

# The Official Constitution of the Associated Student Government

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Amended Spring 2024

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## Mission Statement:

The Associated Student Government serves the University of San Diego undergraduates as official representatives who promote opportunities for growth and expression, address student issues, and enrich a diverse, inclusive, and engaged community.

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**PREAMBLE**

We, the undergraduate student body of the University of San Diego, in recognizing the need to establish a representative student government that can promote the unity and welfare of the greater student community; provide open forums for student agency in dialogues concerning student opinions of University affairs; practice partnerships of shared governance with students, faculty, staff, and administration outside of the student government of the University; uphold the goals and pathways of the University in order to forge a more engaged and contemporary Catholic University; do hereby ordain and establish this constitution for the service of the student body.

**ARTICLE I. NAME AND MEMBERSHIP**

Section 1        This organization shall be called The Associated Student Government (ASG) of the University of San Diego.

Section 2        Upon enrollment at the University of San Diego, all registered part-time and full-time undergraduate students shall be considered members of the Student Body, and shall be subject to this Constitution and all Bylaws, as well as the Rules of Conduct as outlined by [The Office of Ethical Development and Restorative Practices](#). As members, students shall pay an appropriate “Undergraduate Student Body Fee” that shall entitle students to full participation in all activities of the Associated Student Government. Payment of the part-time Undergraduate Student Body Fee shall entitle members of the Student Body to participation in all activities, as well as holding office under special circumstances with the consent and approval of the Office of Student Affairs. As members, students with concerns shall be represented by a Senator in the Student Senate who shall present their issue(s) as it pertains to the general welfare of the school and student concerns.  
<https://www.sandiego.edu/conduct/the-code/rules-of-conduct.php>

**ARTICLE II. FUNCTIONS**

- Section 1        The principal purpose of the Associated Student Government shall be:
- A. To act as the governing body and establish systems to represent the student voice on all matters concerning aspects of the extracurricular and cocurricular undergraduate students’ campus life within the University of San Diego community.
  - B. To assist in the support of student organizations and sponsor student programs and services that benefit the growth, education, and diversity of the Student Body and University.

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- C. To ensure student involvement and participation in all decision-making processes that take place on university committees that welcome the participation of students.
- D. To manage and allocate the Undergraduate Student Body Fee impartially to campus partners, Students, and their respective needs.
- E. To promote better cooperation and shared governance between students, faculty, staff, administration, and community partners.
- F. To insist upon educational opportunities for quality education at an affordable cost for students of all economic backgrounds.

**ARTICLE III. NON-DISCRIMINATION POLICY**

Section 1      Non-discrimination clause: Consistent with its mission, all applicable federal and state laws, and University policies, this organization and subordinate bodies do not tolerate unlawful discrimination against or harassment of its employees, students, or applicants for employment or admission on the basis of race, color, religion, national origin, sex, sexual orientation, gender identity or expression, marital status, pregnancy, age, physical disability, mental disability, or any other characteristic protected by federal or state law, unless a particular characteristic is a bona fide requirement of the position.  
<https://www.sandiego.edu/conduct/the-code/rules-of-conduct.php>

**ARTICLE IV. ORGANIZATIONAL STRUCTURE**

Section 1      The structure of the Associated Student Government shall consist of four (4) branches: the Executive Branch, Legislative Branch, Judicial Branch, and Programing Branch. The Executive Branch shall be headed by a President and assisted by a Vice President, who shall be elected by the undergraduate Student Body. The Legislative Branch shall be headed by a Speaker of the Senate who is elected by the Student Senate. The Judicial Branch shall be headed by a Chief Justice, who shall be elected by the five (5) appointed Associate Justices. The Programing Branch shall be headed by the Torero Programing Board (TPB) Chair, who shall be appointed each year by the outgoing President and outgoing TPB Chair.

Section 2      The members of the Executive Board within the Executive Branch shall be the President, the Vice President, the Speaker of the Senate, the Chief Justice, the Torero Program Board Chair, the Finance Chair, the Public Relations Chair, and the Chief of Staff.

- A. There shall be a Finance Team comprised of the Finance Chair and the Controller who operate within the Executive Branch.

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Section 4      There shall be a Student Senate under the Legislative Branch comprised of thirty (30) Academic, Residential, Commuter Senators, and At-Large Senators, including the Speaker Pro Tempore and the Clerk of the Senate. The Speaker of the Senate, as chair of Student Senate meetings, shall act as the thirty-first (31st) member of Senate in the event of an inability to reach quorum or tie-breaking vote.

A. The number of Senators on the Student Senate will be designated as follows:

- a. Six (6) Senators shall be elected to represent the University's Academic Divisions (School of Engineering, School of Business, and College of Arts and Sciences).
- b. Fifteen (15) Senators shall be elected to represent the University's residency areas, including, but not limited to Maher, Camino/Founders, Valley A, Valley B, Manchester, San Buenaventura, UTAs/PTAs, and the Alcala Vistas. Apportionment of seats shall be determined according to resident population with each residential area having a minimum of at least one (1) representative.
- c. Commuter Senators shall be elected by the commuter Student Body. These senators shall represent no more than twenty percent (20%) of their constituency.
- d. The remaining positions will be deemed At-Large positions where any student can be elected by the Student Body as a whole with designation of their student background including academic, residential, and student-campus involvement. These senators shall represent no more than fifteen percent (15%) of their constituency.

Section 5      There shall be a Judicial Branch, chaired by the Chief Justice, comprised of the Parliamentarian and three (3) Associate Justices.

Section 6      There shall be a Programing Branch by the name of the Torero Program Board, that is overseen and chaired by a Torero Program Board Chair, comprised of three (3) Vice Chairs, eight (8) Event Coordinators, a Graphic Designer, and a Marketing Coordinator.

Section 7      Article IV, Section Four shall be subject to change without the ratification of the entire Constitution, per the reapportionment of Student Senate seats by the Judicial Branch.

**ARTICLE V. THE EXECUTIVE BRANCH**

Section 1      All executive powers shall be vested in the President of the Associated Student Government. The President shall be assisted by a Vice President and the rest of the Executive Board.

