



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

Edition: September 24<sup>th</sup>, 2019

**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 Bylaws 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.

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

## 54 **Article II**

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

- 68 a. The Senate President will be elected at large by the student body during the  
69 ASWOU Elections.
- 70 b. The Senate President has the power to establish committees, provided the Senate  
71 may, by two-thirds vote, disapprove of such committee(s).
- 72 c. The Senate President shall assume office upon formal administration of an oath of  
73 office by the Judicial Administrator.
- 74 4. Additionally, the Senate President has the following powers:
- 75 a. The establishment of meeting times and places, subject to simple majority  
76 approval by the Senate.
- 77 b. To call extraordinary meetings of the Senate, if necessary.
- 78 c. To vote in the event of a tie amongst the Senate Body.
- 79 d. To plan and implement the legislative agenda of the Senate.
- 80 e. To call Senate Sessions to order.
- 81 f. To preside over the Senate, choosing which Members to recognize during floor  
82 debate and ruling on points of order and maintaining decorum.
- 83 g. To declare the outcome of votes and announce the results of recorded votes within  
84 Senate meetings.
- 85 h. To refer legislation to a committee(s), and set deadlines for committee action.
- 86 i. To serve as the University spokesperson of the ASWOU Senate.
- 87 j. To exercise administrative control over the operations and internal resources of  
88 the Senate.
- 89 k. Signing bills that are to be presented to the ASWOU President for signing.
- 90 5. In order for Senate to serve as both a deliberative forum for policy information, and as a  
91 policymaking authority within ASWOU, the Senate is granted the following powers:
- 92 a. To secure the protection of student rights, interests, and free expressions.
- 93 b. To promote the preservation of academic freedom and responsibility.
- 94 c. To charter independent enterprises as deemed appropriate under University  
95 policy.
- 96 d. To enter into agreements which promote the fulfillment of the provisions of this  
97 Constitution.
- 98 e. To establish all councils, commissions, boards, and agencies of ASWOU.
- 99 f. To call upon the ASWOU President to appear before the Senate as long as the  
100 Senate gives a twenty-four hour notice to the ASWOU President.
- 101 g. To review, advise, and consent to the establishment of newly created Executive  
102 departments and elements thereof including position descriptions
- 103 h. To investigate and act in any matter which affects and promotes the general  
104 welfare of the student body of Western Oregon University or elements thereof.
- 105 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 Bylaws.
    - v. Be used for any other purpose not specifically outlined within this section.

#### **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.

- 185 3. The judicial authority of the ASWOU will include the power of judicial review and  
186 fulfilling the requirements of the University judicial process.
  - 187 a. The interpretive power of the Judicial Board shall extend to all cases upon the  
188 appeal under the Constitution and the Bylaws of the ASWOU, which require  
189 interpretation as it applies to the Student Association and all elements thereof.
- 190 4. ASWOU Judicial meetings shall be presided over by the Judicial Administrator.
  - 191 a. The Chair of the Judicial Board shall be referred to as the Judicial Administrator.
  - 192 b. The Judicial Administrator shall be elected at large by the student body during the  
193 ASWOU Elections.
- 194 5. The Judicial Administrator shall assume office upon formal administration of an oath of  
195 office by the highest-ranking Judicial Board member.
- 196 6. The Judicial Administrator's role is to be an impartial facilitator of all meetings and  
197 hearings.
  - 198 a. The Judicial Administrator is responsible for adhering to enacted election  
199 policies.
- 200 7. The Judicial Administrator has the following powers:
  - 201 a. The establishment of Judicial Board meeting times and places, subject to simple  
202 approval by the Judicial Board.
  - 203 b. To call extraordinary meetings of the Judicial Board, if necessary.
  - 204 c. To vote in the event of a tie amongst Justices.
  - 205 d. The power to make spelling and other grammatical changes to the ASWOU  
206 Constitution and Bylaws.
    - 207 i. Any question or concern with changes to the ASWOU Bylaws or  
208 Constitution can be referred to the Judicial Board.
    - 209 ii. If three-fifths of the Judicial Board vote against the change, then it will  
210 revert to the way that it was before the change was implemented, and the  
211 change will not go into effect.
    - 212 iii. Any changes to be made to the ASWOU Governing Documents shall be  
213 announced to all ASWOU Branches before the change is made.
  - 214 e. To plan and implement the judicial agenda of the Judicial Board.
  - 215 f. To call judicial sessions to order.
  - 216 g. Choosing which members to recognize during floor debate, and ruling on points  
217 of order and maintaining decorum within Judicial Board meetings.
  - 218 h. To declare the outcome of votes, and announce the results of recorded votes  
219 within Judicial Board meetings.
  - 220 i. To serve as the University spokesperson of the ASWOU Judicial Board.
  - 221 j. To exercise administrative control over the operations and internal resources of  
222 the Judicial Board.

