

ASUPS Constitution

Preamble

We, the Associated Students of the University of Puget Sound, in order to provide a student voice through representation, foster a sense of community among students, and execute the official business of the Student Body, with a firm belief that the capacity of a unified collective is greater than the sum of all its individual parts, do hereby affirm and establish this Constitution within the authority granted to us by the Board of Trustees.

Article I. Organization

Section 1. Name

The name of the organization shall be the “Associated Students of the University of Puget Sound,” herein called the “ASUPS.”

Section 2. Establishment

The ASUPS is organized and established under the authority of the Board of Trustees of the University of Puget Sound.

Section 3. Membership

All undergraduate students, listed in the University of Puget Sound Finance Office who pay general fees and abide by Articles of Incorporation and Bylaws of the university, and by the Constitution, Bylaws, and general policies of the ASUPS as established by the ASUPS Senate, shall have full ASUPS membership rights. All full-time undergraduates shall be required to pay the undergraduate comprehensive student fee, and, in doing so, constitute the general membership of the ASUPS.

Section 4. Authority

Authorities and powers of the ASUPS shall be exercised by the ASUPS Executive Officers, the ASUPS Senate, and the ASUPS Honor Court, or by delegation through their agents or bodies established under the Constitution and Bylaws, consistent with authority granted by the Board of Trustees.

Section 5. Meetings

Meetings of the general membership of the ASUPS may be called at any time during the school year by the ASUPS President, by petition of one-third ($\frac{1}{3}$) of the ASUPS Senate, or by petition of five (5%) percent of the total membership of the ASUPS.

Section 6. Non-discrimination

The ASUPS values and celebrates a diverse community based on mutual respect, trust, and responsibility. The ASUPS believes our peers should learn, work, serve, and lead in an environment free from discrimination and harassment. Consistent with these values, the ASUPS and affiliated groups shall be open to all persons upon equal terms, and shall not discriminate on the basis of sex (including pregnancy and parenting status), race, color, nation of origin, religion, creed, age, disability, marital or familial status, sexual orientation, veteran or military status, gender identity, political affiliation, or any other characteristic protected by the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and applicable federal, state or local laws. The ASUPS may limit participation based upon available facilities, endowment, and fees.

Article II. Executive Branch

Section 1. Executive Officers

The executive officers of the ASUPS shall be the President, the Vice President, the General Manager, and the Human Resources Officer.

Section 2. The Office of the President

The President of the ASUPS shall have at least sophomore standing at the time of the general election in which the President is elected and shall be a fee-paying member of the ASUPS throughout the full term of office. The President shall serve no more than one (1) term as President. The President's powers shall be divided between the two (2) stages of the Presidency: the President-Elect (Pre-Inauguration) stage and the President (Post-Inauguration) stage. The President-Elect stage will last from election until Inauguration—compensated with one (1) month's leadership stipend disbursement—and the President stage will last twelve months.

Section 3. Responsibilities and Powers of the President-Elect

From the moment the election results are officially verified, in accordance with the Bylaws, to the swearing in at Inauguration, the President-Elect shall have the following responsibilities and powers:

- A. Complete a paid transition, shadowing the standing President and gaining an understanding of the capacities and responsibilities of the role.

- B. Read through the ASUPS Constitution, Bylaws, and Financial Code as well as the Continuity Report provided by the standing President.
- C. Work in conjunction with the Vice President-Elect to advertise and conduct the hiring of all ASUPS Cabinet members, Programmers, Media heads, and any other Executive personnel.
- D. Monitor the budget process and consult with the standing President, Vice President, and Director of Business Services as well as the Vice President-Elect and newly-hired Director of Business Services regarding the shape, scope, and distribution of the budget, as outlined in the ASUPS Financial Code.
- E. Attend all informal and formal Senate meetings, as well as the Spring Senate Retreat.
- F. Schedule and publicize at least one (1) open hour a week to be available to the student body.
- G. Accompany the standing ASUPS President to all regular meetings that do not overlap with unavoidable, pre-existing commitments.
- H. Sign off on the final monthly **disbursement of leadership stipend** of all outgoing executive officers and other Executive personnel in recognition of a **satisfactory** transition period.

