

# **ACTION ITEM #1**

## **Amendments to ASWSU Global Campus Constitution (Dave Cillay)**

TO ALL MEMBERS OF THE BOARD OF REGENTS

**SUBJECT:** Amendments to the ASWSU Global Campus Constitution

**PROPOSED:** That the Board of Regents approve amendments to the ASWSU Global Campus Constitution

**SUBMITTED BY:** Dave Cillay, Vice President Global Campus

**SUPPORTING INFORMATION:** Amendments to the ASWSU Global Campus constitution are being proposed primarily to update language to reflect the name change to Global Campus.

Many of the proposed amendments involve the removal of legacy terms such as Distance, Extended, and Online, to be replaced with terms that reference Global Campus.

Amendments are also proposed for Article IV, Section 6.A, which allows the ASWSU Global Campus President to develop the meeting calendar for the year; Article IV, Section 7. E (1), which removes the term "impeachment" in a section dealing with recall elections; and Article V, Sections 2 and 7, which are procedural alterations that allow the vice president to run for office on an independent ticket.

**ATTACHMENT:** Proposed Amendments to the Constitution of the ASWSU Global Campus (Red-line Version)

# Constitution

## Preamble

We, the students of Washington State University, seeking a degree through ~~Extended Degree Programs~~ Global Campus, in order to initiate and coordinate student activities in accordance with the purposes and objectives listed in the Associated Students of Washington State University's (ASWSU) *Articles of Incorporation*; to specifically represent the unique and particular interests, needs, and welfare of students in Washington State University ~~Extended Degree Programs~~ Global Campus on issues affecting student life; and to supplement and complement the formal education of these degree programs delivered at a distance, do affirm and establish this constitution.

**Comment [BL1]:** Change all Extended Degree Program references to Global Campus, as that is what we go by now.

## ARTICLE I: NAME

1. The name of this entity associated with ASWSU shall be the Associated Students of Washington State University ~~Extended Degree Programs~~ Global herein called ~~ASWSU-DDPG~~.

**Comment [BL2]:** Change all ASWSU-DDP references to ASWSUG (Associated Students of Washington State University Global) as we are a part of Global Campus and not DDP anymore.

## ARTICLE II: AUTHORITIES AND POWERS

1. ASWSU ~~DDPG~~ is organized as an entity associated with ASWSU and the exercise of its functions shall be consistent with the ASWSU *Articles of Incorporation*.
2. Authorities and powers of ASWSU ~~DDPG~~ shall be exercised by the ASWSU ~~DDP-G~~ Senate except that the ASWSU ~~DDPG~~ President and Vice President shall have such powers as are enumerated in this constitution.

## ARTICLE III: MEMBERSHIP

1. All undergraduate and graduate students seeking a degree coordinated by Washington State University's (WSU) ~~Extended Degree Programs~~ Global Campus shall be members of ASWSU ~~DDPG~~, unless a student specifically petitions the President of ASWSU ~~DDPG~~ that he or she not be a member. 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 Vietnam era or disabled veteran.

## ARTICLE IV: LEGISLATIVE BRANCH

1. The legislative power of ASWSU ~~DDPG~~ shall be vested in the ASWSU ~~DDPG~~ Senate, which shall be composed of a minimum of five Senators.
2. ASWSU ~~DDPG~~ Senators must be members of ASWSU ~~DDPG~~, must be enrolled with WSU's ~~Extended Degree Programs~~ Global Campus for a minimum of three credits every semester during which they serve as a senator, except the summer semester, and must be in good academic standing with the University. Senators shall be elected in the annual general election.

