

ASSOCIATED STUDENTS CONSTITUTION

ARTICLE I. NAME AND MEMBERSHIP

- Section 1 This organization shall be named THE ASSOCIATED STUDENTS OF THE UNIVERSITY OF SAN DIEGO, hereafter referred to as Associated Students, or AS.
- Section 2 All registered undergraduate students of the University of San Diego, both full and part time, are members of AS and as such shall pay the appropriate Associated Student Fee (AS Fee), and are subject to this constitution and all ordinances lawfully enacted. Payment of the full time AS fee shall entitle a member of the AS to full participation in all activities of AS. Payment of the part time AS fee shall entitle a member of AS to participation in all activities except holding elected office.

ARTICLE II. FUNCTIONS

- Section 1 The functions of AS shall be the following:
- A. To act as the primary student voice of the University of San Diego.
 - B. To manage the USD Associated Student Fee and derived funds.
 - C. To promote and sponsor services for the student body.
 - D. To recognize and support student organizations.
 - E. To provide social, educational and cultural programs for the student body through the program board
- Section 2 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, age, physical disability, mental disability, or other characteristic protected by federal or state law, unless a particular characteristic is a bona fide requirement of the position. -See University Policy 2.2.2
<http://www.sandiego.edu/legal/policies/community/institutional/discrimination.pdf>

ARTICLE III. ORGANIZATIONAL STRUCTURE

- Section 1 The executive officers of this association shall be the President, the Vice President, Speaker of the Senate, Communication Chair, Finance Chair, and Athletics Chair.

- Section 2 There shall be a Financial Branch comprised of the appointed Finance Chair and necessary director(s).
- Section 3 There shall be a Communication Branch comprised of the appointed Communication Chair and necessary director(s).
- Section 4 There shall be a Student Senate chaired by the elected Speaker of the Senate, and comprised of thirty Academic, Residential and Commuter Senators, including the Senate Pro Tempore and Parliamentarian. The Speaker shall be responsible for chairing the proceedings of the Senate.
- A. The number of Academic Senators shall be fifteen members of the total body of the Senate, leaving fifteen Residential and Commuter Senators and one elected Speaker of the Senate making the total number thirty-one.
- Section 5 There shall be an Elections Committee, chaired by the Elections Director, comprised of additional Elections Committee members, to be determined by the current AS executive board and the Elections Director.

ARTICLE IV. ELECTIONS

- Section 1 The procedure for AS elections is stated in the AS Election By-laws.
- Section 2 The President, Vice President, Speaker of the Senate, Athletics Chair, and Academic Senators shall be elected annually in the spring semester to be held at least four weeks before the final day of classes in the academic calendar. Officials elected in the spring shall take office during the final two weeks of the academic year and serve for one calendar year.
- A. Academic Senators shall be elected by the full-time and part-time undergraduate student population. Each student shall vote for the Senator of that student's respective college and major. The apportionment of senators between the College of Arts and Sciences and the School of Business Administration shall be determined by the proportion of majors in each respective school. The proportion shall be reassessed each year by the Elections Director.
- a. Academic Senators in the College of Arts and Sciences shall run for election and be responsible for a constituency, in order to better represent the needs of the student body. A distinction will be made between the Physical and Natural Sciences including but not limited to, Chemistry, Biology, Physics and Mathematics, the Social Sciences, including but not limited to, Political Science and Sociology, and the Arts, including but not limited to, Art History, Architecture, Theater, and Visual Arts, to better represent the needs of the student body. The proportions of these constituencies shall be determined, by the

Elections Director, by the number of majors in each designation before each election.

- B. Residential and Commuter Senators shall be elected annually in the fall semester by the full-time undergraduate population living in the respective residential areas. The fall elections shall take place before the first official meeting of the Student Senate, or before the fourth week of the academic calendar. Officials shall serve until the effective date of the fall elections of the next year.
- a. Residential Senators shall be apportioned based on the number of 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 classman housing.
 - b. Commuter Senators shall be apportioned based on the number of students living off campus relative to those that live on campus.

ARTICLE V. APPOINTMENT OF AS OFFICERS

Section 1 There shall be a selection committee made up of representatives of the outgoing AS Executive Board, the newly elected President, Vice President, and Speaker of the Senate. This committee is charged with selecting the Finance Chair and Communications Chair.

Section 2 The selections are subject to approval by the Student Senate.

ARTICLE VI. ORDER OF SUCCESSION AND VACANCY PROCEDURE

Section 1 The order of succession to the Presidency shall be: the Vice President, The Speaker of the Senate, and President Pro Tempore of the Senate.

