



**The Constitution of the Associated Students of Western Oregon University  
(Ratified 2015)**

Edition: May 31, 2017

**Preamble**

We, the students of Western Oregon University, in order to form an association to protect and advance the interests of the students of the university, do establish this Constitution and authorize the Student Government of the association thus formed, to represent the students of Western Oregon University in the formation and application of institutional policies affecting both academic and student affairs. The Associated Students of Western Oregon University will work to protect student rights, enrich student life, and improve both Western Oregon University and Western Oregon University's image in the local community, the state, and the nation.

**Article I**

1. The Student Body of Western Oregon University shall be known as the Associated Students of Western Oregon University (ASWOU).
  - a. All students who have enrolled in Western Oregon University, and have subsequently paid incidental fees to Western Oregon University are constituent members of ASWOU.
  - b. The governing body of ASWOU shall be known as the Associated Students of Western Oregon University (ASWOU).
  - c. The ASWOU is composed of the Executive, Legislative, and Judicial Branches.
    - i. The ASWOU shall follow the rules and regulations in the Constitution and in the created By-Laws of ASWOU.
2. The members of the ASWOU have several rights under this Constitution, and the ASWOU shall protect and defend the rights explicated in this section, and may in its discretion expand upon, but never shall detract from or abridge, those rights.
  - a. Each student shall have all rights granted by this Constitution, and/or laws of the State of Oregon, and/or the United States, and/or Western Oregon University.

- i. No student shall be deprived of liberty or property without due process of law.
    - ii. No student shall be denied the equal protection of the law.
    - iii. Every member of the ASWOU may speak, write, and publish freely, to the full extent guaranteed to citizens by the Constitution of both the State of Oregon and the United States.
    - iv. Each member of the ASWOU has the rights to be free from discrimination inclusive of, but not limited to, the following areas: race, color, national ancestry, creed, religion, sexual orientation, gender identity, gender expression, sex, age, and individuals with mental and/or physical disabilities.
  - b. In any hearing required or permitted by this Constitution:
    - i. Each student has the right to appear and be heard.
    - ii. Each student has the right to demand the nature and cause of any accusation, and to have a copy thereof sufficiently far in advance of any hearing hereon to reasonably enable the presentation of a defense or a response.
    - iii. Each student has the right to meet each witness face to face, and to compel the attendance of witnesses on that student's behalf.
    - iv. No student may be compelled to give evidence against them self, nor twice be put in jeopardy by the same body for the same alleged offence.
3. There is created three branches within ASWOU: The Legislative (Senate), Executive, and Judicial. No branch shall exercise powers expressly granted to another by the ASWOU Constitution and/or By-Laws.
  - a. Powers will only be given through this Constitution.

## **Article II**

1. There is created a Student Senate.
2. All legislative powers herein shall be vested in the ASWOU Student Senate.
  - a. The ASWOU Senate serves as a deliberative forum for policy information.
  - b. The ASWOU Senate will serve as a policymaking authority within the ASWOU.
  - c. Any and all Presidential appointments are subject to a simple majority approval of the ASWOU Senate. All appointees that require Senate approval shall not be compensated until they take an Oath of Office after receiving Senate confirmation of their approval.
    - i. Any appointee, who leaves their appointed position, either voluntarily or involuntarily, must be reconfirmed by the Senate prior to accepting any position that would normally require Senate confirmation under the Constitution.
3. ASWOU Senate meetings shall be presided over by the Senate President.

- a. The Senate President will be elected at large by the student body during the ASWOU Elections.
  - b. The Senate President has the power to establish committees, provided the Senate may, by two-thirds vote, disapprove of such committee(s).
  - c. The Senate President shall assume office upon formal administration of an oath of office by the Judicial Administrator.
  - d. The Senate President shall chair all regularly scheduled Council of Representatives Meetings
4. Additionally, the Senate President has the following powers:
- a. The establishment of meeting times and places, subject to simple majority approval by the Senate.
  - b. To call extraordinary meetings of the Senate, if necessary.
  - c. To vote in the event of a tie amongst the Senate Body.
  - d. To plan and implement the legislative agenda of the Senate.
  - e. To call Senate Sessions to order.
  - f. To preside over the Senate, choosing which Members to recognize during floor debate and ruling on points of order and maintaining decorum.
  - g. To declare the outcome of votes and announce the results of recorded votes within Senate meetings.
  - h. To refer legislation to a committee(s), and set deadlines for committee action.
  - i. To serve as the University spokesperson of the ASWOU Senate.
  - j. To exercise administrative control over the operations and internal resources of the Senate.
  - k. Signing bills that are to be presented to the ASWOU President for signing.
5. In order for Senate to serve as both a deliberative forum for policy information, and as a policymaking authority within ASWOU, the Senate is granted the following powers:
- a. To secure the protection of student rights, interests, and free expressions.
  - b. To promote the preservation of academic freedom and responsibility.
  - c. To charter independent enterprises as deemed appropriate under University policy.
  - d. To enter into agreements which promote the fulfillment of the provisions of this Constitution.
  - e. To establish all councils, commissions, boards, and agencies of ASWOU.
  - f. To call upon the ASWOU President to appear before the Senate as long as the Senate gives a twenty-four hour notice to the ASWOU President.
  - g. To review, advise, and consent to the establishment of newly created Executive departments and elements thereof including position descriptions
  - h. To investigate and act in any matter which affects and promotes the general welfare of the student body of Western Oregon University or elements thereof.
  - i. To act upon any other area which the University may delegate.

- j. To make any enactment that shall be necessary and proper for executing the aforementioned powers, as well as all other powers vested by this Constitution in the ASWOU.
- k. Senate constitutional amendments must also be approved by the student body.

### **Article III**

1. The executive power of the ASWOU shall be vested in a president of the ASWOU.
  - a. The President is elected at large by the student body during the ASWOU Elections.
  - b. The President shall assume office upon formal administration of an oath of office by the Judicial Administrator.
2. The ASWOU Executive branch shall have the powers necessary and proper to fulfill their duties and the mandates of the ASWOU Senate. The President of ASWOU will act as chief executive officer of the ASWOU, spokesperson for the student body, and fulfill the requirements of that office as required by the University.
  - a. The President shall have the full power to:
    - i. Support and uphold this Constitution.
    - ii. Execute the legislation of the Senate.
    - iii. Uphold the decisions of the Judicial Board.
    - iv. Appoint student representatives to boards, councils, and committees of the University, both standing and special, established by any element of the University administration to perform functions of governance over the affairs of Western Oregon University.
    - v. Appoint all committees, councils, commissions, boards, agencies, and other offices of the ASWOU with the advice and consent of the ASWOU Senate.
    - vi. Make any and all other appointments with the advice and consent of the Senate.
    - vii. Create other executive departments, and may dissolve any department previously created, excluding those specifically mandated by this Constitution.
    - viii. Call the ASWOU Senate into emergency session when necessary, provided that a twenty-four hour notice be given.
    - ix. The President may also investigate specified matters as current situations demand, and act in other such areas not provided herein that the Senate may establish.
3. Executive department directors, the President, and the Vice President comprise the ASWOU Executive Cabinet. The Executive Cabinet shall act to advise and assist the President in all matters that may be necessary and appropriate in the fulfillment of the

President's duties and of the Constitution, and shall act in any such matter that the President may so delegate.

4. The ASWOU Vice President shall perform any Executive duties assigned by the ASWOU President. In the case of incapacitation of the ASWOU President, full Executive power and authority shall be vested in the ASWOU Vice President as permitted by the Constitution.
  - a. The Vice President shall be elected at large by the student body during the ASWOU Elections.
  - b. The Vice President ballot shall be separate from the President ballot during the elections.
  - c. The Vice President shall assume office upon a formal administration of an oath of office by the Judicial Administrator.
5. Notwithstanding anything to the contrary in this Constitution or any Senate law, the President shall be an *ex-officio* member of any such Executive department created or existing under the Constitution.
6. The ASWOU President, or Vice President in case of Presidential incapacitation, has the power to issue Executive Orders.
  - a. An Executive Order may:
    - i. Act to clarify a policy or law.
    - ii. Act to further a policy or law put forth by the ASWOU Senate.
    - iii. Act to direct Executive committees.
    - iv. Act to direct Executive Cabinet members.
  - b. An Executive Order may not:
    - i. Attempt to make or create a policy or law.
    - ii. Be used to petition for a new policy or law.
    - iii. Conflict with any Senate legislation or action.
    - iv. Violate any section of the ASWOU Constitution or ASWOU By-Laws.
    - v. Be used for any other purpose not specifically outlined within this section.
7. The ASWOU President will attend all regularly scheduled Council of Representatives Meetings as a voting member.
8. The ASWOU Vice President will be the administrative assistant to the ASWOU Representative Assembly, with duties to be determined by the Chair of each board.

#### **Article IV**

1. There is created a Judicial Board.
2. The interpretive powers of all policies, laws, and executive orders created by the ASWOU shall be vested in the Judicial Board.
  - a. The Judicial Board members shall be referred to as Justices.
  - b. All Justices will serve for only one academic year unless they are reappointed and/or re-elected.

- c. Each Justice shall assume office upon formal administration of an oath of office by the Judicial Administrator.
  - d. The Justices shall be ineligible to serve in any other elective or non-elective office of the ASWOU as long as they serve on the Judicial Board.
3. The judicial authority of the ASWOU will include the power of judicial review and fulfilling the requirements of the University judicial process.
  - a. The interpretive power of the Judicial Board shall extend to all cases upon the appeal under the Constitution and the By-Laws of the ASWOU, which require interpretation as it applies to the Student Association and all elements thereof.
4. ASWOU Judicial meetings shall be presided over by the Judicial Administrator.
  - a. The Chair of the Judicial Board shall be referred to as the Judicial Administrator.
  - b. The Judicial Administrator shall be elected at large by the student body during the ASWOU Elections.
5. The Judicial Administrator shall assume office upon formal administration of an oath of office by the highest ranking Judicial Board member.
6. The Judicial Administrator's role is to be an impartial facilitator of all meetings and hearings.
  - a. The Judicial Administrator is responsible for adhering to enacted election policies.
7. The Judicial Administrator has the following powers:
  - a. The establishment of Judicial Board meeting times and places, subject to simple approval by the Judicial Board.
  - b. To call extraordinary meetings of the Judicial Board, if necessary.
  - c. To vote in the event of a tie amongst Justices.
  - d. The power to make spelling and other grammatical changes to the ASWOU Constitution and By-Laws.
    - i. Any question or concern with changes to the ASWOU By-Laws or Constitution can be referred to the Judicial Board.
    - ii. If three-fifths of the Judicial Board vote against the change, then it will revert to the way that it was before the change was implemented, and the change will not go into effect.
    - iii. Any changes to be made to the ASWOU Governing Documents shall be announced to all ASWOU Branches before the change is made.
  - e. To plan and implement the judicial agenda of the Judicial Board.
  - f. To call judicial sessions to order.
  - g. Choosing which members to recognize during floor debate, and ruling on points of order and maintaining decorum within Judicial Board meetings.
  - h. To declare the outcome of votes, and announce the results of recorded votes within Judicial Board meetings.
  - i. To serve as the University spokesperson of the ASWOU Judicial Board.

- j. To exercise administrative control over the operations and internal resources of the Judicial Board.
8. The Judicial Administrator will attend all regularly scheduled Council of Representatives Meetings as a voting member.

#### **Article V**

1. An election shall require at least ten percent of the ASWOU membership casting valid votes. Elections shall include, but are not limited to, general elections, special elections, recalls, and referendums.
  - a. There shall be one general election (covering all elective positions created by this Constitution or any Senate Law) each school year.
  - b. Every ASWOU member that is registered for 6 credits or more is eligible to be elected to or appointed to office, except as otherwise restricted in this Constitution.
  - c. During Inauguration, the highest ranking member of the Judicial Board must swear in the newly elected officers to transfer the powers and duties from the outgoing administration. The Judicial Board shall be in charge of planning an Inauguration for the purpose of swearing in newly elected ASWOU officers, and should include a formal oath of office.
  - d. The Inauguration should take place Spring Term on the Monday of dead week.
  - e. The current ASWOU elected and appointed officers whose term is ending will leave office immediately following Inauguration, and the newly elected officers will assume full powers of the office.
  - f. All paid ASWOU members, excluding the President will be paid from September 15<sup>th</sup> of the year they are elected to the following June 15<sup>th</sup>, and the President will be paid from June 15<sup>th</sup> of the year they are elected to the following June 15<sup>th</sup>.
  - g. The President and Vice President have the power to hire an executive cabinet before Inauguration.
  - h. The current Judicial Administrator will be in charge of calling all write-in candidates for all positions.

#### **Article VI**

1. The ASWOU President, ASWOU Vice President, members of the ASWOU Senate, including the Senate President, and members of the Judicial Board, including the Judicial Administrator, may be removed from office for failure to execute their duties of office, or gross violation of the ASWOU Oath of Office, and/or ASWOU policies, and/or University policies, and/or regulations.
  - a. Any member(s) of the ASWOU may circulate a petition requesting a recall election. Such petition must state the name of the officer to be recalled, the office held, and the reason for recall.