3. ASWSU-~~DDPG~~ Senators shall hold office for a time period specified in the by-laws.
4. The Senate, as the legislative branch of ASWSU-~~DDPG~~, shall be the policy-making body of ASWSU-~~DDPG~~ and no act by the Executive branch or omission shall contravene expressed or implied Senate Policy.
5. The Senate shall have and exercise general powers and duties, specifically to include the following powers and duties:
  - a. To adopt and amend an ASWSU-~~DDPG~~ budget, pursuant to Article VII.
  - b. To authorize entry into contractual or financial relationships on behalf of ASWSU-~~DDPG~~.
  - c. To cause to have posted and to approve an annual financial statement.
  - d. To confirm, by majority consent of seated membership, ASWSU-~~DDPG~~ committee chairs.
  - e. To remove ASWSU-~~DDPG~~ committee chairs upon a two-thirds vote of the seated membership.
  - f. To ensure that elected and appointed ASWSU-~~DDPG~~ officials faithfully execute and abide by ASWSU-~~DDPG~~ policies.
  - g. To override a Presidential veto by a two-thirds (2/3) vote of the seated membership.
  - h. To impeach ASWSU-~~DDPG~~ officers, as provided in Article V, Section 7(~~Bb~~).

The Senate shall not delegate any of the powers specified in Article IV, Section 5(a) through (h) inclusive.

For the purposes of this Constitution, seated membership shall be the number of Senators holding office at any given time.

#### 6. Meetings

- a. The ASWSUG President shall establish a calendar of meetings within the first week of taking office to be presented to the senate for approval.
- ~~a. The Senate shall meet within the first week of each semester to establish a calendar of meetings.~~

(1). A quorum shall be two-thirds (2/3) of the seated membership of the Senate;

(2). All meetings shall be held in accordance with the Open Public Meetings Act, RCW 42.30 or successive statutes.

- b. The Chair of the Senate shall be the Vice President. In the absence of the Chair, the Senate Chair Pro-Tempore shall chair the Senate.

(1). The Chair Pro-Tempore shall be elected annually at the ~~second~~ first Senate meeting by a majority vote from the seated Senate membership.

7. Senators and Senators-Elect may be removed from office via the following recall process:
  - a. Petitions calling for removal from office of a named ASWSU-~~DDPG~~ officer or officer-elect shall be signed by ten percent (10%) of the ASWSU-~~DDPG~~

**Comment [BL3]:** This change is being made because the Senate starts meeting well before the first week of school and a calendar of meetings is necessary at the beginning of the term (as state in the by-laws). This will help keep ASWSUG functioning smoothly throughout the summer.

**Comment [BL4]:** In the past few years we have found that electing the Chair Pro-Tempore works much better if done at the first meeting.

membership and shall be submitted to the Senate Chair for verification handled in accordance with the ASWSU-~~DDPG~~ by-laws.

- b. Upon verification, the Senate shall set a reasonable date or dates for a recall election.
- c. A recall election shall require a 10 percent (10%) voter turnout of the ASWSU-~~DDPG~~ membership for validation.
- d. A simple majority affirmative vote shall be required for recall.
- e. Challenging a recall election:

(1). Should a named ASWSU-~~DDPG~~ Senator or Senator-Elect challenge a recall ~~or impeachment~~ proceeding, he or she shall temporarily vacate his or her office until the challenge is resolved.

**Comment [BL5]:** Remove "or impeachment" because this section is specifically referring to a recall election. Article V, Section 7(d) 1. discusses vacating office during an impeachment proceeding.

#### 8. Vacancies

- a. Should a Senate vacancy occur, the President and Vice President shall submit, within thirty (30) calendar days of the occurrence of the vacancy, a recommendation for one (1) nominee for the vacancy. At the next scheduled Senate meeting, the Senate by plurality vote of seated membership may accept or reject the candidate to fill the vacancy or request another recommendation within thirty (30) calendar days.

(1). Should the President and Vice President fail to comply with clause (a), the Senate may confirm by a two-thirds (2/3) vote of seated membership a nomination from the floor.

- b. Should more than two (2) vacancies simultaneously occur at any one time, a special election to fill the positions must be scheduled within a reasonable time period as defined in the by-laws.

