

3359-43-01 Constitution.

(A) Preamble.

As members of the ~~associated student government (“ASG”)~~ undergraduate student government (USG), we shall serve as an advocate for undergraduate students to the faculty and administration. We are dedicated to understanding and addressing the needs and interests of the undergraduate community by actively contributing to the overall success of collegians within curricular and co-curricular activities at the university of Akron.

We, the members of “ASG,” USG, shall aim to promote leadership, unity in purpose, and diversity among its members through a unique environment within the university and the community. We shall work towards effective and tangible results; holding ourselves to the highest level of accountability, excellence, professionalism, and integrity as humble, selfless, and caring leaders at the university of Akron.

(B) Introduction.

(1) Name.

The official name of this organization shall be the ~~associated~~ undergraduate student government.

(2) Membership requirements.

(a) All members shall be undergraduate students enrolled continuously during both the fall and spring semesters at the university of Akron. Members must maintain membership requirements both at the time of election or appointment and throughout their term of office. There are two ~~(2)~~ categories of membership with differing requirements:

(i) Elected and appointed members, ~~other than first semester first year student members~~, must carry at least twelve ~~(12)~~ credit hours, maintain a 2.3 ~~accumulative~~ cumulative grade point average, and

be in good standing as defined by ~~with~~ the university of Akron student judicial affairs.

- ~~(a)~~ — ~~First semester first year student elected and appointed members must carry at least twelve (12) credit hours and be in good standing with the university of Akron. After their first semester, first year student members shall be required to meet the membership requirements described in paragraph (B)(2)(a)(i) of this rule.~~
- (ii) General members ~~are all other students who have registered to join “ASG” and are actively involved in the organization of USG~~ must carry at least ~~eight (8)~~ six credit hours, maintain a 2.0 accumulative cumulative grade point average, and be in good standing as defined by ~~with~~ the university of Akron student judicial affairs.
- (iii) Cumulative grade point average requirement is not required of first semester, first-year members.
- (b) All elected and appointed members of ~~“ASG”~~ USG, unless otherwise excused, shall be required to attend two ~~(2)~~ retreats in the summer prior to the academic year in which they are serving, and a winter retreat that shall occur during the winter break of the academic year.
 - ~~(i)~~ — ~~The first summer retreat shall be held within the first two (2) weeks of June and the second retreat within the first two (2) weeks of August.~~
 - ~~(ii)~~ — ~~Specific days and times for the summer retreats shall be determined by the president at the last regular senate meeting of the academic year, and the winter retreat time and date shall be determined by the president at or before the last senate meeting of the fall semester.~~

(c) Attendance and ~~additional membership requirements~~ duties for elected, appointed and general positions shall be outlined in the “ASG” USG general bylaws.

~~(d) All elected and appointed officials, with the exception of appointments made by executive order, must take the oath of office prior to the start of office. All appointments made by executive order must take an oath of office by the next regularly scheduled judicial branch meeting.~~

(3) Administrative team (ad team) officers.

(a) Officers ~~in this organization~~ of ad team shall be the president, vice president, senate chair, vice senate chair, ~~and chief justice, and executive justice.~~

~~(b) Ad team shall meet at times determined by the president, with the approval of ad team as a whole. Meetings shall be held at a minimum of biweekly, unless circumstances warrant otherwise.~~

~~(c) The “ASG” advisor, leadership advisor, and the “ASG” clerk shall be in attendance at ad team meetings.~~

(b) Ad team responsibilities shall be outlined in the USG general bylaws.

(4) Advisors.

USG shall have an advisor(s). Further requirements and duties shall be outlined in the USG general bylaws.

~~(a) “ASG” Advisor~~

~~(i) The “ASG” advisor shall serve until he or she resigns or is removed by the vice president of student affairs. If the “ASG” advisor receives a vote of "no confidence" from the “ASG” membership, ad team shall bring the vote to the attention of the vice president of student affairs for his or her consideration. A vote of confidence shall~~

~~be taken at the last regular senate meeting of each academic year before the new members are sworn in. A vote of confidence shall consist of a majority vote of "ASG" membership as a whole.~~

~~(ii) In the event of an "ASG" advisor vacancy, the vacancy shall be brought to the attention of the vice president of student affairs. The ad team shall then make recommendations concerning a new "ASG" advisor for the vice of student affairs' consideration.~~

~~(iii) The "ASG" advisor shall attend ad team meetings and senate meetings, except when otherwise needed by the university. Student affairs shall provide a document, which will assist the "ASG" advisor in his or her duties.~~

~~(iv) In order to qualify for the position of "ASG" advisor, the individual must be a full time faculty member or contract professional at the university of Akron.~~

~~(b) Leadership advisor.~~

~~(i) The leadership advisor shall be hired by student affairs. The responsibilities of the leadership advisor shall be outlined and delegated to him or her by the "ASG" advisor. The "ASG" advisor shall decide upon the necessary qualifications of the leadership advisor. The leadership advisor shall attend ad team meetings and senate meetings, except when otherwise needed by the university.~~

~~(ii) The leadership advisor shall serve until he or she resigns or is removed by the "ASG" advisor. If the leadership advisor receives a vote of "no confidence" from the senate, ad team will bring the vote to the attention of the "ASG" advisor for his or her consideration.~~

~~(iii) In the event of a leadership advisor vacancy, the vacancy shall be brought to the attention of the “ASG” advisor. The ad team shall then make recommendations to the “ASG” advisor concerning a new “ASG” leadership advisor.~~

(5) Compensation.