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## Article V

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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.

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- a. There shall be one general election (covering all elective positions created by this Constitution or any Senate Law) each school year.

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- 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.

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- 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.

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- d. The Inauguration should take place Spring Term on the Monday of dead week.

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- e. The current ASWOU elected and appointed officers whose term is ending will

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leave office immediately following Inauguration, and the newly elected officers will assume full powers of the office.

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- 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>.

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- g. The President and Vice President have the power to hire an executive cabinet before Inauguration.

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- h. The current Judicial Administrator will be in charge of calling all write-in candidates for all positions.

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## Article VI

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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.

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- 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.

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- i. In order to initiate a recall election, such petition must have valid signatures from ten percent of the ASWOU membership.

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1. The Judicial Board must validate said petition within five working days upon receipt as described in the following:

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- 262 a. The Judicial Board must hold an election within two weeks  
263 after receiving a valid petition.
- 264 b. The officer shall be removed from office if a majority of  
265 the valid votes cast are affirmative for recall.
- 266 c. A recall election must adhere to current ASWOU Election  
267 Policies.
- 268 b. Any members of the ASWOU may circulate a petition requesting a referendum or  
269 initiative. Such petition must state the referendum or initiative, and the reasons for  
270 requesting such. A referendum enables the ASWOU members to vote down or  
271 change a law or policy created by the legislature. An initiative enables ASWOU  
272 members to create a new law.
- 273 i. In order to initiate a vote, such petition must have valid signatures from  
274 ten percent of the ASWOU membership.
- 275 1. The Judicial Board must validate the said petition within five  
276 working days upon its receipt.
- 277 ii. The Judicial Board must hold an election within two weeks after receiving  
278 a valid petition.
- 279 iii. The referendum or initiative shall become law if a majority of the votes  
280 are cast as affirmative.
- 281 c. This process will adhere to the ASWOU Election Policies outlined in Article 6 of  
282 the ASWOU Bylaws.
- 283 2. The Senate will have the sole power of Impeachment, and the Judicial Board shall have  
284 the sole power to try and uphold all Impeachments with a three-fifths vote. Judgment in  
285 cases of Impeachment shall not extend further than removal of office and disqualification  
286 to hold and enjoy any office of honor. The impeached party shall nevertheless be subject  
287 to subsequent hearings or sanctions according to University Policy.
- 288 a. Any member of the Senate may present formal charges against an ASWOU  
289 officer through legislation.
- 290 i. Upon formal presentation of the charges, they shall be referred to a  
291 specially convened Senate Impeachment Committee for investigation.
- 292 ii. The Impeachment Committee shall make a complete written report and a  
293 recommendation to Senate within two weeks.
- 294 iii. If the Senate proceeds with Impeachment, the Senate President, or the  
295 Judicial Administrator in case of Impeachment of the Senate President,  
296 shall preside at a special meeting in which it will be presented to and voted  
297 on by the Senate.
- 298 iv. Conviction and removal from office shall be three-fourths vote of Senate  
299 members present.
- 300 1. If the vote of Impeachment passes in the Senate, then it will be sent  
301 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. There is hereby created an Incidental Fee Committee (IFC). The IFC shall meet as necessary to allocate student fees to campus organizations.
2. The IFC shall be governed by the ASWOU Constitution and Bylaws. The IFC may also create for itself bylaws, but no part of the IFC Bylaws may conflict with any part of the ASWOU Constitution or Bylaws.
3. The rules of procedure contained in the most recent edition of Robert's rules of Order shall govern the Incidental Fee Committee and all of its committees in all cases in which they are applicable and consistent with the laws of the State of Oregon, ASWOU Governing Documents, and IFC Bylaws. The ASWOU Senate President or their representative shall serve as the parliamentarian for the IFC. If the Senate President is absent and has not appointed a representative, the IFC Chair may appoint a temporary parliamentarian.

## **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.

- 339 2. This Constitution may be amended by a two-thirds vote of the Senate, with concurrence  
340 by two-thirds of the valid votes cast in a valid ASWOU Election.
- 341 3. The Constitution may be directly amended by the Senate, providing that there is no  
342 objection to adoption of the amendment by a present member of the Senate. Should there  
343 be such an objection, the adoption shall follow standard procedures. The resolution for  
344 amendment may also specify that an election must be held for its adoption, regardless of  
345 if it passes the Senate without objection. Should the Senate directly amend the  
346 Constitution, any member(s) of the ASWOU student body may circulate a petition  
347 requesting a referendum, further discuss in Article VI of the ASWOU Constitution,  
348 reversing the amendment. Any Senate Resolution amending the constitution by  
349 unanimous consent of the Senate must be signed by the ASWOU president. Any  
350 member(s) of the ASWOU student body may also object to passage of the resolution for  
351 amendment when the resolution is presented to the Senate or by the next meeting of the  
352 Senate immediately after the resolution's passage; should this occur, the amendment must  
353 be approved by the ASWOU student body in an election. An objection is valid if the  
354 student contacts any member of the Senate in writing to express the objection or appears  
355 before the Senate at a meeting of the Senate to object. The Senate may not directly amend  
356 the Constitution to wholly remove or significantly impede the right of an ASWOU  
357 member to request a referendum. The Senate shall conduct sufficient outreach to students  
358 when considering a direct amendment to the Constitution by tabling and using ASWOU  
359 media. The legislation adoption timeline for Senate Resolutions which amend the  
360 Constitution may not be suspended.