Section 4. Responsibilities and Powers of the President

The President shall have the following responsibilities and powers after being inaugurated until the end of the term:

- A. Be the primary spokesperson for the ASUPS and serve as the Chief Executive Officer of the organization.
- B. Set goals and overall objectives of the ASUPS Cabinet and determine general executive policies for carrying out those goals and objectives.
- C. Be accessible to the student body on official school days by means of regular office hours throughout the term.
- D. Preside over meetings of the general membership of the ASUPS.
- E. Appoint and/or nominate all student members of the Faculty and Board of Trustee committees, attaining the consent of the ASUPS Senate for Faculty appointments in accordance with the Bylaws, and in accordance with the procedures for such committee appointments/nominations as established by the Faculty, administration, and the Board of Trustees.
- F. Advise and maintain contact with all student members of Faculty and Board of Trustee committees.
- G. Appoint the General Manager of the ASUPS **in order to effect the policies of the ASUPS Senate.**
- H. Appoint the Human Resource Officer of the ASUPS in order to effect personnel decisions of the ASUPS, **consistent with university policy and federal, state, and local laws and ordinances.**
- I. Sign **ASUPS leadership stipend agreement and agreements with other university departments** in order to effect the policies of the ASUPS Senate.
- J. Maintain a comprehensive log of the Presidential responsibilities and actions as a reference for the next President.
- K. Remove any Presidentially-appointed persons, when necessary, with a two-thirds ($\frac{2}{3}$) vote

- of the ASUPS Senate.
- L. Serve as a full voting member of the Faculty Senate.
 - M. Serve as a full voting member of the Staff Senate.
 - N. Serve as a non-voting ex-officio student member of the Executive Committee of the Board of Trustees and collaborate with the Secretary of the Board on matters related to the Board of Trustees.
 - O. Serve as a non-voting member of the ASUPS Senate.
 - P. Convene the ASUPS Cabinet on a weekly basis, as described in the ASUPS Bylaws.
 - Q. Convene the President's Council on a weekly basis, as described in the ASUPS Bylaws.
 - R. Sign or veto all legislation within three (3) working days of being passed by the ASUPS Senate and oversee the execution of signed legislation.
 - S. Consult with the Vice President and the Chair of the ASUPS Senate in coordinating all appointments of Senators to ASUPS committees.
 - T. Appoint—in consultation with the Vice President—all at-large students to ASUPS Senate committees and bodies under the President's jurisdiction in accordance with the ASUPS Bylaws and the consent of the ASUPS Senate.
 - U. Collaborate with the Vice President of Student Affairs and, as appropriate, other institutional Vice Presidents and administrators on issues pertinent to the undergraduate student body.
 - V. Perform any other such duties as may be delegated by the Constitution, Bylaws, or the ASUPS Senate.
 - W. Complete an adequate transition following the election of the next President, including but not limited to:
 1. The creation of a comprehensive Continuity Report.
 2. An introduction of the President-Elect to all necessary contacts on campus.
 3. A shadow period in which the President-Elect may gain an understanding of what the daily tasks and responsibilities of the President are.
 4. Regular meetings with the President-Elect to discuss any questions the President-Elect may have.
 5. The removal of all personal artifacts and items from the President's office, the ASUPS office, and the President's computer desktop.

Section 5. The Office of the Vice President

The Vice President of the ASUPS shall have at least sophomore standing at the time of the general election in which the Vice President is elected and shall be a fee-paying member of the ASUPS throughout the full term of office. The Vice President shall serve no more than one (1) term as Vice President. The Vice President's powers shall be divided between the two (2) stages of the Vice Presidency: the Vice President-Elect (Pre-Inauguration) stage and the Vice President (Post-Inauguration) stage. The Vice President-Elect stage will last from election until Inauguration—compensated with one (1) month's leadership stipend disbursement—and the Vice President stage will last twelve months.

Section 6. Responsibilities and Powers of the Vice President-Elect

From the moment the election results are officially verified, in accordance with the Bylaws, to the swearing in at the Inauguration, the Vice President-Elect shall have the following responsibilities

and powers:

- A. Complete a paid transition, shadowing the standing Vice President and gaining an understanding of the capacities and responsibilities of the role.
- B. Read through the ASUPS Constitution, Bylaws, and Financial Code as well as the Continuity provided by the standing Vice President.
- C. Work in conjunction with the President-Elect to advertise and conduct the hiring of all ASUPS Cabinet members, Programmers, Media heads, and any other Executive personnel.
- D. Act as the sole executive able to hire within the ASUPS.
- E. Monitor the budget process and consult with the standing President, Vice President, and Director of Business Services, as well as the President-Elect and newly-hired Director of Business Services regarding the shape, scope, and distribution of the budget, as outlined in the ASUPS Financial Code.
 - 1. The Vice President-Elect shall attend all meetings of the budget process that do not create an academic conflict.
- F. Attend all informal and formal Senate meetings, as well as the Spring Senate Retreat.
 - 1. The Vice President-Elect shall schedule, plan, and lead the Spring Senate Retreat, in coordination with the newly-elected Senate Chair and the Associate Director of Leadership and Engagement
- G. Schedule and publicize at least one (1) open hour a week to be available for the student body.
- H. Accompany the standing Vice President to all regular meetings that do not overlap with unavoidable, pre-existing commitments.
- I. Attend two (2) meetings with the ASUPS General Manager to gain an understanding of and insight in the ASUPS Financial Code.
- J. Attend two (2) meetings with the ASUPS Human Resource Officer to gain an understanding of and insight in the personnel policies and practices of ASUPS and the university.
- K. Sign off on the final monthly leadership stipend disbursements of all outgoing executive officers and ASUPS Cabinet members in recognition of a satisfactory transition period.

