

ACTION ITEM #6

Approval of ASWSU Everett Constitution (Paul Pitre)

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Approval of ASWSU Everett Constitution and Establishment

PROPOSED: That the WSU Board of Regents approve the constitution of the newly formed ASWSU Everett.

SUBMITTED BY: Paul Pitre, Dean of North Puget Sound at Everett

SUPPORTING INFORMATION: Students of Washington State University North Puget Sound at Everett have developed and adopted a new constitution in accordance with the Associated Students of Washington State University (ASWSU) ARTICLES OF INCORPORATION. The ASWSU Everett constitution was adopted in order to represent student interests, needs and welfare within the University community and allow students the ability to initiate student activities (Attachment A).

Associated Students
Of
Washington State University
Everett

Constitution

PREAMBLE

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

ARTICLE I: NAME

1. The name of this organization shall be the "Associated Students of Washington State University at Everett," herein called ASWSUE.

ARTICLE II: AUTHORITIES AND POWERS

1. ASWSUE is organized as a corporation under the laws of the State of Washington and the exercise of its functions shall be consistent with the ASWSU Pullman Articles of Incorporation.
2. Authorities and powers of ASWSUE shall be exercised by the ASWSUE President and Vice President as are enumerated in this Constitution.

ARTICLE III: MEMBERSHIP

All regularly enrolled undergraduate and graduate students attending WSU Everett shall be members of ASWSUE. No student will be denied membership because of race, religion, sex, age, color, creed, national or ethnic origin, physical or mental disability, marital status, sexual orientation or status as a disabled veteran.

ARTICLE IV: LEGISLATIVE BRANCH

1. The legislative power of ASWSUE shall be vested in ASWSUE Senate, which shall be a representative structure comprised of students on behalf of each academic program. The Senator may be an undergraduate or graduate student.
2. Members of the Senate must be members of ASWSUE, must be enrolled in minimum three (3) credit hours per semester during the regular academic year and must be in good academic standing with the University. Members of the Senate shall be elected in the annual general election.
3. Members of the Senate shall hold office from commencement to commencement or until the elected successors take office.
4. The Senate, the Legislative branch of ASWSUE, shall be the policy-making body of ASWSUE and no Executive branch act or omission shall contravene expressed or implied Senate policy.

5. The Senate shall have and exercise the general powers and duties usually vested in the governing board of a corporation, but specifically to include the following powers and duties:
 - i. Adopt and amend an ASWSUE budget, pursuant to Article VIII.
 - ii. Authorize entry into contractual or financial relationships on behalf of ASWSUE.
 - iii. Cause to have published and to approve an annual financial statement.
 - iv. Ensure that elected and appointed ASWSUE officials faithfully execute and abide by ASWSUE policies.
 - v. Override a Presidential veto by a two-thirds (2/3) vote of the seated membership.
 - vi. Impeach ASWSUE officers, as provided in Article V, 8, b.
 - vii. To post and maintain regular office hours, as required by the By-Laws, throughout their term.

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

6. Meetings

- i. The Senate shall meet bi-monthly with exceptions for vacations and breaks.
 - a. A quorum shall be two-thirds of the seated membership of the Senate.
 - b. All meetings shall be held in accordance with the Open Public Meetings Act RCW 42.30 or successor statutes.
 - c. Special meetings may be called by the President, Senate Chair Protempore, one-third (1/3) of the seated Senate membership or upon petition of ten percent (10%) of the ASWSUE membership.
 - d. The Vice President shall be the Chair of the Senate. The Chair may only vote to break a tie. In the absence of the Chair, the Senate Chair Pro-tempore shall chair the Senate.
 - e. The Chair Pro-tempore shall be annually elected at the second Senate meeting by a majority vote from the seated Senate membership.
 - f. Meeting attendance is mandatory; a forfeiture of a Senate seat may result if excessive absence of senate meetings as defined in section 280.0 of the ASWSUE By-Laws.
7. Senators and Senators-elect may be removed from office via the following recall process:
 - i. Petitions calling for removal from office of a named Senator or Senator-elect shall be signed by ten percent (10%) of the Senator or Senator-elect's constituents and shall be submitted to the Vice President for verification.
 - ii. Upon verification, the Senate shall set a reasonable date or dates for a recall election.
 - iii. At least ten percent (10%) of the membership of ASWSUE must participate in a recall election for validation.
 - iv. A majority affirmative vote shall be required for recall.
 - v. Challenging a recall election;