~~(a) The student leader compensation policy determines compensation eligibility for the members of “ASG”.~~

~~(b)~~(a) Compensation can be denied after an accountability compensation hearing in the event compensated individuals fail to maintain “ASG” USG membership requirements and to maintain the requirements set forth in the following documents:

~~(i) The university of Akron student leader compensation contract;~~

~~(ii)~~(i) “ASG” USG leadership contract; and the

~~(iii)~~(ii) “ASG” USG constitution and bylaws.

~~(e)~~(b) Compensation Accountability hearings, coordinated by student affairs and ad team, shall be held twice a semester to determine if compensation is in order, based on the individual’s performance and fulfillment of these requirements.

~~(d)~~(c) No individual may hold more than one ~~(1)~~ compensated position within “ASG” USG simultaneously. All other ~~compensation~~ accountability hearing stipulations shall be outlined in the ~~ad team~~ USG general bylaws.

(6) Faculty senate.

(a) ~~The president shall hold one (1) student representative seat on the faculty senate, congruent with his or her term.~~ Faculty senate seat elections and stipulations of the faculty

senate student representatives shall be outlined in the USG general bylaws congruent with faculty senate bylaws.

~~(b) — Additional student representative seat(s) shall be elected by the “ASG” membership, congruent with that of the president’s term.~~

~~(c) — Faculty senate seat elections and stipulations of the faculty student representatives shall be outlined in the “ASG” bylaws.~~

(7) Student organizations.

~~(a) Registered organizations within the university shall be required to attend all special meetings that may be scheduled by the legislative and executive branches. Special meetings can be requested by a two thirds (2/3) majority vote of senate present and voting as a whole. By a two-thirds majority vote of USG present and voting as a whole, a special meeting with registered student organizations shall be called regarding campus wide issue(s). Organizations shall be given a minimum of two (2) weeks’ notice for a scheduled meeting.~~

~~(b) — The president or senate chair can also call an emergency meeting by giving the student organizations a seventy-two (72) hour notice.~~

~~(e)(b) Each organization shall be required to send at least one (1) representative to special meetings and shall receive one (1) vote per organization.~~

~~(8) — Board of trustees student members.~~

~~Two (2) seats for all regularly scheduled senate meetings shall be made available to the board of trustees student trustees. They shall be encouraged to attend ad team meetings and work as advisors to the president.~~

~~(9)(8) Finances.~~

There shall be no dues required for membership in "~~ASG~~" USG. "~~ASG~~" USG shall manage its own finances in accordance with the rules and regulations prescribed by the university of Akron. The main source of funding for this organization shall be the extracurricular activities fund ("EAF").

~~(10)~~(9) Nondiscrimination clause.

"~~ASG~~" USG shall not discriminate on the basis of race, creed, national origin, ancestry, gender, age, handicap, veteran status or sexual orientation in the selection of its members or in its programs unless federal or state law allows for such exceptions.

~~(11)~~(10) Student development clause.

"~~ASG~~" USG shall maintain a current registration form including a list of officers, their addresses, the name of the "~~ASG~~" USG advisor, and the most recently amended constitution within the department of student life.

~~(12)~~(11) Rules for organizational procedure.

Ultimate authority is vested within the "~~ASG~~" USG constitution, ~~followed by the "~~ASG~~" bylaws. Subsequent authority shall be vested in the USG general bylaws and the USG election rules, followed by the individual branch bylaws which will be binding with full authority unless an explicit contradiction is found within the constitution.~~ In all other cases, a motion or procedure shall be disposed of in accordance with the procedures outlined in the applicable edition of "Robert's Rules of Order."

~~(13)~~(12) Authority/jurisdiction.

All functions, powers, and responsibilities designated in this constitution are subject to policies enacted by the legal authority of the university of Akron board of trustees, Ohio state law, and federal law. "~~ASG~~" USG shall represent all undergraduate students enrolled at the university of Akron, insofar as specific powers and authority are delegated to such officers and agencies by the provisions found in this constitution.

~~(14) Appointments.~~

~~(a) The senate shall approve appointments to the executive branch and student supreme court through executive orders proposed by the president, and approve legislation by the senate chair to the legislative branch. All such legislation shall be approved by a two thirds (2/3) majority vote of senate present and voting as a whole.~~

~~(b) All appointments must follow the hiring procedures as outlined in the "ASG" bylaws.~~

~~(15) Bylaws.~~

~~(a) "ASG" shall have bylaws that detail its procedures, but the "ASG" constitution shall be recognized as the ultimate authority.~~

~~(b) Each branch's section of the bylaws shall be reviewed and approved at or before the second regular branch meeting of the academic year by a majority vote of the branch present and voting as a whole. All branch bylaw amendments must pass with a two thirds (2/3) vote of their respective branch present and voting as a whole.~~

~~(c) General bylaws not covered within branches shall be reviewed and approved by the second regular senate meeting of the academic year by a majority vote of all members of "ASG" present and voting as a whole. All "ASG" bylaw amendments must pass with a two thirds (2/3) vote by all members of "ASG" present and voting as a whole.~~

~~(d) All amended bylaws are subject to the approval of the vice president of student affairs, in conjunction with office of general counsel.~~

(C) Legislative branch.

(1) Powers.

The legislative powers herein granted shall be vested in the senate of ~~“ASG”~~ USG.

(2) Senate membership.

The legislative branch shall be composed of the senate chair, senate vice chair, senators, and ~~“ASG”~~ USG clerk. The composition and number of seats in the senate shall be defined in the legislative ~~section of the~~ branch bylaws. At least two ~~(2)~~ senate seats shall be reserved for first year students. The term "senate as a whole" shall be defined as the number of filled senate seats.