- A. The President, alongside the Executive Board, shall set and establish the directives and goals for the Associated Student Government for the whole academic year at the beginning of the fall semester.
  - a. The year's agenda shall be presented by the President to the ASG Senate within the first three scheduled meetings of the fall semester.
- B. The President alongside the Executive Board assembled as a whole shall have the power to issue Executive Orders, which have the ability to direct the members of ASG and make decisions about the internal operation of the organization and government and create changes that can affect all four branches of the Student Government. Executive Orders shall be subject to being overturned by the ASG Senate by a two-thirds (2/3) majority vote or by Judicial Review of the Judicial Branch due to a lack of constitutionality.
  - a. Executive Orders shall be communicated to all branches of ASG within one (1) week of its passage by the Executive Board. They shall be numbered and maintained on the ASG website for all to view and shall be approved by a majority vote of the Executive Board and signed by the President.

Section 2      The President

- A. The President shall faithfully preserve, uphold, and execute the laws of the Constitution of the Associated Student Government, as well as all Bylaws of the Associated Student Government.
- B. The President shall be the Chief Executive Officer and Head of Government for the entirety of the Associated Student Government, Chairperson of the Executive Board, and Head of the ASG Executive Branch.
- C. The President shall have the duties, powers, and responsibilities as follows:
  - a. Call and preside over meetings of the Executive Board.
  - b. Have direction and oversight of the members and actions of the Executive Board and the Executive Branch, as well as general oversight over the entire Associated Student Government, supporting the other three heads of branches in their roles.
  - c. Appoint students to University-wide Standing Committees.
  - d. Appoint students to the Executive Board and call Executive Board meetings at their discretion.
  - e. Present to the Senate for confirmation of all vacancies resulting from resignations or dismissals for approval by two-thirds (2/3) of the

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Student Senate membership present. Have the power to veto any motions or resolutions passed by the Student Senate. All Senate motions of action, resolutions, budgets, and appropriations shall be considered by the President within 24 hours of passage. The President shall communicate their veto to the Senate within 24 hours of the aforementioned legislation's passage. Failure of the President to take action within the said 24 hours will bring the motion, joint resolution, budget, or appropriation into force. This veto shall be subject to being overturned by a two-thirds (2/3) majority vote of the Student Senate at the final hearing of business of the next regularly scheduled Senate date.

- f. Require, when requested, a written opinion by the Chief Justice of any provision of the Constitution or the Bylaws of the Associated Student Government.
- g. Be able to pardon any party(s) involved in any hearing conducted by the Judicial Branch, except in the cases of a Performance Review Knowledge of this pardon must be made public to the Senate within twenty four (24) hours
  - i. This pardon can be overruled by the Senate with a two-thirds majority (2/3) vote. This vote must be called within two (2) academic weeks of the notification of the Senate.
- h. Ensure that the Executive Board is in accordance with the provisions of Article II, Section 1, Clause E.
- i. Serve as a student representative on the Student Affairs Committee of the Board of Trustees.
- j. Sit on a variety of university-wide committees and meet with the President of the University, the Vice President of Student Affairs, the Assistant Vice President for Student Life, as well as other University Administration regularly throughout the academic year to represent student needs.
- k. Appoint members to the Executive Board according to the appointment timeline and procedures in this constitution and any others created by the Judicial Branch that adhere to the following standards:
  - i. The Executive Board shall consult the President in its regular business.
  - ii. Members of the Executive Board shall be ex-officio members of the Student Senate The President may remove members of the Executive Board at any time, however members will still maintain any their position within ASG upon removal front he Executive Board.

- D. The President shall be available in the ASG Office for a minimum of ten (10) hours per week when school is in session (excluding summer and winter terms). Their hours shall be publicly posted.

Section 2      The Vice President

- A. The Vice President shall faithfully preserve, uphold, and execute the Constitution of the Associated Student Government, as well as all other Bylaws of the Associated Student Government
- B. The Vice President shall be the Chief Academics Officer and Deputy Head of Government for the entirety of the Associated Student Government, and the Vice Chairperson of the Executive Board
- C. The Vice President shall temporarily assume all powers and duties of the President, when the President is unable to perform their duties. This shall be possible whenever the President transmits to the Executive Board, the Senate Leadership team, the TPB Executive Team, , their written declaration that they are unable to discharge the powers and duties of their office, and until they return to their duties, such powers and duties shall be discharged by the Vice President as Acting President. The Vice President shall immediately assume the office, powers, duties, and responsibilities of the President after the removal or resignation thereof.
- D. The Vice President shall have the duties, powers, and responsibilities as follows:
  - a. Attend to all academic matters pertinent to the students.
  - b. Assist the President in the oversight and management of the Associated Student Government.
  - c. Serve as a voting student representative in academic matters, such as the Undergraduate Curriculum Committee, and other faculty committees as deemed necessary.
  - d. Participate in the University Senate as scheduled by the University.
  - e. Serve as an ASG representative on the Academic Affairs Committee of the Board of Trustees.
  - f. Supervise the Chair of Academics while assisting them in their projects and facilitation of their committee.
  - g. Serve on the Associate Justice Selection Committee.
- E. The Vice President shall be available in the ASG Office for a minimum of ten (10) hours per week when school is in session (excluding summer and winter terms). Their hours shall be posted.

Section 3      The Speaker of the Senate

- A. The Speaker of the Senate shall faithfully execute the provisions of this Constitution, of the Senate, and of all other Bylaws of the Associated Student Government.
- B. The Speaker shall be the Chief Legislative Officer for the entirety of the Associated Student Government and Head of the ASG Legislative Branch.
- C. Preside over and be the chairperson of the Student Senate, having direction and oversight of the members and actions of the Legislative Branch.
- D. The Speaker shall have the powers, responsibilities, and duties outlined in the provisions in Article VI, Section 3.
- E. The Speaker shall appoint Senators to fill open seats if they remain open directly following the fall and spring elections, subject to confirmation by two-thirds (2/3) of the Student Senate membership present.
- F. The Speaker of the Senate shall be available in the ASG Office for a minimum of ten (10) hours per week when school is in session (excluding summer and winter terms). Their hours shall be posted.

