

# THE CONSTITUTION OF THE UTAH STATE UNIVERSITY - EASTERN UTAH STUDENT ASSOCIATION

## **PREAMBLE**

We the students of Utah State University Eastern, exercising our rights and privileges in conjunction with the Student Conduct Code of Utah State University Eastern, hereafter referred to as USU Eastern, hereby establish this constitution. All actions of the student association of Utah State University –Eastern Utah Student Association will be governed in accordance with the provisions set forth in this constitution.

The constitution for the students of Utah State University Eastern is hereby established for and by the students for the betterment of each student’s academic experience, student life, and the college community through providing academic representation, uplifting wholesome activities, and by ensuring a voice in addressing the reasonable needs and wants of the students at large to the administration.

## **ARTICLE I: EUSA STUDENT ASSOCIATION**

### Section 1: Name

A) The name of the Association shall be the “Eastern Utah Student Association”, hereafter referred to as EUSA.

### Section 2: Official colors

A) The official colors of EUSA shall be Navy Blue.

### Section 3: Official Mascot

A) The official mascot of EUSA shall be the Golden Eagle.

### Section 4: EUSA Membership

A) All registered students of the USU Eastern who pay student fees and are in good standing as determined by the Chancellor of USU Eastern or his/her representative.

### Section 5: Authority

A) The ultimate power and authority of EUSA shall rest with the members of EUSA as a body, and upon delegated power, the official Student Body Officers, representatives and other officers under the articles of this Constitution.

## **ARTICLE II: STUDENT RIGHTS**

### Section 1: Rights and Responsibilities

A) EUSA members have the right of voting privileges for EUSA matters and EUSA Leadership.

B) EUSA members have the right to propose any matter of concern before the Advisory Council.

C) EUSA members have the right to attend EUSA events as prescribed by EUSA Leadership.

D) EUSA members have the right to representation by EUSA Leadership.

E) All USU Eastern students have the right to be a member of EUSA unless that right is taken away because of failure to abide by the Student Conduct Code or the provisions set forth in this Constitution.

F) EUSA members have the right to have available for inspection: minutes, budgets, and transactions of EUSA Leadership at any reasonable time and under any reasonable circumstances, to be obtained through the EUSA Leadership designee of EUSA.

G) EUSA members have all the rights and responsibilities of membership as outlined in the USU Eastern Student Conduct Code.

## **ARTICLE III: THE EXECUTIVE BOARD**

### Section 1: Membership

A) The Executive Board will consist of the three elected and two appointed EUSA members: EUSA President, Executive Vice President, Activities Vice President, Student Advocate, and Alumni and Traditions Representative.

B) All members of the Executive Board are voting members.

C) A quorum of the Executive Board must be present, consisting of no less than three voting members in order to vote on any Executive Board business.

D) In the event of a tie, the EUSA President will make the decision to disclose the tie.

- E) The EUSA Advisor is an ex-officio member of the Executive Board and has no voting power. However, they should attend all Executive Board meetings and provide advice and direction as requested and needed.
- F) The Administrative and Alumni Assistant is an ex-officio member of the Executive Board and has no voting power. They will be present to take notes.

Section 2: Appointment Committee

- A) The Appointment Committee shall consist of the three elected members of the executive board. They will appoint all members of EUSA Leadership as outlined in this Constitution.
- B) The EUSA President serves as the Chair of the Appointment Committee and can invite other EUSA Leadership members to serve on the Committee as needed.
- C) A quorum of no less than three members of the Appointment Committee must be present in order to vote on official business and appointments.
- D) Duties of the Appointment Committee will be to develop an application for position consideration and conduct interviews with eligible applicants who are members or will be members of EUSA.
- E) Actions of the Appointment Committee will be passed on a majority vote except for appointments.
- F) Final appointments are made by the Elected Officer whose council the position resides on with input from the Appointment Committee.
- G) The EUSA Advisor has the final decision in matters concerning grades and Student Conduct.

Section 3: Responsibilities

- A) The Executive Board will make all final decisions after the Advisory Council discusses all resolutions, policies, guidelines, courses of action, procedures, and changes that affect EUSA as a whole.
- B) The Executive Board shall administer all EUSA budgets.
- C) The Executive Board shall have impactful input and advice in the allocation of student fees.
- D) Supervise all student elections.
- E) Recognize, review and approve all new student clubs and organizations.
- F) Formulate bylaws to this constitution, in conjunction with the Advisory Council.
- G) All other responsibilities, duties, and powers enumerated herein and listed in position contracts and job descriptions.

