time.
3. All general assembly and special legislative meetings shall be open to the public.
4. Quorum shall be established with the following:
 - a. Two-third (2/3) of all duly elected or appointed voting members of the Senate.
 - b. One-half (1/2) plus (1) of all duly elected or appointed voting members of the House.
5. All ex-officio members of each chamber shall be defined as non-voting representatives and may only speak when given the floor by a voting member.

Section H: Legislative Membership

The minimum requirements for membership as a legislator of ASG are as follows:

1. Be a student in good standing with the Registrar's Office.
2. Maintain an institutional GPA of at least 2.0.
3. Not serve concurrently in any other role within the Associated Student Government.

ARTICLE V: The Judicial Branch

Section A: Judicial Authority

The judicial power of the Associated Student Government shall be vested in the Student Supreme Court under the direction of the Chief Justice.

Section B: Judicial Responsibilities

The judicial branch of the Associated Student Government shall:

1. Maintain jurisdiction over all entities outlined in the Associated Student Government constitution and all supporting documents. These include, but are not limited to:
 - a. The Executive Branch
 - b. The Student Senate and House of Representatives
 - c. Student Fee-Funded Organizations and their sub-entities
 - d. Student Clubs
2. Adjudicate all inquiries of constitutionality brought forward by any member of the student body.
3. Override Executive Orders that are deemed unjust or unconstitutional.
4. Consider, respond, and oversee any grievances filed with the Student Supreme Court.
5. Serve as the investigative body of ASG when requested by any member of the student body.
6. Verify all qualifications, internal records, and signatures pertaining to ASG.

Section C: The Chief Justice

The Chief Justice shall:

1. Be the senior member of all duly appointed and confirmed Supreme Court Justices.
2. Be the representative of the Student Supreme Court whenever required.
3. Preside over all judicial meetings and Student Supreme Court hearings.
4. Delegate judicial authority to the associate justices when deemed necessary.

Section D: The Associate Justices

The Associate Justices shall:

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1. Be the two junior members of all duly appointed and confirmed Supreme Court Justices.
2. Assist the Chief Justice in any and all judicial matters including, but not limited to; grievances, hearings, inquiries, impeachments, verifications, and investigations.

Section E: Judicial Membership

The minimum requirements for membership as a justice of ASG are as follows:

1. Be appointed by the Student Body President to fill a vacancy.
2. Be examined by the Judiciary Committee and confirmed by a two-thirds (2/3) affirmative vote of quorum of the Student Senate.
3. Be a student in good standing with the Registrar's Office.
4. Maintain an institutional GPA of at least 2.0.
5. Not serve concurrently in any other role within the Associated Student Government.

ARTICLE VI: Removal and Censure of Student Life Officials

Section A: Definitions

1. A grievance shall be defined as a complaint made by any student(s) concerning the violation of Associated Student Government or Student Life governing documents and policies by a member or organization under the Associated Student Government or Student Life.
2. The person or party filing the grievance with the Court shall be known as the "plaintiff." The person or party against whom relief is sought shall be designated the "defendant."

Section B: Submission

1. A grievance may be submitted to the Student Supreme Court by any student. The Plaintiff must submit the grievance via electronic mail to the Chief Justice.
2. Any grievance should be submitted within fourteen (14) days after the event takes place, although the time may be extended at the discretion of the Student Supreme Court.
3. To be considered by the Student Supreme Court, the grievance must include the following elements:
 - a. A description of the damage caused by the defendant and their conduct.
 - b. A description of the allegation(s) based on a violation of a governing document; and
 - c. A suggested remedy.
4. Upon receiving a grievance, the Chief Justice shall confer with the Associated Justices and review the grievance. Within three (3) business days from the submission of the grievance, the Student Supreme Court shall either:
 - a. Dismiss the grievance and alert the plaintiff.
 - i. The plaintiff may appeal the Student Supreme Court's dismissal decision to the Investigation Committee within the Student Senate.
 - b. Request the plaintiff amend the grievance; or
 - c. Accept the grievance for adjudication.

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Section C: Acceptance

1. The plaintiff shall be notified that the grievance has been accepted for adjudication by the Student Supreme Court. The plaintiff shall have ten (10) business days to prepare written questions for the anticipated hearing on the grievance. The written questions shall be directed via electronic mail to the Chief Justice.
2. The defendant shall be served with the accepted grievance via electronic mail. The defendant shall have ten (10) business days to prepare their written answer to the grievance. Additionally, the defendant shall prepare written questions for the anticipated hearing on the grievance. The written answer and questions shall be directed via electronic mail to the Chief Justice. Defendants, upon receipt of a grievance, the defendant may plead guilty to the allegations within the grievance and forego the hearing process and accept imposed sanctions.
3. If either party intends for a witness to testify at the grievance hearing, they must disclose the witness's name, contact information, and nature of their testimony to the Chief Justice via electronic mail. Any witnesses must be disclosed to the Chief Justice and other party forty-eight (48) hours prior to the scheduled hearing.
4. If either party intends to have advisory counsel during the hearing process, they must disclose the advisory counsel's name and contact information. Any advisory counsel must be disclosed to the Chief Justice and other party forty-eight (48) hours prior to the scheduled hearing.