Section 7. Responsibilities and Powers of the Vice President

The Vice President shall have the following responsibilities and powers after being inaugurated until the end of the term:

- A. Serve as the Chief Operating Officer of the ASUPS.
- B. Remain the sole executive able to hire, in the absence of a Vice President-Elect.
- C. Be responsible for the internal operations of the ASUPS Cabinet and set policies for the carrying out of these operations.
- D. Advise with the President and Senate Chair in coordinating all appointments of Senators to committees.
- E. Serve on the President's Council.
- F. Serve on the ASUPS Cabinet.
- G. Serve as a voting member and the Chair Pro Tempore of the ASUPS Senate.
- H. Supervise, recommend the use of, and guide the expenditures of all ASUPS funds.

- I. Supervise the ASUPS interoffice personnel.
- J. Monitor the entire ASUPS budget, sub-budgets, and the day-to-day expenditures of the ASUPS funds within standards set by the ASUPS Financial Code.
- K. Present a published financial statement to the ASUPS Senate each month.
- L. Present a budget to the ASUPS Senate for approval in accordance with the Bylaws and the ASUPS Financial Code.
- M. Work with the offices of the Executive Vice President and Chief Financial Officer and meet with the General Manager of the ASUPS on a regular basis.
- N. In coordination with the Club Coordinator, maintain a list of contact information for all ASUPS clubs and organizations in order to facilitate the spring budget planning process, and other finance requests. Consult with the Student Programs Director regularly about the vision, purpose, and details of ASUPS Programmers.
- O. Appoint all members to ASUPS Senate committees and bodies under the Vice President's jurisdiction in accordance with the Bylaws and the consent of the ASUPS Senate.
- P. Preside over the ASUPS Senate as Senate Chair Pro Tempore during periods in which there is no Senate Chair, including the period between the general election of senators and the internal election of senate officers, and in the case of resignation or prolonged absence of the Chair.
- Q. Perform any other such duties as may be delegated by the Constitution, Bylaws, or the ASUPS Senate.
- R. Complete an adequate transition following the election of the next Vice President, including but not limited to:
 - 1. The creation of a comprehensive Continuity Report.
 - 2. An introduction of the Vice President-Elect to all necessary contacts on campus.
 - 3. A shadow period in which the Vice President-Elect can gain an understanding of what the daily tasks and responsibilities of the Vice President are.
 - 4. Regular meetings with the Vice President-Elect to discuss any questions the Vice President-Elect may have.
 - 5. The removal of all personal artifacts and items from the Vice President's office, the ASUPS office, and the Vice President's computer desktop.

Section 8. The General Manager

~~The General Manager of the ASUPS shall be a member of the Administration and, in consultation with the Chief Financial Officer, shall be appointed to serve a one (1) year term each March by the ASUPS President with the consent of the ASUPS Senate. The General Manager shall act as an advisor on all contracts and financial dealings of the ASUPS.~~

- A. The General Manager of the ASUPS shall be the University's Chief Financial Officer or shall be designated upon the mutual agreement of the ASUPS President and the University's Chief Financial Officer, and be a member of the University Administration.
- B. The General Manager shall be appointed to serve a one (1)-year term each March by the ASUPS President with the consent of the ASUPS Senate.
- C. The General Manager shall act as an advisor on all contracts and financial dealings of the ASUPS and shall have appropriate expertise and responsibility in these areas.

Section 9. Human Resources Officer

The Human Resources Officer of the ASUPS shall be designated upon mutual agreement of the ASUPS President, Human Resources Department Head and the Human Resources employee, and shall be appointed to serve a one (1)-year term each March by the ASUPS President with the consent of the ASUPS Senate. The Human Resources Officer shall act as an advisor on the hiring practices of the ASUPS Vice President, a Human Resources contact for all of the ASUPS employees and leaders, and will advise the Executive Branch on compliance with all relevant university personnel policies, university staff hired by the ASUPS, and student staff hired by the ASUPS. They shall also serve on the Student Leader Review Committee.