(a) The senate chair and senate vice chair shall be elected by a majority vote of senate as a whole at the last regular senate meeting of the academic year. The senate chair and the senate vice chair must be from among the incoming senate.

(3) Election of the senate chair and senate vice chair.

(a) The senate chair and senate vice chair shall be elected by a majority vote of senate as a whole at the last regular senate meeting of the academic year by the newly elected incoming senate.

~~(b) The senate chair and senate vice chair shall serve a term of one year and are entitled to vote on all matters.~~

(4) ~~Senate~~ Legislative duties.

(a) The duties of the senate chair shall include, but are not limited to:

- (i) Attending ad team meetings.
- (ii) Appointing standing committee chairs and members. Appointments to these positions do not require the approval of the senate.
- (iii) Presiding over meetings with committee chairs and representatives. Meetings shall be held at a

minimum of biweekly, unless circumstances warrant otherwise.

(iv) Managing the general operations of the senate.

~~(v) Preparing the senate meeting agenda, presiding over senate meetings, and submitting a report at all meetings.~~

~~(vi) Appointing all senator vacancies and the "ASG" clerk.~~

~~(vii)~~(v) Maintaining all records of weekly senate office hours and accountability forms.

~~(b) The duties of the senate vice chair shall include, but are not limited to:~~

~~(i) Assisting the senate chair in his or her duties as needed;~~

~~(ii) Attending ad team meetings; and~~

~~(iii) Managing the general operations of the "ASG" office procedures in conjunction with the chief of staff, as indicated in paragraph (D)(3)(c)(iii) of this rule and stated in the "ASG" bylaws.~~

~~(c) The duties of the committee chairs shall include, but are not limited to:~~

~~(i) Presiding over committee meetings with committee members. Committee meetings shall be held at a minimum of biweekly, unless circumstances warrant otherwise;~~

~~(ii) Managing the general operations of the committee; and~~

- ~~(iii) Appointing a committee vice chair. The appointment shall take place by the fourth week of the fall semester.~~
- ~~(d) The duties of the committee vice chairs shall include, but are not limited to:
 - ~~(i) Assisting the committee chair in his or her duties in the absence of the committee chair;~~
 - ~~(ii) Maintaining all minutes and records of the committee; and~~
 - ~~(iii) Attending committee meetings.~~~~
- ~~(e) All other non chair or non vice chair senators shall be required to attend committee meetings of the committee to which he or she is appointed.~~
- ~~(f) The senate chair, senate vice chair, and committee chairs shall be required to turn in weekly activity reports for all senate meetings.~~
- ~~(g) The duties of the "ASG" clerk shall include, but are not limited to:
 - ~~(i) Taking attendance and recording the minutes at all senate and ad team meetings;~~
 - ~~(ii) Maintaining folders with accurate attendance records, minutes of meetings, voting records and current legislation; and~~
 - ~~(iii) Routing all legislation as outlined in the "ASG" constitution and bylaws.~~~~
- ~~(h) Senators shall be required to represent academic colleges and interest/focus groups as outlined in the legislative bylaws.~~

~~(i) The Senate shall approve Executive Orders as outlined in Paragraph (D)(7).~~

~~(i) All other descriptions and objectives of legislative branch committees and further duties shall be outlined in the legislative bylaws.~~

~~(5) Vacancies and appointments.~~

~~(a) In the absence of the senate chair, the line of succession for presiding over the senate meetings shall be the senate vice chair, followed by the senior most member on the senate, based on the start of service in office.~~

~~(b) Any person temporarily filling the duties of senate chair shall have suspended appointment powers. If a permanent vacancy occurs in the position of senate chair, a new senate chair shall be elected at the next senate meeting to finish the term.~~

~~(c) The "ASG" clerk may be dismissed by a majority of senate present and voting as a whole.~~

~~(d) All appointments made by the senate chair shall be approved by the senate as indicated in paragraph (B)(14) of this rule.~~

~~(6)~~(5) Budget and goals.

The senate shall review and vote on the annual operating budget for "~~ASG~~" USG and annual goals that shall be presented by the president at the second regular senate meeting of the academic year. The senate shall vote on the budget and all revisions no later than the third senate meeting.

~~(7)~~(6) ~~Student organizations~~ University recognition of student organizations.

~~(a) University recognition.~~

The senate, with the aid of the judicial branch, shall recommend the continuation or denial of university recognition of student organizations, in bill form, upon receiving the necessary documentation as outlined by student affairs engagement and success. Recommendations for the continuation or denial of recognition of any undergraduate student organization shall be made to the university president or a designated representative.