Section D: Hearing

1. Within five (5) days of receipt of the defendant's written answer, a hearing on the grievance shall be held. The time and location will be determined by the Student Supreme Court to ensure confidentiality and participants' attendance.
2. All parties, excluding witnesses, must be given forty-eight (48) hours' notice of the hearing date, time, and location.
3. The Student Supreme Court shall review the questions submitted by the defendant and plaintiff. The Student Supreme Court shall have the authority to strike any question that is not applicable to the grievance.
4. The Chief Justice shall preside over the hearing. All members of the Student Supreme Court are required to attend the hearing. A hearing may only be conducted if all parties, excluding witnesses, are present.
5. There shall be a single verbatim record of all hearings before the Student Supreme Court typed by the Chief of Staff. The record shall be the property of Colorado Mesa University.
6. The hearing shall include cross-examination where the parties may question each other. The parties may also question their witnesses.
7. Pertinent records, exhibits, and written statements may be accepted as evidence for consideration at the discretion of the Student Supreme Court.
8. The Student Supreme Court may question any involved party at any point during the hearing for investigative purposes.
9. Each party will be allowed a closing statement.

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Section E: Decision

1. Following the presentation of evidence via the questioning of the plaintiff, defendant, and any witnesses, the Student Supreme Court shall conclude the hearing and dismiss the parties.
2. The Student Supreme Court shall issue written findings within three (3) business days. The written findings shall include either a guilty or not guilty verdict and ordered sanctions. The written findings shall be delivered via electronic mail to the plaintiff and defendant and made accessible in the R-Drive.
3. The Student Supreme Court's verdict shall require a simple majority.
 - a. A Justice may issue a dissenting opinion if they wish.

Section F: Sanctions

1. The Student Supreme Court shall impose sanctions found within the Associated Student Government Bylaws.
2. Any imposed sanctions shall be enforced by the Associated Student Government and Student Life.
3. The Associated Student Government shall not enforce sanctions imposed by a process other than the one described in this article.

Section G: Applicability

1. The process detailed in this article must be followed for the imposing of sanctions on any member of the Associated Student Government
2. The process detailed in this article may be followed for the imposing of sanctions on any other person or organization under the jurisdiction of the Associated Student Government or Student Life.
3. No part of this article shall be construed to prohibit a different process for imposing sanctions on any other person or organization under the jurisdiction of Associated Student Government or Student Life.

ARTICLE VII: Student Fee-Funded Organizations

Section A: Definitions

1. Any formal organization that is allocated funds from the Biennial Budget Process shall be defined as a Student Fee-Funded Organization (SFO).
2. Two distinctions of these organizations shall be recognized: Student-Run and University-Sponsored.
3. Any groups created by these organizations shall be considered sub-entities.
4. SFO Sub-Entities (e.g., individual club sports, committees, or alliances) shall not be considered clubs and thus will be free from oversight by the Club Advisory Board, but will be prohibited from requesting funds from ASG's budgets.

Section B: Authority

1. All Student-Run Student Fee-Funded Organizations shall be fully within the jurisdiction and definitions of the Associated Student Government.
2. All University-Sponsored Student Fee-Funded Organizations shall operate independently of ASG governance with ASG maintaining the rights to deny constitutional amendments and hold the organization liable to any decision made by the Student Supreme Court.

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3. The exact verbiage of Articles VI and VII of the Associated Student Government Constitution shall be included in the constitutions of each SFO.
4. If, at any time, the actions of a SFO infringe on student rights or fail to comply with ASG policies, the ASG Executive Branch shall file a grievance against the SFO.
5. In the event that the grievance is filed due to financial concerns, such as abuse of student fee allocation, all student-fee assets held by the SFO may be frozen during the grievance process.
6. In the event that the Student Supreme Court rules in favor of an ASG Executive grievance against a SFO, they may be subject to greater oversight, their constitution and funding may be restricted, and any member(s) may be subject to judicial sanctions.
7. In the event that the Student Supreme Court rules against an ASG Executive grievance against a SFO in which the organization's assets were frozen, the Executive Branch shall compensate the defendant organization with \$2,000 from the ASG Operating or Operating SCAR budgets.

