

Constitution

PREAMBLE

We, the members of the Weber State University Student Association, in order to form a more effective association, ensure a representative and orderly system of self-governance, establish internal justice, promote and defend those inalienable rights and pursuant responsibilities common to all persons, as well as those provided by federal, state, and institutional authorities, and pursue the fulfillment of the mission of this institution do ordain and establish this Constitution.

ARTICLE I

Organizational Purpose and Responsibility

The Weber State University Student Association (WSUSA) was established by the President of Weber State University under Section V: Student Organization and Activities of PPM 6-22, Student Code, and under Utah state law to provide for the general welfare of the students of Weber State University (WSU). The structure of the WSUSA is designed to provide representative leadership; therefore, the WSUSA officers shall promote the opinions and the interests of the student body as their voice and trusted representatives.

The WSUSA is intended to provide student participation in academic, administrative, and co-curricular decision-making at WSU. The WSUSA, along with the WSU Administration, ensures efficient and prudent use of student fees and oversees the student fee allocation process, which is to be approved by the WSU Board of Trustees and the Utah State Board of Higher Education.

The WSUSA shall provide quality opportunities for academic and co-curricular experiences as well as promote student involvement in university clubs, organizations, events, and activities. The WSUSA officers shall perform any powers and/or responsibilities bestowed upon them by the administration, the Board of Trustees, or the Utah System of Higher Education. The WSUSA shall also promote WSU and establish relationships within the community for the betterment of the University and the benefit of the students.

ARTICLE II

Membership and Officer Eligibility

Section 1: The WSUSA Member Definition

Any matriculated person who pays full or partial student fees is considered a member of the WSUSA for the entirety of that academic semester, until the commencement of the following semester, excluding the summer semester.

Section 2: The WSUSA Elected Officer Eligibility

Any full-time student of the WSUSA who holds a cumulative grade point average of at least 2.5 on a 4.0 scale at the time of elections may be elected to any of the elected offices. Full-time status for undergraduate students is defined as enrollment in at least 12 credit hours during the current semester.

Full-time status for graduate students is defined as enrollment in the required number of credit hours to be classified as a full-time matriculated or full-time degree-seeking student, as duly established by the University, or the completion of 24 credit hours equal to full-time status within the preceding summer and fall semesters and registration of the current spring semester will also deem a student eligible to hold elected office.

Any student of the WSUSA who holds an institutional grade point average of at least 2.5 on a 4.0 scale, at the time of elections may be elected to any of the legislative offices, regardless of full or part-time status.

The exceptions to this definition are outlined in the Bylaws.

Section 3: Appointment of WSUSA Offices

Any person may be appointed to any of the WSUSA offices under the following criteria:

1. They must hold a total cumulative grade point average of at least 2.5 on a 4.0 scale at the time of appointment.
2. At the time of appointment they must be matriculated to WSU to start the following semester, excluding the summer semester.

ARTICLE III

Organizational Structure

Section 1: Representative Duties

All WSUSA officers shall follow the procedures and guidelines set forth in this Constitution and the WSUSA Bylaws. Additionally, all elected and appointed officers shall have a contract that outlines duties, and other expectations specific to the role of the office to which they are appointed or elected. Officers shall be required to uphold their contracts; failure to do so may result in probation or removal from office.

Section 2: Representative Authority

The representative authority of the WSUSA shall be vested in the elected and appointed officers who shall represent the WSUSA in the following:

1. The administration, faculty, and staff of Weber State University;
2. National, regional, and local governing bodies;
3. The general public.

Section 3: Branch Membership and Procedure

1. The WSUSA Executive Council:

- a. Chaired by the WSUSA Student Body President;
- b. Consists of the WSUSA Vice Presidents and other appointed (non-voting) officers, as outlined in the Bylaws;
- c. Meetings shall be held frequently, as outlined in the Bylaws, and be open to the public with the exception of impeachment trial eligibility.