Section 10. Executive Powers

The General Manager, the ASUPS President, the ASUPS Vice President, and the Director of Business Services shall be authorized to transact any business which concerns the ASUPS during the academic summer term(s), in accordance with the Constitution, Bylaws, and the ASUPS Financial Code.

Section 11. Transition Powers

The distribution of the final monthly leadership stipend disbursements of the outgoing President, Vice President and all ASUPS Cabinet members shall be contingent upon the approval of the President-Elect and Vice President-Elect. If any transition is deemed to have not been executed sufficiently by the incoming administration, they must produce a written explanation of the rationale for withholding the leadership stipend disbursement and present it to whomever is being denied a final monthly leadership stipend disbursement. The decision to deny a final monthly leadership stipend disbursement due to an insufficient transition process may be appealed via written argument to the ASUPS Honor Court, which will render a final decision on the matter.

Section 12. Inauguration

The annual ASUPS Inauguration serves to celebrate and close out the outgoing administration and welcome in the new. The Inauguration shall be held on the thirteenth (13th) or fourteenth (14th) academic week of the Spring semester, as determined by the incoming Executives. Prior to the Inauguration:

- A. All transitions will be completed.
- B. All final monthly leadership stipend disbursements will be approved or denied by the President-Elect and Vice President-Elect.
- C. All ASUPS Cabinet members will be approved by the ASUPS Senate.
- D. The Spring ASUPS Senate Retreat shall have taken place.

Article III. Legislative Branch

Section 1. Authority

The legislative authority of the ASUPS shall be vested in the ASUPS Senate.

Section 2. Membership

The membership of the ASUPS Senate shall be the following positions, all of which are voting members unless otherwise designated:

- A. Twelve (12) Senators elected from the ASUPS (with the exception of the beginning of the Fall term before regularly scheduled ASUPS elections, during which time there will be only eleven (11) active Senators).
- B. One (1) Faculty representative, appointed by the Faculty Senate.
- C. One (1) university staff member, appointed by the Staff Senate.
- D. The Dean of Students, or their designee.
- E. The ASUPS Vice President, who shall serve as Senate Chair Pro Tempore.
- F. The ASUPS President, non-voting.
- G. The Secretary of the Senate, non-voting
- H. One (1) Graduate Student Executive Representative, appointed by the Graduate Student Council, non-voting

Section 3. Powers and Responsibilities

The ASUPS Senate shall have the following powers and responsibilities:

- A. Establish and review policies for all affairs, properties, and activities of the ASUPS.
- B. Budget funds and authorize entry into contractual and financial relationships on behalf of the ASUPS.
- C. Pass legislation (internal to ASUPS, including but not limited to the formation of committees, resolutions, and official statements) and confirm ASUPS representatives, subject to Presidential veto.
 1. Ratify and confirm all committee and other leadership appointments of the ASUPS.
 - a. Must present to the President within two (2) days of ratification, subject to Presidential veto.
 2. Recognize student organizations at the University of Puget Sound, thereby granting them the privileges and expectations requisite of ASUPS-recognized clubs and organizations.
 - a. Must present to the President within two (2) days of ratification, subject to Presidential veto.
- D. Rescind ratification and confirmation of any and all Committee and other leadership appointments of the ASUPS by a two-thirds ($\frac{2}{3}$) majority vote.
 1. Motion to invoke action regarding this section must be submitted to the Senate one

- (1) week prior to the actual vote.
- E. Adopt and amend the ASUPS Budget.
- F. Adopt and amend the ASUPS Bylaws by a two-thirds ($\frac{2}{3}$) majority vote.
- G. Elect a Chair and Club Liaison, ~~Identity Based Club Liaison, and Club Sports Liaison~~ from amongst student senate membership as provided in Constitution Article III, Section 4.
- H. Vote to override the Presidential veto during the next formal session following such an action with a two-thirds ($\frac{2}{3}$) majority vote.
- I. Advocate for the student voice at the local, regional, and state level.
- J. Perform any other such duties as may be delegated by the Constitution or Bylaws.