Section 4      The Public Relations Chair

- A. The Public Relations Chair shall faithfully execute the provisions of this Constitution, of the Senate, and all other Bylaws of the Associated Student Government.
- B. The Public Relations Chair shall be the Chief Communications Officer for the entirety of the Associated Student Government and Head of the Marketing Committee.
- C. The Public Relations Chair shall be appointed by the Executive Board Selection Committee.
- D. The Public Relations Chair shall have the duties, powers, and responsibilities as follows:
  - a. Oversee all communication matters involving the Associated Student Government.
  - b. Be responsible for all appropriate public relations issues impacting the ASG, including but not limited to campus life, Student Senate, and special ASG sponsored events.
  - c. Attend Student Senate sessions with speaking privileges but without voting privileges.
  - d. Oversee and approve the marketing materials of all events planned by members of all branches of ASG.
  - e. Maintain the ASG website in coordination with the Assistant Director for Student Affairs Technology and Communication and update it with member office hours, biographies, committee and Senate meeting times, and updated weekly records of the occurrences in ASG to the public.

- f. Coordinate with the Creative Zone (CZ) about maintaining marketing supplies and equipment; work with the CZ to have regular ASG campaigns and marketing produced in house.
- g. Serve as liaison between ASG and the USD Office of Public Affairs:
  - i. Establish and maintain communication between ASG and the Office of Public Affairs.
  - ii. Serve as the ASG representative at meetings called by the Office of Public Affairs.
- h. The Public Relations Chair shall be available in the ASG Office for a minimum of ten hours (10) per week when school is in session (excluding summer and winter terms). Their hours shall be posted.

**Section 5      The Finance Chair**

- A. The Finance Chair shall faithfully execute the provisions of this Constitution, of the Senate, and all other Bylaws of the Associated Student Government.
- B. The Finance Chair shall be the Chief Financial Officer for the entirety of the Associated Student Government and Head of the Finance Team.
- C. The Finance Chair shall be appointed by the Executive Board Selection Committee.
- D. The Finance Chair shall have the duties, powers, and responsibilities as follows:
  - a. Keep accurate records of all financial transactions over the course of the semester's allocated budget.
  - b. Preside over the Finance Committee and the Associated Student Government Budget Committee.
    - i. The Finance Committee shall be made up of the President, Vice President, Speaker of the Senate, Torero Program Board Chair, and the Chairs of the standing Senate committees. Each member shall have one vote and decisions shall be made by majority rule. The Finance Chair is a non-voting chair in all cases except for the breaking of a tie.
    - ii. An Advisor from Student Affairs shall be appointed to advise the work of the Finance Committee, and must be present for all Finance Committee meetings.
  - c. Recruit the ASG Budget Committee in conjunction with the ASG Controller. It is the duty of this committee to consider the best interest of ASG in all financial decisions and to allocate funds consistently, based on the ASG Budget Committee Bylaws.

- d. Submit Fall and Spring semester budgets, as determined by ASG Finance Committee, to the Student Senate for approval during the first (1st) Senate session of each semester.
- e. Review all financial expenditures of the Associated Student Government, including the Executive, Torero Program Board and Center budgets.
- f. Process expenditures/transactions of the funds allocated to ASG and clubs/organizations by the ASG Finance Committee and the ASG Budget Committee. The process includes completion of procurement processes and appropriate record keeping practices. Transactions include, but are not limited to: check requests, purchase orders, petty cash dispersal and collection, and inter-campus charges.
- g. Attend Student Senate sessions with speaking privileges but without voting privileges.
- h. Have a fiduciary responsibility to advise the Torero Program Board on behalf of the Associated Student Government. This relationship of trust and good faith will ensure that the Associated Student Government, in coordination with the Torero Program Board, is responsibly utilizing the Associated Student Government Fee.
- i. The Finance Chair shall be available in the ASG Office for a minimum of ten (10) hours per week when school is in session (excluding summer and winter terms). Their hours shall be posted.

**Section 6      The Chief of Staff**

- A. The Chief of Staff shall faithfully execute the provisions of this Constitution, of the Senate, and all other Bylaws of the Associated Student Government.
- B. The Chief of Staff shall be the Chief Administrative Officer for the entirety of the Associated Student Government.
- C. The Chief of Staff shall be appointed by the Executive Board Selection Committee.
- D. The Chief of Staff shall have the duties, powers, and responsibilities as follows:
  - a. Attend Student Senate sessions with speaking privileges but without voting privileges.
  - b. Deliver the Executive Board reports on behalf of the Executive Branch to the Student Senate.
  - c. Responsible for coordinating and ordering food for the Student Senate.
  - d. Oversee all ASG recruitment, training, and development programs.
  - e. Assume any other duties assigned to them by the President.
  - f. Administer the ASG Offices and internal processes of all four branches when required or requested.

- g. Hold all four (4) branches of the Associated Student Government responsible for their respective office hours and work.
- h. The Chief of Staff shall be available in the ASG Office for a minimum of ten (10) hours per week when school is in session (excluding summer and winter terms). Their hours shall be posted.

**Section 7      The Torero Program Board Chair**

- A. The Torero Program Board Chair shall faithfully execute the provisions of this Constitution, of the Senate, and all other Bylaws of the Associated Student Government.
- B. The Torero Program Board Chair shall be the Chief Programming Officer for the entirety of the Associated Student Government and the Head of the ASG Programming Branch.
- C. The Torero Program Board Chair shall preside over the programming branch and all TPB Executive Team meetings as well as general team meetings, and have direction and oversight of the members and actions of the Programming Branch
- D. The Torero Program Board Chair shall be appointed by the President in conjunction with the outgoing Torero Program Board Chair.
  - a. In the event that the Torero Program Board Chair resigns the vice chairs may appoint an interim chair by the process outlined in the TPB Bylaws until a permanent replacement is appointed by the Executive Board also through the process outlined in the TPB Bylaws.
    - i. An interim chair shall be appointed by the vice chairs within three (3) weeks of the resignation of the TPB Chair.
- E. The Torero Program Board Chair shall have the duties, powers, and responsibilities as follows:
  - a. Seek to advance the programming objectives of the Torero Program Board.
    - i. Seek ways to achieve a proper balance at USD.
      - i. Produce an Events Calendar for the Torero Program Board and student body to view.
      - ii. Set semester/yearly goals for the Torero Program Board.
  - b. Represent the Student Body to the faculty/administration in programming matters.
  - c. Actively participate in the Associated Student Senate representing USD Torero Program Board.
    - i. Use the Senate to solicit input and feedback concerning programming and events.