~~(b) — Repealing of university recognized status.~~

~~The senate, with the aid of the judicial branch, shall recommend repealing university recognition for any organization that fails to follow the applicable rules, regulations or procedures as outlined by student affairs and the university. The recommendation in favor of repealing university recognition must be presented in bill form, and the organization for which senate is recommending repealing university recognition shall be allowed to speak on its behalf at the senate meeting where the bill will be discussed and voted upon. In order to recommend repealing an organization's university recognition, the bill must pass with a two thirds (2/3) majority vote of senate present and voting as a whole. If the bill is approved, the recommendation shall be made to the vice president for student affairs or his or her designee that the university repeal its decision to recognize the organization.~~

~~(8) — Senate meetings.~~

~~(a) — The senate shall meet weekly during the academic year as specified in the legislative bylaws and all such meetings are open to the public. Senators shall attend all senate meetings.~~

~~(b) — Any meeting that requires the senate's attendance and is not a regular meeting shall be defined as a special meeting. A special meeting can be requested by a two thirds (2/3) majority vote of senate present and voting as a whole. The president or senate chair can also call a special session by giving the senate a forty eight (48) hour notice.~~

~~(9) Standing committees.~~

~~The senate can establish and dissolve standing committees as it deems necessary by a two thirds (2/3) majority vote of senate present and voting as a whole. Standing committees shall meet weekly during the academic year. Every standing committee shall be administrated by a chair or vice chair in the committee chair's absence. The chair and vice chair shall be appointed from among the senators by the senate chair. A description and objective of each standing committee shall be outlined in the legislative bylaws.~~

~~(10) Ad hoc committees.~~

~~(a) The senate shall establish ad hoc committees, as it deems necessary. An ad hoc committee is established to complete a specific task. By a two thirds (2/3) majority vote of senate present and voting as a whole, the senate shall:~~

~~(i) Approve the senate chair's proposal to establish each ad hoc committee and the appointments made to each; and~~

~~(ii) Approve the senate chair's proposal to terminate the committee once the committee has completed its task.~~

~~(b) If the senate fails to terminate an ad hoc committee, it shall automatically terminate at the end of the academic year in which it was established.~~

~~(11)~~(7) Legislation.

(a) All legislative action shall be in the form of a bill or resolution and require two ~~(2)~~ senate sponsors. A resolution is a formal expression of opinion put before or adopted by the "ASG" USG senate. No resolution or bill shall be passed until it has been read at two ~~(2)~~ different regular senate meetings or this requirement has been dispensed with by at least a three-quarters ~~(3/4)~~ majority vote of senate present and voting as a whole. All legislation

shall require a rationale from the sponsor(s), justifying the reasons for the piece of legislation.

- (b) No action of the senate shall be valid or binding unless adopted by the majority vote of senate present and voting as a whole. After the senate passes a bill or resolution, it shall then be signed by the presiding officer and given to the president within twenty-four (~~24~~) hours after the time in which it is passed.
- (c) If the president approves such a measure, it shall then be signed and returned to the senate chair within ~~seven (7) days, and before the next senate meeting~~ five business days following the date of passage. If the bill or resolution is vetoed, the president shall return it to the senate, along with written objections, within ~~seven (7) days and before the next senate meeting~~ five business days following the date of passage. If a bill or resolution is not returned to the senate within the ~~seven (7) days~~ five business days, it shall take effect in the same manner as if the president had signed it. If the "~~ASG~~" USG president has vetoed a bill or resolution, the senate must reconsider it at the next regular meeting. If upon reconsideration, the bill or resolution is approved by a three-fourths (~~3/4~~) majority vote of the senate present and voting as a whole, it shall then take place as if it had received the approval of the "~~ASG~~" USG president.
- (d) After approval of the measure, it must be presented to the vice president of student ~~affairs~~ engagement and success for review within a timely manner. Following the approval of the vice president of student ~~affairs~~ engagement and success, the legislation must be presented to the university president, or the president's designee, for final disposition within a reasonable time period as mutually agreed upon.
 - (i) All impeachments must be finalized within seven (~~7~~) days of approval. Approval may be construed as either the "~~ASG~~" USG president's signature or a senate override of a veto.

- (ii) All appointments do not have to go through final disposition but take effect immediately after approval. Approval may be construed as either the ~~“ASG”~~ USG president's signature or a senate override of a veto.
 - (e) Only the university president or president’s designee shall have the authority to send final approved legislation to the board of trustees. Examples of legislation that may be forwarded include, but are not limited to legislation having campus wide implications and all encompassing facility usage. If any legislation is not approved by the board of trustees, ~~“ASG”~~ USG ad team members shall meet with the vice president of student ~~affairs~~ engagement and success or his or her designee to discuss the proposed legislation.
- (D) Executive branch.
 - (1) Powers.

The executive powers herein granted shall be vested in the executive branch of ~~“ASG”~~ USG.
 - (2) Executive branch membership.

The executive branch shall be composed of the president, vice president, ~~chief of staff, and treasurer~~ and the executive cabinet. Additional executive branch positions shall be outlined in the executive bylaws.
 - (3) Executive officer duties.
 - (a) The president shall be the chief executive officer and the official spokesperson for the ~~“ASG”~~ USG. ~~All powers and duties of an executive or administrative nature shall be given to the president under this constitution.~~ These powers and duties include, but are not limited to the following:
 - (i) Presiding over ad team meetings.

- (ii) Attending all senate meetings and submitting an activity report at all senate meetings.
- (iii) Approving or vetoing bills or resolutions passed by the senate as previously outlined in paragraph ~~(C)(11)~~ (C)(7) of this rule.
- ~~(iv) Submitting to the senate, no later than the second regular senate meeting of the academic year, a proposed operating budget and annual goals for "ASG" for the current academic year. The senate shall vote on the budget and all revisions no later than the third senate meeting of the academic year.~~
- ~~(v)~~ (iv) Serving in person or by his or her designee, as the representative of the undergraduate student body to all university boards, committees, or commissions to which he or she may be appointed.
- ~~(vi) Serving a one (1) year term as a representative to the faculty senate concurrent with his or her term as president.~~
- ~~(vii) Establishing executive commissions and directors as he or she deems necessary, as indicated in paragraph (D)(5) of this rule.~~
- ~~(viii) Appointing individuals to the positions of chief justice and standing executive commissions/committees, who all shall serve a term concurrent with that of the president.~~
- ~~(ix) Appointing persons to any vacancies in the vice presidency, student superior court upon the chief justice's recommendation, or all executive commissions/committees.~~
- ~~(x) Using the month of April to transition the incoming president and vice president by overseeing the transfer of "ASG" records.~~