**ARTICLE IV: THE ADVISORY COUNCIL**

Section 1: Membership

- A) The Advisory Council will consist of the President's Council, Academic & Student Services Council, the Activities Council, and the Administrative and Alumni Assistant.

Section 2: Responsibilities

- A) Voting members will include the President's Council, the Academic & Student Services Council and the Activities Council.
- B) All Executive Board Members are not voting members of the Advisory Council.
- C) The Advisory Council exists to serve as a forum for the discussion and advancement of all college issues.
- D) The Advisory Council will discuss and make recommendations concerning resolutions, policies, guidelines, courses of action, procedures, changes, develop bylaws, and constitutional amendments that affect EUSA as a whole.
- F) All other responsibilities, duties, and powers enumerated herein and listed in position contracts and job descriptions.

**ARTICLE V: THE PRESIDENT'S COUNCIL**

Section 1: Membership

- A) The President's Council will report to the EUSA President. The President's Council will consist of: Public Relations, Traditions and Alumni Representative, and Student Advocate.
- B) The Administrative and Alumni Assistant is an ex-officio member of the President's Council and has no voting power. They will be present to take notes.

Section 2: Responsibilities & Duties

- A) The responsibilities and duties of the membership of the President's Council shall be detailed in job descriptions and contracts, to be signed and carried out by those who are appointed to these positions.

## **ARTICLE VI: THE ACADEMIC & STUDENT SERVICES COUNCIL**

### Section 1: Membership

A) The Academic & Student Services Council will report to the Executive Vice President.

The Academic & Student Services Council will consist of: Diversity Representative, Club and Organization Representative, and Athletics Representative.

B) The Administrative and Alumni Assistant is an ex-officio member of the Academic & Student Service Council and has no voting power. They will be present to take notes.

### Section 2: Responsibilities & Duties

A) The responsibilities and duties of the membership of the Academic & Student Services Council shall be detailed in job descriptions and contracts, to be signed and carried out by those who are appointed to these positions.

## **ARTICLE VII: THE ACTIVITIES COUNCIL**

### Section 1: Membership

A) The Activities Council will report to the Activities Vice President. The Activities Council will consist of: Event Director, and Operations Managers.

B) The Administrative and Alumni Assistant is an ex-officio member of the Activities Council and has no voting power. They will be present to take notes.

### Section 2: Responsibilities & Duties

A) The responsibilities and duties of the membership of the Activities Council shall be detailed in job descriptions and contracts, to be signed and carried out by those who are appointed to these positions.

## **ARTICLE VIII: EUSA LEADERSHIP MEETINGS**

### Section 1: Executive Board Meetings

A) Executive Board meetings are conducted by the EUSA President. If the EUSA President is not able to attend an Executive Board meeting, the Executive Vice President will conduct the meeting.

B) Executive Board meetings are closed to the public, but the members of the Executive Board may invite people to this meeting as needed.

C) Special Executive Board meetings may be called by the EUSA President or by a majority of the board members.

D) Executive Board business will be passed by a simple majority vote.

E) Two-thirds of the members of the Executive Board shall constitute a quorum.

### Section 2: Advisory Council Meetings

A) Advisory Council meetings are conducted by the EUSA President. If the President is not able to attend an Advisory Council meeting, the Executive Vice President will conduct the meeting.

B) Advisory Council meetings are open to the public unless closed by vote for an Executive Session. An Executive Session shall be called by two-thirds majority vote of the council.

D) Advisory Council meetings are held to discuss and make recommendations concerning all resolutions, policies, guidelines, courses of action, procedures, and changes that affect EUSA as a whole.

E) Advisory Council business will be passed by a simple majority vote.

F) Two-thirds of the members of the Advisory Council shall constitute a quorum.

### Section 3: President's Council Meetings

A) President's Council Meetings are conducted by the EUSA President. If they are unable to attend, a representative from the Council will be asked to conduct the meeting.

B) President's Council Meetings are open to the public unless closed by vote for an Executive Session. An Executive Session shall be called by two-thirds majority vote of the Council.

C) The EUSA President shall not vote in President's Council meetings unless in the event of a tie.

D) President's Council business will be passed by a simple majority vote.

E) Two-thirds of the members of the President's Council shall constitute a quorum.

### Section 4: Academic & Student Services Council Meetings

A) Academic & Student Services Council Meetings are conducted by the Executive Vice President. If they are unable to attend, a representative from the Council will be asked to conduct the meeting.