### ARTICLE V: EXECUTIVE BRANCH

1. The executive power of ASWSU-~~DDPG~~ shall be vested in the Executive branch of ASWSU-~~DDPG~~. The Executive branch shall be composed of the ASWSU-~~DDPG~~ President and Vice President.
2. ~~members~~ Members of the Executive branch must be members of ASWSU-~~DDPG~~, must be enrolled with WSU's ~~Extended Degree Programs~~ Global Campus for at least three credits every semester during which they serve, except the summer semester, and must be in good academic standing with the University. The President ~~and Vice President~~ shall be elected in the annual general election.
3. ~~members~~ Members of the Executive branch shall hold office for a time period specified in the by-laws.
4. The ASWSU-~~DDPG~~ President shall be the chief executive officer of ASWSU-~~DDPG~~. The President shall have and exercise general powers and duties, specifically to include the following powers and duties:
  - a. To preside over all meetings of the general membership of ASWSU-~~DDPG~~.

**Comment [BL6]:** This will allow a person to run for ASWSU Vice President as a separate ticket during election time (just like the ASWSUG President runs). This will ensure that the Vice President is elected prior to Student Government Council (SGC) transition meeting. It is important that ASWSUG has full representation at this meeting in order to start forming relationships with other SGC members right away. This is something that has been lacking in the past.

- b. To appoint ASWSU-~~DDPG~~ Committee chairpersons, subject to the consent of the Senate.
- c. To remove all presidential appointees.
- d. To break any Senate votes that are tied and to veto any acts and confirmations of the Senate except resolutions, Senate vacancy appointments, and referenda, and provide written notification of such vetoes to the Senate Chair within a reasonable number days of the Senate action.
- e. To post and maintain, with the assistance of the Vice President, a schedule of regular office hours throughout their terms of office.

The President shall have other powers and duties as may be prescribed by the Senate and the ASWSU-~~DDPG~~ by-laws.

- 5. The Chair of the Senate shall also serve as the ASWSU-~~DDPG~~ Vice President and shall have and exercise the following powers and duties:
  - a. To have oversight responsibilities for ASWSU-~~DDPG~~ Committees within the policies established by the Senate.
  - b. To exercise such power and authority as may be delegated by the President except those powers and duties enumerated in Article V, Section 4 (a) through (e).
  - c. To assume and execute all the powers and duties of the President should the President be absent or unable to perform his or her obligations.
  - d. To post and maintain, in conjunction with the President, a schedule of regular office hours throughout their terms of office.

The Vice President shall have other powers and duties as may be prescribed by the Senate and the ASWSU-~~DDPG~~ by-laws.

- 6. The interests and affairs of ASWSU-~~DDPG~~ shall be managed jointly by the President and Vice President/Senate Chair during the summer session, consistent with any Senate directives.
- 7. The President, Vice President, ~~or~~ President-Elect, or Vice President-Elect may be removed from office via the following processes:
  - a. The recall process shall be the same as provided for in Article IV, Section 7, (a) through (e).
  - b. The impeachment process:

(1). ASWSU-~~DDPG~~ officers may be impeached for failure to reasonably and properly execute their powers and duties.

(2). A two-thirds (2/3) affirmative vote of the seated membership of the ASWSU-~~DDPG~~ Senate shall be required to bring impeachment proceedings against ASWSU-~~DDPG~~ officers.

(3). The Chair of the Judicial Committee shall preside over the impeachment proceedings, which shall commence within ten (10) school days after the Senate vote to bring impeachment proceedings.

**Comment [BL7]:** This change is being made to stay consistent with allowing the Vice President to run as a separate ticket (a change noted in Article V Section 2).

(4). A two-thirds (2/3) affirmative vote of the seated membership of the ASWSU-~~DDPG~~ Senate shall be required to impeach an ASWSU-~~DDPG~~ Executive Officer.

c. Vacancies

(1). Should the office of President become vacant, the Vice President shall become President.

(2). Should the office of Vice President become vacant, the Senate shall elect a Vice President/Senate Chair from its membership for the remaining term.