Section C: Responsibilities

1. All Student Fee-Funded Organizations must abide by their constitutions and fulfill the mission and purposes outlined within.
2. Pending ASG approval, these constitutions may be amended to allow for the evolution and creation of SFO's as the university matures.

Section D: Membership

1. The directors, officers, and members of all University-Sponsored SFO's shall be independently selected, understanding that those individuals will be accountable to ASG for appropriate allocation of any student fee funding that is granted to the organization.
2. The directors of Student-Run SFO's shall be hired by an interview board consisting of:
 - a. One (1) Student Life Professional Staff member.
 - b. One (1) Associated Student Government executive.
 - c. The Organization Advisor of the SFO that opens the position.
 - d. Any additional voices approved by two (2) of the three (3) members.
3. The officers and members of Student-Run SFO's shall be hired by a board consisting of:
 - a. One (1) Student Life Professional Staff member.
 - b. The Organization Advisor of the SFO that opens the position.
 - c. The Director of the SFO that opens the position.
 - d. One (1) ASG executive may be present at the discretion of the Student Body President.
4. The minimum requirements for each position will be outlined in that SFO's constitution.

ARTICLE VIII: Biennial Budget Process

Section A: Authority

The Board of Trustees has granted ASG the power to allocate student-controlled fees.

Section B: Occurrence

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The Associated Student Government shall conduct the Biennial Budget Process during the fall semester of each even year, allocating fees for the next two fiscal years (i.e., during Fall 2018, student-controlled fees were allocated for FY19-20).

Section C: Process

The process by which SFO's submit their budget requests and ASG establishes the total student-controlled fee budget shall be outlined in the Bylaws.

ARTICLE IX: Amendments to Associated Student Government Policy

Section A: The Constitution

The Constitution of the Associated Student Government may be amended the following ways:

1. Amendments 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 vote. All petitioned amendments shall contain the exact wording to be submitted during the student vote.
2. The Student Senate and House of Representatives may refer a constitutional amendment to the student body through a two-thirds (2/3) affirmative vote of quorum in both chambers following three (3) readings of the changes.
3. Upon receipt of a valid petition or a legislative referral, the Vice President or appropriate Election Committee chair shall organize and conduct an election in accordance with the ASG Election Rules and Regulations.
4. For any amendment to be ratified, three-fourths (3/4) of all voting students must vote in favor.

Section B: Supporting Documents

The supporting documents of the Associated Student Government are binding with the same force as the Constitution, providing that they do not conflict with or supplant the Constitution. These documents may be amended in the following ways:

1. Bylaws

The Student Senate and House of Representatives may amend the Bylaws through a two-thirds (2/3) affirmative vote of quorum in both chambers following three (3) readings of the changes.

2. Judicial Handbook

Amendments may be submitted to or initiated by the Judicial Branch of ASG. These amendments must be approved by the Judicial Branch, submitted by the Chief Justice, and be confirmed by the Student Senate and House of Representatives with a two-thirds (2/3) affirmative vote of quorum in both chambers following one (1) reading of the changes.

3. Standing Rules

The Standing Rules of the Student Senate and House of Representatives may be amended within each respective chamber with a two-thirds (2/3) affirmative vote of quorum following two (2) readings of the changes. These changes will be binding unless the Student Supreme Court rules that the changes are unconstitutional.

4. All Other Supporting Documents

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Amendments to any Associated Student Government supporting documents not enumerated above must be confirmed by a two-thirds (2/3) affirmative vote of quorum in both chambers following one (1) reading of the changes.

Section C: Student Initiatives and 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 which shall be approved by a two-thirds (2/3) affirmative vote of quorum of the Student Senate.
3. Upon receipt of a valid student initiative petition or Student Senate referendum resolution, the Vice President or Election Committee Chair shall include the petition or referendum in the next election in compliance with the Election Rules and Regulations.

Section D: Non-Voting Amendments

The following amendments may be made to any Associated Student Government governing or supporting document without voting or ratification but requiring the signature of the President.

1. Any changes in CMU institutional names such as departments or campuses. Such changes must be reviewed by the Vice President of Student Services.
2. Any verbiage that is later revealed to be discriminatory or offensive in nature. Such changes must be reviewed by the Director of Student Life.
3. Grammatical errors, provided they do not in any way change the intent or interpretation of the documents. Such changes must be reviewed by the Chief Justice of the Student Supreme Court.

ARTICLE X: Ratification

This Constitution is binding over the Associated Student Government and all students at Colorado Mesa University. When duly ratified, as outlined above, this Constitution shall supersede all previous Constitutions.