- ii. Attend Student Senate sessions with speaking privileges but without voting privileges.
  - iii. Actively seek and secure the opinions and concerns of the undergraduate student body regarding programming on campus and off campus.
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- d. Supervise the Vice Chairs, who oversee the programming coordinators.
  - e. To ensure appropriate use of the Associated Student Government Fee, the Program Board chair must submit a report, twice each semester, on current budgetary outlays to ASG Finance Committee.
  - f. The Program Board Chair shall be available in the ASG Office for a minimum of ten (10) hours per week when school is in session (excluding summer and winter terms). Their hours shall be posted.

Section 8      The Chief Justice

- A. The Chief Justice shall faithfully execute the provisions of this Constitution, of the Senate, and all other Bylaws of the Associated Student Government.
- B. The Chief Justice shall be the Chief Judicial Officer for the entirety of the Associated Student Government and Head of the ASG Judicial Branch.
- C. The Chief Justice shall have direction and oversight of the members and actions of the Judicial Branch
- D. The Chief Justice shall responsibly fulfill duties in accordance with the provisions in Article VII, Section 5.
- E. The Chief Justice shall be available in the ASG Office for a minimum of ten (10) hours per week when school is in session (excluding summer and winter terms). Their hours shall be posted.

Section 9      The Controller

- A. The Controller shall keep accurate records of money allocated and dispersed by the Budget Committee.
- B. The Controller shall report to and be directly responsible to the ASG Finance Chair.
- C. The Controller shall be responsible for communicating ASGBC funding decisions to student organization representatives.
- D. The Controller shall be responsible for all inquiries regarding ASGBC funding decisions and paperwork.
- E. The Controller shall be responsible for reporting financial activities of ASGBC.

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- F. The Controller shall, in conjunction with the Chair, have the power to recategorize ASGBC funding requests, subject to veto by a three-fourths (3/4) majority of the Budget Committee.
- G. The Controller shall be available in the ASG Office for a minimum of six (6) hours per week when school is in session (excluding summer and winter terms). Their hours shall be posted.

Section 10 Other duties of the Executive Branch shall be outlined in the Associated Student Government Bylaws.

**ARTICLE VI. THE LEGISLATIVE BRANCH**

Section 1 All legislative powers shall be vested in the Student Senate. The Student Senate shall be the lawmaking body of the Student Government and shall be composed of members elected in general elections by the undergraduate Student Body of the University of San Diego.

Section 2 The Student Senate shall be composed of the duly elected and appointed senators of ASG.

A. Voting representatives shall be: The Speaker of the Senate (only in the case of a tie), Speaker Pro Tempore of the Senate, Clerk of the Senate, all Senate Committee Chairs and Coordinators, Academic Senators, Residential Senators, Commuter Senators, and At-Large Senators.

B. Non-voting, ex-officio members shall be: the Executive Board of the Associated Student Government, the Parliamentarian, Liaisons, and ASG Advisors.

a. Liaison positions shall be determined at the discretion of the Speaker of the Senate. Other Liaison members may include, but are not limited to, Residence Hall Association, United Front Leadership Council, Interfraternity Council, Panhellenic, etc.

Section 3 The Speaker of the Senate shall have the duties, powers, and responsibilities as follows:

- A. To preside over all meetings of the Senate, except in cases otherwise outlined in this Constitution.
- B. To coordinate by the second week of the fall and spring semester the Associated Student Government Senate training.
- C. To appoint the members and chairs of all committees of the Senate, which are the Academics Committee, Inclusion Diversity Equity and Accessibility Committee, Student Organizations Committee, and Student Life Committee.

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- D. To meet regularly with the chairs of the Associated Student Government committees to remain properly aware of the projects of all of the Senators.
- E. To ensure all Senators are fulfilling the duties outlined in the ASG Constitution, ASG Bylaws, and ASG Job Descriptions. In the absence of the Speaker, the Speaker Pro Tempore shall chair in their place.
- F. To serve as an ex-officio member of all Committees of the Senate.
- G. To appoint in conjunction with the Senate Leadership Team, composed of the Speaker Pro-Tempore, the Clerk of the Senate, and the Parliamentarian, any other such functionaries of the Senate as they may decide.

Section 4      The Speaker Pro Tempore shall have the duties, powers, and responsibilities as follows:

- A. To be the Vice-Chairperson of the Student Senate and shall assist the Speaker in the execution of their duties.
- B. To assume the duties of the Speaker upon their absence.
- C. Assume joint responsibility of the finances of the ASG Student Senate with the Speaker.
- D. To coordinate regular group discussions between the Chairpersons of the Standing Committees, leaders of the various student organizations, including but not limited to the Associated Student Government,, United Front Leadership Council, Interfraternity Council, Panhellenic.

Section 5      The Clerk of the Senate shall have the following duties:

- A. To be responsible for the accurate recording of the minutes of all regular and special meetings of the Senate.
- B. To be responsible for, under the direction of the Speaker of the Senate, all administrative functions pertaining to the Legislative Branch.

Section 6      Each member of the Student Senate shall have the the duties, powers, and responsibilities as follows:

- A. To maintain close working relationships with the administration, faculty, and staff in order to make positive changes that are beneficial to the student population.
- B. To assess the specific needs and concerns of the student population s in order to represent and advocate those needs within the Associated Student Government Student Senate.
- C. To attend and actively participate as a voting member of the Associated Student Government Student Senate and a Student Senate Committee.
- D. To hold a minimum of six (6) office hours per week, publicized and open to the undergraduate Student Body.
- E. To maintain regular attendance at all meetings of the ASG Senate:

Representatives of the ASG Senate may not have more than three (3) unexcused absences in a given position's term from any regularly scheduled Senate meetings or Standing Committee meetings.