Section 4. Officers

The officers of the Senate shall be the Chair, the Chair Pro Tempore, the Club Liaison, and the Vice Chair. The officers of the Senate—chosen by means of a closed ballot vote from among its voting members within four (4) weeks of every general election—shall serve as the leadership of the ASUPS Senate, and will convene when necessary to discuss the goals of the Senate and monitor the progress of those goals. The officers of the Senate and their duties shall be as follows:

- A. Chair of Senate - Chair meetings of the ASUPS Senate and supervise the work of Senators, recommend action, if needed, and delegate responsibilities to other Senators as necessary, including attendance at meetings or events. Serve as a member of the ASUPS President's Council, a voting member of the Faculty Senate, and perform any other such duties as may be delegated by the Constitution, Bylaws, or ASUPS Senate.
- B. Club Liaison - Consult with the Club Coordinator on success and issues related to clubs and club management. Consult and advise Senators on developing and enhancing their liaison contact with recognized ASUPS clubs/organizations. Advocate on behalf of Clubs during Senate meetings. The Club Liaison shall serve as a member of the ASUPS President's Council and perform any other such duties as may be delegated by the Constitution, Bylaws, or ASUPS Senate.
- C. Chair Pro Tempore – The ASUPS Vice President shall serve as the Chair of the Senate in the case of a vacancy or when the Chair is unavailable, and shall perform any such duties as may be delegated by the Constitution or, Bylaws.

Section 5. Secretary of the Senate

The Secretary of the Senate shall record and maintain minutes of the ASUPS Senate, as directed by the Senate Chair, and provide copies of the official minutes to the Senate Chair, Vice President, and President two (2) business days following the Senate session. They shall provide copies of the official minutes to all persons upon inquiry. The position of Secretary of the Senate will be filled through the hiring of a fee-paying undergraduate student, at the discretion of the Vice President and approved by a majority vote of the Senate. The Secretary of the Senate is a non-voting member of the Senate. The ASUPS Operations Coordinator shall act as the supervisor of the Secretary of the Senate.

Section 6. Meetings

The ASUPS Senate shall meet in formal session regularly in accordance with the Bylaws.

Section 7. Measures

Any measure not in conflict with the Constitution or Bylaws may be proposed by any member of the ASUPS Senate and shall require a majority vote for approval of quorum during a Formal Session.

Section 8. Terms

Members of the ASUPS Senate shall serve a one (1)-year term, unless they are filling the remainder of a vacant position, except for the following circumstances:

- A. The First-year Senator's term shall last until the Spring General Election.
- B. The Senior Senator's term shall last from the Spring General Election until the completion of the next year's Spring semester (approximately fifteen (15) months).
- C. A Senator is recalled, loses membership in ASUPS, or resigns in writing to the Senate Chair, or Vice President when acting as Senate Chair Pro Tempore.

Section 9. Qualifications

All Senators shall be fee-paying members of the ASUPS during their full terms of office.

Section 10. Special Session

A special session of the ASUPS Senate may be called by the ASUPS President, the Chair of the ASUPS Senate, one-third ($\frac{1}{3}$) of the ASUPS Senate, or a petition of five percent (5%) of the total membership of the ASUPS. Only stated business may be voted on by the Senate during a special session.

Section 11. Quorum

A quorum of the ASUPS Senate shall be two-thirds ($\frac{2}{3}$) of the sitting senators of the ASUPS Senate. A quorum of the ASUPS Senate may be reached in person or virtually, and may not be reached through use of proxies, whether recognized or not.

Section 12. Proxies

Proxies must have the written authorization of the absent Senator, submitted to the Senate Chair and Vice President, acting as Chair Pro Tempore, twenty-four (24) hours prior to Senate roll call, to vote on resolutions that have been sent to the Senate in advance of the meeting in place of a Senator. The proxy will cast a vote in line with the absent Senator's directions as written on their proxy authorization.

Article IV. Judicial Branch

Section 1. Function

The judicial functions of the ASUPS shall be performed by the ASUPS Honor Court.

Section 2. Membership

The membership of the ASUPS Honor Court shall be:

- A. Justices:
 - Five (5) students and three (3) student alternates appointed by the ASUPS President with the consent of the ASUPS Senate.
 - One (1) Faculty member and one (1) Faculty alternate, both appointed in accordance with the procedures for making Faculty committee appointments.
- B. Advisors:
 - One (1) Dean of Students Designee, who shall be a member of the university staff.
 - A Faculty Advisor, appointed in accordance with the university Faculty committee assignment procedures. The Faculty Advisor shall be a non-voting member of the ASUPS Honor Court and shall assist the ASUPS Honor Court in deciding upon all substantive and procedural questions.