## The Bylaws of the Associated Students of Western Oregon University

Edition: October 11<sup>th</sup>, 2019

### 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 Bylaws.

### 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.
2. The rules of procedure contained in the most recent edition of Robert's Rules of Order shall govern the ASWOU Government and all of its boards and committees in all cases in which they are applicable and consistent with the laws of the State of Oregon, these Bylaws, and other duly established rules and policies of the ASWOU Government. The ASWOU Senate President shall be the parliamentarian in all meetings at which they are present and are not otherwise voting. If the Senate President is absent, the committee chair may appoint a temporary parliamentarian. The Senate President may also delegate

29 this authority as they see fit, provided that they are not absent. If the Judicial  
30 Administrator is serving as parliamentarian, they may not give a binding ruling; if serving  
31 as parliamentarian, the Judicial Administrator must also state to the meeting prior to  
32 offering any guidance that they may not give a binding ruling.

## 33 **ARTICLE II – MEMBERSHIP**

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

- 35 a. All ASWOU Government members shall be in good judicial standing with WOU.  
36 They must also maintain at least a 2.25 GPA, both cumulatively and per term that  
37 they are part of the ASWOU Government. Should they fail to maintain this  
38 academic standing, then they shall be in a one-term probation period. If they are  
39 not in good academic standing after the probationary period, they are to be  
40 automatically removed from office.
- 41 b. All paid ASWOU Government members shall be Ally 1 trained through Safe  
42 Zone at Western Oregon University within the first full academic term of their  
43 paid employment. In the event a paid ASWOU Government member does not  
44 complete Ally 1 training within the first full academic term of their paid  
45 employment, a five-week probationary period shall be in effect. Within the first  
46 five weeks of the following term, the ASWOU Government member must  
47 complete Ally 1 training or be automatically removed from office.

## 48 **ARTICLE III – EXECUTIVE**

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

- 50 a. Creation of new Executive Cabinet positions requires the President to petition the  
51 ASWOU Senate for review, advice, and consent. The President's request that the  
52 Senate approve the creation of a new Executive Cabinet position must include, at  
53 minimum, a proposed job description and the related submission to the IFC (if  
54 required). Should the Senate approve of the creation, the President shall have  
55 appointment power as granted in these Bylaws. Should the Senate deny the  
56 creation, the Senate President shall have three business days to provide a written  
57 explanation of the Senate's decision to the President. The President may then  
58 repetition the Senate for approval of the cabinet position as many times as the  
59 Senate President deems reasonable, provided that the President has changed their  
60 petition each time to address the Senate's objections. The Senate may overrule the  
61 Senate President's decision to deny the repetition by a two-thirds majority vote.  
62 The Senate may dissolve or alter these positions, including their title and job  
63 description, by duly passed legislation, or at the request of the President by a two-  
64 thirds vote.
- 65 i. Upon Senate approval, Executive Cabinet positions are to be listed here,  
66 with new positions being listed at the end. Should any position(s) be  
67 dissolved or their titles altered, the list is to be adjusted accordingly by the

Judicial Administrator. Current cabinet positions are: Director of Business and Finance, Director of Equity, Director of Internal Affairs, Director of Multicultural Advocacy, Director of Public Relations, Director of State and Federal Affairs, Director of Student Organizations, Director of Visual Communications, Recording Secretary.