- i. In order to initiate a recall election, such petition must have valid signatures from ten percent of the ASWOU membership.
    1. The Judicial Board must validate said petition within five working days upon receipt as described in the following:
      - a. The Judicial Board must hold an election within two weeks after receiving a valid petition.
      - b. The officer shall be removed from office if a majority of the valid votes cast are affirmative for recall.
      - c. A recall election must adhere to current ASWOU Election Policies.
  - b. Any members of the ASWOU may circulate a petition requesting a referendum or initiative. Such petition must state the referendum or initiative, and the reasons for requesting such. A referendum enables the ASWOU members to vote down or change a law or policy created by the legislature. An initiative enables ASWOU members to create a new law.
    - i. In order to initiate a vote, such petition must have valid signatures from ten percent of the ASWOU membership.
      1. The Judicial Board must validate the said petition within five working days upon its receipt.
    - ii. The Judicial Board must hold an election within two weeks after receiving a valid petition.
    - iii. The referendum or initiative shall become law if a majority of the votes are cast as affirmative.
  - c. This process will adhere to the ASWOU Election Policies outlined in Article 6 of the ASWOU By-Laws.
2. The Senate will have the sole power of Impeachment, and the Judicial Board shall have the sole power to try and uphold all Impeachments with a three-fifths vote. Judgment in cases of Impeachment shall not extend further than removal of office and disqualification to hold and enjoy any office of honor. The impeached party shall nevertheless be subject to subsequent hearings or sanctions according to University Policy.
    - a. Any member of the Senate may present formal charges against an ASWOU officer through legislation.
      - i. Upon formal presentation of the charges, they shall be referred to a specially convened Senate Impeachment Committee for investigation.
      - ii. The Impeachment Committee shall make a complete written report and a recommendation to Senate within two weeks.
      - iii. If the Senate proceeds with Impeachment, the Senate President, or the Judicial Administrator in case of Impeachment of the Senate President, shall preside at a special meeting in which it will be presented to and voted on by the Senate.



- iv. Conviction and removal from office shall be three-fourths vote of Senate members present.
  - 1. If the vote of Impeachment passes in the Senate, then it will be sent to the Judicial Board. If the Judicial Board upholds the decision of Impeachment with a three-fifths vote, then the impeached party will be immediately removed from office and their successor will assume their responsibilities.
- b. A call for Impeachment may also be initiated in the Senate by a Vote of No Confidence. If the Vote of No Confidence passes with a simple majority of the members present, then the Impeachment Committee shall be convened.
  - i. The Impeachment Committee shall make a complete report and a recommendation to Senate within two weeks.
  - ii. If the Senate proceeds with Impeachment, the Senate President, or the Judicial Administrator in case of the Impeachment of the Senate President, shall preside at a special meeting in which it will be presented to and voted on by the Senate.
  - iii. Conviction and removal from office shall be three-fourths vote of Senate members present.
    - 1. If the vote of Impeachment passes in the Senate, then it will be sent to the Judicial Board. If the Judicial Board upholds the decision of Impeachment with a three-fifths vote, then the impeached party will be immediately removed from office and their successor will assume their responsibilities.

## **Article VII**

1. The ASWOU Representative Assembly (ARA) is created as a non-partisan entity, and is composed of three sub-boards: the Council of Representatives, the Student Equity Board, and the Student Multicultural Board.
2. The ARA is charged with representing, serving, and protecting the interests of students on and off campus, to identify issues affecting students, and to seek or support solutions to these issues.
3. Each sub-board shall have the power to create and enforce their own mission, being that it is within the charge of the individual board, and does not contradict with the general directive of the ARA.
4. Each sub-board shall have the power to add or subtract members of their board as needed according to a positive two-thirds majority vote of the board.
  - a. Removal or addition of members may not conflict with the ASWOU Constitution, By-Laws, or specific job descriptions as approved by the ASWOU Senate and the IFC in the case of a paid ASWOU Government position.

- b. Challenges to the addition or removal of members to any sub-board may be brought to the Council of Representatives, which has the power to overturn such motions by a positive two-thirds majority and with written explanation.
  - c. Challenges to the addition or removal of members to the Council of Representatives will be brought before the Judicial Board, the ruling of which shall be binding.
- 5. The ARA will hold regularly scheduled meetings during the academic year
  - a. A meeting of the ARA or its sub-boards does not constitute a meeting of the ASWOU Senate, even if a quorum of the Senate Body is present.
  - b. All meetings of the ARA shall be considered open, and shall follow Robert's Rules of Order. The suspension of Robert's Rules of Order is not permitted.
- 6. THE COUNCIL OF REPRESENTATIVES
  - a. The Council of Representatives (CoR) is specifically tasked with meeting the general needs and concerns of the students of WOU.
    - i. The CoR is the overseeing body of the Student Equity Board (SEB), the Student Multicultural Board (SMB), and all other sub-boards. As such, members of the CoR will attend at least one sub-board meeting per session of the ARA.
  - b. The CoR shall be chaired by the ASWOU Senate President.
  - c. The CoR has the power to create additional sub-boards and dissolve existing boards in order to meet the changing needs of students, according to a positive two-thirds vote of the board and proper legislation produced by the ASWOU Senate.
    - i. While an added board awaits student approval in the ASWOU General Election, they may act as a temporary board with a temporary Chair, directive and mission.
    - ii. While a dissolved board awaits dissolution by the student body in the ASWOU General Election, the board will operate as usual and in full accordance with its directive, mission, and guidelines.
  - d. Emergency meetings of the Council of Representatives can be called with 24 hours' notice, by the Chair or the ASWOU President.
    - i. The individual who calls the board into emergency session shall set the agenda for the meeting.
- 7. THE STUDENT EQUITY BOARD
  - a. The Student Equity Board (SEB) is tasked with identifying and addressing issues of social, political, and economic equality amongst WOU students.
  - b. The SEB shall be chaired by the ASWOU Director of Equity.
- 8. THE STUDENT MULTICULTURAL BOARD
  - a. The Student Multicultural Board (SMB) is tasked with identifying and addressing culturally based issues of concern amongst WOU students.

- b. The SMB shall be chaired by the Director of Multicultural Advocacy.
9. POWERS AND RESPONSIBILITIES OF THE CHAIRPERSON
- a. The Chair of each board will conduct and oversee meetings of their respective board, set the agenda for regularly scheduled meetings, and ensure it is disseminated to all attendees with at least 24 hours' notice.
  - b. The Chair will only vote in the event of a tie among the voting members.
  - c. The Chair will oversee the counting and announcement of votes.
  - d. The Chairperson has the freedom to speak during the meetings and express their opinion, though they must remain impartial when recognizing members during floor debate.

### **Article VIII**

- 1. This Constitution shall be adopted upon the affirmative two-thirds vote of the ASWOU in the general election and shall enter into full force and effect after the 2014 ASWOU Elections, superseding any and all governing documents and instruments existing prior to that date.
- 2. This Constitution may be amended by a two-thirds vote of the Senate, with concurrence by two-thirds of the valid votes cast in a valid ASWOU Election.



## **The By-Laws of the Associated Students of Western Oregon University**

Edition: May 23, 2018

Changes: SB 14.18, 15.18, 16.18, 17.18, 18.18 Implemented

### **PREAMBLE**

**WHEREIN**, The Articles of the Constitution for the Associated Students of Western Oregon University require clarification and direction, and **WHEREAS**, The Articles of the Constitution for the Associated Students of Western Oregon University require regulation and delineation: **BE IT KNOWN THEREFORE**, that we, the members of the Associated Students of Western Oregon University, do hereby sustain the following By-Laws.

### **ARTICLE I – RECOGNITION**

1. There is created three branches within the Associated Students of Western Oregon University (ASWOU): the Executive, Legislative, and Judicial. No branch shall exercise powers expressly granted to another by the ASWOU Constitution.
  - a. No student may attain multiple positions within the ASWOU Government whether the positions are paid, volunteer, elected, appointed, or internships, excluding active members of ASWOU Student Organizations, and the ASWOU Elections Committee.
  - b. If an ASWOU Government member is appointed or elected to another position within the ASWOU Government, then that member must resign from their current position prior to accepting the new position.

## **ARTICLE II – MEMBERSHIP**

### **1. ELIGIBILITY OF ASWOU GOVERNMENT MEMBER:**

- a. All ASWOU Government members shall be in good academic standing.
  - i. Good academic standing is defined as a 2.25 GPA, both in current term and cumulative.
    - 1. In the event that an ASWOU Government member falls below a 2.25 GPA, then a one term probationary period will be in effect.
    - 2. If an ASWOU Government member falls below a 2.25 cumulative or term GPA the term prior to taking office, then the first term in office is considered the probationary period.

## **ARTICLE III – EXECUTIVE**

### **1. EXECUTIVE DEPARTMENTS AND CABINET POSITIONS:**

- a. Creation of new Executive Departments requires the President to petition the ASWOU Senate for review, advice, and consent. Upon approval, the President retains appointment power as listed under Presidential Appointments.
  - i. Upon denial of the creation of a new Executive Department, the Senate President shall, within three business days, provide a written explanation of denial to the ASWOU President.
  - ii. The ASWOU President may re-present the petition for Executive Department creation to the ASWOU Senate as many times as the ASWOU Senate President feels is reasonable, and if the ASWOU President believes they have satisfied the ASWOU Senate's written objections. The Senate may overrule the Senate President's decision with a two-thirds majority vote. Once closed, the issue may be re-opened only if new legislation is presented by the ASWOU Senate.
- b. New Executive Cabinet Positions not previously approved require the President to petition the ASWOU Senate for review, advice, and consent on job description and creation prior to submission to the IFC (if required), and prior to Presidential Appointment. Upon Senate approval, the President may submit to the IFC (if required), and retains appointment power listed under Presidential Appointments.
  - i. Upon denial of the creation of a new Cabinet Position, the Senate President shall, within three business days, provide a written explanation of denial to the ASWOU President.
  - ii. The ASWOU President may re-present the petition for Cabinet Position creation (this includes but is not limited to job description or purpose of position) to the ASWOU Senate as many times as the ASWOU Senate President feels is reasonable, and if the ASWOU President believes they

have satisfied the ASWOU Senate's written objections. The Senate may overrule the Senate President's decision with a two-thirds majority vote. Once closed, the issue may be re-opened only if new legislation is presented by the ASWOU Senate.

- iii. Once approved, the President may make subsequent appointments to the Senate approved Executive Offices.

## **2. PRESIDENTIAL APPOINTMENTS:**

- a. The President may appoint officers to serve as Directors of Executive Departments, liaisons to other organizations, assistants to the President, other officers of the Executive Cabinet, and any other positions mandated by the ASWOU governing documents or Western Oregon University. Any and all appointments are subject to a simple majority approval of the Senate. All ASWOU Government appointees, excluding unpaid interns, shall be confirmed individually by the Senate. All appointments will only be valid for the term of office of the President making the appointment.
  - i. The ASWOU President may appoint their Cabinet members and present them to the ASWOU Senate to be temporarily approved as Executive Cabinet members for up to five weeks of work. This process does not require a one week waiting period.
    1. If an appointee resigns and a new appointee is hired during the Summer Term when the ASWOU Senate is not in session, the Senate President may temporarily approve the ASWOU Cabinet member for five weeks of work.
  - ii. If the Senate confirms the ASWOU Executive Cabinet nominee, a representative from the Judicial Board shall swear the Executive Cabinet member into office.
  - iii. If the ASWOU Senate does not approve of the ASWOU Executive Cabinet nominee, the Senate must present the ASWOU President with written reasoning, suggestions, and/or comments regarding the nominee within seventy-two hours for the denial of confirmation. The Senate President is responsible for passing on these written materials.
  - iv. The ASWOU President has the right to appeal the initial Senate decision at the next Senate meeting. If the Senate alters its original vote to confirm the appointee, then Section 2.a.ii takes effect. However, if the Senate does not alter its previous position, then the ASWOU President must nominate another candidate.
    1. The rejected nominee cannot be brought forward again to the Senate for approval for the same position during a single position vacancy.

- v. No Executive Cabinet appointee shall attain any office within the Executive Cabinet without the consent of the Senate.
- vi. The ASWOU President may, at any time, terminate an appointed individual if the President determines the appointed individual exhibits a disregard for their responsibilities.
  - 1. A termination constitutes a vacancy within the Executive Cabinet.
  - 2. The President may not terminate Judicial appointments once they are approved by the Senate.
- vii. If a vacancy of an appointed Executive Cabinet member arises at any point during the year, the ASWOU President must nominate a replacement.

### 3. INCAPACITATION:

- a. If a dispute arises about an incapacitation of the President, then the following action shall take place:
  - i. The Senate and Judicial Board shall convene as separate bodies and vote to determine if the President is incapacitated.
  - ii. If a two-thirds majority of the Senate, and then a simple majority of the Judicial Board vote in agreement that the President is incapacitated and unable to carry out the President's duties, then the successor will immediately assume the powers and duties of the President.
  - iii. If the President is incapacitated, then the following shall be the line of succession:
    - 1. Vice President
      - a. An emergency election of ASWOU to select a new Vice President shall follow if the Vice President chooses to fulfill the role of the ASWOU President.
      - b. An emergency election of ASWOU to select a new President shall take place should the Vice President choose not to fulfill the role of the ASWOU President.
      - c. The Judicial Board shall set the guidelines for this election, which as closely adhere to the election guidelines in Article VI as possible.
      - d. An emergency election will take place within fifteen working days.
- b. If a dispute arises about an incapacitation of the Vice President, then the following action shall take place:
  - i. The Senate and Judicial Board shall convene as separate bodies and vote to determine if the Vice President is incapacitated.

If a two-thirds majority of the Senate, and then a simple majority of the Judicial Board vote in agreement that the Vice President is incapacitated and unable to carry out their duties, then the following shall happen:

1. An emergency election of the ASWOU to select a new Vice President shall take place within fifteen working days as stipulated in Section 3.a.iii.1.