Section 2 In the event of a vacancy, either by resignation or dismissal, in the position of Vice President or Speaker of the Senate, or other elected Senator, the office shall be declared vacant by the Student Senate proceedings, within a period of ten days in which classes are in session. A new appointment shall be proposed by the President and approved by the Student Senate, passing with a simple majority vote. The newly appointed officer shall serve in an apprenticeship capacity under the supervision of the resigning officer, if appropriate, but will not assume the full authority of the office until the date of the actual resignation or dismissal.

Section 3 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 his or her place. The vacant position, within the Executive Board, will then be filled by the above-mentioned procedure.

ARTICLE VII. THE EXECUTIVE BRANCH

Section 1 The President shall:

- A. Be the primary agent responsible for the well being of Associated Students as well as the executor of the Student Senate's legislation.
- B. Have the power to veto any motion passed by the Senate, subject to a two-thirds override by the Student Senate.
- C. Be the official liaison between the student body and the administration.
- D. Ensure that the Program Board Chair is in accordance with the provisions of Article II, Section 1, letter E.

Section 2 The Vice President shall:

- A. Serve as the student representative in academic matters including but not limited to University Senate, Undergraduate Curriculum Committee, and other faculty committees as deemed necessary.
- B. Oversee student organization processes.

Section 3 The Speaker of the Senate shall:

- A. Preside over the Student Senate
- B. Be responsible, in accordance with the provisions of Article VIII.

Section 4 The Communication Chair shall:

- A. Oversee all communication matters involving Associated Students.

Section 5 The Finance Chair shall:

- A. Be responsible, in accordance with the provisions of Article XIII for budgeting and recording all AS funds.
- B. Preside over Finance Committee
 - a. The Finance Committee shall be made up of the President, Vice President, Speaker of the Senate, Program Board Chair, the Chairs of the Student Life Committee, and Inclusion and Diversity Committee. Each member shall have one vote and decisions shall be made by majority rule. The Finance Committee chair is a non-voting chair in all cases except for the breaking of a tie.

- b. An Advisor from Student Affairs shall be appointed to advise the work of the Finance Committee.
- c. The decisions of the Finance Committee shall be approved by a simple majority of the Student Senate. In the case of a Presidential veto, the Student Senate may override a veto by a two-thirds majority vote.

C. Oversee the financial matters of Associated Students.

Section 6 The Athletics Chair shall:

- A. Serve as the student representative in athletic matters, including serving as the representative at ACBOT, and be the liaison between the Athletics administration and the undergraduate student body.
- B. Be the Chair of the Bull Pit, the official student fan section of the University of San Diego.
- C. Oversee the USD athletics efforts and all athletics matters of the Associated Students.

Section 7 All directors listed under the Vice President, Communication and Financial Branch shall also be considered members of the AS Leadership Team and report to their respective chairs.

Section 8 All elected senators under the Speaker of the Senate Branch shall not be considered members of the AS Leadership Team and report to the Speaker of the Senate.

Section 9 Other duties of the Executive Branch shall be outlined in the Associated Student By-Laws.

ARTICLE VIII. THE LEGISLATIVE BRANCH

Section 1 The legislative body of the Associated Students shall be known as the Student Senate of the Associated Students of the University of San Diego. It shall be a unicameral legislative body.

Section 2 The Student Senate shall be composed of the duly elected and approved representatives of AS Voting representatives shall be:

- A. The Speaker of the Senate, President Pro Tem, Parliamentarian, and Academic, Residential Senators and Commuter Senators.
- B. Non-voting, ex-officio members shall be: the Executive Board of Associated

Students, Liaisons, and an Advisor(s).

- a. Liaison positions shall be determined at the discretion of the Speaker of the Senate in all cases except for the Program Board Chair. Other Liaison member may include, but are not limited to, Residence Hall Association, United Front Leadership Council, Interfraternity Council, and Panhellenic.

Section 3 The Student Senate shall have the power to:

- A. Legislate rules and regulations, as well as maximum and minimum sanctions for violations of these rules and regulations, which govern the individual members and groups of AS in accord with the Student Code of Rights and Responsibilities and other University regulations.
- B. Ratify chairpersons and committee members by a two-thirds majority vote of the members present of the Student Senate.
- C. Grant, withhold, or rescind recognition of any organization of AS in accordance with the Student Code of Rights and Responsibilities.
- D. Approve by a simple majority vote of the total membership, the budget of the AS prepared by AS Finance Committee and submitted to the Student Senate by the AS Finance Chair.
- E. Initiate amendments to this Constitution.
- F. Establish rules for its own proceedings.
- G. Ratify by simple majority vote appointments and dismissals made by the AS President.
- H. Make temporary appointments to fill vacancies in any elected office, other than the office of AS President.
- I. Override the veto of the AS President with a two-thirds majority of its total membership within fifteen days after the AS President's veto.
- J. Call for a special meeting of the Student Senate if one-half of the members approve.