## **2. PRESIDENTIAL APPOINTMENTS:**

- a. The President may appoint their cabinet members, liaisons to other organizations, and any other positions mandated by the ASWOU governing documents or Western Oregon University. Any and all appointments within the ASWOU Government are subject to a two-thirds majority approval of the Senate. The President must make a good faith effort to nominate a candidate for each cabinet position in which there is a vacancy. All appointments are only valid for the duration of the academic year, or the remainder of the academic year if the appointment is made mid-year, prior to the regularly scheduled inauguration. The Senate may remove an appointee from office by a two-thirds majority vote; if this occurs, the Senate President must inform the President, within 24 hours, of the Senate's action and rationale. At their discretion, the President may also remove their appointees from office, save for Judicial appointments. While the President maintains the right to remove their appointees for any reason they see fit, including but not limited to neglect of duties or determination that they are no longer worthy of service, the terminated appointee may appeal their termination to the Senate. As presidential appointees serve at the pleasure of the president, the grounds for appeal must be reviewed under the strictest of scrutiny, but the Senate may, by a three-fourths vote and after careful consideration, determine that the President acted in a manner constituting gross misconduct when they fired the appointee. By determining this, the Senate will then vote at its next meeting on the question of removing the President from office. Should this pass, it will then go to the Judicial Board for consideration as outlined in the governing documents. Any discussion surrounding issues of an identified employee's actions must be held in executive session in which no party beyond the members of the Senate, the President and Vice President, the employee in question, ASWOU advisors, and other parties mandated by law or ASWOU or WOU policy are permitted to remain. Any discussion during this time is to remain strictly confidential between the parties involved.
- b. Upon the President nominating their appointee to the Senate, the Senate may by a majority vote approve the nominee for work on a temporary basis of no less than a week, renewable indefinitely. After the first temporary approval period has completed, the Senate may consider the nominee for permanent approval. No appointee may assume office and the associated duties prior to approval and taking the oath of office administered by a member of the Judicial Board. Should

the Senate reject the nominee, the Senate President is to submit to the President the Senate's rationale within three business days. The President may request the Senate's reconsideration of the nominee at the next regularly scheduled meeting of the Senate. Should the nominee again be rejected, the President must nominate another candidate.

- c. Should the President nominate a cabinet appointee between their inauguration following the general election and the Senate's first meeting of fall term and wish for them to begin working prior to the Senate's first meeting of fall term, the Senate President shall have the ability to confirm the nominee for a term of work not to extend past the Senate's first regularly scheduled meeting of fall term. Should an appointee resign during a period when the Senate will not have a regularly scheduled meeting for more than three weeks, the Senate President shall also have the ability to confirm the nominee for a term of work not to extend past the Senate's next regularly scheduled meeting.

### 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 line of succession shall be followed.
- b. If a dispute arises about incapacitation of the Vice President, then the procedures stated for the incapacitation of the President shall be followed and applied to the Vice President.

### 4. **THE ASWOU BUDGET:**

- a. The ASWOU Budget and accompanying enhancement requests must be presented to and approved by the Senate prior to their submission to the IFC. This presentation should occur enough in advance of the IFC timeline so that the Senate may thoroughly deliberate and make adjustments. The ASWOU Budget may not be submitted to the IFC without Senate approval.
- b. Should ASWOU receive less funding than requested from the IFC, excluding enhancement requests, then the Director of Business and Finance shall prepare a recommended budget for the Senate's consideration and approval no less than five weeks prior to the Senate's scheduled adjournment sine die for the summer.
- c. Should the President wish to adjust the ASWOU Budget during the academic year for which it has already been approved, they may do so by no greater than \$500

and potentially subject to the review and consent of the Senate. Should the desired adjustment exceed \$500, the President must request and receive the consent of the Senate. Should the Senate reject the President's request, they must provide the President with their rationale in writing within three business days. The President may repetition the Senate for the adjustment if they believe they have sufficiently adjusted their request to comply with the Senate's rationale.

- d. The Executive Branch shall present the current year's approved budget to the Senate within the first five weeks of the Senate meeting in fall term. The purpose of the presentation, while requiring no approval, is to represent to the Senate that student fees are being and will be used responsibly and beneficently.

#### **5. LINE OF SUCCESSION:**

- a. In the event that the incumbent president vacates office or is unable to serve, the line of succession is as follows: Vice President, Senate President, Judicial Administrator, Director of Internal Affairs, Director of Student Organizations, Director of Business and Finance, Director of State and Federal Affairs, Director of Public Relations, Director of Equity, Director of Multicultural Advocacy, Director of Visual Communication.
- b. If the Vice President accepts the position of President, a special election shall be initiated posthaste to fill the Vice Presidency. The person most immediately in the line of succession may decline to serve. Prior to a person in the line of succession taking office on a permanent basis, the Senate may vote by a two-thirds majority to declare the person incapable of serving as president and prevent them from serving. The Senate may only do this in extreme cases where the Acting President has shown themselves to be morally deficient, acted maliciously in the ouster of the previous incumbent president, acted nefariously in the ouster of the previous incumbent president, or if the person has proven themselves to be incompetent to succeed to the presidency. Should the Senate take such an action, the line of succession will proceed until the presidency is filled or a special election, to occur posthaste, is forced by virtue of there being no person in the line of succession willing and capable of serving as president on a permanent basis. While such an election is underway, the highest-ranking ASWOU official shall be the Acting President whose decisions may be overturned by the Senate or Judicial Board.
- c. If the Senate approves changing the title of a cabinet position, the title change shall automatically be reflected in this Section. If the Senate approves the creation of additional cabinet positions, they shall automatically be listed at the end of the line of succession in order of approval, provided that the Senate may, at the time of the position's creation, move the position to a different place in the line of succession. Should a position be abolished, it shall be automatically removed from the line of succession.