4. **THE ASWOU BUDGET:**

- a. The President is required to present the current year's Budget to the ASWOU Senate no later than the third Senate meeting of the given academic year.
  - i. This presentation shall outline the purposes of ASWOU internal accounts, as well as the intents and plans the Executive Branch has for the current funds. Where possible, the Executive Branch should outline specific events and activities it will be funding so that Senate can ensure student funds are being put to good use.
  - ii. Since significant changes to these accounts are not possible, no vote is required for this budget presentation. This is purely an informative presentation.
- b. The Budget for Internal Accounts, as well as any enhancement requests for the internal accounts of ASWOU, for the following academic year shall be presented to the ASWOU Senate for approval prior to its submission to the IFC.
  - i. The presentation of the internal accounts should be done in a timely manner so that any objections the Senate raises may be resolved without delay to the IFC process.
  - ii. Approval of this Budget shall require a two-thirds majority.
  - iii. The ASWOU Internal Budgets may not be presented to IFC without the approval of the ASWOU Senate
  - iv. If the proposed ASWOU Budget for Internal Accounts for the following year is not approved, the Senate President will provide written explanation within one business day to the ASWOU Director of Business and Finance. The Executive Branch will have two business days to submit a revised Budget to be officially presented at the next ASWOU Senate meeting. Should the revised Budget not be approved by two-thirds majority of the Senate, the Senate President will call for a special ASWOU Budget Resolution Committee, chaired by the Senate Budgetary Chair; consisting of three Senators appointed by the Senate President, and three members of the Executive Cabinet, one being the Director of Business and Finance, with the remaining two appointed by the ASWOU President. A newly revised Budget for Internal Accounts must be submitted to the Senate for approval by simple majority within three business days. Following approval, the Budget may be submitted to the IFC in accordance with current IFC procedure.
- c. Annual reallocation or adjustment to the current year internal accounts greater than \$500.00 excluding administrative overhead, after approval of the Budget by



the ASWOU Senate, will require simple majority approval of the ASWOU Senate to be enacted.

- i. If the requested reallocation or adjustment is not approved, the Senate President shall, within three business days, provide a written explanation of denial to the ASWOU President.
  - ii. The ASWOU President may re-present the reallocation or adjustment request to the ASWOU Senate if the ASWOU President believes they have satisfied the ASWOU Senate's written objections.
- d. Article III, subsection 4 of the ASWOU By-Laws shall be reviewed by members of the Rules committee, the Budget committee, the ASWOU President, and the ASWOU Director of Business and Finance at the conclusion of any Incidental Fee Steering Committee to ensure compliance with current and updated policies.

#### **ARTICLE IV – LEGISLATIVE**

##### **1. MEETINGS:**

- a. The Senate shall meet at least three times monthly, with the exception of the months of December, June, July, August, and September.
  - i. A majority of the Senate shall constitute a quorum to do business.
  - ii. All Senate meetings shall be open to the public, and votes shall not be taken by secret ballot with the exception of electing Senate officers, chairs, and monthly and/or yearly Senate awards.
  - iii. The Senate shall not meet during finals week, with the exception of emergency meetings.
- b. The ASWOU Senate President is required to keep a Senate Vote Sheet during all meetings. This will track the official proceedings, including each Senator's stance on motions agreed to and votes taken. In the case of abstaining from a vote, then the abstainer must provide reasoning for abstention during discussion or in writing to the Senate President. The Senate President will submit the Senate Vote Sheet to the ASWOU Secretary, for the purpose of putting them into records and minutes, at the conclusion of each Senate meeting.
  - i. If there is a unanimous vote or someone calls acclamation, and there is no dissent, the Senate President must still record the vote on the vote sheet.
- c. The ASWOU Senate shall adhere to Robert's Rules of Order unless otherwise noted.
- d. The threshold for quorum at Senate meetings shall be 50% (rounded down to the nearest whole number) + 1 of the Senate body.
- e. Time shall be made available on the ASWOU Senate agenda for privileged reports. Privileged reports shall be made available for the ASWOU Advisor, the ASWOU President, the ASWOU Judicial Administrator, the OSA Representative,

and the RHA Representative. These reports may subject to a specified speaking time assigned by the Senate President.

- f. All business of the Senate at the end of one session shall be resumed at the commencement of the next convening of the Senate.

## 2. **MEMBERSHIP OF THE SENATE:**

- a. The Senate shall be limited to no more than fifteen Senators.
  - i. Senate members should be elected in Spring Term. If there are vacancies on the Senate, then interested parties should complete a Senate application, including a minimum of fifty signatures from valid WOU students. Upon completion of an application, and subsequent presentation before the Senate, the Senate body will then vote to approve or disapprove the candidate, and upon approval shall inherit all powers and responsibilities of a senator.
  - ii. Each member shall assume all powers and privileges of the Senate, after taking the oath of office given by the Judicial Administrator. The exception being Senate members who were not elected, who upon approval must wait until the following Senate meeting to vote.
  - iii. There shall be one *ex-officio* member on Senate: one seat shall be available for a Resident's Hall Association (RHA) Representative, which will be a member of the RHA Executive Board. This representative has a voting seat on the Senate, but is not a Senator.
  - iv. **RESIGNING A SEAT:** A Senator may choose to withdraw from their elected seat by submitting a letter of resignation to the Senate President. Unless the Senate President is resigning, the Senate President will read into record any resignations submitted by Senators at the next full Senate meeting.
    - 1. If the Senate President resigns, the Judicial Administrator shall read the resignation letter into record at the next Senate meeting.
    - 2. The line of succession outlined in Article IV, Section 10 shall then be followed.

## 3. **SENATE LEADERSHIP:**

- a. Senate President
  - i. The Senate President shall be recognized as the presiding chair over the ASWOU Senate. The Senate President may yield their chair to the Senate Pro Tempore.
  - ii. The Senate President is allowed a vote only in the event of a tie, or if they have yielded their chair and are no longer presiding as the chair of the meeting.

- iii. The Senate President has the freedom to speak during the meeting and express their opinion. Though they must be impartial when recognizing members during floor debate.
  - iv. The Senate President shall appoint all members to Committees ordered by the ASWOU Constitution and/or By-Laws, with the exception of the Chair of the Rules Committee. At any time after an original appointment, the Senate President may remove Members, Delegates, or Senators, or appoint additional members to a Committee.
  - v. The Senate President may call for a recess of the ASWOU Senate; this can be overruled by a simple majority of the ASWOU Senate.
  - vi. The Senate President will research the hourly commitment being a Senator requires. If new legislation is proposed affecting the Senator job description, the Senate President must reevaluate the weekly time commitment and update all documents and report back to the body of the Senate.
    - 1. The Senate President must report this weekly time commitment on all recruitment materials.
  - vii. Responsible for maintaining, updating, and ensuring a list of legislation for Senators' use is passed onto the newly elected Senate President each year.
- b. The Senate Body shall appoint the following officers by the third Senate meeting of Fall Term:
- i. The Senate Body shall appoint a Senate Parliamentarian.
    - 1. The Senate Parliamentarian shall be responsible for the following:
      - a. Must be impartial while interpreting parliamentary rules and/or Senate rules.
      - b. Must be familiar with the most recent revision of Robert's Rules of Order, Oregon Public Meeting Law, or other parliamentary authority and rules as the Senate may adopt.
      - c. Has the power to interpret and enforce the rules of Senate, not inconsistent with Robert's Rules of Order, Oregon Public Meeting Law, the Constitution, or the ASWOU By-Laws.
      - d. Attend a monthly meeting with the Senate President and Senate Pro Tempore.
      - e. Attend all ASWOU Representative Assembly meetings in accordance with the attendance policy stated in Article IV of ASWOU By-Laws.
      - f. Will train all incoming Senators in Robert's Rules of Order, Oregon Public Meeting Law, or other parliamentary

authority and rules as the Senate may adopt throughout the academic year.

2. On any question of order and/or interpretation of Senate Rules, the decision of the Senate Parliamentarian shall be binding.
  - a. The Senate can overrule the Senate Parliamentarian with a two-thirds vote on any question of order and/or interpretation.
- ii. The Senate Body shall appoint a Senate Pro Tempore.
  1. The Senate Pro Tempore is responsible for the following:
    - a. Assumes the responsibilities of the Senate President in the event of incapacitation or inability to carry out their duties.
    - b. Attend monthly chair meetings.
    - c. Attend all Rules Committee meetings.
    - d. Act as a resource for all committee meetings.
    - e. Responsible for scheduling weekly tabling.
      - i. It is the responsibility of the Senate Pro Tempore to create a monthly schedule complete with Senator tabling hours, and submit said schedule to the ASWOU Office Coordinator no later than the twenty-fifth of every month that the ASWOU Senate is in session.
    - f. Attend a monthly meeting with the Senate President and Parliamentarian.
    - g. Attend all ASWOU Representative Assembly meetings in accordance with the attendance policy stated in Article IV of ASWOU By-Laws.
    - h. Will assist with training all Senators in correct usage of tabling and effective methods to reach out to students during their tabling hour.

**4. SENATOR JOB DESCRIPTION:**

- a. Attend all Senate meetings in accordance with the attendance policies outlined in Article IV, section 12.
- b. Hold monthly one on one meetings with the Senate President.
- c. Required to complete one hour of tabling or clip boarding, or complete debriefing statements and submit the statements to the Senate President each week, excluding dead week and finals week.
- d. Required to sponsor and present at least one solo piece of legislation, or two group pieces, with no more than three Senators co-sponsoring, once per term.
- e. Every member shall vote on each motion put forth, unless having a direct personal or pecuniary interest in the event of such a motion.

- f. ASWOU Senators are required to attend one full IFC meeting.
  - g. It is expected of the Senate, as outlined in the ASWOU By-Laws, the ASWOU Constitution, and WOU's Student Conduct policies, that members will refrain from conduct injurious (such as, but not limited to, slander, libel, etc.) to the organization, its purposes, and/or its members. Senators must conduct themselves in a professional manner during Senate, Committee, or other meetings they should attend in which they represent ASWOU in general, or the ASWOU Senate.
- 5. SENATE COMMITTEES:**
- a. The Senate is free to create Committees and Subcommittees as it sees fit. The Senate is composed of four Standing Committees, and any future Standing Committees if the Senate so chooses.
    - i. The four Standing Committees are: Rules Committee, Budget Committee, Student Relations Committee, and Education and Academic Affairs Committee. Any specific expectations for these committees not outlined below shall be formulated and created within the Senate Body as a whole.
    - ii. The Rules of the Senate are the rules of its Committees and Subcommittees so far as applicable.
      - 1. RULES COMMITTEE:**
        - a. MEMBERSHIP EXPECTATIONS:
          - i. Attend weekly committee meeting.
        - b. COMMITTEE EXPECTATIONS:
          - i. Review Constitution and By-Laws annually and if necessary, form a Revisions Committee.
          - ii. Be responsible for overseeing issues that include elections policy revision, campaign financing, and rules reform.
          - iii. Oversees the standing rules of the Senate.
          - iv. Focus on incorporating new legislation and preparing Constitutional amendments for the academic year.
      - 2. REVISIONS COMMITTEE**
        - a. MEMBERSHIP EXPECTATIONS:
          - i. Attend regularly scheduled meeting.
        - b. COMMITTEE EXPECTATIONS:
          - i. Shall be called by the Chair of the Rules Committee or by a simple majority vote of the Rules Committee.
          - ii. Shall take the place of the Rules Committee until legislation is produced and sent to Rules Committee

1. After a report is produced by the Revisions Committee, the Revisions Committee will dissolve and revert to the acting as the Rules Committee.
  - iii. Review and revise, as needed, the Constitution if the academic year is odd and the By-Laws if the academic year is even.
  - iv. Review provisions of the Revisions Committee during their first meeting.
  - v. Prepare a report of all suggested revisions from the Revisions Committee, each of which can be approved by Senate with a simple majority vote.
    1. Once a report of suggested revisions is finalized it will be voted on by the Revisions Committee, and with a simple majority approval, it will be presented to the Senate for final approval.
  - vi. Be responsible for collecting a list of legislation to correct what provisions will not allow.
    1. A list of future legislation will be maintained by both the Chair of the Rules Committee and the Senate President for Senators to Sponsor.
- c. PROVISIONS OF THE REVISIONS COMMITTEE
- i. The Revisions Committee is permitted to make edits such as: typos, grammatical errors, incorrect references to sections, and formatting irregularities.
  - ii. The Revisions Committee is not permitted to make edits for items such as: entire sections that need to be corrected to be updated or removed, entire sections that need more work done to them to be consistent and/or concise, and potentially missing sections.
  - iii. Once the Committee has completed their review, a report will be created for Senate's approval.
    1. When the report comes before the Senate Body.
      - a. Make edits such as: grammar, wording, spelling, formatting, etc. within the report by the Body.

- b. If there are Constitutional revisions, once it is approved by Senate, the report will be voted upon by the Student Body in the next General Election.
    - 2. Once By-Laws revisions have been approved by the Senate body, the report will be sent to the Judicial Administrator to update the ASWOU governing documents.
    - iv. Once the Revisions Committee has completed their review, they will create a list of potential pieces of legislation for the Chair of the Rules Committee and the Senate President to maintain for future use.
- 3. **RULES COMMITTEE CHAIR:**
  - a. Shall be the Senate Parliamentarian
  - b. Organize committee meetings as needed to address business.
  - c. Encourage committee participation.
  - d. Provide weekly report of subcommittee meeting.
  - e. Responsible for calling and chairing all committee and subcommittee meetings of the Rules Committee unless otherwise delegated.
  - f. Maintain transition notebook.
  - g. Responsible for working with the Senate President to maintain a list of legislation for Senators' use.
- 4. **BUDGET COMMITTEE:**
  - a. **MEMBERSHIP EXPECTATIONS:**
    - i. Attend all committee meetings as organized by the chair.
    - ii. Chair of committee (or designee), as well as one other member of the budget committee, must attend IFC meetings.
  - b. **COMMITTEE EXPECTATIONS:**
    - i. Be the liaison between the IFC and the ASWOU Senate.
    - ii. Serve as a check and a balance to the Executive Cabinet's Business and Finance Department.
    - iii. Hold meetings when requested by any member of the ASWOU.
- 5. **BUDGET COMMITTEE CHAIR:**

- a. Attend all IFC meetings.
  - i. A proxy may be sent with prior approval of the Senate President
- b. Encourage committee participation.
- c. Act as a liaison between the Senate President and the Director of Business and Finance.
  - i. Meetings between the Budget Committee Chair and the Director of Business and Finance will serve to ensure the proper spending of student fee dollars within the ASWOU Internal Accounts.
- d. Provide weekly budget update.
- e. Organize committee meetings after termly meetings with the ASWOU Director of Business and Finance, after weekly IFC meetings, or when requested.
- f. Responsible for calling and chairing all committee and subcommittee meetings of the Budget Committee unless otherwise delegated.
- g. Maintain transition notebook.