Section 4 There shall be four standing committees that meet regularly and are composed of members of the Senate. The standing committees are: Academics, Inclusion and Diversity, Student Life, and Student Organizations. The Senate may, as it deems necessary, establish ad hoc committees in order to address more specific student needs. Each committee shall have a duly appointed chair responsible for conducting business of the committee.

- A. 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 skilled and passionate Senator for the position.
- B. The interview process for each chair position shall be conducted by the incoming AS Executive Board.
 - a. Concerning the Chair of Inclusion and Diversity, the selection committee shall also be composed two United Front Leadership Council members.

Section 5 No act of the Student Senate shall be valid unless there is a quorum present. A quorum shall consist of the two-thirds 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.

Section 6 There shall be proxy vote, in which the said member shall advise the chair of her/his views, provided that the Student Senate accepts written excuse from the absent member, and the vote is done in writing.

Section 7 A roll call shall be required at each meeting of the Student Senate, and shall be considered an official notice for records. Any member(s) of the Student Senate who is/are absent from three regular Senate meetings without an excuse validated by the Student Senate shall be subject to disciplinary action. In the event of expulsion, the vacancy shall be filled in accordance with Article VI, Section 2.

Section 8 All Student Senate meetings shall be open to any member of the AS. Any member of the AS may speak upon recognition by the Chairperson, but shall not have the right to vote, or make motions.

Section 9 The Student Senate shall meet regularly, as deemed necessary by the AS Speaker of the Senate, during the fall and spring semesters, when school is in session, with no more than fourteen days passing between the time each meeting has been called.

ARTICLE IX. ADVISOR

Section 1 The Advisor(s) to Associated Students and to the Student Senate shall be representatives from the Office of 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 Students, the faculty and administration.

Section 2 The Advisor to the Executive Board, the Student Senate, and Finance and Communications Branch shall:

- A. Have the power, jointly with the AS President or Finance Chair, to create legally binding contracts in the name of the Associated Students.
- B. Have mandatory regularly scheduled meetings with the Student Senate.
- C. Receive reports on AS financial affairs from the Finance Chair.

Section 3 In the event of disagreement between the Advisor(s) and the Associated Students, an appeal shall be made to the Vice President for Student Affairs.

ARTICLE X. AMENDMENTS

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

- A. Any member of AS 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 majority of its voting membership before it is put to a student vote.
- C. The AS Speaker of the Senate must then keep the proposed amendment posted publicly for a period of ten class days.
- D. Upon expiration of the ten class days, the proposed amendment must be submitted to a vote of the Associated Students.
- E. A two-thirds majority of the members of this Association voting shall be necessary for the adoption of an amendment to this Constitution.

ARTICLE XI. RATIFICATION PROCEDURE

Section 1 Initial ratification of this Constitution shall be a two-thirds majority 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.

Section 3 Final ratification of this entire Constitution will be affected by a two-thirds vote, based on a campus referendum, open to the entire undergraduate population.

ARTICLES XII. STUDENT RIGHTS

Section 1 The AS 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 referendum.
- Section 3 All elected officers of this Association may be subject to recall. A recall election will be initiated by either (a) a two-thirds vote of the Student Senate, or (b) a petition signed by at least 20% of the number of those voting in the election of the officer(s).
- Section 4 No member of this Association shall be deprived of office, status, or property without due process.

ARTICLE XIII. AS STUDENT BODY FEES AND FUNDS

- Section 1 The AS 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 AS fee shall be extracted from the members of the AS for the benefit of the AS unless it shall have been authorized by a majority vote of its membership voting.
- Section 3 All AS fees shall be collected and disbursed by the University in the name of the Associated Students.
- Section 4 The Associated Students Finance Committee shall allocate a significant portion of its overall budget to the Program Board. This amount shall be reassessed each fiscal year by the AS Finance Committee.
- Section 5 To ensure appropriate use of the Associated Student Fee, the Program Board chair, along with any center funded by AS, must submit a report, twice each semester, on current budgetary outlays. This report shall be presented to the AS Student Senate and to the Chair of the Financial Branch.
- Section 6 The Finance Chair shall have a fiduciary responsibility to advise the Program Board on behalf of Associated Students. This relationship of trust and good faith will ensure that Associated Students, in coordination with the Program Board, is responsibly utilizing the Associated Student Fee.