### **ARTICLE IV – LEGISLATIVE**

188 **1. MEETINGS:**

- 189 a. The Senate shall meet at least three times monthly, with the exception of the  
190 months of December, June, July, August, and September, or when the regularly  
191 scheduled meeting of the Senate is on a day when the university is closed. The  
192 Senate shall not meet during finals week, except for special meetings, and is not  
193 required to fulfill its meeting quota during the months which include finals week.  
194 b. Except for special meetings, time shall be made available on Senate meeting  
195 agendas for reports from an ASWOU Advisor, the ASWOU President, the  
196 ASWOU Judicial Administrator, an OSA Representative, and an RHA  
197 Representative. The Senate President may assign reasonable specific time  
198 allocations to these reports.

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

- 200 a. The Senate shall be limited to no more than fifteen Senators, in addition to the  
201 Senate President. A representative from the Residence Hall Association shall be  
202 allowed a speaking seat on the Senate, but is not otherwise a Senator; however,  
203 they are encouraged to apply to be a Senator. There are eleven elected Senator  
204 Positions. Elections for these Senators are to be held during the general election.  
205 If there are vacancies on the Senate, interested students shall apply to fill the  
206 vacancy with the Senate President and are subject to approval of the Senate. The  
207 ASWOU Director of Equity and the ASWOU Director of Multicultural Advocacy  
208 shall each have the right to nominate as senators two individuals from the clubs  
209 they represent for approval by the Senate without having to complete the  
210 application process. Should the nominee be approved, they are to be sworn in by a  
211 representative from the Judicial Board and assume all responsibilities and powers  
212 of a Senator, but may not act as a Senator until the conclusion of the meeting in  
213 which they were approved.  
214 b. A Senator may resign their position by submitting a letter of resignation to the  
215 Senate President, who will announce the resignation at the next meeting of the  
216 Senate. The Senate President may resign by submitting their letter to the Senate  
217 President Pro Tempore or their ASWOU Advisor. The person who receives the  
218 letter or their designee shall inform the Senate of the Senate President's  
219 resignation at the next meeting of the Senate.  
220 c. Should the Senate President vacate office, the Senate President Pro Tempore shall  
221 succeed to office, unless the Senate votes by a two-thirds majority to declare them  
222 incapable of serving as Senate President and prevent them from serving, and  
223 therefore also removing them from their position of Senate President Pro  
224 Tempore; this shall also have the effect of commencing impeachment proceedings  
225 against them as a Senator. The Senate may only do this in extreme cases where  
226 the Senate President Pro Tempore has shown themselves to be morally deficient,  
227 acted maliciously in the ouster of the previous incumbent Senate President, acted



228 nefariously in the ouster of the previous incumbent Senate President, or if the  
229 person has proven themselves to be incompetent to succeed to the Senate  
230 Presidency. If this occurs, the longest-serving current member of the Senate who  
231 is not the Senate President Pro Tempore shall act as Senate President until a  
232 special election to fill the position has occurred, which shall happen posthaste.  
233 The Senate President Pro Tempore may also decline to serve, forcing a special  
234 election to occur posthaste. If there is no Senate President Pro Tempore, the  
235 longest-serving Senator shall act as Senate President until a Senate President has  
236 been elected or the Senate appoints a Senate President Pro Tempore within 10  
237 days of being informed of the Senate President's vacating office.

238 **3. SENATE LEADERSHIP:**

239 a. Senate President.

240 i. The Senate President shall serve as the Chair and presiding officer of the  
241 Senate. The Senate President is a Senator and may assume those rights  
242 when not presiding. While the Senate President maintains the freedom to  
243 speak in meetings and debate on all matters before the Senate, they are to  
244 remain impartial when recognizing members during floor debate. The  
245 Senate President maintains appointing power to committees not otherwise  
246 delegated by the ASWOU governing documents. As the appointing  
247 authority, the Senate President may also remove members or appoint  
248 additional members at any time. The Senate President is to determine a  
249 reasonable expected weekly time commitment for Senators and potential  
250 Senators. All official communications to the Senate must be transmitted to  
251 the Senate President. When the Senate is not in session and if the Senate  
252 President deems a matter to be urgent and a special meeting would be  
253 unreasonable, the Senate President may act on behalf of the Senate,  
254 provided that they inform Senators of their actions as soon as possible.  
255 The Senate President shall act with restraint in these situations and shall  
256 have all actions reviewed by the Senate at its next meeting for approval or  
257 reversal. The Senate President may not unilaterally pass legislation using  
258 this ability.