**6. STUDENT RELATIONS COMMITTEE:**

- a. MEMBERSHIP EXPECTATIONS
  - i. Attend weekly committee meetings.
- b. COMMITTEE EXPECTATIONS:
  - i. Follow up with Student Concern Reports.
  - ii. Seek out and identify student needs and bring them to the appropriate avenues for change.
  - iii. Actively promote the happenings of the ASWOU Senate and legislation being discussed by the Senate Body.
  - iv. Coordinate and host an outreach or service project for the ASWOU Senate to take part in each term.
  - v. Work to recruit new senators to fill any vacancies and get Senators on the General Election Ballot.

**7. STUDENT RELATIONS CHAIR:**

- a. Encourage committee participation.
- b. Organize weekly committee meetings.
- c. Give weekly update during Senate meetings with an address to Student Concern Reports.
- d. Attend monthly joint committee meetings with members of the Executive and Judicial Branch public relations teams.



e. Responsible for calling and chairing all committee and subcommittee meetings of the Student Relations Committee unless otherwise delegated.

f. Maintain the transition notebook.

**8. EDUCATION AND ACADEMIC AFFAIRS COMMITTEE:**

a. MEMBERSHIP EXPECTATIONS:

i. Attend weekly committee meetings

b. COMMITTEE EXPECTATIONS:

i. Discuss the actions of the WOU Faculty Senate and the Staff Senate

ii. Prepare memorandums or appropriate legislation when necessary in order to address actions being taken by the above listed senate bodies.

iii. At least one member from the committee shall be in attendance at all Faculty Senate and Staff Senate meetings.

**9. EDUCATION AND ACADEMIC AFFAIRS CHAIR:**

a. Shall be the Senate President.

b. Encourage committee participation.

c. Organize weekly committee meetings.

d. Responsible for calling and chairing all committee and subcommittee meetings of the Education and Academic Affairs Committee unless otherwise delegated.

e. Give weekly update during Senate meetings with an address to Faculty and Staff Senate meetings.

f. Maintain the transition notebook.

iii. The Senate can, by two thirds vote, dissolve Standing Committees other than the aforementioned Standing Committees.

iv. All Senate Committee and Subcommittee meetings shall be open to the public, and votes shall not be taken by secret ballot.

v. No Committee and/or Subcommittee meeting shall be called without prior notice of at least twenty-four hours.

**6. LEGISLATION ADOPTION TIMELINE**

a. Unless noted otherwise, the legislative process for Senate Bills will be as follows:

i. First Senate Meeting: the proposed legislation (after having been put to the floor by its preceding committee[s]) will be presented before the ASWOU Senate, and read into record for the first time. It will be available for discussion and open comments at this time. If sufficient changes are deemed necessary by the body, the legislation may be referred to the Rules Committee for editing, and then returned to the body at the next Senate

meeting, which will be deemed the second week of review as outlined below.

- ii. Second Senate Meeting: the proposed legislation will entertain any proposed amendments or additional sponsors. The bill will remain available for discussion and comments. It would be appropriate at this time to report any feedback or suggestions that were gathered from constituents.
  - iii. Third Senate Meeting: the proposed legislation will be available for final discussion and debate. Once the debate has concluded, the legislation may be voted on.
- b. Unless noted otherwise, the legislative process for Senate Resolutions will be as follows:
- i. First Senate Meeting: the proposed resolution (after having been put to the floor by its preceding committee[s]) will be presented before the ASWOU Senate and read into record for the first time. It will be available for discussion and open comments at this time. If sufficient changes are deemed necessary by the body, the legislation may be referred to the Rules Committee for editing, and then returned to the body at the next Senate meeting, which will be deemed the second week of review as outlined below.
  - ii. Second Senate Meeting: the proposed resolution will entertain any proposed amendments or additional sponsors. It will be appropriate to consult constituents before this meeting. After the discussion has concluded, the resolution may be voted on.
- c. The ASWOU Senate can vote during a convened Senate Session to suspend these specific timelines. Each piece of legislation would require a vote for the suspension of the timeline; otherwise the timeline will be binding. The threshold for the vote of suspension of the timeline will be two-thirds.

#### **7. LEGISLATIVE SIGNING AUTHORITY:**

- a. The Senate President shall sign all legislation passed by the ASWOU Senate. The Senate President may sign all legislation whether the Senate is in session or not.
- b. Every Senate bill, which has been adopted by the Senate, shall be presented to and signed by the ASWOU President and thus enter into full force and effect.
  - i. Presentation of a bill to the ASWOU President is defined as submission of the bill in paper form to the ASWOU President with an email notification from the Senate President.
    - 1. The ASWOU President shall respond with an email confirmation stating they have received the bill.
- c. If the ASWOU President does not approve the bill, then it will be returned to the Senate citing the ASWOU President's objections.

- i. The ASWOU President has four working days plus the day of receipt to veto the presented legislation
  - 1. The ASWOU President should make every effort to report any veto decision before the next Senate meeting.
- ii. If unsatisfied, upon receiving the vetoed bill with the ASWOU President's objections, the Senate, with a two-thirds vote, may enact the bill without the assent of the ASWOU President.
  - 1. Upon the successful overturn of a Presidential Veto by the ASWOU Senate, the ASWOU President has 24 hours in which to sign the enacted bill.

**8. EXECUTIVE ORDERS:**

- a. Any Executive Order issued by the ASWOU President may be overturned at any time by the ASWOU Senate with a two-thirds vote without the assent of the ASWOU President.
- b. If the ASWOU Senate successfully overturns any Executive Order with the required two-thirds vote, the ASWOU President will have no further recourse and the matter will be considered concluded.
- c. Upon successful overturn of an Executive Order, the Senate President will notify the ASWOU President of the ASWOU Senate's decision, and provide the ASWOU President a written explanation of the ASWOU Senate's decision.

**9. STUDENT CONCERN REPORTS:**

- a. Student Concern Reports serve as a method for students to obtain information regarding a variety of topics, not just within ASWOU, but also the day-to-day operations of WOU.
  - i. Any member of the ASWOU may write a Student Concern Report.
  - ii. All Student Concern Reports as deemed appropriate by the Senate President in consultation with an ASWOU Advisor shall be read before Senate and/or its constituencies. Anonymous Student Concern Reports shall be read at the discretion of the Student Relations Committee.
  - iii. An overview of all responses which will be sent to the individual/group who wrote the Concern Report must be presented and approved with an unofficial vote by the simple majority of the Senate. Any responses sent to students in regards to the Student Concern Report must also be sent to the Senate President.
    - 1. Any Senator, committee, sub-committee, and/or constituency can investigate and subsequently write a response to the individual or group as delegated by the Student Relations Committee Chair.

**10. INCAPACITATION:**

- a. If a dispute arises about an incapacitation of the Senate President, then the following action shall take place:

- i. The Senate and Judicial Board shall convene as separate bodies and vote to determine if the Senate President is incapacitated.
  - 1. The ASWOU President will preside over the Senate as an *ex officio* member during both debate and voting.
- ii. If a two-thirds majority of the Senate, and then a simple majority of the Judicial Board vote in agreement that the Senate President is incapacitated and unable to carry out the Senate President's duties, then the successor will immediately assume the powers and duties of the Senate President.
- iii. If the Senate President is incapacitated, then the Senate Pro Tempore shall assume the office of Senate President, and all powers and duties shall belong to the Senate Pro Tempore upon the administration of the Oath of Office.
  - 1. Should the Senate Pro Tempore choose not to fulfill the duties of the Senate President, then the following shall take place:
    - a. An emergency election of ASWOU to select a new Senate President shall follow.
    - b. The Judicial Board shall set the guidelines for this election, which as closely adhere to the election guidelines in Article VI as possible.
    - c. An emergency election will take place within fifteen working days.

**11. ATTENDANCE:**

- a. A Senator is allowed one unexcused absence per term.
  - i. Any Senator who is more than twenty minutes late shall be considered absent unless it is with the approval of the Senate President. Upon arriving at said meeting, the Senator in question must be announced as having arrived, and at what time they did so, for the record.
  - ii. An absence may be excused if submitted to the Senate President prior to the meeting. The Senate President shall determine whether an absence is excused or unexcused.
  - iii. If a Senator decides to leave early during a Senate meeting, that will count as an absence for that meeting, and it shall be determined by the Senate President if it will be unexcused or excused.
  - iv. A Senator may appeal an unexcused absence by submitting a written request to the Senate at the meeting following the absence. The unexcused absence may be removed from the record by a two-thirds vote of the Senate.
  - v. For any absence, no proxy for a Senator shall be allowed for any reason.

**12. SENATE AWARDS:**

- a. The Senate shall vote for the annual Leadership Recognition Night on the following one-month prior:
  - i. The Senator of the Year Award
  - ii. The Steven Sharp Parliamentary Award

**13. HONORARY RECOGNITION**

- a. Any former ASWOU Senator shall be entitled to the privilege of being recognized during floor debate and offering their opinion on the matters being discussed. These former Senators shall have a seat made available for them at the Senate table during a Senate Session.

**14. QUESTION OF PRIVILEGE**

- i. Questions of privilege shall be, first, those affecting the rights of the Senate collectively, its safety, dignity, and the integrity of its proceedings; and second, those affecting the rights, reputation, and conduct of any guests in attendance of the Senate Session.

**ARTICLE V – JUDICIAL**

**1. MEMBERSHIP OF THE JUDICIAL BOARD:**

- a. The Judicial Board shall be comprised of five Justices in addition to the Judicial Administrator.
  - i. Two Justices shall be appointed by the ASWOU President in accordance with the ASWOU By-Laws Article III, section 2.
  - ii. Three Justices shall be elected at large
    - 1. If, after elections, these three positions are not filled, or become vacant, then members of the ASWOU may apply for these positions and, upon confirmation of a simple majority of the Senate, and fifty signatures from members of the ASWOU, these individuals shall inherit all powers and responsibilities of Judicial Board Justices.
- b. A Vice Chair will be selected from within the Justices of the Judicial Board by meeting three of Fall Term of that academic year. In cases of absence or illness, the Vice Chair will fulfill the duties of the Judicial Administrator as assigned.

**2. MEETINGS OF THE JUDICIAL BOARD:**

- a. The Judicial Board is only required to meet when there are items on their agenda.
- b. The Judicial Board may not act without a quorum of its members present.

**3. DELIBERATION PROCESSES:**

- a. All cases and petitions heard by the Judicial Board, except elections appeals, will be conducted according to the following due process procedures. University holidays and vacations will not be counted as part of any deadline or timeline

outlined below. Violations of any part of these due process procedures will render the decision in the case null and void.

- i. To obtain a hearing before the Judicial Board, a member of the ASWOU will complete the appropriate hearing request form and submit it to the Judicial Administrator.
- ii. The Judicial Administrator must notify the Judicial Board of the request within forty-eight hours of the request's submission.
- iii. A constitutionality challenge, or a challenge to the By-Laws, will not be heard unless two-fifths of the Judicial Board grants a writ of certiorari at the next regularly scheduled Judicial Board meeting.
- iv. If writ of certiorari is granted, the Judicial Administrator will make the writ public immediately, in addition to informing the Executive Cabinet and members of the ASWOU Senate via electronic mail.
- v. Members of the ASWOU will have until twenty-four hours before the scheduled hearing of the constitutionality challenge to submit amicus curiae briefs to the Judicial Administrator.
- vi. All petitioners and respondents, including members of the ASWOU who have submitted amicus curiae briefs to the Judicial Board, will be notified of the Board's decision no later than twenty-four hours after the Board concludes its deliberations. The Judicial Administrator will make written statements and opinions on the final decision available to the public within three days after the Judicial Board concludes its deliberation.

#### **4. GOVERNING DOCUMENTS:**

- a. The Governing Documents of ASWOU shall be formatted by Microsoft Word standard throughout the entirety of the documents and will utilize Times New Roman 12 point font.
  - i. The version utilized will be determined by the Judicial Administrator, and it will be the duty of the Judicial Administrator to edit the format as necessary.

#### **5. INCAPACITATION:**

- a. If a dispute arises about an incapacitation of the Judicial Administrator, then the following action shall take place:
  - i. The Senate and Judicial Board shall convene as separate bodies and vote to determine if the Judicial Administrator is incapacitated.
    1. The ASWOU President will preside over the Judicial Board meeting as an *ex-officio* chair.
    2. If a two-thirds majority of the Senate, and then a simple majority of the Judicial Board vote in agreement that the Judicial Administrator is incapacitated and unable to carry out the duties of

the Judicial Administrator, then the successor will immediately assume the powers and duties of the Judicial Administrator.

- ii. If the Judicial Administrator is incapacitated, then the following shall be the line of succession:
  1. Judicial Board Vice Chair
    - a. The Judicial Board Vice Chair shall become Judicial Administrator, and all powers and duties shall belong to the Judicial Board Vice Chair upon administration of the Oath of Office.
    - b. Should the Judicial Board Vice Chair choose not to fulfill the duties of the Judicial Administrator, then the following shall take place:
      - i. An emergency election of the ASWOU to select a new Judicial Administrator.
      - ii. An emergency election of the ASWOU to select a new Judicial Administrator will occur within fifteen working days of the appointment and shall as closely adhere to the election guidelines in Article VI as possible.
  - iii. The new Judicial Administrator, upon taking the Oath of Office, shall appoint a new Vice Chair within the first three meetings of the Judicial Board.