- ~~(xi) — Suspending or removing presidential appointments to executive commissions/committees with a majority approval of senate present and voting as a whole.~~
 - ~~(xii) — Presiding over meetings with executive branch members. Meetings shall be held at a minimum of biweekly during the academic term, unless circumstances warrant otherwise.~~
 - ~~(xiii) — The president shall be required to deliver a state of the “ASG” address to the student body by the second week of November.~~
- ~~(b) — The duties of the vice president shall include, but are not limited to:~~
- ~~(i) — Assisting the president in all powers, duties, and responsibilities for the proper administration of “ASG;”~~
 - ~~(ii) — Attending all senate meetings and submitting an activity report at all meetings;~~
 - ~~(iii) — Attending ad team meetings; and~~
 - ~~(iv) — Attending executive branch meetings.~~
- ~~(c) — The duties of the chief of staff shall include, but are not limited to:~~
- ~~(i) — Assisting the president in his or her duties and projects as needed;~~
 - ~~(ii) — Maintaining all minutes and records of the executive branch;~~
 - ~~(iii) — Managing the general operations of the “ASG” office procedures in conjunction with the senate vice chair, as indicated in paragraph (C)(4)(b)(iii) of this rule and as stated in the “ASG” bylaws; and~~

~~(iv) Attending executive branch meetings.~~

~~(d) The duties of the treasurer shall include, but are not limited to:~~

~~(i) Administering and overseeing the annual "EAF" process for undergraduate student organizations and executing the initial funding recommendations;~~

~~(ii) Training and overseeing the executive budget committee in the "EAF" process;~~

~~(iii) Holding meetings to properly train student organizations on the "EAF" process;~~

~~(iv) Administering, budgeting and overseeing all "ASG" expenditures; and~~

~~(v) Attending executive branch meetings.~~

~~(e)(b) Further descriptions of executive officer duties shall be outlined in the executive section of the bylaws.~~

(4) Undergraduate student organization funding.

(a) USG shall determine the undergraduate student organization funding policy as outlined in the USG general bylaws.

~~(4) Executive commissions and committees.~~

~~All commissions and committees shall be headed by a chair/director who shall be designated by the president. Each commission/committee shall report to the president on a regular basis as determined by the president. A description and objective of each executive commission/committee shall be outlined in the executive section of the bylaws. Executive commission/committee members shall serve a term concurrent with the term of the president who appointed them.~~

~~(5) — Vacancies and appointments.~~

~~(a) — In the case of a permanent vacancy in the office of the president, the vice president shall be the successor to the president. In the case of a permanent vacancy in both the positions of president and vice president, the line of succession shall be the senate chair followed by the senate vice chair. In the case of a permanent vacancy in these four (4) officers, the vice president of student affairs and “ASG” advisor shall appoint the president, with a two-thirds (2/3) approval of senate present and voting as a whole, who shall serve until new officers are elected at the next regularly scheduled election or by referendum.~~

~~(b) — All appointments made by the president shall be approved by the senate as indicated in paragraph (B)(14) of this rule.~~

~~(6) — “EAF.”~~

~~(a) — Each undergraduate student organization shall be required to attend mandatory “EAF” training sessions as scheduled by the “ASG” treasurer. Failure to meet this requirement shall result in the organization losing its eligibility for funding for the following academic year.~~

~~(b) — “ASG” shall from time to time, as it deems necessary, make recommendations concerning “EAF” policies and procedures to the vice president of student affairs, or his or her designee.~~

~~(7)~~(5) Executive orders.

(a) The president shall have the authority to write executive orders, which are directives issued by the president in order to respond to issues requiring a prompt or immediate response and which are effective immediately upon their issuance. At the time of issuance, the president shall provide a rationale and justification for the executive order. All presidential appointments shall be written as executive orders.

(b) For an executive order to continue in effect ~~beyond the next regularly scheduled senate meeting~~, it must be reviewed approved by the senate at the next ~~regularly scheduled senate meeting~~ following its issuance. All executive orders approved by the senate to continue in effect shall be approved by a majority of the senate present and voting as a whole. Such orders only need to be read at one ~~(1)~~ senate meeting before being voted upon.

~~(c) All presidential appointments shall be written as executive orders.~~

(E) Judicial branch.

(1) Powers.

The judicial powers of ~~“ASG”~~ USG shall be vested in the ~~student superior court~~ judicial branch and shall extend to all cases arising under this constitution and the acts of the senate and executive branch.

(2) Judicial membership.

The judicial branch shall be composed of the chief justice, executive justice and justices. The number of justice seats shall be defined in the ~~judicial section of the~~ bylaws.

(3) Judicial duties.