- i. After more than two (2) combined unexcused absences between Senate and Standing Committee meetings, the Speaker in collaboration with the Clerk shall issue a formal warning to the Senator. After more than three (3) combined unexcused absences between Senate, Standing Committee meetings, and advisor meetings, the Speaker shall inform the representative that they have been placed on performance review, which shall be done in accordance with Performance Review Bylaws.. The Speaker of the Senate shall communicate with the ASG Executive Board if there is a need to appoint a new Senator, following the aforementioned performance review.
- ii. Being late to Senate by an excess of fifteen (15) minutes without prior notice to Senate Leadership team before the start of senate shall count as half an unexcused absence
- iii. The Speaker of the Senate shall also notify a Senator that they have been placed on performance review if they have more than six (6) excused absences, unless the Speaker approves a request for an extended leave of absence.

- b. Ex-officio non-voting members of the ASG Senate shall be governed by the same rules of attendance as ASG Senate Representatives.

Section 7      The Student Senate shall have the power to, by motion or by initiation of the Speaker of the Senate:

- A. To approve all motions of action, resolutions, budgets, and appropriations by simple majority vote, unless otherwise specifically stated in this Constitution or the Bylaws of ASG.
- B. To confirm by two-thirds (2/3) vote of the Senate membership present all Executive appointments, Judicial nominees, Chairpersons, and Senate vacancy appointments.
- C. To override the veto of the Associated Student Government President by a vote of two-thirds (2/3) of the Senate membership present.
- D. To allocate requests over a certain dollar amount as outlined in the ASGBC Bylaws for funding approval by simple majority vote.
- E. To initiate a performance review process against any officer of the Associated Student Government in consultation with the Chief Justice of the Judicial Branch of ASG.
- F. To legislate rules and regulations, as well as maximum and minimum sanctions for violations of these rules and regulations, which govern the

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individual members and groups of ASG in accord with the Student Code of Rights and Responsibilities and other University regulations.

- G. To grant, withhold, or rescind recognition of any organization of ASG in accordance with the Student Code of Rights and Responsibilities.
- H. To approve by a two thirds (2/3) vote of the total membership, the budget of the ASG prepared by the ASG Finance Committee and submitted to the Student Senate by the ASG Finance Chair.
- I. To initiate amendments to this Constitution.
- J. To establish rules for its own proceedings.
- K. To confirm by simple majority vote dismissals made by the ASG President.
- L. To call for a special meeting of the Student Senate if one-half (1/2) of the members approve.
- M. To act on all matters not expressly delegated to the Executive or Judicial Branches.

Section 8      There shall be four (4) standing committees that meet regularly and are composed of members of the Senate. The standing committees are: Academics, Inclusion, Diversity, Equity, and Accessibility (I.D.E.A.), Student Life, and Student Organizations. The Senate may, as it deems necessary, establish ad hoc committees in order to address more specific student needs.

- A. Each committee shall be charged with responsibilities outlined in the Student Senate Bylaws.
- B. Each committee shall have a duly appointed chair responsible for conducting business of the committee.
- C. In order to become the chair of a committee, a Senator must apply for a specific committee chairperson and undergo an interview process to determine the most qualified Senator for the position.
- D. The interview process for each chair position shall be conducted by the incoming Speaker of the Senate, the selection of the chairs shall be at the discretion of the Speaker of the Senate.
  - a. Concerning the appointment of the Chair of Inclusion, Diversity, Equity, and Accessibility the Speaker of the Senate can consult a member from the United Front Leadership Council team.

Section 9      There shall be a Coordinator of Athletics, a Coordinator of Health and Wellness, and a Coordinator of Sustainability.

- A. In order to become the Coordinator of Athletics, Health and Wellness, or Sustainability, a Senator will undergo the same process as outlined in Article VI, Section 8.
- B. The Coordinator of Athletics, the Coordinator of Sustainability, and the Coordinator of Health and Wellness shall be supervised by the Chair of the

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Student Life Committee. The Coordinators shall not be statutory members of the Student Life Committee, but will be permitted to attend the committee meetings, and will assist the Student Life Committee Chair with any matters of the Student Life Committee at the discretion of the chair.

C. Further responsibilities of these positions shall be outlined in the ASG Senate Bylaws.

Section 10 No act of the Student Senate shall be valid unless there is a quorum present. A quorum shall consist of the two-thirds (2/3) majority of the Student Senate's total membership at the time of the meeting. Proxy votes are considered valid, and shall be counted towards a quorum. No ex-officio members shall count towards quorum.

Section 11 There shall be a proxy vote, in which the said member shall notify the Speaker of the Senate of their absence and proxy no later than twenty-four (24) hours before the meeting. The Speaker of the Senate shall determine the validity of any proxy request within the twenty-four (24) hour window.

A. A maximum of three (3) proxies may be allowed per Senator per semester of that Student Session. Any senator who is requesting an absence beyond the three (3) proxy limit will be subject to an excused or unexcused absence, determined by the Speaker of the Senate.

Section 12 A roll call shall be required at each meeting of the Student Senate, and shall be considered an official notice for records. Any member of the Student Senate who is absent from two (2) regular Student Senate meetings without an excuse validated by the Speaker of the Senate shall be subject to disciplinary action. In the event of expulsion, the vacancy shall be filled in accordance with Article X, Section 2.

Section 13 All Student Senate meetings shall be open to any member of the public. Senators will actively encourage the participation and feedback of their constituents.

A. No member of the public will be denied access to the Student Senate. In addition, no member of the public will be denied access to legislation, minutes, or any other business record of the ASG.

B. Any member of the public may suggest the proposal of a resolution to any ASG Senator, as outlined in Article XV, Section 6.

Section 14 The Student Senate shall meet regularly, as deemed necessary by the ASG Speaker of the Senate, during the fall and spring semesters, when school is in session, with no more than fourteen (14) days passing between the time each meeting has been called.