**6. ATTENDANCE:**

- a. A Justice is allowed one unexcused absence per term
  - i. Any Justice who is more than twenty minutes late shall be considered absent unless it is with the approval of the Judicial Administrator. Upon arriving at said meeting, the Justice in question must be announced as having arrived, and at what time they did so, for the record.
  - ii. An absence may be excused if submitted to the Judicial Administrator prior to the meeting. The Judicial Administrator shall determine whether an absence is excused or unexcused. A Justice may appeal an unexcused absence by submitting a written request to the Judicial Board at the meeting following the absence. The unexcused absence may be removed from the record by a three-fifths vote of the Judicial Board.
  - iii. If a Justice decides to leave early during a Judicial Board meeting, that will count as an absence for that meeting, and it shall be determined by the Judicial Administrator if it will be unexcused or excused.

**ARTICLE VI – ELECTIONS**

**1. PURPOSE AND SCOPE:**

- a. The purpose and scope of these election policies is to allow all students an equal opportunity to present their views and qualifications to the ASWOU during an election period.
- b. These policies shall be in effect for all ASWOU elections authorized by the Judicial Branch.
- c. These policies shall be in effect in all areas recognized as the Western Oregon University (WOU) campus. These policies do not apply to campaigning that occurs off campus, except campaign financing, endorsements/ticketing, and the Elections Code of Conduct regulations.
- d. These policies shall apply to all students of WOU.
- e. All students of WOU shall have an equal opportunity to vote.

**2. DEFINITIONS:**

- a. *Campaign Finances*: Money expended by any candidate or campaign staff for a candidate's election, or money raised by the candidate and their campaign staff on behalf of the candidate. This must be recorded and regularly submitted, as required, to the Elections Committee.
- b. *Campaign Material*: Any material, printed or otherwise, designed to support a campaign.
- c. *Campaign Violation*: Anytime a candidate or a member of a campaign/cause staff is found in violation of policies laid out by the ASWOU By-Laws and/or relevant WOU authorities. The candidate or cause organization is responsible for all violations made by campaign staff.
- d. *Campaign Week*: The week prior to the polls opening in which candidates and campaign organizations seek to gain recognition from the voters.
- e. *Campus List Serve*: A server that manages campus lists of contact information, for groups of users.
- f. *Candidate(s)*: Any ASWOU student who meets the current GPA standard, is enrolled in at least 6 credits (while in office), and who meets the requirements outlined in the ASWOU By-Laws, Constitution, or other Governing Documents. Candidates must also submit the appropriate application and/or documents.
- g. *Candidate Forum*: The Elections Committee will hold at least two forums to allow candidates a fair and equal way to address the voters. All candidates must be given one week prior notice of the forum's scheduled time.
- h. *Cause*: Any ballot initiative, measure, or recall efforts can be described as a cause. No cause may server or further the election a single candidate. Causes are expected to follow elections policies as any other campaign would.
- i. *Cause/Campaign Staff*: All those people who act on a cause or candidate's behalf with the candidate's or cause's knowledge and permission. All staff members are



expected to follow the Elections Code of Conduct. This staff may include non-student members. (Also referred to as a “Campaign Organization”).

- j. *Cause Organization*: A Cause Organization is a campaign and its staff that serves a cause as defined above. Cause Campaigns/Organizations must submit applications as any candidate would, this must include a founding ASWOU student who serves as the primary point of contact. The staff of a cause organization advocates with the same capacity and limitations as a candidate and as a candidate and/or campaign organizations during an election. Cause organizations must abide by the same policies as a campaign organization.
- k. *Computer Lab*: Any area/room with three or more computers which is not regularly scheduled for classroom/teaching purposes.
- l. *Disqualification*: the most severe sanction that the Elections Committee may issue. This removes the candidate’s name from the ballot, and bars the candidate from being elected to office.
- m. *Elections Appeals Committee*: The body of students and advisors who are granted the authority to overturn Elections Committee decisions. This is a joint committee with all three branches of ASWOU having the opportunity for equal representation. This body also acts as a resource for the Elections Committee when necessary.
- n. *Elections Committee*: The body of students and its advisors who oversee and set policies in accordance with the ASWOU By-Laws for ASWOU Elections. This committee is a subunit of the Judicial Branch.
- o. *Elections Secretary*: A person who takes notes at all Elections Committee meetings. These notes will be used if any policies regarding election policies within ASWOU By-Laws need to be changed.
- p. *Endorsement*: To give approval of a cause or candidate via public support, or by public statement.
- q. *General Election*: The annual election called to fill all of the positions created by the ASWOU Constitution, as well as three Incidental Fee Committee members, and to vote on various ballot measures.
- r. *Grievance Hearing*: A meeting to read and discuss violations. The Elections Committee will hear from the person(s) lodging the complaint(s), from the candidate, as well as any other person(s) involved. At this meeting, the Elections Committee will determine whether a violation was committed, and if so, whether a sanction is required..
- s. *In-kind Donation*: Materials or services donated to a campaign. In order to be classified as an in-kind donation, these must be directly applicable to the election of a candidate. The value of the materials or services will be estimated in financial terms. All donations must be recorded by the campaign and will be counted as part of the campaign finances.

- t. *Mandatory Elections Meeting*: A meeting deemed mandatory for all candidates by the Elections Committee. At least one Mandatory Elections Meeting will be held per election in order to distribute the Elections Policies to all candidates that will be appearing on the ballot, as well as take pictures which will be displayed on the ballot for each candidate. Candidates must be given a minimum of 72 hours' notice of all mandatory meetings in order to allow for accommodations. Cause organizations and write-in candidates will be held accountable to the policies and guidelines outlined within these meetings regardless of the start date of their campaign.
- u. *Poster*: Each visible side of a poster (whether on the same sheet of paper/material) shall be counted as one poster.
- v. *Slate*: This refers to a single election choice which fills three or more political offices or seats with a single election choice. These are prohibited in ASWOU elections.
- w. *Special Election*: Any election other than the General Election. This encompasses any "Emergency Election".
- x. *Ticket*: This refers to a single election choice which fills more than one political office or seat. These are prohibited in all ASWOU Elections. Votes cannot be cast on a ticket. (For example: Students will always elect the President and Vice President positions independent of one another in the General Election.)
- y. *Violation Notice*: A notice from the Elections Committee that a violation has occurred, but only requires a hearing if either, no action to correct the violation is taken, the violation(s) is of a serious or continuing nature, or the party receiving the notice requests a hearing.
- z. *Write-in Candidate(s)*: Any candidate who abides by the elections policies laid out, but did not file the required candidacy application. Also refers to someone removed from the ballot by the Elections Committee as a sanction for violation during their campaign, but is still allowed to hold office. A Write-in Candidate who intentionally and seriously violates elections policy is subject to disqualification. A Write-in Candidate must be an ASWOU student who meet the current credit, GPA and position requirements outlined in the appropriate ASWOU By-Laws, Constitution, or other Governing Documents.

### 3. **ELECTION TIMELINE:**

- a. Elections shall take place only during the third or fourth week of April, excluding emergency elections.
- b. Every effort should be made for there to be a full Elections Committee formed and approved by Senate by the beginning of Spring Term.
- c. Every effort should be made for the Elections Appeals Committee to be formed by the beginning of spring term.

### 4. **ELECTIONS COMMITTEE RESPONSIBILITIES**

- a. Once both the Elections Committee and the Elections Appeals Committee have been formed the Elections Committee advisors and branch heads shall provide a mandatory training and orientation to all members. This orientation should outline the scope, limits and nature of these bodies and their members, as well as, the key responsibilities and necessary skills or materials to fully carry out their duties.
- b. The Elections Committee chair shall maintain and improve the transition binder and any training materials for the following year to ensure each Elections Committee is well informed on proper procedure and precedent.
- c. At the end of the current election the Elections Committee will submit a report to the ASWOU branch heads (both current and elect) outlining areas in which the committee feels improvement is needed. This may include but is not limited to: methods of student outreach and communication, different voting methods, changes to timelines, edits to the ASWOU By-Laws (particularly Article VI), and the role of committee members, candidates, or other persons. This report is non-binding and should serve as guide to improving elections in the future.

**5. ENDORSEMENTS:**

- a. Any candidate(s) that are to be appearing on the ballot cannot endorse any other candidate(s) in the ASWOU elections.
  - i. Candidates are allowed to endorse causes.
- b. Any student group, club, or organization, as long as it is not contrary to their own Constitution and/or By-Laws, may choose to endorse or not endorse any candidate(s) or causes in the ASWOU elections.

**6. ELECTIONS CODE OF CONDUCT:**

- a. No candidate, member of a campaign staff, or supporter of a candidate(s) should make any threat(s) of retaliation or reprisal to voters or other participants in an election, or intimidate or impersonate voters.
- b. Candidates and their campaign staff should not use ASWOU funds or resources for the purposes of the election or campaigning except for resources that are available on a basis of equality with all other candidates.
- c. All candidates and their campaign staffs should respect the rights of others, and should take all necessary and reasonable steps to conduct their campaigns in a peaceful environment.
- d. Every candidate should act in good faith and with integrity in matters of speech and conduct.
- e. Candidates, and their campaign staffs, should ensure that their campaign activity does not incite violence, create hatred, or cause tension between different groups or communities. Abusive or inflammatory language shall not be tolerated, and all the necessary steps should be taken in good faith to avoid violent confrontation.
- f. Candidates, and their campaign staff, should not obstruct or break up meetings organized by other parties and candidates, prevent the distribution of handbills

and leaflets, or interfere with other parties' political material, for example, by defacement or over-postering. It is the responsibility of candidates to ensure that their campaign staff does not engage in activities likely to lead to a breach of election policies.

**7. CANDIDATES:**

- a. A candidate is only eligible for one place on the ballot per election.
- b. Candidates must be in good judicial standing with WOU.
- c. A write-in candidate must meet the same requirements.
  - i. The meeting of these requirements will be determined at the conclusion of the election before the candidate is offered any position.
- d. All candidates shall follow the WOU Student Code of Conduct, and the Elections Code of Conduct.
- e. A candidate is any student who meets the definition of a candidate or write-in candidate.

**8. CANDIDATE RESPONSIBILITIES:**

- a. All candidates are required to attend all Mandatory Elections Meetings.
  - i. If the candidate is unable to attend, then it is their responsibility to notify the Elections Committee a minimum of twenty-four hours in advance. If a candidate becomes aware of a medical emergency, a required class expectation, or a matter that does not allow them to notify the Elections Committee a minimum of twenty-four hours in advance, then they must still notify the Elections Committee as soon as possible. The Elections Committee can disqualify a candidate from the race if they feel that the candidate did not sufficiently attempt to notify the Elections Committee.
- b. Candidates must submit a list of campaign staff to the Elections Committee by the Friday before Campaign Week.
  - i. Campaign staff may be altered at any point in time, but all changes must be reported to the Elections Committee within 24 hours of the change.
- c. Uphold all elections policies for themselves and their staff. Any violation(s) that occur by the campaign staff, or themselves, are the responsibility of the candidate.
- d. No candidate, or member of a candidate's staff, is allowed to use ASWOU facilities and/or supplies for the purpose of a candidate's campaign. Non-compliance with this policy will result in a campaign violation for the candidate, and they will be subject to Elections Committee sanctions.
- e. Candidates must check for written notifications of policy changes from the Elections Committee. Email communication will be the official method of notification of any policy change. No candidate will be responsible for adhering to changes in policy until they have received email notification of a policy change.

**9. CAUSE ORGANIZATION RESPONSIBILITIES:**

- a. Any student, or group of students, may form a cause organization to advocate a stance on campus ballot initiatives and/or measures.
  - i. Cause organizations may not be formed by anyone who is not a current Incidental Fee paying student of Western Oregon University.
- b. All cause organizations must adhere to the Election Policies.
- c. All members of a cause organization are considered cause staff, and must be reported.
  - i. Cause organizations must also have a student who acts as the primary point of contact for the organization.

**10. CAMPAIGN FINANCING:**

- a. All candidates, campaign organizations, and cause organizations will be required to keep track of all funds utilized towards their election efforts. They are to be:
  - i. Reported weekly no later than 4pm on the Wednesday and Friday of Campaign Week, and the Wednesday and Friday of the following Voting Week.
  - ii. Reported only on forms approved by the Elections Committee.
- b. Total expenditures of any campaign advocating the election of a candidate or cause shall not exceed a total of \$600 for any candidate, ballot measure(s), and initiative(s).
  - i. The \$600 will be comprised of \$400 as cash, and \$200 as in-kind donations.
- c. No candidate may take office until the above paperwork is submitted and reviewed by the Elections Committee.

**11. CANDIDATES FORUM:**

- a. The Candidates Forum will consist of the following elements:
  - i. One moderator.
  - ii. One two-minute introductory speech by each candidate.
  - iii. Question and answer period for each candidate for a period of time set by the moderator.
  - iv. One one-minute closing statement for each candidate.
- b. The moderator will determine the order of speakers.
- c. The Elections Committee will appoint someone to act as moderator.
- d. Specific times and places for the forum will be determined by the Elections Committee.
- e. The Elections Committee shall determine times and places of each forum, and notify the candidates, a minimum of one week prior..
  - i. Forums shall be advertised in accordance with university posting policies, and to allow for accommodations to be possible.

- f. Write-in Candidates may participate in the Candidates Forum. Write-in Candidates must inform the Elections Committee that they wish to participate at least twenty four hours in advance of the candidate forums.
- g. Candidates may make additional speeches outside of the forums at their own discretion, but still must adhere to all campus regulations and election policies.