- a. Should a named ASWSUE Senator or Senator-elect challenge a re-call proceeding or impeachment proceeding, he or she shall temporarily vacate his or her office until the challenge is resolved.
8. Vacancies
- i. Should a Senate vacancy occur, the President and Vice President shall submit, within fifteen (15) business days of the occurrence of the vacancy, a list of three (3) nominees for the vacancy. At the next scheduled Senate meeting, the Senate by plurality vote of seated membership may select one of the three (3) candidates to fill the vacancy or request a new list of nominees within fifteen (15) business days.
 - a. Should the President and Vice President fail to comply with clause one (i), the Senate may confirm by a two-thirds (2/3) vote of seated membership, a nomination from the floor.
 - b. Should more than one-fourth (1/4) vacancies simultaneously occur at any one time, a special election to fill the positions must be scheduled within a reasonable time period.

ARTICLE V: EXECUTIVE BRANCH

1. The executive power of ASWSUE shall be vested in the Executive Branch of ASWSUE. The Executive Branch shall be the ASWSUE President and ASWSUE Vice President, and cabinet officers that the President and Vice President appoint.
2. Members of the Executive Branch must be members of ASWSUE, enrolled in a minimum of six (6) graded credit hours per semester during regular academic year, and must be in good academic standing, maintaining no less than a 2.0 cumulative GPA, with the University. The President and Vice President shall be elected in the annual spring general election.
3. Members of the Executive Branch shall hold office from commencement to commencement. In the event election take place post commencement, members of the Executive Branch shall hold office until their duly elected successors - or appointed by ASWSUE student advisor successor - take office.
4. The Executive Branch salaries shall be based on a percentage of the cost of tuition and paid in accordance with the By-Laws.
5. The ASWSUE President and Vice President shall post and maintain regular office hours, throughout their term of office.
6. The ASWSUE President shall be the chief executive officer of ASWSUE and all other members of the Executive Branch shall be responsible to the President. The President shall have and exercise the general powers and duties usually vested in the chief executive officer of a corporation, and shall specifically include the following powers and duties:
 - i. Preside over all meetings of the general membership of ASWSUE.

- ii. Preside as chair over Cabinet meetings.
 - iii. To appoint cabinet officers, and ASWSUE committee chairpersons, as needed and further described in the By-Laws.
 - iv. Veto any acts and confirmations of the Senate; except resolutions, Senate vacancy appointments, and referenda. Provide written communication of such vetoes to the Vice President within four (4) business days of senate action.
 - v. Communicate the needs and concerns of all ASWSUE members to the university administration, including but not limited to:
 - a. Meeting with University administrators;
 - b. Developing proposals and comments regarding University policy;
 - c. Attending meetings with faculty, deans, and other administrators as needed; and
 - d. Asserting student needs at all times.
 - vi. Communicate with the Student Government in Pullman and all other WSU Branch campuses in accordance with the WSU Student Government Council (SGC) constitution. This will require travel.
 - vii. Communicate and advocate on behalf of student needs to the State Legislature, the Governor, and the Higher Education Coordinating Board in accordance with the WSU SGC constitution.
 - viii. Adopt and amend an ASWSUE budget in accordance with existing laws and policies.
 - ix. Publish and distribute to WSU Everett students an annual financial statement.
 - x. Make appointments not otherwise provided by the Constitution.
 - xi. Remove all presidential appointees.
7. The ASWSUE Vice-President shall have and exercise the following powers and duties:
- i. Act as Chair of the ASWSUE Senate.
 - ii. Exercise such power and authority as may be delegated by the President.
 - iii. Assume and execute the powers and duties of the President should the President be absent for a prolonged period of time or be deemed unable to perform his or her obligations.
 - iv. Assist the President in constructing proposals and other documents.
 - v. Perform any duty deemed necessary by the ASWSUE President.
 - vi. Reports to the ASWSUE President.
8. The ASWSUE President shall have other powers and duties as may be prescribed by the ASWSUE By-Laws.
9. The interests and affairs of ASWSUE shall be managed jointly by the President and Vice-President.
10. Cabinet Officers shall have and exercise the powers and authorities delegated by the ASWSUE President consistent with the ASWSUE Constitution and By-Laws.