Section 3. Powers and Responsibilities

The ASUPS Honor Court shall have the following powers and responsibilities:

- A. Exercise disciplinary jurisdiction where prescribed by the ASUPS Constitution, by-laws, other ASUPS policies or governing documents, general university policies, and/or the Student Integrity Code.
- B. Have final authority for interpreting the constitutionality of the ASUPS documents.
- C. Have final authority for interpreting the actions of the various governing bodies and members of the ASUPS in terms of their constitutional adherence.
- D. Perform any other such duties as may be delegated by the Constitution, Bylaws, or the ASUPS Senate.
- E. Certify ASUPS Elections.

Section 4. Terms

Terms of office for Justices of the ASUPS Honor Court:

- A. The student Justices and alternates shall serve for the period of their membership in the ASUPS or until such time as they resign or are removed from the ASUPS Honor Court.

- B. The Faculty Justice and alternate shall serve for a term of three (3) years. Both are subject to removal as set forth herein.
- C. The Faculty Advisor shall serve for a one (1)-year term that is renewable in accordance with the same procedures as appointment.
- D. The Dean of Students Designee shall serve a renewable term of three (3) years.

Section 5. Removal

Removal of Justices of the Honor Court:

- A. A Justice of the Honor Court may be removed by majority vote of the other Justices of the Court for acts which are a violation of the Student Integrity Code, convicted of a civil or criminal violation of law, or dereliction in the discharge of the Justice's duties.

Removal of Advisors of the Honor Court:

- A. A Faculty Justice or alternate may be removed by the Faculty Senate in accordance with their procedures.
- B. The Dean of Students Designee may be removed by the Dean of Students at any time.

Replacement:

- A. Replacement of a member of the Honor Court will follow Article IX Section 2, A of the Constitution.

Section 6. Chief Justice

The Chief Justice shall:

- A. Be one (1) of the seven (7) student Justices of the ASUPS Honor Court, elected by the Justices of the Court for a one (1)-year term and shall have all rights and responsibilities of any member of the Court.
- B. Convene meetings of the Court at such times and places as is deemed necessary to carry out its duties.
- C. Appoint one (1) of the student alternates as Clerk. It shall be the Clerk's duty to provide for the recording of the Court's activities and to assist the Chief Justice in the everyday duties of the Court.

Section 7. Limitations

No member of the ASUPS shall be a member of the ASUPS Honor Court and hold either an elected office of the ASUPS or serve as a ASUPS Cabinet member at the same time.

Article V. Elections

Section 1. General Elections

The ASUPS shall hold the following elections each year:

- A. A general election in the Fall semester to elect seven (7) Senators ~~as well as one (1) Graduate Student Executive Representative~~ from the general membership of the ASUPS.
- B. A general election in the Spring semester to elect five (5) Senators as well as the President and Vice President of the ASUPS from the general membership of the ASUPS.
- C. Special elections, if necessary, conducted under the guidelines outlined in the Bylaws.
- D. Each general election must be held during the first six academic weeks of the Fall or Spring semester, as determined by the Elections Committee.

Section 2. Fall General Election

The Fall general election, or Fall Elections, shall result in the election of the following seven (7) Senators ~~and one (1) Graduate Student Executive Representative~~ by the student body:

- A. Two (2) Senators at-Large, elected by the general membership of the ASUPS.
- B. One (1) First-year Senator, elected by members of the First-year class.
- C. One (1) Residence Hall Senator, elected by students living in University of Puget Sound residence hall facilities (excluding those living in Greek chapter housing).
- D. One (1) University Residence House Senator, elected by those living in University of Puget Sound on-campus houses and specialty First-year houses.
- E. One (1) Greek Chapter Housing Senator, elected by those living in Greek chapter housing.
- F. One (1) Off-Campus Senator, elected by those not living on-campus.
- ~~G. One (1) Graduate Student Executive Representative, elected by Graduate students.~~

Section 3. Spring General Election

The Spring general election, or Spring Elections, shall result in the election of the following five (5) Senators, the President, and Vice President by the student body:

- A. Two (2) Senators at-Large, elected by the general membership of the ASUPS.
- B. One (1) Sophomore Senator, elected by members of the First-year class.
- C. One (1) Junior Senator, elected by members of the Sophomore class.
- D. One (1) Senior Senator, elected by members of the Junior class.
- E. Vice President.
- F. President.

Section 4. Qualifications

All elected Senators and Officers of the ASUPS must be fee-paying members of the ASUPS during their terms. Elected officials must be members of the constituency that elected them at the time of their election, unless otherwise stated in the Constitution. Students must intend to be in full-time attendance at the university during the full course of their term to be eligible to run for or hold an elected ASUPS office, whether legislative or executive. This includes students in their final academic year, students taking a leave of absence, and those participating in a study abroad or

other program that may otherwise indicate attendance but requires the student to be away from campus during their term.