**12. CAMPAIGN MATERIALS:**

- a. Campaign materials, as defined above, shall not deface college property or disrupt the educational environment of the University, and must adhere to the following provisions:
  - i. A sample of all campaign materials to be distributed or displayed in any manner must be submitted and reviewed by the Elections Committee Chair prior to use or before being made public.
    - 1. All materials that were approved by the Elections Committee Chair are exempt from having their approval questioned, as long as it adheres with all elections policies outlined in the ASWOU By-Laws and the posting/advertisement guidelines set by the Office of the Vice President of Student Affairs (VPSA).
  - ii. All campaign materials, including lawn signs, posted on WOU bulletin boards and other specific WOU posting areas, including the Residence Halls, must be stamped by the VPSA Office prior to posting.
  - iii. Campaigning is prohibited in the Residence Halls, Valsetz Dining Hall, and their entry ways for the ASWOU Election.
    - 1. Verbal door-to-door campaigning in the residential halls is not permitted.
  - iv. It is the responsibility of the candidate and/or staff to remove all campaign materials from all campus locations, excluding private dormitories and campus offices, within five hours of the polls closing.
  - v. With the exception of the Elections Committee's voter's pamphlets and other Elections Committee information, no campaigning which is visible or audible by other voters or workers at the polls will be allowed.
    - 1. Voters who feel harassed by any such campaigns are urged to file a complaint against the candidate.
    - 2. Such a complaint may be considered a violation(s) of election policy and may be valid information at any election hearing regarding election policy violations of a candidate.
  - vi. Campaign materials may only be posted within designated areas or distances set by the Elections Committee.
    - 1. Campaign materials may not be posted within one hundred feet of a polling station, or within twenty feet of any campus computer

- lab. Measurements of violation will be determined by the Elections Committee.
- 2. Designated areas may not be in violation of the posting guidelines set by the VPSA Office.
- vii. Lawn sign posting guidelines:
  - 1. Avoid spiking lawn signs into the roots of trees, bushes, and plants other than the grass.
  - 2. Lawn signs may be posted between the sidewalk and the street on both sides of Monmouth Ave. between the north side of the intersection of Church St./Monmouth Ave. and the south side of the intersection of Jackson St./Monmouth Ave.
  - 3. No lawn signs may be placed on the Heritage Hall lawn.
  - 4. No lawn signs may be placed between Werner University Center (WUC) and the Heritage Hall driveway.
  - 5. Lawn signs may not be larger than posting guidelines set forth by the VPSA Office.
  - 6. Use stakes no wider than  $\frac{3}{4}$ " by 1  $\frac{1}{2}$ ". Lathe is preferable.
  - 7. Any area on campus not covered in these policies shall be decided upon by the Elections Committee during an election.
- viii. Posting of campaign materials on campus is allowed between midnight seven days prior to the opening of the polls until five hours following the closure of the polls for any given election.
- ix. Candidates, if invited by a student club or organization, may address the club membership, but are not required to.
- x. Campaign signs must be removed by 5pm on Sunday nights so the Physical Plant may mow campus grounds. Signs may be put back up after 12:30 pm on Monday afternoons.
- xi. No campaign may have more than a maximum of twenty lawn signs posted around campus, with no more than thirty posters total per campaign. Posters must be approved by the VPSA Office and the Elections Committee prior to being posted around designated areas.

### **13. POLLING AREAS:**

- a. Polling areas shall be established for each election by the Elections Committee at least one week prior to the beginning of Campaign Week.
- b. The polls must be staffed continuously by at least one trained poll worker who is not involved on any campaign staff/cause staff
  - i. When possible, one member of the Elections Committee shall be present to ensure proper procedures are carried out.
  - ii. Poll workers will be asked if they are on a campaign staff, and this will be verified to ensure that all poll workers are valid.

- iii. Poll workers representing an on campus organization are eligible to be paid \$5/person per hour in which a member is staffing a polling area.
  - 1. Volunteers must be approved by the Elections Committee, and the times in which the members will be staffing the polls must be scheduled.
  - 2. Funds will be JV'd from ASW 942 to the organization's on campus state account.
  - 3. This fundraising opportunity is granted solely at the discretion of the Elections Committee. It is the Elections Committee Chair's responsibility to work with the Director of Business and Finance to monitor funds and payments.
- c. If poll workers are found to taint an election, they shall have all monies earned by the organization for staffing polling areas revoked and face possible judicial sanctions.
- d. Voters may not influence one another in any way while at the polls, nor shall groups of non-voting students, staff, faculty, or community members gather around the polls.
- e. Failure to meet these standards shall result in the immediate closure of the polls until such time as the Elections Committee deems it proper to reopen them.

**14. VOTING:**

- a. Only members of the ASWOU shall be allowed to vote in an election, and shall only be allowed one vote per election.
- b. Electronic voting:
  - i. The electronic vote of a student will not be secret since the Elections Committee will check the path of the vote to ensure against double voting.
  - ii. Votes will be nullified in an electronic election if multiple electronic votes from the same person have been cast, or if votes with inaccurate "V numbers" or other student identification are utilized. The Elections Committee has the final determination as to whether an electronic vote is valid or not.
  - iii. If a candidate, a member of their campaign organization, or a member of a cause organization votes multiple times, the candidate or cause organization will be reviewed for a campaign violation.
  - iv. With computers acting as voting booths, candidates are prohibited from sending flash or "pop-up" messages to all students, all student emails, use of campus list serves not connected with the campaign, or instant messaging groups of students anonymously.
    - 1. Cause/Campaign organizations and candidates may not send email regarding the election or campaigning to individual or groups of students unless it is to:



- a. Members of their campaign staff/organization
  - b. The Elections Committee
  - c. The Election Appeals Committee
  - d. The Judicial Administrator
- 2. These emails should be for the purpose of coordinating their campaign or resolving grievances.
- c. Paper Ballot Elections (if used):
  - i. Only members of the ASWOU shall be allowed to vote, and they shall be given only one ballot.
  - ii. A trained poll worker shall distribute a validated ballot after receiving the student ID number from the student, and crossing the student's name off the student roster list. If a student's name is not found on the student roster, a current proof of enrollment as obtained on the student's WolfWeb will be required to allow that student to vote. This process verifies voter eligibility.
  - iii. The ballots shall be kept for no less than three weeks after the results have been announced.
  - iv. The voter is required to place the ballot in the ballot box.

**15. WITHDRAWAL:**

- a. A candidate who wishes to withdraw their name from the ballot must submit a request in writing to the Elections Committee, and they must either meet with the Elections Committee to verify the withdrawal in person, or by contacting the Elections Committee Chair by phone.

**16. RESULTS:**

- a. The ballots shall be counted in a closed session immediately after the closing of the polls. The closed session will take place in a neutral meeting place, and the doors will remain closed until the votes are validated. Only the Elections Committee and the Elections Committee Advisors, are to witness the counting.
- b. A tally of votes for each candidate will be recorded during counting. After the tallies have been completed, all those committee members present and an ASWOU Advisor who witnessed the tally shall sign the tally sheet.
  - i. The official ASWOU Election results sheet shall be posted upon the completion of the official tally sheet, with the signatures of the ballot counters and observing ASWOU Advisor on the bottom of the sheet for verification.
    - 1. Results may be withheld if the Elections Committee determines that any candidate has not complied with the removing of campaign materials.
- c. Elections which result in a tie:

- i. In the event of a tie for an election, the Elections Committee will meet in a special session to set a date for a run-off election. The run-off election will take place within two weeks of the general election.
    - 1. This election will be deemed a special election.
- d. If the election results have write-in candidates winning a position, the following steps should take place:
  - i. The current Judicial Administrator shall verify all write-in winners are eligible to hold an elected position.
  - ii. The Judicial Administrator shall then offer positions in descending order of votes received. If a candidate refuses the position (before the time of the ASWOU inauguration), the person receiving the next largest number of votes will be offered the position. Candidates must receive at least two votes to be eligible.
  - iii. If there are a greater number of write-in candidates with an exactly equal number of votes than there are positions, the Elections Committee shall hold a run-off election no later than two weeks after the general election with no write-in fields provided on it. The highest votes shall determine the winner.
- e. Any member of the student body may request a recount of the ballots by presenting a written statement signed by at least one member of the Student Senate to the Elections Committee within two business days of the announcement of the results. The Elections Committee will determine, within twenty-four hours, by majority vote, if the recount is warranted.
- f. The candidate receiving the most valid votes for an office shall be declared the winner. For offices with more than one position, candidates will be awarded seats in descending order of votes received until all positions are filled. In the case of the winning candidate (write-in or official) declining or being unable to fulfill the duties of the position, then the person receiving the second highest number of votes becomes the winner.
  - i. This process will continue until the position is filled, or eligible candidates are exhausted.

**17. ELECTION HEARING POLICIES:**

- a. A hearing shall not be initiated until a written grievance has been submitted to the Elections Committee Chair via email.
- b. Candidates shall be notified twenty-four hours in advance, by the Elections Committee, of any grievance(s) or violation(s) lodged against the candidate that the Elections Committee intends to pursue. This is to allow the candidate to prepare a defense.
- c. After reading and discussing the alleged violation(s), the Elections Committee will hear from the person(s) lodging the complaint(s), and from the

candidate(s)/causes or witnesses if they may be necessary. At this time, they can determine whether a violation has occurred and, if a sanction is necessary for the violation.

- d. A candidate found to be in violation of the elections policies, as determined by a grievance hearing, may be subject to, but not limited to, the following sanctions by the Elections Committee:
  - i. Disqualification from the election and all votes for said candidate are voided.
    - 1. This sanction may not be applied to cause organizations.
  - ii. Name removed from the ballot, but the candidate is allowed to run as a write-in candidate.
    - 1. This sanction may not be applied to cause organizations.
  - iii. Limit the number, size, scope, location, timing or other aspects of candidate/cause publicity for the duration of the election campaign.
  - iv. Limit or revoke the candidate's/cause's participation in any public events including, but not limited to: tables, use of public space on campus, candidate forums, debates, or other events.
  - v. Disbanding of the cause organization/campaign staff.
  - vi. Any other conditions the Elections Committee deems appropriate and reasonable for the situation.
- e. Candidates and/or representatives will be notified via phone, as well as via official email of the Elections Committee decision.
- f. An affirmative decision within a hearing requires a two-thirds vote of the Elections Committee.
- g. If a successful candidate is disqualified, the candidate receiving the next highest number of valid votes will be declared the winner.
- h. Persons wishing to lodge a complaint against a candidate or an Elections Committee ruling must do so to the Judicial Administrator within one week after the polls close.
  - i. The circumstances and the reasoning for believing a violation was committed must be fully explained in writing.
- i. When applying sanctions, the Elections Committee shall follow a strike system, and shall recognize three classifications of violation severity. These shall be as follows:
  - i. *Severity A*: Most severe violation possible. With this violation, a candidate may be removed from the ASWOU Election without any other strikes, with the possibility for disqualification (i.e. violations of the Election Code of Conduct).
  - ii. *Severity B*: Mid-level violation. With this violation, the Elections Committee can apply the sanctions they deem appropriate, with the

exception of removal from the ballot unless a candidate is charged with three or more of these violations; then they should be considered for removal of their name from the ballot (i.e. a major poster violation).

- iii. *Severity C*: A low level violation. These refer to minor violations or low level technical violations (i.e. stakes being too thick). If a candidate receives seven of these violations, then it shall be assumed that there is a deliberate disregard for Election Policies, and harsher sanctions such as removal from the ballot or disqualification shall be considered.
  - 1. These violations may be determined by the Elections Committee Chair without the committee. The candidate may request to have violations heard by the Committee. An appeal of the Chair's decision will be treated as any other appeal made of the Committee's decision.
  - 2. After the third Severity C violation all subsequent violations will require the candidate to be brought before the Election Committee as such a continuation represents a disregard for the election policies.
- j. The Elections Committee may take into account all previous violations within the current academic year when determining sanctions for subsequent violations.

#### **18. ELECTION COMMITTEE APPEALS:**

- a. If a complaint is filed against the Elections Committee pertaining to elections policies, or if a candidate wishes to appeal an Elections Committee decision on the basis of inaccurate interpretation of election guidelines or bias, then the Elections Appeals Committee will meet.
- b. Only grievances filed by candidates or causes are eligible to be appealed to the Appeals Committee.
- c. The Board will be composed of an ASWOU Advisor who shall serve as an impartial chair to the meeting. Other Board members will include two representatives from each of the branches of government (Executive, Legislative, and Judicial).
  - i. If an ASWOU branch cannot fulfill all of their appointments to sit on the Appeals Committee, due to lack of membership or conflicts of interest (i.e. members running in the election), then that branch forfeits the vacant seat(s) of representation on the Appeals Committee.
  - ii. The Justice that sits on the Elections Committee cannot sit on the Appeals Committee.
- d. The Appeals Committee must meet within forty-eight hours, or when quorum is met after receiving the written notification of appeal from a candidate.
  - i. Quorum shall be defined as simple majority.

- e. The written notification should include the reason for the appeal, the provisions of the election guidelines that are in question and/or any statements of bias against members of the Elections Committee.
- f. The Appeals Committee will review evidence including notes, minutes, tapes, and copies of information from the Elections Committee decision. The Board will also have the option of interviewing witnesses, and question any candidate(s) or individual(s) related to the appeal.
- g. A two-thirds vote is necessary for the Appeals Committee to overturn an Elections Committee decision.
- h. The Appeals Committee decision shall be final, and they must make their decision public via phone and other immediate method(s) of communication, as well as by an official email to the person(s) filing the grievance(s).
- i. If it is a concern of the complainant that the Appeals Committee will be biased toward the grievance, then the concern may be brought before the Judicial Board.
  - i. The decision of the Judicial Board shall be final.
  - ii. The Justice who sits on the Elections Committee will not have voting rights during a grievance hearing of this nature.