**ARTICLE VII. THE JUDICIAL BRANCH**

- Section 1      The Judicial Branch shall be known as the Judicial Branch of the Associated Student Government of the University of San Diego.
- Section 2      The Judicial Branch shall consider written disputes between interpretation of all Associated Student Government Constitutions and Bylaws, as well as Robert's Rules of Order.
- Section 3      The Judicial Branch will consist of five (5) Associate Justices, one (1) of which will be elected by the branch to be Chief Justice. From the remaining four (4) Associate Justices, one (1) will be selected to serve as Parliamentarian appointed at the discretion of the newly elected Chief Justice.
- Section 4      The Chief Justice shall have the duties, powers, and responsibilities as follows:
- A. Faithfully observe the Constitution and Bylaws of the Associated Student Government in all matters.
  - B. Preside over, or appoint the presiding Justice to all Court sessions and hearings.
  - C. Initiate the process for any and all campus-wide referendums of the Associated Student Government.
  - D. Call special meetings of the Judicial Branch.
  - E. Appoint one (1) from among the Associate Justices to serve as the Parliamentarian.
  - F. Organize weekly meetings with all four (4) Associate Justices in order to fulfill duties of the Judicial Branch.
  - G. Write an official Judicial Decision or Interpretation as necessary.
  - H. Represent the Judicial Branch, or appoint the Parliamentarian as representative in their absence, in all business with the Legislative and Executive Branches of the Associated Student Government.
- Section 6      The Parliamentarian shall have the duties, authority, and responsibilities as follows:
- A. Be a judicial expert in the Associated Student Government Constitution and Bylaws, as well as Robert's Rules of Order.
  - B. Be the representative from the Judicial Branch to the Associated Student Government Senate, attending all Student Senates, Senate Leadership team meetings, and all other scheduled meetings and providing clarification of Robert's Rules of order as needed.
  - C. Represent the Chief Justice in all business of the Judicial Branch in their absence.
  - D. Cast one (1) vote at meetings of the Judicial Branch in which cases are decided.
  - E. Write an official Judicial Decision or Interpretation as necessary.
  - F. Write a judicial opinion for each hearing , detailing their concurrence or dissent.

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Section 7      The Associate Justices shall have the duties, power, and responsibilities as follows:

- A. Be a judicial expert in the Associated Student Government Constitutions and Bylaws, as well as Robert’s Rules of Order.
- B. Cast one (1) vote at meetings of the Judicial Branch at which cases are decided.
- C. Write an official Judicial Decision or Interpretation as necessary
- D. Write a judicial opinion for each hearing, detailing their concurrence or dissent.

Section 8      The Judicial Branch shall have the following powers:

- A. To interpret the ASG Constitution and Bylaws.
- B. To amend as necessary the ASG Constitution and Bylaws to be posted publicly and ratified as outlined in the specific document clauses
  - a. For full confirmation procedure for the Constitution see Article XIII.
- C. To adjudicate all cases involving violations of the provisions of ASG Constitution and Bylaws, including the Performance Review Bylaws.
- D. To hear appeals arising out of Associated Student Government Elections.
- E. To adjudicate cases involving Parking Re-Appeals from Parking Services.
- F. To apportion the Student Senate each year in preparation for the spring election. Apportionment shall be based on registration figures for the fall semester prior to the elections. The Judicial Branch shall have the power to change Article IV, Section 4 of the Constitution without ratification.
- G. To conduct meetings as needed following decisions of the Student Senate in order to properly review any and all direct action taken by the Legislative and Executive branches.
- H. The Judicial Branch shall act as the Elections Committee, and shall:
  - a. Create an elections calendar with a complete timeline of each ASG election.
  - b. This calendar must be shared with the Executive Board and the Student Senate no later than the first (1st) week of March in the Spring election.

Section 9      Quorum for the Judicial Branch shall consist of three (3) Justices.

**ARTICLE VIII. THE PROGRAMMING BRANCH**

Section 1      The Programming Branch shall be known as the Torero Program Board of the Associated Student Government of the University of San Diego.

Section 2      The Torero Program Board shall coordinate a diverse range of programs for the University of San Diego.

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Section 3      The Torero Program Board shall consist of the Torero Program Board Chair, three (3) Vice Chairs, and eight (8) Event Coordinators, as well as a Graphic Designer and Marketing Coordinator.

Section 4      The Torero Program Board Chair shall have the duties, powers, and responsibilities as follows:

A. The TPB Chair is responsible and accountable for providing leadership in the development of a well-balanced and successful set of cultural, educational, recreational, and social programs suited to the needs and interests of the entire student body of the University of San Diego.

B. The TPB Chair ensures that all programs are delivered at an affordable cost to the students and produced in an effective and professional manner.

C. The TPB Chair is responsible for submitting regular reports to the Associated Student Government Finance Chair regarding the financial matters of TPB.

D. The TPB Chair is responsible for supervising and supporting the development of the Graphic Designer and Marketing Coordinator.

E. The TPB Chair attends the Associated Student Governments Senate and meets regularly with the ASG President and the Torero Program Board advisor.

F. They will also hold ten (10) office hours per week within regular business hours.

Section 5      The Vice Chairs shall have the following duties:

A. The Vice Chairs report to the TPB Chair and are responsible for supervising and supporting the development of the event coordinators.

B. As a member of the TPB Executive Team, each Vice Chair will assist the TPB Chair in the establishment and allocation of the TPB budget.

C. Each Vice Chair is responsible for training and evaluating supervisors each semester and provides an end of the year evaluation for each.

D. The Vice Chairs oversee the overall success and programming on USD's campus and promote inclusivity in all services.

E. They will hold ten (10) office hours per week during regular business hours.

Section 6      The Event Coordinators shall have the following duties:

A. Inform TPB Executive Team and advisors of all decisions, programs, and activities.

B. Schedule, post and maintain eight (8) office hours per week within regular business hours during fall and spring semesters.

C. Attend and participate in all TPB required meetings, retreats, programs, and events, unless the team member has submitted a previously approved excuse.

D. Support all activities, decisions, and personnel of the Torero Program Board and Associated Student Government.

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- E. Maintain regular contact during breaks with advisors and TPB Executive Team to manage business, programs and events.
- F. Develop a working knowledge of and operate within the rules, policies, and procedures of USD.
- G. Develop an understanding of the TPB Budget and be good stewards of the Student Activity Fee
- H. Develop and submit transition materials for the upcoming academic year.

- Section 7      The Graphic Designer shall have the following duties:
- A. Create and design graphics requested by TPB members to be shared with the student body
  - B. Maintain and improve the branding and image of TPB
  - C. Schedule, post and maintain eight (8) office hours per week within regular business hours during fall and spring semesters
  - D. Attend and participate in all TPB required meetings, retreats, programs, and events. These events are all hands on deck, meaning that the whole team will need to be present unless the team member has submitted a previously approved excuse.
  - E. Maintain regular contact during breaks with advisors and TPB Executive Team to update TPB branding and image and graphic designs needed by the organization.
  - F. Shall meet regularly with the ASG Public Relations Chair to ensure communications are consistent and shall assist the Public Relations Chair with any marketing needs.