(a) The chief justice ~~shall serve a term concurrent with the term of the president who appointed him or her. He or she shall be the chief administrator of the student superior court~~ judicial branch. ~~Some of~~ ~~†~~ The powers and duties of the chief justice include, but are not limited to:

~~(i) Attending ad team meetings.~~

~~(ii) Presiding over judicial meetings. Meetings shall be held at a minimum of biweekly, unless circumstances warrant otherwise.~~

- ~~(iii) — Maintaining the general operations of the court.~~
- ~~(iv)(i) Submitting biweekly weekly activity reports to the president and senate concerning the conduct of the court at all senate meetings.~~
- ~~(v)(ii) Attending all senate meetings to address any constitution, bylaw, or parliamentary questions, that may arise in the course of the meeting when called upon by the senate chair for assistance.~~
- ~~(vi)(iii) Calling a special session, at his or her discretion, of ~~student superior court~~ the judicial branch. The chief justice must notify involved ~~court~~ branch members of the nature of and reason for the special session at least forty-eight ~~(48)~~ hours in advance of the meeting.~~
- ~~(vii) — Administering the oath of office to all elected or appointed officers.~~
- ~~(viii) — Presiding over the senate in the event of impeachment proceedings.~~
- ~~(ix) — Voting on matters before the court the same as is allowed of any other justice.~~
- ~~(b) — The duties of the executive justice shall include, but are not limited to:~~
 - ~~(i) — Presiding over court matters in the absence of the chief justice;~~
 - ~~(ii) — Assisting the chief justice with any and all administrative matters that the chief justice deems necessary;~~
 - ~~(iii) — Attending judicial meetings;~~
 - ~~(iv) — Taking minutes at judicial meetings; and~~

- ~~(v) — Maintaining all minutes and records of the judicial branch.~~
- ~~(e) — The duties of justices shall include, but are not limited to:

 - ~~(i) — Attending judicial meetings; and~~
 - ~~(ii) — Taking attendance and minutes at student superior court and impeachment hearings.~~~~
- ~~(d) — The duties of the judicial branch shall include, but are not limited to:

 - ~~(i) — Aiding the senate with student organization registration matters as outlined in paragraph (C)(7) of this rule.~~
 - ~~(ii) — Attending sessions in mediation training and conflict management. The sessions shall be outlined and decided upon by the “ASG” advisor.~~
 - ~~(iii) — Presiding over the student superior court.~~
 - ~~(iv) — Voting on matters before the court.~~~~
- ~~(e)(b) Further descriptions of judicial office duties shall be outlined in the judicial section of the bylaws.~~
- ~~(4) — Vacancies and appointments.

 - ~~(a) — In the case of a permanent vacancy in the office of the chief justice, the temporary line of succession shall be the executive justice, followed by the senior most justice, based on the starting date for term of appointment. He or she shall manage judicial branch matters until the appointment of a new chief justice by the president.~~
 - ~~(b) — The chief justice shall recommend individuals to the president for all unfilled justice seats.~~~~

- ~~(c) The chief justice shall appoint a justice to the position of executive justice with the president's approval. The executive justice title and duties shall serve a term concurrent to that of the president.~~
- ~~(d) Justices, except the chief justice and executive justice, shall serve as such until they resign, graduate, fail to meet "ASG" membership requirements or are removed from office.~~
- ~~(e) All judicial appointment recommendations to the president shall follow as outlined in paragraph (B)(14) of this rule.~~

~~(5)~~(4) ~~Student superior court~~ Cases and hearings.

- (a) The chief justice, or the executive justice when designated by the chief justice, shall preside over and conduct all ~~student superior court~~ judicial branch cases.
- (b) The ~~student superior court~~ judicial branch shall hear any case initiated by undergraduate students. Such cases include, but are not limited to the following:
 - (i) The removal of elected and appointed members of "ASG" USG.
 - (ii) Constitutional questions that include petitions submitted under paragraphs ~~(F)(3), (F)(5), and (H)(2)(a)~~ (H)(4) and (J)(2)(a) this rule.
 - (iii) Constitutional or bylaw questions, including, but not limited to, all legislation and executive orders.
 - (iv) Grievances involving non-academic university complaints, unless the case has jurisdiction within another university process. Grievance cases shall be outlined in the judicial ~~section of the~~ bylaws.
 - (v) Undergraduate students' university parking citations, as requested by and at the discretion of the university of Akron.

~~(c) — Grievance requirements.~~

~~The student superior court shall not begin the review of any case until it can be confirmed that the student(s) initiating the grievance has/have provided a written complaint to the chief justice requesting a hearing in student superior court.~~

~~(d) — Decision requirements.~~

~~No decision shall be made unless a minimum of three (3) justices are present and the decision is a majority vote of the justices present and voting as a whole. The term "justices as a whole" shall be defined as the number of filled judicial seats.~~

~~(e) — Hearings.~~

~~The student superior court shall meet as frequently and under such rules as are adopted and set forth in the judicial section of the bylaws. All case material and information shall be held confidential wherever permitted by university, state, and federal policy, rules, regulations, and law.~~

(F) Term limits.

- (1) General members shall serve a term of one fiscal year until resignation or failure to meet USG membership requirements. Those who express interest in participating the following fiscal year shall follow the procedures outlined in the USG general bylaws.
- (2) Justices shall serve a term until resignation, graduation, failure to meet USG membership requirements, or are impeached from office.
- (3) The term of the office of the president shall be from the time of oath of office at the last senate meeting of the spring semester until the last senate meeting of the following spring semester.

- (4) All appointments made to the executive branch and the office of vice president, chief justice, and executive justice shall serve a term concurrent with that of the office of the president.
- (5) Senators shall serve a term concurrent with that of the office of the president, with the exception of senators serving two congruent terms.

(G) Appointments.