B) Academics & Student Services Council Meetings are open to the public unless closed by vote for an Executive Session. An Executive Session shall be called by two-thirds majority vote of the Council.

C) The Executive Vice President shall not vote in Academic & Student Services Council meetings unless in the event of a tie.

- D) Academic & Student Services Council business will be passed by a simple majority vote.
- E) Two-thirds of the members of the Academic and Student Services Council shall constitute a quorum.

Section 5: Activities Council Meetings

- A) Activities Council Meetings are conducted by the Activities Vice President. If they are unable to attend, a representative from the Council will be asked to conduct the meeting.
- B) Activities Council Meetings are open to the public unless closed by vote for an Executive Session. An Executive Session shall be called by two-thirds majority vote of the Council.
- C) The Activities Vice President shall not vote in Activities Council meetings unless in the event of a tie.
- D) Activities Council business will be passed by a simple majority vote.
- E) Two-thirds of the members of the Activities Council shall constitute a quorum.

Section 6: Crew and Committee Meetings

- A) Crew and committee meetings are conducted by Event Directors and Representatives from each council. If the Event Director or Representative is not able to attend a meeting, they may ask a committee member to conduct.
- B) Council meetings are open to the public unless ordered closed by the person conducting the meeting.

**ARTICLE IX: LEGISLATIVE PROCESS & APPROVAL OF POLICIES, PROCEDURES AND BYLAWS**

Section 1: Approval of Policies, Procedures, and Bylaws

- A) A policy, procedure, or bylaw may be presented by any EUSA or EUSA Leadership member.
- B) The proposal is approved by the Executive Board to bring it to the Advisory Council.
- C) Once the legislation has been passed, the proposal is brought to the Advisory Council for final approval.
- D) The proposal must be approved by simple majority in the Advisory Council.

Section 2: Advisory Council Overriding Decisions of the Executive Board or the EUSA President

- A) The Advisory Council, meeting as a whole, will have veto power over the Executive Board or the EUSA President by two-thirds vote of the entire Advisory Council.
- B) All actions that have been passed or vetoed by the Executive Board under direction of the EUSA President will automatically go back to the Advisory Council if desired.

Section 3: EUSA Overriding Decisions of EUSA Leadership

- A) Actions of EUSA Leadership may be rescinded by EUSA in the following manner:
  - 1) 250 or more of the EUSA members who are registered at the end of the first week of a semester sign a petition.
    - a) Petition must include student's full legal name, signature, and student A#.
  - 2) The petition is then filed with the Executive Board, asking that the action be submitted to the EUSA for a vote.
  - 3) The petition is then reviewed by the Executive Board, through proper campus channels, to verify all information submitted on the petition is valid and correct.
  - 4) A special election will be held two weeks after the petition is filed to vote on overriding the prior decision of the Executive Board.
  - 5) The action will be overridden by a majority of the votes cast by the student body.
  - 6) The votes will be counted by a committee of three students appointed by the EUSA President and overseen by the Campus Police Chief.

**ARTICLE X: VACANCY REPLACEMENT & IMPEACHMENT OF EUSA LEADERSHIP MEMBERS**

Section 1: Elected Members

- A) If a vacancy occurs in the position of EUSA President, the Executive Vice President will assume the office of EUSA President.
- B) A new Executive Vice President will then be appointed by the remaining Executive Board, working in cooperation and consultation with the EUSA Leadership Advisor.
- C) If a vacancy occurs in the positions of Executive Vice President or Activities Vice President, an appointment will be made by the remaining Executive Board members, working in cooperation and consultation with the EUSA Leadership Advisor.
- D) Preference will be given to those members of EUSA Leadership already appointed and serving in positions.

Section 2: Vacancy in Other EUSA Leadership Positions

- A) If a vacancy occurs in any EUSA Leadership position, excluding the elected members, a replacement will be appointed by the Appointment Committee.
- B) There may be a period of one week prior to the appointment in which names may be submitted for the vacant position by any member of EUSA or EUSA Leadership. If an adequate replacement is not found, the position will remain open until filled.

Section 3: Impeachment Authority

- A) All elected and appointed EUSA Leadership members shall be subject to impeachment and removal from office.
- B) Impeachment may be initiated by any EUSA Member or member of EUSA Leadership.
- C) Impeachment procedures may be brought against any member of EUSA Leadership upon failure to uphold their duties as outlined in this constitution and as prescribed in individual position contracts and job descriptions.