259 ii. The Senate President may call electronic meetings of the Senate; these  
260 meetings may be held at a time and in a manner as determined by the  
261 Senate President. The meeting must allow for a video call-in option.  
262 Electronic meetings may only be held in a committee of the whole called  
263 by the Senate President, in which the Senate President shall continue to  
264 preside. A quorum of an electronic meeting shall be a majority of those  
265 members of the Senate who have notified the Senate President that they  
266 will be participating in the electronic meeting.

267 b. Senate President Pro Tempore.

- 268 i. The Senate shall appoint one of its Senators to be the Senate President Pro  
269 Tempore by the third regularly scheduled meeting of fall term. The Senate  
270 President Pro Tempore shall serve the Senate as its Vice-Chair. The  
271 Senate President Pro Tempore shall be responsible for scheduling Senators  
272 for their weekly tabling in consultation with the ASWOU Office  
273 Coordinator; they shall also ensure that Senators are trained on tabling  
274 rules and methods.

275 **4. SENATOR RESPONSIBILITIES:**

- 276 a. Senators shall attend all Senate meetings in accordance with the Senate's  
277 attendance policies. They are also expected to meet individually with the Senate  
278 President monthly, as scheduled by the Senate President. Except for weeks when  
279 the Senate does not meet, Senators are to spend one hour per week participating in  
280 a Senate or ASWOU-related activity outside of meetings as determined by the  
281 Senate President; this includes but is not limited to tabling and clipboarding. The  
282 Senate President may require Senators to submit statements about this activity.  
283 Each Senator shall uniquely sponsor at least one piece of legislation, or co-  
284 sponsor at least two pieces of legislation, per term. Each Senator shall attend at  
285 least one IFC meeting. Within their first four regularly scheduled meetings, each  
286 Senator is expected to have attended a training conducted by the Senate President;  
287 this training is to include an overview of parliamentary procedure and  
288 expectations and responsibilities of Senators.
- 289 b. Senators are expected to conduct themselves in a manner becoming of their  
290 position. Failure to adhere to their responsibilities or conducting themselves in an  
291 injurious manner either within or outside of Senate meetings are impeachable  
292 offenses.

293 **5. SENATE COMMITTEES:**

- 294 a. The Senate President may form and disband committees as they see fit; however,  
295 if the Senate President creates a Standing Committee of the Senate, it must exist  
296 until the completion of the academic year or is disbanded by a two-thirds vote of  
297 the Senate. The Senate may also compel the creation of a committee by majority  
298 vote; committees created in this manner may only be disbanded by the Senate.  
299 Unless otherwise duly called, committee meetings are to be open to the public.  
300 Committees, like the Senate, may not meet with less than 24 hours' notice to their  
301 members. At times when the Senate has more than 10 Senators, the Senate  
302 President shall form a Committee on Rules consisting of three members tasked  
303 with reviewing and making recommendations, as needed, to legislation after its  
304 first reading in the Senate.

305 **6. LEGISLATION ADOPTION TIMELINE**

- 306 a. Senate Bills are used to amend the ASWOU Bylaws. Senate Resolutions are non-  
307 binding and used to state policy positions of the ASWOU Senate and/or

Government and make ideological statements. Senate Resolutions may also be used to petition the internal direction, processes, and action of the Senate which would not otherwise be suited or stated in the Bylaws, including those which relate to actions of members of the Senate, including the Senate President; these resolutions do not require the signature of the President. Constitutional amendments are also Senate Resolutions; the Senate may, by a two-thirds vote, reconsider a Constitutional amendment for amendment or other action after it has passed the Senate prior to its placement on the ballot for approval by the student body. Senate Joint Resolutions are used to amend the Statutes for ASWOU Chartered Organizations, further detailed in the Statutes. Any member of the Senate may sign on to any legislation prior to the meeting of the legislation's final reading of the Senate. The Senate President is to provide the Senate with a template for legislation by its first regularly scheduled meeting in fall term.

- b. Senate Bills shall be subject to three readings of the Senate at three separate Senate meetings. Bills do not need to be read aloud in their entirety, but this may be compelled by a majority vote of the Senate. While amendments and debate may be in order at each of the three readings, the first reading should be used for initial presentation by the sponsor(s) and any questions for the sponsor(s); the second reading should be used for considering any amendments to the bill; and the third reading should be used for final discussion and debate of the bill.
- c. Senate Resolutions shall be subject to two readings of the Senate. Resolutions do not need to be read aloud in their entirety, but this may be compelled by a majority vote of the Senate. Both the first and second reading of Resolutions are used for questions of the sponsor(s), amendment, and debate.
- d. Once legislation has completed its reading quota, it shall go to a vote upon the completion of debate in its final reading and require a majority vote to pass. By a two-thirds vote, the Senate may suspend this adoption timeline.