**19. ELECTIONS COMMITTEE RESPONSIBILITIES:**

- a. Members of the Elections Committee are not allowed to run for any office in the ASWOU Election.
- b. The Elections Committee shall endeavor to inform the candidates of any changes of procedure, electoral status, or general election information by email within twenty-four hours of the change.
  - i. The official email address of the Elections Committee shall be [aswouelections@wou.edu](mailto:aswouelections@wou.edu).
- c. The Elections Committee shall produce a map of WOU's campus showing where it is appropriate to post posters and where candidates cannot campaign. This shall be given to all candidates.
- d. Elections Violations
  - i. Any candidate running for an elected position, or a cause organization supporting a ballot measure, has the right to file an election grievance with the Elections Committee. Grievances cover potential violations to these election guidelines and the ASWOU Constitution and By-Laws. A grievance being filed will result in a grievance hearing of the Elections Committee by the Appeals Committee or the Judicial Board, depending on the body to which it was submitted.
  - ii. Any ASWOU student may file a "Notice of Possible Elections Violation".
    - 1. This notice must be submitted to the official Elections email.

- iii. This alleged violation must be reviewed by the Elections Committee Chair within twenty-four hours in order to determine whether a grievance hearing is necessary.
  - 1. Grievance hearings, when necessary, must be held within 48 hours of the grievance being filed.
  - 2. The Elections Committee will issue a violation notice to any candidate or cause that violates any elections policy via email.
    - a. In the case of a cause organization, the notice of the violation will be issued to the primary point of contact on the cause organization application.
  - 3. Anonymous concerns and complaints do not warrant deliberation as the ASWOU Constitution guarantees students the right to face their accuser.
- iv. Any member of the Elections Committee may file a grievance against a candidate or cause on the ASWOU ballot. A grievance will result in a grievance hearing of the Elections Committee.
- e. It is the responsibility of the Elections Committee to follow Oregon Public Meeting Laws. All meetings shall be open to the public and shall not be closed, with the exception of deliberations for a hearing, but minutes shall still be taken.
  - i. In the case of tallying votes, to protect student privacy and anonymity, it is not necessary to record or maintain minutes of the counting and verification of votes. However, the final tally and any discussion of it will be on the record. Should no discussion be required the official and signed voter tally sheet shall serve as an official record.
- f. The Elections Committee shall practice good decorum and be impartial while hearing cases.
- g. The Elections Committee shall ensure that all students of WOU have an equal opportunity to vote.
- h. The purview of the Elections Committee shall be to enforce the policies that are in place. The Elections Committee does have the authority to set the guidelines for an election as long as it does not contradict any powers/rights specifically granted by the ASWOU Constitution and By-Laws, applicable campus policy, or superseding laws.

**20. MEMBERS OF THE ELECTIONS COMMITTEE:**

- a. The Elections Committee, which is a Subcommittee of the Judicial Board, shall be in charge of running the ASWOU elections.
- b. The Elections Committee will be composed of six members, who shall include an on campus student appointed by the RHA President, a member of the Judicial Branch as decided by the Judicial Administrator, and the remaining four members

will be co-appointed by the ASWOU President, Senate President, and the Judicial Administrator.

- i. All appointments, with the exception of the RHA appointment, shall be subject to Senate approval.
- c. Any of the four members appointed by the ASWOU Branch Heads may have their appointment to the Elections Committee rescinded if two Branch Heads deem it necessary.

**21. SUPERVISION OF THE ELECTIONS COMMITTEE:**

- a. All three ASWOU Branch Heads and the ASWOU Advisor(s) will serve as advisors to the Elections Committee unless they are running as a candidate, are part of a cause or campaign organization, or are serving on the Elections Committee.
- b. The ASWOU Senate Parliamentarian may appoint one member from the Senate Rules committee to be an observer of the Elections Committee.
- c. All of the advisors may remain in attendance during closed deliberations.

**ARTICLE VII – ASWOU REPRESENTATIVE ASSEMBLY**

1. The ASWOU Representative Assembly (ARA) is the collective term for the Council of Representatives (CoR), the Student Equity Board (SEB), and the Student Multicultural Board (SMB).
  - a. The ARA is charged with finding reasonable and effective outlets for students' voices on and off campus at such institutions such as the WOU Board of Trustees, Local Government, and State Government.
  - b. The ARA should further strive to create educational opportunities such as conferences and workshops for students on campus. If possible, these events should involve groups on and off campus.
  - c. Any legislation submitted to the ASWOU Senate for sponsorship by the ARA that is not sponsored or passed by the Senate is considered rejected, and the change it reflects will be null and void.
2. Quorum for the boards of the ARA shall be defined as 50 percent plus one of the appointed representatives from the list of board members outlined in ASWOU By-Laws Article VII section 3.a, 4.b, and 5.b.
  - a. Identified members that have not appointed a representative to their appropriate board chair or the ASWOU Vice President shall not be counted against quorum.

- i. The ASWOU Vice President shall keep an updated list of all appointed representatives of the ARA.
  - b. If quorum is not met within a given board, an unofficial meeting should still be conducted to ensure that projects continue to move forward.
- 3. **THE COUNCIL OF REPRESENTATIVES (CoR)**
  - a. The CoR shall consist of the ASWOU President, the ASWOU Senate President, the ASWOU Judicial Administrator, the ASWOU Director of State and Federal Affairs, all Senators with elected positions within the ASWOU Senate, a representative of the RHA, along with the Chairs and the Vice Chairs of all sub-boards.
    - i. If the Chair or Vice Chair is unable to attend a meeting they are allowed a proxy, with a 24 hour notice to the Chair of the CoR
    - ii. Changes to membership may be made by a positive two-thirds majority vote of the members. Any challenges to such a vote must be made in writing to the Chair of the CoR
      - 1. If a change of membership occurs, a piece of legislation that reflects the change must be submitted to the ASWOU Senate for sponsorship within two weeks of the change.
      - 2. Changes in membership of the CoR will take immediate effect while awaiting Senate approval.
  - b. The CoR may add to, remove, or alter its existing mission as deemed fit by its current members.
    - i. Such changes require a positive two-thirds majority vote of the members, and the submission of legislation to the ASWOU Senate for sponsorship within two weeks of the change.
    - ii. Changes to the mission may not contradict the mission of the ARA as a whole or the ASWOU Constitution and By-Laws.
    - iii. The 2017-2018 CoR mission statement reads: “Through this work, and by supporting the Student Equity Board and the Student Multicultural Board, the needs and wants of the students of Western Oregon University shall be the driving force of the Council of Representatives. The CoR will strive for the advocacy and engagement of the entirety of our student body through transparent action and clear communication to students, faculty, administration, state legislators, and any other body which represents the students of Western Oregon University”.
- 4. **STUDENT EQUITY BOARD (SEB)**
  - a. The SEB may add to, remove, or alter its existing mission as deemed fit by its members.
    - i. Such changes require a positive two-thirds majority vote of its current members



- ii. Changes to the mission may not contradict the mission of the ARA as a whole or the ASWOU Constitution and By-Laws.
  - iii. If a change in the mission occurs, there must be legislation submitted to the ASWOU Senate for sponsorship to reflect this change within two weeks.
    - 1. Such changes will follow the three week timeline of bill adoption as stipulated in Article IV of the ASWOU By-Laws.
  - iv. Challenges to any change in mission may be brought before the CoR by any member of the ARA.
    - 1. These challenges must be made in writing to the Chair of the CoR.
    - 2. These challenges may be made anonymously at the request of the person raising the objection.
  - v. The 2015-2016 SEB mission statement reads: “The Student Equity Board strives for the inclusion of underrepresented groups within Western Oregon University’s community. The Board seeks to empower and destigmatize these groups through awareness, education, and community involvement”.
- b. Membership for the SEB shall be made up of, and focus on non-cultural groups based on campus. The SEB shall consist of a student representative from the following:
- i. Stone wall Center (as appointed by Student Engagement)
  - ii. Non-tradition Students (as appointed by Student Engagement)
  - iii. Veterans Representative (as appointed by the Veterans Coordinator)
  - iv. Triangle Alliance
  - v. Student Enrichment Program
  - vi. Office of Disability Services
  - vii. Abby’s House (or its affiliate club S.P.E.A.K.)
  - viii. WOU Food Pantry
  - ix. ASWOU Judicial Board (as appointed by the Judicial Administrator)
  - x. Three ASWOU Senators (as appointed by the ASWOU Senate President)
  - xi. Changes to membership may be made by a positive two-thirds majority vote of the members. Any challenges to such a vote must be made in writing to the Chair of the CoR.
    - 1. If a change of membership occurs, a piece of legislation that reflects the change must be submitted to the ASWOU Senate for sponsorship within two weeks of the change.
    - 2. Changes in membership of the SEB will take immediate effect while awaiting Senate approval

## 5. STUDENT MULTICULTURAL BOARD (SMB)

- a. The SMB may add, remove, or alter its existing mission as deemed fit by its members. Such changes require a positive two-thirds majority vote of the members.
  - i. Changes to the mission may not contradict with the mission of the ARA as a whole or the ASWOU Constitution or By-Laws.
  - ii. If a change in the mission occurs, a piece of legislation that reflects the change must be submitted to the ASWOU Senate for sponsorship within two weeks of the change.
    1. Such changes will follow the three week timeline of a bill as stipulated in Article IV of the ASWOU By-Laws.
  - iii. Challenges to any change in mission may be brought before the CoR by any member of the ARA.
    1. These challenges must be made in writing to the Chair of the CoR.
    2. These challenges may be made anonymously at the request of the person raising the objection.
  - iv. The 2017-2018 SMB mission statement reads: “The Student Multicultural Board shall seek to bridge the cultural gaps on campus, and in our community, through the constant teaching and learning of cultural values by unifying our organizations through working together in order to reach our collective goals.”
- b. Membership of the SMB shall be made up of, and focus on culturally based groups present on campus. The SMB shall consist of the a student representative from the following
  - i. Multicultural Student Union
  - ii. M.E.Ch.A de WOU
  - iii. Black Student Union
  - iv. International Club
  - v. Unidos Club
  - vi. ASWOU Judicial Board (as appointed by the Judicial Administrator)
  - vii. Three ASWOU Senators (as appointed by the ASWOU Senate President)
  - viii. Changes to membership may be made by a positive two-thirds majority vote of the members. Any challenges to such a vote must be made in writing to the Chair of the CoR.
    1. If a change of membership occurs, a piece of legislation that reflects the change must be submitted to the ASWOU Senate for sponsorship within two weeks of the change.
    2. Changes in membership of the SEB will take immediate effect while awaiting Senate approval

## **ARTICLE VIII – AMENDMENTS TO THE BY-LAWS**

1. Changes to the By-Laws may only be made through formal legislation brought before the ASWOU Senate.
  - a. These legislative changes will be subject to the bill adoption timeline outlined in Article IV section 6 of the ASWOU By-Laws.
  - b. All legislation intending to amend the By-Laws shall be presented to the ASWOU Judicial Board for review and input following its initial presentation to the ASWOU Senate body.
    - i. If the Senate body refers the legislation back to the Rules Committee for editing, the Judicial Board shall receive a presentation as mentioned above following the bill's second week before the Senate body.
2. All changes require a simple majority vote of the Senate body, unless otherwise stated in the respective legislation.



## **The Statute for ASWOU Chartered Organizations**

Edition: May 31, 2017

### **Preamble:**

We, the Associated Students of Western Oregon University (ASWOU), in order to form a clearly outlined understanding between the ASWOU Government and its chartered organizations, do establish these standing rules, and do authorize the ASWOU Government to enforce and uphold the policies therein.

### **Article I – Organization Recognition Process**

1. In order for an organization to be established as a chartered (officially recognized) organization under ASWOU, it must complete the chartering process outlined below.
  - a. Submit a charter and constitution for review by the eighth week of spring term, via the procedure established by the ASWOU Director of Student Organizations.
    - i. These documents are subject to approval by the Director of Student Organizations, the Judicial Administrator, and an ASWOU Advisor in concurrence with current internal policy and procedure.
    - ii. These documents must be approved by the organization's President and Advisor in order to be approved by ASWOU.
    - iii. In order to re-charter, elections for club leadership for the following academic year must be complete.
    - iv. Newly forming organizations may submit a charter at any point in time.
    - v. No club may conduct any organized meetings, or activities until the club charter has been fully approved.
      1. Petitions to meet for the purpose of discussing the charter and constitution may be made to the Judicial Administrator to be granted on a case by case basis.

- vi. Chartered Organizations must have at least five active members (Incidental Fee paying students of Western Oregon University) to be eligible for approval.
- b. All organizations must self-identify under one of the following three organizational tiers during the chartering process.
  - i. Funded Organization
    1. Any organization that receives funding from the IFC (Incidental Fee Committee) via ASWOU.
    2. Membership within these organizations must be open to all students.
    3. Must submit a Budget Planning Form with their constitution and charter.
    4. This tier takes precedence over affiliation.
  - ii. Non-funded Organization
    1. Any organization that does not receive funding from IFC via ASWOU.
    2. Is not affiliated with any campus departments or outside organizations.
  - iii. Affiliated Organization
    1. Any organization that does not receive funding from IFC via ASWOU.
    2. Utilizes/receives resources from and/or follows a directive given by a campus department or outside organization.
      - a. Resources as mentioned above include, but are not limited to: use of rooms or building facilities, use of curriculum, use of a logo or name, receipt of monetary funding, receipt of leadership via staff.