2. The WSUSA Student Senate:

- a. The Executive Vice President shall be the chair of the Student Senate (non-voting except for when a tie must be broken), and shall officiate formal and informal senate sessions, and share reports between the executive and legislative branches.
- b. The Vice Senate Chair (voting, elected from among the Senators at the first formal meeting of the fall semester), may temporarily fill in for Executive Vice President if they are unable to fulfill their duties;
- c. Consists of elected Senators from the constituencies established in the Bylaws, the Parliamentarian, and other non-voting appointed positions, as outlined in the Bylaws;
- d. Formal and informal meetings shall be held frequently, as outlined in the Bylaws, and shall be open to the public.
- e. The Student Senate shall follow parliamentary procedure according to the most recent edition of Robert's Rules of Order.
- f. At the beginning of the academic year the WSUSA Student Senate shall receive a budget from Student Involvement and Leadership. The senate shall keep this budget updated and be able to provide it upon request.

3. The Supreme Court

- a. Chaired by the WSUSA Chief Justice;
- b. Consists of two (2) additional Associate Justices; along with a parliamentarian who shall act as the connection between Judicial and all other branches of WSUSA;
- c. Shall meet frequently, as outlined in the Bylaws, and be open to the public with the exception of impeachment trial eligibility;

4. Executive Teams

- a. Chaired by respective Vice Presidents (i.e., the WSUSA Vice President of Activities) and named after that title (i.e., the WSUSA Activities Team);
- b. Consists of members appointed by the respective Vice President;
- c. Meetings shall be held frequently, as outlined in their respective charters.
- d. At the beginning of the academic year the Executive team shall receive a budget from Student Involvement and Leadership. The Executive Team shall keep this budget updated and be able to provide it upon request.

ARTICLE IV

The WSUSA Bylaws

This Constitution shall be accompanied by a set of Bylaws that shall further delineate the policies, procedures, rules, requirements, powers, and responsibilities of the WSUSA and the WSUSA officers. The WSUSA Bylaws shall not contradict this Constitution, and this Constitution shall override the Bylaws whenever discrepancies arise.

ARTICLE V

The WSUSA Executive Branch

Section 1: Executive Powers and Responsibilities

All executive powers herein granted shall be vested in a President of the WSUSA. The President shall administer all executive duties and responsibilities with assistance from the Vice Presidents, as outlined in this Constitution and the WSUSA Bylaws. These officers shall have the specific power to execute the laws and expenditures of the WSUSA in accordance with their respective duties and responsibilities, fill vacancies within their jurisdiction, as outlined in this Constitution and the Bylaws, and represent the membership of the WSUSA in the most effective manner.

The President and the Vice Presidents shall be responsible for appointing all appointed offices in the Executive Branch. The President shall nominate candidates to fill vacancies in the Supreme Court and the Vice President offices to be ratified by the Senate. The Executive Vice President, in coordination with the WSUSA Student Body President, shall nominate candidates to fill vacancies in the Senate to be ratified by the Senate.

The President shall have the power to veto any legislation passed by the Senate. The President shall have until the end of the next legislative session to review any legislation and then sign or veto said legislation. Legislation signed by the President will be enacted immediately. Legislation vetoed by the President shall return to the Senate, as outlined in this Constitution. Any legislation neither signed nor vetoed by the President by the end of the legislative session following its passing shall be enacted as if

signed. The President shall give to the Senate information regarding the State of the Association at least once during their term of office.

Section 2: Membership

The Executive Branch shall be composed of the President, the appointed Presidential Cabinet, the Vice Presidents, and appointed positions as deemed necessary and/or outlined in the Bylaws.

ARTICLE VI

The WSUSA Legislative Branch

Section 1: Legislative Powers and Responsibilities

All legislative powers herein granted shall be vested in the Senate of the WSUSA. The Senate shall have the power to create all legislation that shall be necessary and proper for carrying into execution all the powers vested by this Constitution in the government of the WSUSA.

The Senate shall conduct its proceedings in accordance with this Constitution and the Bylaws. The Senate shall keep minutes of its proceedings, which shall include the voting record of the members of the Senate on legislation presented and of any question at the desire of one-fifth (1/5) of the Senators present. Nominations for replacements to elected offices and members of the Judicial Branch presented by the President shall be ratified by a two-thirds (2/3) vote of the Senate. The Senate shall have two senate meetings from the date of any presidential veto, which shall be formally announced by the President in a senate meeting, to override said veto with a three-fourths (3/4) vote.

Section 2: Membership

Senate representation shall be provided for all members of the WSUSA. The Senate shall be composed of one (1) Senator representing each recognized constituency. Each Senator shall have one (1) vote on all matters. An officially recognized constituency shall be defined in the Bylaws. Standing ex-officio members of the Senate, without the power to vote, shall include the WSUSA Student Body President, a WSUSA advisor, and one (1) Weber State University administrator, both of whom are appointed by the WSU administration. Additional, temporary ex-officio members may be designated by a simple majority vote of the Senate membership.