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

- a. The Senate President shall sign all legislation passed by the Senate within four business days. Should the Senate President object to signing legislation, they may sign an "X" and note their objection on the legislation; this still denotes its passage by the Senate and has no effect on its passage. Once the Senate President has signed the legislation, they are to present the signed copy of the legislation to the President. The President will then have four business days to sign the legislation or veto it. Unless otherwise noted, the President must also sign all legislation for it to become effective. If the President is away for a period of time and will be unable to sign or veto legislation, the Vice President may act in this capacity. If the President does not sign or veto the legislation within these four days, the legislation shall enter into effect without the President's signature and the Senate President shall note this on the legislation. If the President vetoes

legislation, they shall have twenty-four hours to inform the Senate of their veto and their rationale. The Senate may overturn the President's veto by a two-thirds vote; if successfully overturned, the President must sign the bill within twenty-four hours. If the President objects to signing, they may sign an "X" and note their objection on the legislation; this still denotes its successful passage and has no effect on its implementation. Outright refusal to sign by the Senate President or the President is an impeachable offense.

#### **8. EXECUTIVE ORDERS:**

- a. Within twenty-four hours of their issuance, all Executive Orders must be transmitted to both the Senate and the Judicial Board; Executive Orders not transmitted within this timeframe are null and void. All Executive Orders are to be reviewed by the Senate at its meeting following the issuance of the Executive Order(s). By a two-thirds vote, the Senate may overturn any Executive Order(s); should the Senate take this action, the Senate President is to notify the President of the Senate's action and the rationale for its decision within twenty-four hours. All Executive Orders are also to be reviewed by the Judicial Board at its meeting following the issuance of the Executive Order(s) to ensure strict compliance with the explicit permissions and prohibitions on Executive Orders as stated in Article III, Section 6 of the Constitution. By a majority vote, the Judicial Board may also overturn an Executive Order on the grounds it violates the Constitution; should the Judicial Board take this action, the Judicial Administrator is to notify the President of the Judicial Board's action and the rationale for its decision within twenty-four hours.

#### **9. STUDENT CONCERN REPORTS:**

- a. Student Concern Reports (SCRs) serve as a method for students to let their concerns be heard by the ASWOU Government, both regarding our university and the ASWOU Government itself. SCRs are to be made available to students both digitally and in paper format. Any WOU fee-paying student may submit an SCR. The Senate President is to regularly check for submitted SCRs and inform the Senate and other ASWOU Government officials of any SCRs as they deem fit; the Senate President must inform the Senate if the SCR is relating to the actions of the Senate President and must inform their ASWOU advisor of all SCRs. SCRs may be submitted anonymously but students are to be made aware that they will be unable to receive any follow-up to their submission if it is done anonymously. The Senate President shall oversee maintenance of SCR forms and take action regarding SCRs as they deem necessary. If a student requests a follow-up on their concern and provides their contact information, the Senate President must do so promptly and provide available non-sensitive information pertinent to the student's concern. If a student provides their contact information, the Senate President shall inform the student that their SCR has been received and is under

review, unless the student indicates that they do not want to receive any communication on the matter.

#### **10. INCAPACITATION:**

- a. If a dispute arises regarding the ability of the Senate President to serve, the Senate shall meet with the President presiding as a non-voting chair. By a two-thirds affirmative vote of the Senate, the question over incapacitation will then go to the Judicial Board, which is to then vote on upholding the Senate's decision, which shall require a majority vote. Should this occur, the procedure and line of succession in Article IV, Section 2.c shall be followed.

#### **11. ATTENDANCE:**

- a. Each Senator is allowed one unexcused absence per term; failure to comply with this policy is an impeachable offense. Any Senator who is more than 10 minutes late will be considered absent unless otherwise excused by the Senate President. If a Senator has informed the Senate President of their anticipated absence, or wishes to excuse their absence after the fact, the Senate President shall determine whether the absence is excused or unexcused. Early departure from a meeting may be counted as an absence and either be excused or unexcused at the discretion of the Senate President. A Senator may appeal the decision of the Senate President to not excuse their absence at the next meeting of the Senate and the Senate may overturn the Senate President's decision by a two-thirds vote. Proxies for Senators are strictly prohibited in all circumstances.

#### **12. SENATE AWARDS:**

- a. The Senate President shall request input from members of Senate and other pertinent parties as to whom should receive the following Senate Awards at the annual Leadership Recognition Night.
  - i. The Senator of the Year Award
  - ii. The Citizen Senator 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**