- Section 8      The Marketing Coordinator shall have the following duties:
- A. Schedule, post and maintain eight (8) office hours per week within regular business hours during fall and spring semesters
  - B. Attend and participate in all TPB required meetings, programs, and events. These events are all hands on deck, meaning that the whole team will need to be present unless the team member has submitted a previously approved excuse.
  - C. Maintain regular contact during breaks with advisors and TPB Executive Team to update TPB branding and image and graphic designs needed by the organization.
  - D. Shall meet regularly with the ASG Public Relations Chair to ensure communications are consistent and shall assist the Public Relations Chair with any marketing needs.

- Section 9      The standing committees will be determined at the beginning of every semester, by the Torero Program Board Executive Team and an Advisor. The Torero Program may, as it deems necessary, establish additional standing committees during the semester, in order to assist with the fulfillment of the board's operations and purpose.

- A. The Torero Program Board may, as it deems necessary, establish additional standing committees in order to assist with the fulfillment of the board's operations and purpose.
- Section 10 Other procedures and responsibilities of the Torero Program Board shall be outlined in the Torero Program Board Bylaws.

**ARTICLE IX. ELECTIONS, TRANSITIONS, AND OATH OF OFFICE**

- Section 1 The procedure for ASG elections is stated in the ASG Election Bylaws.
- Section 2 The President, Vice President, Academic Senators, At-Large Senators, Residential Senators, and Commuter Senators with the exception of first-year residential areas, shall be elected annually in the spring semester to be held at least four (4) weeks before the final day of classes in the academic calendar.
- Section 3 The Oath of Office of the Associated Student Government shall be administered by the current Chief Justice to each new member of any of the branches of ASG including the Executive branch, the Legislative branch, the Judicial branch, and the Programing branch (TPB) at the next earliest possible Senate meeting after their election or appointment thereof. The Oath of Office shall be kept on a document made public on the ASG website.
- A. The Oath of Office can be amended by Executive Order of the ASG Executive Board or by a simple majority vote of the ASG Senate
- Section 4 Officials elected and appointed in the spring shall take the oath of office and transition between the old team to the new team at the last senate meeting of the academic year, and serve for one (1) calendar year, as well as have a minimum of one (1) meeting before the end of the spring semester as the incoming Student Senate in order to elect the Speaker of the Senate.
- A. Academic Senators shall be elected by the full-time and part-time undergraduate student population. Each student shall vote for the Senator of the student's respective college. Each academic division will be represented by a total of six (6) seats. These seats will be reapportioned among College of Arts and Sciences, School for Engineering and School for Business each spring election cycle by the Judicial Branch.
- B. Residential and Commuter Senators shall be elected annually in the spring semester by the full-time undergraduate population living in the respective residential areas, with the exceptions of first (1st) year housing constituencies.
- a. Residential Senators shall be students living on campus and their respective class designations. There shall be Senators that focus on constituencies in specific residence halls, including but not limited to, freshman, sophomore, and upper-class housing.

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- b. Commuter Senators shall be students living in off-campus housing.
- C. There shall be a fall elections cycle, taking place by the fourth (4th) week of the academic calendar to elect the following seats:
  - a. First (1st) Year Residential Senators
  - b. The vacant seat created by the incoming Speaker of the Senate shall be elected in the fall election cycle.
  - c. Any seats left vacant and not filled following the election cycle in the previous spring election.
- D. At-Large Senators shall be elected in the spring semester by the undergraduate Student Body, and shall serve as a representative of the general Student Body at the University of San Diego.
  - a. At-Large Senators must submit a declaration of involvement which would consist of the student's academic and residential designation, as well as campus life affiliation (Student Organization, Fraternity and Sorority Life, Sports Club, etc.) to be made public to the Student Body throughout the course of their term.
- E. A transition training day will occur between outgoing ASG members and the incoming team no later than two (2) weeks before the end of the Spring semester.

Section 5      In the circumstance that the Associated Student Government finds itself in the transition period where the Constitution has been passed after an election, the Judicial Branch may reapportion all open seats of the Student Senate to align with the new apportionment.

- A. The Judicial Branch may hold the aforementioned positions open for the next election cycle or call a special election, as deemed fit by the Chief Justice with consultation of the Judicial Branch and the ASG advisor.

**ARTICLE X. APPOINTMENT OF INCOMING ASG EXECUTIVE OFFICERS**

Section 1      There shall be a selection committee made up of representatives of the outgoing ASG Executive Board, including the current Speaker of the Senate, and the newly elected President and Vice President. This committee is charged with selecting the Finance Chair, the Public Relations Chair, and the Chief of Staff.

Section 2      In the case of the selection process of the Associate Justices, an ASG advisor shall be present. The selection committee shall consist of the following members:

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- A. One (1) ASG Advisor will be present at the nomination committee as a non-voting member.
- B. Incoming ASG President
- C. Incoming ASG Vice President
- D. Current ASG Speaker of the Senate
- E. Outgoing Chief Justice

Section 3      In the case of the selection process of the Chief Justice, the five (5) appointed Associate Justices will nominate one (1) Justice to be the Chief Justice.

- A. Three-fifths (3/5) of the five (5) appointed Associate Justices shall vote in the affirmative to confirm the Chief Justice.

Section 4      The selections are subject to approval by the Student Senate with a two thirds (2/3) majority vote.

Section 5      A transition period will occur, as referenced in Article VIII, Section 3, Subsection E.