Section 4: Impeachment of a member of the Executive Board

A) Initiation of Impeachment

- 1) If a member of EUSA feels that a member of the Executive Board is not fulfilling their responsibilities, that person may take the matter to the Student Advocate who will subsequently go before the Executive Impeachment Committee.

B) Executive Impeachment Committee & Impeachment Committee

- 1) If the position being considered for impeachment is the Student Advocate or other positions effected by the following proceedings, the EUSA President will carry out the proceedings or other designated member as seen fit, working in conjunction with the EUSA Advisor and Vice Chancellor for Student Services.
- 2) The Executive Impeachment Committee (EIC) will convene only after a petition signed by 250 students has been brought to the Student Advocate, following the same procedures for petitions outlined in Article VIII, Section 3.A.1.a of this constitution.
- 3) The EIC shall be made up of EUSA students at large, under the direction of the Student Advocate or other designee.
- 4) The primary duty of the EIC is to determine whether impeachment procedures are justified and should be carried forward.
- 5) The decision of the EIC, as determined by a three-fourths majority vote in the affirmative, shall be communicated to the Vice Chancellor for Student Services within 48 hours.
- 6) The Executive Vice President shall then move forward with the Impeachment Committee proceedings within seven days.
- 7) If the Executive Vice President stands accused, the EUSA President will move forward with the Impeachment Committee.

C) Impeachment Proceedings: Impeachment Committee

- 1) The EUSA Leadership member accused will be tried by the Impeachment Committee made of no more than eight total members. Two of those members must be from the Executive Board and one must be the Executive Vice President. The other six members must be made up of four directors or coordinators and two committee members of the Advisory Council. These members will be chosen by the EUSA Advisor. The EUSA Administrative and Alumni Assistant will be present to take minutes but not vote. The EUSA Advisor shall also be present but not vote.
- 2) The Executive Vice President shall chair the Impeachment Committee.
- 3) In the event that the Executive Vice President is on trial, the EUSA President shall chair the Impeachment Committee.
- 4) The EUSA Leadership member should be impeached if the Impeachment Committee decides after a three-fourths majority vote that impeachment is justified.
- 5) In the event of a tie, the Impeachment Committee chair shall cast the deciding vote.
- 6) Once impeached, the accused officer should be removed from office.

**ARTICLE XI: AMENDMENTS TO THE CONSTITUTION**

Section 1: Approving the Constitution

- A) The Elections Committee will organize an election to approve the constitution. (See Bylaws Article VI).
- B) The constitution will be approved with two-thirds of the votes that are cast being in favor of the constitution.

Section 2: Amendments to the Constitution

A) Proposing an Amendment

- 1) Amendments to the Constitution may be proposed by any member of EUSA.
- 2) Amendments to the Constitution may be proposed by any member of EUSA Leadership.
- 3) A petition must be signed by 250 EUSA members who were registered at the end of the first week of the semester in which the amendment is being proposed, following the same procedures for petitions outlined in Article VIII, Section 3.A.1.a of this constitution.
- 4) Petitions must contain the text of the proposed amendment. The signed petition must be delivered to the Executive Vice President. The Elections Committee will verify the signatures as eligible voters.

B) Approval of Proposed Amendments

- 1) The proposed amendment is then submitted to the Executive Board.
  - 2) The Executive Board shall approve the amendment by simple majority vote.
  - 3) If approved by Executive Board, the proposed amendment shall be presented to the Advisory Council for final approval.
  - 4) The Advisory Council must approve the amendment by a two-thirds majority vote.
- C) Overturning Amendment Decisions of the Executive Board
- 1) In the event that the Executive Board or Advisory Council vetoes an amendment, the decision may be overturned by the following process:
    - a) The member of EUSA who proposed the amendment will be notified within one week of the Executive Board decision.
    - b) The proposer will then be given two weeks from the time of notification to submit a petition signed by 350 EUSA members, following the same procedures for petitions outlined in Article VIII, Section 3.A.1.a of this constitution, to the EUSA President.
    - c) Once the revised petition has been received, it will then be presented for a revote, as per the above mentioned amendment voting procedures.
- D) Voting on Proposed Amendments
- 1) A general election must be held within three weeks of approval of a proposed change(s) or three weeks from delivery of the signed petition to the EUSA President.
  - 2) The Student Advocate will initiate an election regarding the proposed change(s) in the constitution with assistance of the Elections Committee.
  - 3) The proposed amendments will be approved with two-thirds majority of the votes cast in favor of the proposed change.
- E) Enacting Approved Amendments
- 1) Approved changes to the Constitution will be enacted immediately by EUSA Leadership.