## **Article II – Constitutional Requirements**

1. All Chartered Organization constitutions must contain the following:
  - a. The purpose of the organization.
  - b. How to gain membership within the organization.
  - c. The titles, duties and powers of the officers within the organization.
  - d. The requirements to be eligible to run for office within the organization.
  - e. The selection and removal process for officers within the organization.
  - f. The length of the term of office for the officers within the organization.
  - g. Whether the organization collects dues.
    - i. If so, how much is paid to dues, where dues are deposited, and what dues are used for.

- h. How often the organization will hold meetings.
- i. The process by which the constitution of the organization may be amended.
- j. The process by which the organization would dissolve.
- k. How debts, should any exist, will be recovered upon dissolution.

### **Article III – Responsibilities of Chartered Organizations**

1. Clubs are responsible for completing all trainings mandated by the Director of Student Organizations and the Director of Business and Finance.
2. All general club meetings shall be open to all students unless otherwise stipulated in the organization's constitution.
  - a. Funded organizations must be all inclusive at all times, and may have no limitations on membership.
3. Organizations shall make their meeting times and locations available to the public, as well as report them to the Director of Student Organizations by the second week of each term of the academic year in order for a complete list of club offerings to be compiled.
4. Club mailboxes should be checked regularly in order to maintain communication between Chartered Organizations and the WOU Campus.
5. Emails regarding club standing, infractions, and mandatory directives will solely be sent to the primary and secondary contacts listed on the charter.
  - a. Exceptions to this rule must be negotiated with the Director of Student Organizations.
6. WOU and ASWOU policy infractions, or suspected policy infraction, is expected to be reported to the ASWOU Judicial Administrator promptly.
  - a. This report shall be informal unless submitted in writing.
  - b. Any verbal reports will be considered informal and will be treated as an inquiry by the ASWOU Judicial Administrator.
  - c. The ASWOU Judicial Administrator and the Dean of Students reserve the right to determine whether an infraction is eligible to be heard by the ASWOU Judicial Board or the WOU Conduct Board.

### **Article IV – Process to Become a Funded Organization**

1. An organization must be chartered for six consecutive terms, not including summer terms, in order to be eligible to request funding from the IFC via ASWOU.
  - a. Any Funded Organization which fails to renew their charter by the eighth week of Spring Term (dissolves) automatically forfeits their funding, and must re-charter for six consecutive terms in order to be considered as eligible for funding again.

- b. Any club may petition for an extension to this timeline. In the event of such an extension, the petition will go before the Judicial Board with a written recommendation made by the Director of Student Organizations.
2. Each Student Organization reserves the right to be present for their IFC budget request and/or budget enhancement request presentation for the purpose of answering questions and/or providing clarity to the IFC.
  - a. The ASWOU Director of Business and Finance will notify all organizations which have submitted a budget and/or enhancement request of the time and location of the presentation of the ASWOU budget to the IFC.
3. Student Organizations which fail to submit a budget in a reasonable and timely manner, as determined by the ASWOU Director of Business and Finance, grant ASWOU permission to request no more than their base budget amount, with no enhancement requests, and no amount less than 90% of their base budget.
  - a. The ASWOU Director of Business and Finance will notify all organizations the date on which all budget and enhancement requests are due with no less than two weeks' notice.
  - b. Any Student Organization which fails to submit a budget to the ASWOU Director of Business and Finance for two or more consecutive years may receive cuts to their base budget amount not to exceed more than 50%, and no enhancement requests will be honored. Such Student Organizations may also be sent before the Judicial Board for further sanctions at the discretion of the ASWOU Director of Business and Finance.
4. Each club budget and enhancement request will be presented and considered along with the internal budgets by the ASWOU IFC Advisory Board, per the current IFC regulations.
  - a. Clubs that have enhancement requests must meet with the Director of Business and Finance to discuss their enhancement.
    - i. Clubs and organizations that do not meet with the Director of Business and Finance will have their enhancement request presented to the ASWOU IFC Advisory Board with a notification from the Director of Business and Finance that the request should not be approved due to lack of compliance.
  - b. The ASWOU IFC Advisory Board has the ability to propose changes to base budgets, not to exceed a 10% deduction, as well as to deny enhancement requests due to: not following WOU spending policies and/or IFC guidelines, lack of information, or the improper/irresponsible use of student fee dollars.
  - c. Each Student Organization reserves the right to be present for their IFC budget request and/or budget enhancement request presentation for the purpose of answering questions and/or providing clarity to the ASWOU IFC Advisory Board.

5. The ASWOU President can make changes to Student Organizations' enhancement requests and base budgets based on recommendations from the ASWOU IFC Advisory Board.
  - a. Student Organizations will be given the chance to make any recommended budgetary or enhancement changes, or raise objections prior to changes being made by the ASWOU President.
  - b. Cuts to the Student Organization shall not exceed 10% of the base budget amount.
  - c. If a club's budget from the previous year contains more than 5% of its base budget, then the club president and club advisor shall meet with the ASWOU Director of Business and Finance and the ASWOU President prior to budget submission to justify why requested funds were not spent.
    - i. If the previous year's budget contains more than 5% of the base budget for two years in a row, the ASWOU President has the power to cut the average amount that was not spent for the last two years from the club's budget.
      1. If the club's base budget gets cut due to lack of spending, they are ineligible to submit any enhancement requests to the ASWOU Director of Business and Finance that year.
    - ii. If a club does not spend 10% or greater of its base budget from the previous year, the club must go before the Judicial Board to justify why that money was not spent.
      1. As a sanction, the Judicial Board has the power to cut the budget at any percentage.
6. Article IV of the Statute for ASWOU Chartered Organizations shall be reviewed by members of the Senate Rules Committee, the Senate Budget Committee, the ASWOU Director of Business and Finance, and the ASWOU President at the conclusion of any Incidental Fee Steering Committee to ensure compliance with current updated policies.
  - a. Any changes made to this document in order to ensure congruency with the new IFC policies remain subject to the approval process outlined in Article IX.

#### **Article V – Spending Procedures**

1. All Chartered Organizations are required to follow the WOU Business Office Purchasing Policy and any other applicable guidelines set by the Business Office.
2. No ASWOU Chartered Organization is permitted to have private bank accounts off of the campus of Western Oregon University.
  - a. Accounts which are handled by a parent or affiliate organization, are not directly accessible by individual students within the organization, and are directly utilized to fund the organization on the WOU Campus are allowable, but these accounts must be disclosed to the ASWOU Director of Business and Finance and the



ASWOU Judicial Administrator. Furthermore, these organizations are not eligible to receive IFC funds through ASWOU and must maintain affiliate tier status.

- b. Any Chartered Organization which does not close private off campus bank accounts will automatically have their charter revoked, and face judicial sanction.
3. No funds deposited within a state account may be used for donations/gifts/prizes or the purchase of lottery tickets, weapons, or anything not intended to be immediately consumed or kept on the WOU campus.
4. All revenue from an event/fundraiser in which any amount of state funds has been utilized, including IFC funds, must be deposited within a state account according to the WOU Cash Handling Policy.
5. In order to follow proper spending procedure, all documentation initiating the spending of funds shall be completed and turned in to the Director of Business and Finance a minimum of two weeks before the expenditure is slated to occur.
  - a. All travel documentation and contracts must be completed and turned in a minimum of four weeks before the expenditure is slated to occur.
  - b. Any documentation turned in later than the minimum time stated above runs the risk of not being approved.
  - c. All expenditures must be approved before making transactions. Failure to do so will result in ineligibility for reimbursement, and possible additional Judicial Board sanctions.
6. No member of the Executive Branch is granted the authority to deny or change a Chartered Organization's request for expenditure unless it violates Federal Law, State Laws and Regulations, ASWOU Policy, or Western Oregon University Policy in regards to the use of state funds, or if the exact requested expenditure, not pre-planned budget, would result in the account having a negative balance. If the expenditure request violates mentioned law or policy, or would result in a negative balance, the Executive Branch member in charge of approving the request will give the Chartered Organization the opportunity to amend their request to be in line with law, policy, or prevention of a negative balance.
7. No Chartered Organization's budget, or part of a Chartered Organization's budget, may be adjusted, withheld, suspended, transferred, or reapportioned in any manner by any ASWOU Branch once a Chartered Organization's budget has been established and approved by the IFC except through due process by the ASWOU Judicial Branch for organizational misconduct.
  - a. Transactions initiated and/or approved by a Chartered Organization through the regular course of business shall not fall under these requirements or limitations.
  - b. In the case of organizational misconduct, reducing or eliminating funding shall be a last resort, will be absorbed into the Student Organization Director's Account (ASW 937), and shall be utilized in a way that benefits all chartered organizations.

8. All funded organizations are responsible for tracking their funding and expenditures.
  - a. The Director of Business and Finance will keep detailed records of expenditures and funding sources, but shall not serve as a treasurer to any Chartered Organization.
9. If a funded club overdrafts their account, funding needed to balance the account will be subtracted from the next year's IFC allocation.

#### **Article VI – ASWOU Internal Travel Policies**

1. All ASWOU Chartered Organizations are required to follow all WOU Travel Policies.
2. If an ASWOU department or organization has a travel expense which totals over \$999.00 of IFC money in overall expenses, a predetermined advisor must accompany the students on the trip.
  - a. The overall expenses include traveling costs, registration fees, meals, and any other expenses that are compiled over the course of the trip, or used toward the trip.
  - b. The advisor may be the ASWOU department or organization's formal advisor, or any other Western Oregon University employee that is approved by the formal advisor in their absence.
  - c. It is up to the ASWOU department or organization to cover the cost of taking the advisor.
    - i. The IFC will not be held responsible to ensure the ASWOU department or organization has the funds to take an advisor. However, they may present and request funds from the IFC Extraordinary Travel Fund.
  - d. If an ASWOU department or organization wishes, they may request to waive this policy by petitioning the ASWOU Judicial Board for an exemption.
    - i. This petition must be submitted a minimum of six weeks prior to the travel being slated to occur.
    - ii. This petition must give detailed reasoning as to why bringing an advisor is not possible.
    - iii. The application for this exemption may be obtained from the Judicial Administrator, and shall include but not be limited to the following information: the department/organization's name, travel destination, total IFC funding being utilized, purpose of travel, agenda for travel, and reasoning/explanation for not bringing an advisor.
  - e. If the post travel expense is over \$999.00, and an exemption from the Judicial Board was not previously granted, the organization is subject to judicial sanctioning.

#### **Article VII – Accessibility and Inclusivity**

1. All event and meeting advertising (by poster, electronic devices, or electronic event pages) for ASWOU Chartered Organizations must include this disability statement: “If you have a disability that may require some accommodation in order to participate in a Western Oregon University activity, please notify the Office of Disability Services at 503-838-8250 or ods@wou.edu at least 72 hours in advance.” Whether the advertising is done on a poster, social media, or electronic devices around the WOU Campus, all ASWOU Chartered Organizations shall attempt to advertise at least five days in advance for their organization’s events.
  - a. In the case of social media or online profiles, the Disability Statement must be present on all home/profile pages, but are not required to be present within every post/interaction.
2. Each member of any ASWOU Chartered Organization has the right to be free from discrimination inclusive of, but not limited to, the following areas: race, color, national ancestry, creed, religion, sexual orientation, gender identity, gender expression, sex, age, and individuals with mental and/or physical disabilities.
3. All organizations shall strive to hold general meetings in locations which meet accessibility guidelines.

#### **Article VIII – Dissolution of Chartered Organizations**

1. ASWOU defines dissolution as a Chartered Organization failing to renew their charter for the following academic year by the eighth week of spring term.
  - a. An organization may also vote to dissolve via a formal vote amongst the club members, and according to the dissolution policies outlined in their club constitution.
  - b. If a Chartered Organization’s members vote to dissolve the organization, the President of the Organization is responsible for informing the Director of Student Organizations and providing ASWOU with the results of the formal vote within 48 business hours.
2. Any funds remaining in the Chartered Organization’s account will be rolled over into the ASWOU Student Organization Director’s Account (ASW 937) upon its dissolution.
  - a. Every effort will be made to utilize the funds in a way in which it benefits the students and the Chartered Organizations at Western Oregon University.

#### **Article IX – Approval of Additions to the Statute of ASWOU Chartered Organizations**

1. All policies pertaining to chartered organizations, not enacted through Executive Order, shall be codified within this statute.

2. Changes may only be made to this document upon formal legislation being brought before the Senate.
  - a. These legislative changes will be subject to the bill adoption timeline outlined in Article IV of the ASWOU By-Laws.
    - i. The bill adoption timeline may not be shortened at any point in time if the legislation alters this document.
  - b. These legislative changes require a two-thirds majority approval in order to move forward in the adoption process.
  - c. All clubs must be made aware of the changes presented to the Senate within 24 hours of their presentation, and invited to the next Senate meeting to voice their opinion and/or concern on the matter.
    - i. Clubs will be permitted to voice their opinions, whether in person or in writing, on these changes while they are being deliberated within the Senate.
      1. All written opinion must be read into record at the subsequent meeting of their receipt.
3. All changes approved by the Senate must also be approved by a simple majority of the Judicial Board in order to move forward in the adoption process.
  - a. Judicial review, in these cases, will encompass constitutionality as well as the implications on Chartered Organizations and whether those implications are justifiable and proper.
    - i. Constitutionality challenges to changes within this document are not subject to the *writ of certiorari* process outlined in Article V of the ASWOU By-Laws.
  - b. If the legislative changes are not approved by the Judicial Board, the reasoning for the disapproval shall be returned to the Senate in writing at the subsequent Senate meeting, and the legislation will be null and void.
4. Once approved by the Senate and the Judicial Board, changes must be signed into law by the Senate President, the Judicial Administrator, and the ASWOU President.
  - a. The ASWOU President retains their power of veto, and must follow the veto process outlined in Article VI of the ASWOU By-Laws.
5. Once signed into law, the change will go into full force and effect, and are not subject to an approval vote by the student body unless otherwise recommended by a governing branch.