**ARTICLE XI. ORDER OF SUCCESSION AND VACANCY PROCEDURE**

Section 1      The order of succession to the Presidency in order shall be:

- A. The Vice President, The Speaker of the Senate, The Chief Justice, The Torero Program Board Chair, The Finance Chair, The Public Relations Chair, The Chief of Staff, The Speaker Pro Tempore of the Senate.
- B. If the Vice President is unable to temporarily assume the duties and powers of the President in their absence, the next in line in the aforementioned line of succession shall assume the powers and duties of the President, whenever the President transmits to the Executive Board, the Senate Leadership team, the TPB Executive Team, and the Parliamentarian, their written declaration that they are unable to discharge the powers and duties of their office until they return to their duties, such powers and duties shall be discharged by the person next in line as Acting President.
  - a. In the case of the execution of the President's powers in their absence during a Senate meeting, the Speaker of the Senate and the Speaker Pro Tempore shall be excluded from exercising said powers thereof.
  - b. The credit requirement to be President shall be waived, whenever the line of succession is triggered.
- C. In the event of a vacancy, either by resignation or dismissal of the President, the designated officer, as determined by the aforementioned order of succession, shall take their place. The vacant position, within the Executive Board, will then be filled in accordance with Article X, Section 1, Subsection A.

- D. In the case of vacancies of all Executive positions, the ASG Advisor will call a special election to fill the elected Executive vacancies. The newly elected President and Vice President will follow the same appointment procedures as in Article IX, Section 1 to fill the remaining positions.

Section 2      In the event of a vacancy, either by resignation or dismissal, in the position of Vice President, Speaker of the Senate, or other elected Senator, the office shall be declared vacant by the Student Senate proceedings, no later than ten (10) class days after the vacancy.

- A. Any senator may put forth himself or any other ASG Senator as a candidate for the office of Speaker of the Senate to be approved by the Student Senate, passing with a two-thirds (2/3) majority vote. The Speaker Pro Tempore will assume the role of acting Speaker of the Senate for the remainder of the Speaker's term until a replacement can be elected by the Senate
- B. The ASG President may present to the Senate for confirmation all vacancies resulting from resignations or dismissals for approval by two-thirds (2/3) of the ASG Senate membership present.
- C. The newly elected Senator shall attend a special training organized by the Speaker of the Senate within ten (10) days of being confirmed and sworn in by the Student Senate.

Section 3      In the event of a vacancy in the Chief Justice position, or any other Associate Justice, the same selection process shall be followed as outlined in Article IX, Section 2.

## **ARTICLE XII. ASSOCIATED STUDENT GOVERNMENT ADVISOR**

Section 1      The Advisor(s) to the Associated Student Government shall be representatives from Student Affairs appointed by the Vice President of Student Affairs. They shall:

- A. Have advisory and recommending responsibilities.
- B. Act as liaison(s) between the Associated Student Government, and the University faculty and administration.
- C. Have the power to act in the creation and execution of legally binding contracts in the name of the Associated Student Government.

Section 2      The Advisor(s) to the Executive Board, the Student Senate, Finance Team and Public Relations Chair shall:

- A. Have meetings with members of the Student Senate, as they deem necessary.
- B. Receive reports on ASG financial affairs from the Finance Chair.

Section 3      The Advisor(s) to the Judicial Branch shall:

- A. Be responsible for maintaining audio recording and other records pertaining to hearings conducted by the Judicial Branch.

Section 4      In the event of disagreement between the Advisor(s) and the Associated Student Government, an appeal shall be made to the Assistant Vice President for Student Life.

### **ARTICLE XIII. AMENDMENTS**

Section 1      This Constitution may be amended in the following way:

- A. Any member of ASG who is entitled to full participation in its activities may, at any regular meeting of the Student Senate, submit a proposed amendment.
- B. The Student Senate must approve the proposed amendment, no sooner than the next meeting, by a two-thirds (2/3) majority of its voting membership before it is put to a student vote.
- C. The ASG Speaker of the Senate must then keep the proposed amendment posted publicly for a period of ten (10) class days.
- D. Upon expiration of the ten (10) class days, the proposed amendment must be submitted to a vote of the Student Body.
  - a. A two-thirds (2/3) majority of members of the Student Body voting shall be necessary for the adoption of an amendment to this Constitution.

### **ARTICLE XIV. CONFIRMATION PROCEDURE OF THE CONSTITUTION**

Section 1      Initial changes to this Constitution shall be approved by two-thirds (2/3) majority of the Student Senate.

Section 2      This Constitution shall be submitted to the Vice President of Student Affairs for administrative approval, and be subject to the right of appeal to the President of the University and the Board of Trustees within twenty four (24) hours of its presentation.

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Section 3 Final changes to the entire Constitution will be decided by a two-thirds (2/3) vote of the voting Student Body, based on a campus referendum, open to the entire undergraduate population.

**ARTICLE XV. ASG STUDENT ACTIVITY FEE**

Section 1 The ASG fee shall be set by the Student Senate, in conjunction with the University Administration and the Board of Trustees.

Section 2 No tax, assessment, or fee, other than the ASG fee shall be extracted from the members of the Student Body for the benefit of the Associated Student Government, unless it has been authorized by a majority vote of the Student Senate.

Section 3 All ASG fees shall be collected and disbursed by the University in the name of the Associated Student.

**ARTICLE XVI. STUDENT RIGHTS**

Section 1 The Associated Student Government shall function in accordance with the Student Code of Rights and Responsibilities and other appropriate University regulations.

Section 2 Any action taken by the Student Senate may be subject to a referendum. In order for this action to take place, a petition must be started by an undergraduate student and signed by five hundred (500) current undergraduates.

A. Following a successful petition, the Chief Justice shall be informed of the need for a campus wide referendum, which is to be made accessible to all current undergraduate students of the University of San Diego.

B. A simple majority of members of the Student Body voting shall be necessary for the action of the Student Senate to be validated or invalidated.

Section 3 All elected officers of this ASG may be subject to recall. A recall may be initiated by the following processes:

A. A recall election will be initiated by either a two-thirds (2/3) vote of the Student Senate.

B. A petition signed by at least twenty percent (20%) of the number of those eligible in the election of the officer(s).

Section 4 No member of the ASG shall be deprived of office, status, or property, or voting rights without due process.

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- A. For an undergraduate student to hold an elected office is the student must be enrolled full time and be in good academic and disciplinary standing with the University of San Diego. Any one (1) student may only hold one (1) elected or appointed position at any given time.

Section 5      No undergraduate student will be denied voting rights in ASG Elections.

Section 6      Any member from the Student Body shall have the right to propose a resolution to the Student Senate. Following its presentation to a Student Senate standing committee and sponsorship by a minimum of two (2) ASG Senators, it may become a formal resolution and be passed by the ASG Senate with a simple majority vote.