ARTICLE VII

The WSUSA Judicial Branch

Section 1: Judicial Powers and Responsibilities

All judicial powers herein granted shall be vested in a Supreme Court of the WSUSA. The Supreme Court shall have the power to interpret the Constitution and Bylaws upon petition and to determine the constitutionality of all legislation passed by the Senate upon petition. The Supreme Court shall perform any other judicial functions as specifically assigned by the Executive Officers, the Senate, and/or the

Bylaws. Any decision made by the Executive Branch during elections may be appealed to the Supreme Court, whose decision shall be considered final. The Supreme Court shall verify election results.

Section 2: Membership

The Supreme Court shall consist of three (3) Student Justices; the President shall nominate one (1) as the Chief Justice and the other two (2) as Associate Justices. Each Student Justice shall have one (1) vote on all matters. A WSUSA advisor shall be appointed to serve as an ex-officio member of the Supreme Court with the power to vote.

An Attorney General shall be appointed by the WSUSA Student Body President. The Attorney General shall serve as counsel to the WSUSA Government regarding this Constitution, the WSUSA Bylaws, university regulations, and parliamentary procedure according to the most recent edition of Robert's Rules of Order.

The duties and responsibilities of the Attorney General are to ensure that the WSUSA Constitution and Bylaws are understood and obeyed by all members of the WSUSA; to attend Legislative and Executive Branch meetings, as outlined in the Bylaws; to assist members of the WSUSA in drafting legislation as requested; to serve as an ex-officio member (non-voting) of committees as requested; to present information to the Judicial and Legislative Branches regarding impeachment when Articles of Impeachment are issued; to represent the WSUSA in all matters before the Supreme Court; and to provide recommendations to WSUSA officers and the members of the WSUSA regarding the constitutionality of proposed legislation.

Article VIII

The Formation and Dissolution of Executive, Legislative, and Judicial Offices

Section 1: The Formation of Executive, Legislative, And Judicial Offices

1. Executive
 - a. The formation of a new executive office shall be voted on and must be ratified by a three-fourths (3/4) vote of the WSUSA Student Senate.
 - b. The legislation then moves to the Executive Council, where it must also be ratified by a three-fourths (3/4) vote.
 - c. The responsibilities and associated duties of the new Executive Officer and subsequent committee under the new office shall be outlined in the Bylaws.
2. Legislative
 - a. All legislative offices must be ratified by the WSUSA Student Senate. For ratification to take place, students seeking to form a legislative office that meets the definition of a constituency as outlined in the Bylaws must complete the following:

- i. Present a petition to the WSUSA Senate bearing at least 150 signatures and names of current WSU students who will be members of the constituency seeking recognition;
 - ii. Have the WSUSA Senate ratify the constituency by a three-fourths (3/4) majority vote of the Senate.
- b. Upon ratification of the Senate, the WSUSA Student Body President shall issue a proclamation establishing the constituency, unless a veto is issued. If a veto is issued, the above process cannot take place again until the following semester.
- c. The responsibilities and associated duties of the new legislative office shall be outlined in the Bylaws and in accordance with the responsibilities of pre-existing legislative offices.

3. Judicial

- a. The formation of any judicial office must be ratified by a three-fourths (3/4) vote of the WSUSA Student Senate.
- b. The formation of this office must subsequently be ratified and approved by the Executive Council through a three-fourths (3/4) vote by the end of the next legislative session or the legislation does not pass.
- c. The office itself must be clearly defined upon presentation.
- d. The responsibilities and associated duties of the new judicial office shall be outlined in the Bylaws.

Section 2: The Dissolution of Executive, Legislative, And Judicial Offices

1. Executive

- a. The dissolution of an Executive office must be ratified by a three-fourths (3/4) vote of the WSUSA Student Senate.
- b. The legislation then moves to the Executive Council, where it must also be ratified by a three-fourths (3/4) vote.
- c. Exceptions are the WSUSA Student Body President, the WSUSA Executive Vice President, or any other role that would render the student government non-functional. These can not be dissolved.

2. Legislative

- a. The dissolution of a legislative office shall be conducted in accordance with the process as outlined in the Bylaws.