- (1) All appointments must follow the hiring procedures as outlined in the USG bylaws.
- (2) Appointments to the legislative branch.
 - (a) The senate shall vote on appointment legislation written by the senate chair to the legislative branch. All such legislation shall require a two-thirds majority vote of senate, present and voting as a whole, for approval.
 - (b) In the absence of the senate chair, the temporary line of succession for presiding over the senate meetings shall be the senate vice chair, followed by the senior-most member on the senate, based on the start of service in office.
 - (c) Any person temporarily filling the duties of senate chair shall have suspended appointment powers. If a permanent vacancy occurs in the position of senate chair, a new senate chair shall be elected at the next senate meeting to finish the term.
- (3) Appointment to the executive branch.
 - (a) In the case of a permanent vacancy in the office of the president, the vice president shall be the successor to the president. In the case of a permanent vacancy in both the positions of president and vice president, the temporary line of succession shall be the senate chair followed by the vice senate chair followed by the most senior senate member until a special election can occur.

(b) The president has the power to appoint individuals to vacancies in the executive branch.

(c) The senate shall vote on appointments to the executive branch through executive orders by a two-thirds majority vote of the senate present and voting as a whole with the exception of an appointment written through executive order without the need for a senate vote.

(d) The president shall have the power to establish, suspend or remove executive committees through executive orders by a two-thirds majority vote of senate present and voting as a whole.

(4) Appointments to judicial branch.

(a) The chief justice shall be appointed from among the current serving justices by the president and a two-thirds majority vote of senate present and voting as a whole.

(b) In the case of a permanent vacancy in the office of the chief justice, the executive justice shall serve the remainder of the chief justice's term.

(c) The chief justice shall recommend individuals to the president for all unfilled justice seats.

(d) The chief justice shall appoint a justice to the position of executive justice with the president's approval.

(e) The senate shall vote on appointments to the student supreme court through executive orders proposed by the president by a two-thirds majority vote of senate present and voting as a whole.

~~(F)~~(H) Elections.

(1) USG shall hold both general and first-year elections.

(2) All election stipulations and rules shall be outlined in the USG election rules.

~~(1) — General elections.~~

- ~~(a) — The general elections shall be held for at least two academic days the week prior to spring break. All candidates must meet the membership qualifications specified in paragraph (B)(2) of this rule at the time of the general elections.~~
- ~~(b) — Candidates eligible for the “ASG” president and vice president positions must have completed at least thirty-two (32) credit hours and served at least one year of an appointed or elected position in “ASG.” The “ASG” president and vice president shall be elected as a ticket at general elections.~~
- ~~(c) — All elected “ASG” members may succeed themselves through re-election and must have sufficient time prior to graduation to fill the entire tenure of their elected office.~~
- ~~(d) — All members elected in the general election shall take office on and be sworn in at the last regular senate meeting of the academic year.~~
- ~~(e) — All other general elections stipulations and rules shall be outlined in the “ASG” bylaws.~~

~~(2) — First year elections.~~

- ~~(a) — Elections for first year student members shall be held within the first six (6) weeks of the fall semester. The term of office shall be one (1) year.~~
- ~~(b) — Candidates eligible for the first year student senate positions are students with first year status at the university of Akron. All first year senators must meet the membership qualifications specified in paragraph (B)(2) of this rule.~~

~~(c) — Those candidates elected to a first year senate seat shall be sworn in at the senate meeting immediately following the first year election.~~

~~(d) — All other first year election stipulations and rules shall be outlined in the “ASG” bylaws.~~

~~(3) — Initiative.~~

~~(a) — Legislation may be proposed to the senate by two (2) or more undergraduate students who are not elected members of “ASG.”~~

~~(b) — Passage of said legislation shall occur upon a two thirds (2/3) majority vote of senate present and voting as a whole. The said legislation is to then follow the procedures specified in paragraphs (F)(4)(b) to (F)(4)(c) of this rule.~~

~~(c) — If the senate disapproves this legislation, it may be proposed again by a petition of signatures of undergraduate students equal to twenty five percent (25%) of the students voting in the most recent general election. The “ASG” secretary shall keep all voting records from the previous elections.~~

~~(d) — Once the petition has been verified by student life, an initiative election shall occur as expeditiously as possible.~~

~~(i) — All information regarding the proposed legislation must be distributed to the voting population at least one (1) week prior to this election.~~

~~(ii) — Passage of the legislation proposed by initiative shall require a two thirds (2/3) majority vote of those students voting in that special election.~~

~~(4)~~(3) Referendum.

(a) Any legislation considered by “ASG” USG may, by a two-thirds (2/3) majority vote of Senate present and voting as a

whole, be referred to the undergraduate student body for a vote.

- (i) All information regarding this legislation must be distributed to the voting population at least one ~~(1)~~ week prior to this election.
- (ii) At least two-thirds ~~(2/3)~~ of the number of students voting in the most recent general election must participate to validate the election. The “~~ASG~~” USG secretary shall keep all voting records from the previous elections.
- (iii) Passage of the referendum shall require a two-thirds ~~(2/3)~~ majority vote of those students voting in that special election. This election shall take place as expeditiously as possible.

~~(5)~~(4) Recall.

- (a) Any elected member of “~~ASG~~” USG may be subject to a recall vote with a petition containing signatures of at least twenty-five percent ~~(25%)~~ of the number of students voting in the most recent general election. The “~~ASG~~” USG secretary shall keep all voting records from the previous elections.
- ~~(b)~~ — ~~Once the petition has been verified by student life, a recall election shall occur as expeditiously as possible.~~
- ~~(e)~~(b) All information regarding this recall must be distributed to the voting population at least one ~~(1)~~ week prior to this election.
- ~~(d)~~(c) The member shall be considered removed from office if the number of votes cast in favor of removal is equal to a majority of the total number of votes cast in the ~~most recent general~~ recall election.
- ~~(e)~~(d) Upon this removal, the office shall be deemed vacant and shall be filled by the procedures outlined ~~paragraphs~~

~~(C)(4)(a)(iv), (C)(5), (D)(3)(a)(ix), (D)(6), and (E)(4)~~ in paragraph (G) of this rule as applicable.