Section 5. Limitations

No student may serve **in a leadership position** simultaneously in more than one of the three ASUPS branches.

Section 6. Waiver Of Term Requirements

The ASUPS Senate may waive the term requirements of an ASUPS elected office by a majority vote, under the following circumstances, provided the student in question is otherwise eligible to hold the position in question, as per the requirements set forth in the ASUPS Constitution and Elections Guidelines:

- A. During a normally-scheduled ASUPS election, if no other eligible candidates have completed the application process for the position before the official deadline.
- B. In the case of a vacancy, and if no other eligible candidates have been appointed to a seat by the processes set forth by Constitution Article IX, Section 5.

Article VI. Initiative, Referendum and Recall

Section 1. Petitions

Upon receiving an initiative petition signed by at least ten percent (10%) of the general membership of the ASUPS:

- A: Any act of any official committee or organization existing under this Constitution may be repealed or amended as described in Section 2, A., of this article.
- B. Any official of the ASUPS may be recalled as described in Section 3 of this article.

Section 2. Referendums

The ASUPS Senate shall provide for a referendum vote by the general membership of the ASUPS whenever a majority of the ASUPS Senate members present and voting shall approve the presentation of a referendum measure to the ASUPS.

- A. An initiative or referendum shall be submitted to the members of the ASUPS at the next regular election, or at a special election called by the ASUPS Senate. An initiative or referendum measure shall be adopted if a majority of those voting on the measure vote in

favor of it, whereupon the measure shall become effective immediately, unless otherwise provided in the referendum.

- B. Any initiative or referendum measure properly adopted by the vote of the ASUPS is binding upon the ASUPS until such time as that measure is repealed or amended.

Section 3. Recalls

The ASUPS shall have the power to recall any appointed or elected official for malfeasance or failure to discharge the duties of said office. A petition for recall shall be submitted to the ASUPS Honor Court for confirmation that the statement of charges properly identifies grounds for recall before such a petition shall be circulated. The petition for recall, duly-submitted and confirmed according to the proper procedures, shall warrant a general vote within twenty (20) regular school days of its presentation to the ASUPS Honor Court. If a majority vote in favor of recall, the official is recalled and a special election will be held to fill the vacancy.

Section 4. Senate Recalls

The ASUPS Senate shall have the power to recall its own members for two (2) unexcused absences from Senate meetings. To be excused, a notice of absence must be submitted for approval to the Senate Chair or the Vice President, when acting as the Chair Pro Tempore, at least twenty-four (24) hours prior to the Senate meeting in question. If the chair or vice president believes the reason to be invalid and denies the excused absence, that decision may be appealed by the denied Senator retroactively to the Honor Court and secured by a majority opinion of the court. In the event of an emergency, where notice cannot be given, an explanatory notice must be presented to an executive officer within twenty-four (24) hours following the missed Senate meeting or as soon as possible thereafter. A two-thirds ($\frac{2}{3}$) majority vote of the ASUPS Senate shall be required to remove a member from office.

Article VII. Amendments to the Constitution

Section 1. Amendments and Revisions

This Constitution may be amended or revised by either of the following approaches:

A. By ASUPS

1. A proposal approved by a majority vote of the ASUPS Senate—presented to the ASUPS Senate and published and distributed to the ASUPS at least two (2) weeks before voting—or upon a petition signed by ten percent (10%) of the ASUPS; and then,
2. A majority of ballots cast by the student body on the proposed modification at any election of the ASUPS—presented to the ASUPS at least two (2) weeks before election; and then,

3. All amendments or revisions proposed by ASUPS are subject to review by the Board of Trustees' Academic and Student Affairs Committee (ASAC) and approval by the Board of Trustees.

B. By the Board of Trustees

1. Consistent with its fiduciary responsibilities and oversight of the University, the Board of Trustees, through its Academic and Student Affairs Committee, retains its authority to make amendments or revisions to the delegated authority to the ASUPS and/or the Constitution, upon adoption by the Committee and approval by the Board of Trustees.
2. Any proposed changes should be presented to ASUPS Executives during a regularly scheduled Board of Trustees meeting, with a decision being made at the following Board of Trustees meeting.
3. During the intervening time, ASUPS Executives will consult with constituents on the proposed changes to better understand impacts. Constituent consultation could include a referendum on the ballot, focus groups, or other wide-ranging impact gathering opportunities.
4. Prior to the votes, the ASUPS President and the Student Representative on the Academic and Student Affairs Committee (ASAC) shall be entitled to speak on the proposed changes at the ASAC meeting, and the ASUPS President shall be entitled to speak on the proposed changes at the Board of Trustees open business meeting.
5. Upon approval of any amendments or revisions by the Board of Trustees, the Secretary of the Board will communicate a summary of the changes and an updated Constitution to the ASUPS President and ASUPS Senate Chair.