(3). Should both offices become simultaneously vacant, the Senate shall elect a President Pro-Tempore from its membership and shall schedule an election within a reasonable time period to fill the vacancies.

(4). This section [Article V, section 7 (c)] shall also apply to vacancies in the Presidential-Elect office.

d. Challenges to Recall and Impeachment

(1). Should a named ASWSU-~~DDPG~~ Executive Officer challenge a recall proceeding or impeachment proceeding, he or she shall temporarily vacate his or her office until the challenge is resolved.

#### ARTICLE VI: ELECTIONS

1. The annual ASWSU-~~DDPG~~ election shall be the tenth week (~~amended 10/2011~~) of the spring semester, except that the dates may be changed because of extenuating circumstances upon a three-quarter (3/4) vote of the seated Senate.
2. Campaign Expenditure Limitations
  - a. The total amount all candidates for ASWSU-~~DDPG~~ offices may spend on their election is to be specified in the ASWSU-~~DDPG~~ by-laws.
  - b. Disclosures of all expenditures made by a candidate shall be reported and accompanied by an itemized report.
3. Voting
  - a. members of ASWSU-~~DDPG~~ may vote on ASWSU-~~DDPG~~ issues and for presidential and senatorial candidates any semester they are enrolled with ~~Extended Degree Programs~~ Global Campus.

#### ARTICLE VII: FINANCE

1. The annual ASWSU-~~DDPG~~ budget proposal shall be recommended to the Senate by the Treasurer before its submission to ASWSU S&A Fees Committee.

#### ARTICLE VIII: REFERENDUM AND INITIATIVE

1. The Senate, upon two-thirds (2/3) majority vote of the seated membership, may submit to the membership of ASWSU-~~DDPG~~ any measure that it determines to be of substantial student interest, whereupon a vote of the membership of ASWSU-~~DDPG~~ shall be promptly scheduled for thirty (30) calendar days.
2. Upon petition of five percent (5%) of the membership of ASWSU-~~DDPG~~, an initiative shall be submitted to the membership of ASWSU-~~DDPG~~ for a vote within thirty (30) calendar days.
3. Initiatives and Referenda shall carry the same weight as Senate legislation.

#### ARTICLE IX: AMENDMENTS

1. Proposed amendments to and revisions of this Constitution ~~or the by-laws~~ shall be presented to the members of ASWSU-~~DDPG~~ for approval upon a two-thirds (2/3) affirmative vote of the seated membership of the Senate or upon petition of at least ten percent (10%) of ASWSU-~~DDPG~~ members. Proposed amendments to the Constitution shall also be presented to the Board of Regents.
2. Proposed amendments and revisions that are to be presented to the members of ASWSU-~~DDPG~~ for approval shall be publicized in a reasonable manner and for a reasonable period of time before action by the membership of ASWSU-~~DDPG~~.
3. This Constitution may be amended or revised by a majority vote of ballots cast on the proposed modification at any regular ASWSU-~~DDPG~~ election or special election called for that purpose, provided however, that a minimum of fifteen percent (15%) of ASWSU-~~DDPG~~ members vote in either type of election.

**Comment [BL8]:** Remove "or the by-laws" from the first sentence as it contradicts Article XI: By-Laws.

#### ARTICLE X: PARLIAMENTARY AUTHORITY

1. *Robert's Rules of Order, Newly Revised* (1980, ed.), or successor editions, shall be the recognized authority for procedure not covered by this Constitution and by-laws.

#### ARTICLE XI: BY-LAWS

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

#### ARTICLE XII: COMPLIANCE

1. The ASWSU-~~EPDG~~ complies with the Open Public Meetings Act, RCW 42.50.
2. There shall be a Judicial Committee of three (3) members whose duties and responsibilities are defined in the by-laws.
3. No actions may be taken under this Constitution or the ASWSU-~~DDPG~~ by-laws that is in violation of State or Federal Law.