~~(G)~~(I) Impeachment.

(1) Members governed.

Any “~~ASG~~” USG member elected or appointed to the office of president, vice president, justice, or senator may be impeached and removed from the office by the authority vested in the “~~ASG~~” USG senate and president.

(2) Duty.

The members of “~~ASG~~” USG ~~are responsible to “ASG” and~~ have the duty to recommend to the senate the removal of any ~~individual member of the above listed positions~~ of “~~ASG~~” USG who is consistently negligent in the performance of his or her duties and responsibilities.

(3) Procedures.

(a) A bill calling for the impeachment and citing specific reasons for such must be presented at a regular meeting of the senate. A two-thirds ~~(2/3)~~ majority vote of senate present and voting as a whole shall instruct the chief justice whether or not to proceed with an impeachment hearing.

(b) The impeachment hearing of an “~~ASG~~” USG member shall occur at the next regular senate meeting after the passage of the bill. The chief justice shall preside over all impeachment hearings. In the event of the impeachment of the chief justice, the executive justice shall preside over the impeachment hearing.

(c) Impeachment of an “~~ASG~~” USG member requires a three-quarters ~~(3/4)~~ majority vote of senate present and voting as a whole.

(d) Double jeopardy.

Except in the case of newly discovered evidence, no official shall be tried more than once for the same offense, nor shall more than one vote for removal be taken in the course of the hearing.

~~(H)~~(J) ~~Constitution~~ Governing document review, ratification, and amendment procedures.

- (1) Review and ratification of the constitution.
 - (a) At least every five ~~(5)~~ years, starting at the year 2010, upon a majority vote of senate present and voting as a whole, the senate shall direct the "~~ASG~~" USG president to appoint a review commission, which shall have the authority to recommend amendments to this constitution to the senate. The commission shall consist of members from each branch of "~~ASG~~" USG.
 - (b) Any senator on the commission may introduce, in amendment form, all constitutional changes proposed by the review commission. If any amendments are proposed, the senate shall vote on the changes within fourteen ~~(14)~~ days after their introduction.
 - (c) If the proposed amendments are approved by a majority of senate present and voting as a whole, then the amendments shall be presented to the students at a re-ratification election. This election shall be held within thirty ~~(30)~~ days after the senate votes on the proposed amendments. The proposed amendment must be available to the undergraduate student body, in print, at least one ~~(1)~~ week prior to the election.
 - (d) If the constitution is ratified by a majority of the undergraduate student body members voting in the election, it shall be forwarded, presented, and reviewed in a reasonable time mutually agreed upon by the "~~ASG~~" USG ad team and the following individuals or bodies in the order listed:

- (i) Vice president of student ~~affairs~~ engagement and success, or his or her designee;
 - (ii) President of the university, or the president's designee; and the
 - (iii) Board of trustees.
- (2) Amendments to the constitution.
- (a) Amendments to this constitution may be proposed, prior to the time line established in paragraph ~~(H)(1)(h)~~ (J)(1)(a) of this rule, in the form of a bill or by a petition signed by at least ten ~~(10%)~~ percent of the undergraduate student body.
 - (i) If proposed in the form of a bill, the amendment(s) shall be placed for vote before the undergraduate student body after a two-thirds ~~(2/3)~~ majority vote of the senate present and voting as a whole.
 - (ii) If proposed in the form of a petition, the amendment(s) shall be placed for vote before the undergraduate student body after the “~~ASG~~” USG secretary has validated the signatures.
 - (b) The senate shall submit amendments proposed by passage of a bill or petition in a timely manner prior to the election in which it shall be voted upon. The proposed amendment(s) must be available to the undergraduate student body, in print, at least one ~~(1)~~ week prior to the election.
 - (c) If the amendments are approved by a majority of the undergraduate student body members voting in the election, they shall be forwarded, presented, and reviewed in a reasonable time to be mutually agreed upon by the “~~ASG~~” USG ad team and the following individuals in the order listed:
 - (i) Vice president of student ~~affairs~~ engagement and success, or his or her designee;

- (ii) President of the university, or the president's designee; and the
- (iii) Board of trustees.

(3) Amendments to the bylaws.

(a) Each branch's section of the bylaws shall be reviewed and approved at or before the second regular branch meeting of the academic year by a majority vote of the branch present and voting as a whole. All branch bylaw amendments must pass with a two-thirds majority vote of their respective branch present and voting as a whole.

(b) General bylaws not covered within branches shall be reviewed and approved by the second regular senate meeting of the academic year by a majority vote of all members of USG present and voting as a whole. All USG bylaw amendments must pass with a two-thirds majority vote by all members of USG present and voting as a whole.

(4) Amendments to the election rules.

(a) Election rules shall be reviewed and voted on at the regular scheduled senate meetings prior to the start of the election cycle.

(b) All election rules must pass with a two-thirds vote of USG membership present and voting as a whole.

(c) Amendments and additions to the election rules cannot occur during the election cycle until all appeals have been heard and been ruled on.

Effective: ~~February 12, 2005~~

Certification: _____
Secretary
Board of Trustees

Prom. Under: 111.15

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