- ~~A. A proposal approved by a majority vote of the ASUPS Senate presented to the ASUPS Senate and published and distributed to the ASUPS at least two (2) weeks before voting or upon a petition signed by ten percent (10%) of the ASUPS; and then,~~
- ~~B. A majority of ballots cast by the student body on the proposed modification at any election of the ASUPS presented to the ASUPS at least two (2) weeks before election; and then,~~
- ~~C. All amendments or revisions are subject to review by the Board of Trustees' Academic and Student Affairs Committee (ASAC) and approval by the Board of Trustees.~~

Article VIII. Formal Documents

Section 1. List and Establishment

In addition to this Constitution, the formal documents of the ASUPS shall be the Bylaws, Elections Guidelines, Clubs and Organizations Recognition Guidelines, Finance Committee Expense Guidelines, and the Financial Code. Establishment of additional formal documents may be initiated by any member of the ASUPS Senate and shall require a two-thirds ($\frac{2}{3}$) majority vote of the Senate members present and voting. Formal documents may be amended as described in the individual documents.

Article IX. Vacancies

Section 1. Vacancy of the Office of the President

If the President is unable to execute the duties delegated in Constitution Article II, Sections 2, Section 3, and Section 4., either due to recall or resignation, or if the office of the President becomes vacant, the ASUPS Senate shall elect a President from its members, including the Vice President, to assume all powers and responsibilities of the President until the end of the regular term of office. The election shall take place at the next official ASUPS Senate meeting.

- A. In this situation, the fulfillment of the President's seat as a Senator or Vice President would not disqualify the individual from seeking to hold the Office of the President in the next Spring General Election, unless the individual has served in the role for more than nine (9) months.

Section 2. Vacancy of the Office of the Vice President

If the Vice President or is unable to execute the duties delegated in Constitution Article II, Sections 5, Section 6, and Section 7., either due to recall or resignation, or if the office of the Vice President becomes vacant, the ASUPS Senate shall elect a Vice President from its members to assume all powers and responsibilities of the Vice President until the end of the regular term of office. This election shall take place at the next official ASUPS Senate meeting.

- A. In this situation, the fulfillment of the Vice President's seat by a Senator would not disqualify the individual from seeking the office in the future in a general election, unless the individual has served in the role for more than nine (9) months.

Section 3. Vacancy of the Office of the President and Vice President

Should both executive offices become vacant at the same time, a President Pro Tempore shall be elected from the **undergraduate student** membership of the ASUPS Senate to assume all powers and responsibilities of the President. The President Pro Tempore shall serve until the end of the executive's term. This election shall take place at the next official ASUPS Senate meeting. The offices of the Vice President and Senate Chair shall be filled in accordance with Sections 2 and 4 of this Article.

Section 4. Vacancy of the Office of the Senate Chair

If the Chair of the Senate is absent or unable to execute the duties delegated by the Constitution of Bylaws, the Vice President shall then assume all powers and responsibilities of the Chair of the Senate until the next general election or the return of the Chair of the Senate. The ASUPS Senate shall then elect a new Chair Pro Tempore from amongst its members.

Section 5. Vacant Senate Seat

Should a student position on the ASUPS Senate become vacant, the ASUPS Senate shall decide by a two-thirds ($\frac{2}{3}$) majority vote to either:

- A. Give the ASUPS President the authority to nominate any fee-paying member of the ASUPS to fill the position for the duration of the vacated seat's term. This authority shall be limited to two (2) nominations per presidential term and require a two-thirds ($\frac{2}{3}$) confirmation of the ASUPS Senate; or
- B. Establish a committee comprised of the ASUPS President, the Senate Chair, and one (1) student at-large to nominate any fee-paying member of the ASUPS to fill the position for the duration of the vacated seat's term. The nomination shall require a two-thirds ($\frac{2}{3}$) confirmation of the ASUPS Senate; or
- C. Call for a special election to fill the position.
- D. If no decision on the method of replacement is reached by the ASUPS Senate one (1) week prior to the opening of the nomination period for a general election, the position will be filled in that election.

Amended on February 3rd, 2022 by the ASUPS Senate

Affirmed by the student body during the General Election of February 24th, 2022
Approved by the Board of Trustees of the University of Puget Sound on February 25th, 2022