11. The President, Vice President, President-elect or Vice President-elect may be removed from office via the following process:
 - i. Petitions calling for removal from office of a named ASWSUE officer shall be signed by twenty percent (20%) of the ASWSUE membership and shall be submitted to the Director of Student Services for verification.
 - ii. Upon verification, a recall election shall be set within fifteen (15) business days.
 - iii. A recall election shall require a twenty- percent (20%) voting turnout of the ASWSUE membership for validation.
 - iv. A majority affirmative vote shall be required for recall.
12. Vacancies
 - i. Should the office of President become vacant, the Vice President shall become President.
 - ii. Should the office of Vice President become vacant, the President shall appoint a Vice President for the un-expired term.
 - iii. Should both offices become simultaneously vacant, the Director of Student Services shall appoint an interim President and schedule an election within fifteen (15) business days of the notification of vacancy.
 1. This section shall also apply to vacancies in the President-elect and Vice President-elect offices.
 - iv. Challenges to Recall and Impeachment.
 - a. In the event an ASWSUE officer is named in a recall proceeding or impeachment proceeding, he or she shall temporarily vacate his or her office, with pay, until the proceedings are concluded.

ARTICLE VI: REFERENDUM AND INITIATIVES

1. The Senate, upon two-thirds (2/3) vote of the seated membership, may submit to the membership of ASWSUE any measure, which it determines to be of substantial student benefit or interest, whereupon a vote of the membership of ASWSUE, shall be promptly scheduled for a reasonable time.
2. Upon petition of twenty percent (20%) of the membership of ASWSUE, an initiative shall be submitted to the membership of ASWSUE for a vote within a reasonable time period.
3. Initiatives and Referendum shall carry the same weight as Senate legislation.

ARTICLE VII: AMENDMENTS

1. Proposed amendments and revisions shall be presented to the members of ASWSUE for approval upon recommendation of the ASWSUE Executive Officers or by a petition of at least twenty percent (20%) of the members of ASWSUE.
2. Proposed amendments and revisions, which are to be presented to the members of ASWSUE for approval, shall be publicized in a reasonable manner and for a reasonable period of time prior to action by the membership of ASWSUE.
3. This Constitution may be amended or revised by a majority vote of ballots cast on the proposed modification at any special election called for that purpose,

provided that a minimum of twenty percent (20%) of the membership of ASWSUE vote in either type of election.

ARTICLE VIII: ELECTIONS

1. The annual spring election shall be held before spring break, as specified in section 530.00 of the ASWSUE By-Laws.
2. As necessary, an underclassman specific fall election shall be held to fill junior student senate positions.
3. Special elections shall be held as required by the ASWSUE constitution for the following purposes:
 - i. Fill vacancies in the ASWSUE Senate and Executive Branch.
 - ii. Complete invalidated elections.
 - iii. Recall the ASWSUE President, Vice-President or Senator.
 - iv. For any ballot measure.
4. Campaign Expenditure Limitations
 - i. All expenditures made by a candidate must be reported and accompanied by an itemized report. All donations made to a candidate shall also be reported and accompanied by an itemized report.
 - ii. The total amount, which may be spent by each ticket in the campaign for the offices of President/Vice President, shall be specified in the By-Laws.
5. Violations
 - i. Upon a determination that a candidate has exceeded their respective campaign expenditure limitation, or violated any of the election codes, that candidate shall be invalidated.
6. Voting
 - i. All members of ASWSUE may vote for the President and Vice- President candidates.
 - ii. Members of the respective constituency groups may vote for Senate candidates.

ARTICLE IX: JUDICIAL COMMITTEE

If circumstances arise where a Judicial Committee is deemed necessary, reference section XIII In the By-Laws.

ARTICLE X: PARLIAMENTARY AUTHORITY

Robert's Rules of Order, (current edition), shall be the recognized authority for procedure not covered by this Constitution.

ARTICLE XI: BY- LAWS

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