3. Judicial

- a. Judicial offices are not subject to dissolution.

ARTICLE IX

Elections, Oath, Terms of Office, Compensation, and Holding Office

Section 1: Elections

Only matriculated members of the WSUSA will be allowed to vote in the WSUSA elections. Elections shall be held during the spring semester for the officers for the following academic year. The manner of holding elections for all elected officers shall be prescribed in the WSUSA Bylaws.

Section 2: Term and Oath of Office

1. Term of Office

- a. For all elected WSUSA officers, the term of office is one (1) full academic year.
- b. For all of the WSUSA officers, both elected and appointed, who were appointed to fill a vacancy, they will serve only the remainder of the term for the office they were appointed to fill.

2. Oath of Office

- a. All elected or appointed officers (serving in elected positions) and Supreme Court justices shall begin executing the duties of said office by taking the following oath:

“I, (name), do solemnly affirm that I will faithfully execute the Office of (title) of the WSUSA and will, to the best of my ability, preserve, protect, and defend the Constitution of the WSUSA.”

- b. Prior to being sworn in, each officer must have signed the contract for their individual position, outlining their office’s specific expectations.

Section 3: Vacancies of Office

Vacancies in a WSUSA office shall be filled in the following manner:

1. Elected Officers:

- a. The WSUSA Student Body President shall nominate a member of the WSUSA to fill any Executive vacancies. Eligibility requirements, as outlined in Article II Section 2 must be met.
- b. The WSUSA Executive Vice President shall nominate a member of the WSUSA to fill the Legislative vacancies. Eligibility requirements, as outlined in Article II Section 2 must be met.
- c. Appointments shall be approved by a two-thirds (2/3) vote of the WSUSA Senate.
- d. The appointee shall serve the remainder of the one (1) year term.
- e. In the event of a vacancy in the office of the WSUSA Student Body President, the Executive Council will call a special election in which the WSUSA will elect a new WSUSA Student Body President. The process for special elections shall be as outlined in the Bylaws.

2. Appointed Positions:

- a. All vacancies shall be filled as determined by the respective WSUSA officer and advisor and ratified by a majority vote of the appropriate WSUSA governing body.

Section 4: Compensation

The elected and appointed officers shall receive compensation for their services, as outlined in the WSUSA Bylaws and by the Department of Student Involvement and Leadership.

Section 5: Holding Office

1. No student shall hold more than one (1) elected office within the WSUSA.
2. Any member of the WSUSA may run for the WSUSA Student Body Presidential office, if vacant, or be appointed to an alternate office while still in office. If elected to two (2) offices, they must resign from one office within five (5) days.

ARTICLE X

Probation and Removal from Office

Elected and appointed officers will be placed on probation if they fail to meet eligibility requirements as set forth in Article II Section 2. Further, officers holding elected offices shall be subject to removal through either the process of recall or impeachment. All members of the Judicial Branch shall also be subject to removal through the process of impeachment. All other officers holding appointed positions shall be subject to removal through the process of excusal. Grievance Statements and hearings may only address individual officers rather than a group. In circumstances where an alleged offense is privileged to confidentiality, such as information that is protected by FERPA or alleged violations of the Student Code being handled through the Student Code

processes, or otherwise needs to be handled quickly and discreetly, the Dean of Students office, in coordination with the Director of Student Involvement and Leadership, and the officer's advisor, where applicable, shall have executive power to place an officer on probation or otherwise remove the student from office.

Section 1: Terms of Probation

The terms of probation for elected and appointed offices are as follows:

1. A one (1) semester probation will be extended to officers who do not meet eligibility requirements, as outlined in Article II Section 3, as an opportunity for the officer to regain good standing.
2. Any WSUSA officer who fails to regain good standing at the completion of the probationary period will be immediately removed from their office or appointed position.
3. Officers who do not meet eligibility requirements at the time of elections may not be eligible to run for elections for the next year if they are on probation. Additionally, officers on probation may not be entitled to compensation. Eligibility for compensation and participation in elections will be determined by the Director of Student Involvement and Leadership and other relevant campus officials.

Section 2: Cause for Recall, Impeachment, or Excusal

1. Any contracted member of the WSUSA may be subject to recall, impeachment, or excusal if there is reasonable cause, including but not limited to the following:
 - a. Failure to fulfill the responsibilities and obligations of the position;
 - b. Abuse and/or misuse of the privileges and/or authority of the position;
 - c. Ethically questionable conduct.
2. All rights, privileges, and powers afforded to the accused individual prior to submitting the Grievance Statement shall remain in effect until after the hearing. In consultation with the Director of Student Involvement and Leadership, the Supreme Court may suspend, either partially or in full, all rights and privileges during the hearing in cases deemed appropriate.

Section 2: Recall

Officers holding elected positions within the Student Senate may be subject to recall by their constituency as outlined in the Bylaws.

Section 3: Impeachment

Officers holding elected positions and members of the Legislative Branch as well as members of the Judicial Branch may be subject to impeachment given the following:

1. Any officer of the WSUSA who believes there to be sufficient cause for impeachment shall submit a written, clear, and concise Grievance Statement indicating the specific reasons and/or causes for impeachment and submit it to the appropriate governing body.
 - a. The Supreme Court shall be the governing body that oversees all cases for officers in the Executive and Legislative Branches.
 - b. The Student Senate shall be the governing body that oversees all cases for officers of the Judicial Branch.
2. The process of impeachment is outlined in the Bylaws.

Section 4: Excusal

Officers holding appointed positions may be excused from office upon the following:

1. An officer of the WSUSA who presides over the appointed officer in question shall submit a Grievance Statement to the Appropriate Governing Officer.
 - a. The WSUSA Student Body President shall be the governing officer who shall receive grievance statements for all officers they did not themselves appoint.
 - b. The Executive Vice President shall be the governing officer who shall receive all grievance statements for officers appointed by the WSUSA Student Body President, except for members of the Judicial branch who may only be removed from office through the process of impeachment.
2. The process of excusal is outlined in the Bylaws.

Section 5: Appealing a Decision of an Ombuds Committee or the Supreme Court

Any WSUSA member who has been recalled, impeached, or excused from office may appeal the decision of the Ombuds Committee or Supreme Court in the process that is outlined by the Bylaws.

Section 6: Ombuds Committees

Ombuds Committees shall be established and overseen by either the Supreme Court or the Student Senate to hear and rule on the recall or impeachment of a WSUSA officer. The Ombuds Committee must consist of nine (9) officers, with representation from the two (2) branches of the WSUSA who are not overseeing the Ombuds Committee, as well as at least one (1) ex-officio member, without voting rights, appointed from among the WSUSA advisors. Following their ruling on the charges brought forth,

the committee will be disbanded, and its judicial powers revoked. Further information regarding the organization of Ombuds Committees and the trial process will be found in the Bylaws.

ARTICLE XI

Amendments

Amendments to this Constitution may be proposed by a consent of two-thirds (2/3) of the Senate membership or by a petition signed by five (5) percent of the WSUSA membership. In either case, the proposal shall be valid to all intents and purposes as part of this Constitution when ratified.

ARTICLE XII

Ratification

This Constitution, and any amendments to it, shall be valid upon ratification by a three-fourths (3/4) vote of the Senate membership and a two-thirds (2/3) of the votes received from the WSUSA membership at large, following approval of the President of Weber State University, as part of the President's delegation of authority under Section V: Student Organization and Activities of PPM 6-22, Student Code.

ARTICLE XIII

Guarantee of Rights and Privileges and Continuity Clause

Section 1: Guarantee of Rights and Privileges

All rights and privileges not explicitly outlined or enumerated by this Constitution and the Bylaws shall be reserved to the individual members of the WSUSA. No officers, while serving as the representatives and individuals authorized to act for and on behalf of the WSUSA, shall perform any act that would infringe upon, detract from, or deny the rights and privileges of any individual member of the WSUSA guaranteed by this Constitution and the Bylaws in any manner not prescribed herein. This Constitution and the Bylaws are subordinate to the Utah Board of Higher Education Policy, local, state, and federal law.

Section 2: Continuity Clause

Any agreements, contracts, or other binding actions entered into before the adoption of this Constitution and the Bylaws shall be as valid against the WSUSA under this Constitution as under the former governing documents, except where specifically altered by the changes and differences of this Constitution.

ARTICLE XIV

Definitions

Officers: The WSUSA Student Body President, Vice Presidents, and Senators are considered elected officers of the WSUSA. The members of the Judicial Branch, cabinet members, and appointed positions are considered appointed officers of the WSUSA.