- a. 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:**

- 427 a. The Judicial Board shall be limited to no more than five Justices, in addition to  
428 the Judicial Administrator. Two of these five Justices shall be appointed by the  
429 ASWOU President in accordance with proper appointment procedures. Elections  
430 for three Justices are to be held during the general election; if there are vacancies  
431 for Justice positions not filled during the general election, interested students shall  
432 apply to fill the vacancy with the Judicial Administrator and are subject to  
433 approval of the Senate. Should the nominee be approved, they are to be sworn in  
434 by a representative from the Judicial Board and assume all responsibilities and  
435 powers of a Justice.
- 436 b. The Judicial Administrator shall serve as the Chair and presiding officer of the  
437 Judicial Board. The Judicial Administrator is a Justice and may assume those  
438 rights when not presiding. While the Judicial Administrator maintains the  
439 freedom to speak in meetings and debate on all matters before the Judicial Board,  
440 they are to remain impartial when recognizing members during floor debate. The  
441 Judicial Administrator is to determine a reasonable expected weekly time  
442 commitment for Justices and potential Justices. All official communications to the  
443 Judicial Board must be transmitted to the Judicial Administrator. When the  
444 Judicial Board is not in session and if the Judicial Administrator deems a matter to  
445 be urgent and a special meeting would be unreasonable, the Judicial  
446 Administrator may act on behalf of the Judicial Board in providing guidance  
447 regarding their interpretation of the ASWOU governing documents, provided that  
448 they inform the Judicial Board of their actions as soon as possible. The Judicial  
449 Administrator shall act with restraint in these situations and shall have all actions  
450 reviewed by the Judicial Board at its next meeting for approval or reversal. The  
451 Judicial Administrator may not unilaterally determine violations of the governing  
452 documents or issue sentences using this ability.
- 453 c. The Judicial Administrator shall appoint one of the Justices to be the Judicial  
454 Board Vice-Chair by the third regularly scheduled meeting of fall term.
- 455 d. A Justice may resign their position by submitting a letter of resignation to the  
456 Judicial Administrator, who will announce the resignation at the next meeting of  
457 the Judicial Board. If the Judicial Administrator resigns, the Senate President shall  
458 inform the Judicial Board of the Judicial Administrator's resignation at the next  
459 meeting of the Judicial Board and preside until a new Judicial Administrator  
460 assumes office, either by the Vice-Chair succeeding to office or a special election  
461 is held. The Judicial Administrator may inform the Judicial Board of their own  
462 pending resignation as well.
- 463 e. Should the Judicial Administrator vacate office, the Judicial Board Vice-Chair  
464 shall succeed to office, unless the Judicial Board votes by a two-thirds majority to  
465 declare them incapable of serving as Judicial Administrator and prevent them  
466 from serving, and therefore also removing them from their position of Vice-Chair;

467 this shall also have the effect of commencing impeachment proceedings against  
468 them as a Justice. The Judicial Board may only do this in extreme cases where the  
469 Judicial Board Vice-Chair has shown themselves to be morally deficient, acted  
470 maliciously in the ouster of the previous incumbent Judicial Administrator, acted  
471 nefariously in the ouster of the previous incumbent Judicial Administrator, or if  
472 the person has proven themselves to be incompetent to succeed to the office of  
473 Judicial Administrator. If this occurs, the longest-serving current member of the  
474 Judicial Board who is not its Vice-Chair shall act as Judicial Administrator until a  
475 special election to fill the position has occurred, which shall happen posthaste.  
476 The Judicial Board Vice-Chair may also decline to serve, forcing a special  
477 election to occur posthaste. If there is no Judicial Board Vice-Chair, the longest-  
478 serving Justice shall act as Judicial Administrator until a Judicial Administrator  
479 has been elected or the Judicial Board appoints a Vice-Chair within 10 days of  
480 being informed of the Judicial Administrator's vacating office.

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

- 482 a. The Judicial Board is only required to meet when it would have business to  
483 conduct.  
484 b. The Judicial Board may not act without a quorum of its members present.

485 **3. DELIBERATION PROCESSES:**

- 486 a. To obtain a hearing before the Judicial Board, any fee-paying WOU student may  
487 complete a hearing request form as established by the Judicial Administrator and  
488 submit it to the Judicial Administrator; the Judicial Administrator or an ASWOU  
489 Advisor may also submit a hearing request on the behalf of a student who informs  
490 them of their desire for a hearing. The Judicial Administrator must notify the  
491 Judicial Board of the request within 48 hours of the request's submission. Hearing  
492 requests are to include the alleged violation of the ASWOU governing documents  
493 and any details available to the submitter which are pertinent to the case. Hearing  
494 requests may not be anonymous, per the ASWOU Constitution guaranteeing  
495 students the right to face their accuser. Parties involved in the hearing request are  
496 to be invited to the Judicial Board meeting in which their case will be heard and  
497 allowed to speak to their case and/or submit their testimony in writing. The  
498 Judicial Board is then to determine if there was, in fact, a violation and then what  
499 sentence, if any, would be appropriate. The Judicial Board is to inform the accuser  
500 and the defendant of its determinations in writing within 48 hours.  
501 b. The Judicial Board shall review all legislative action taken by the Senate  
502 regarding its adherence to the constitution, or Bylaws if the legislation is not an  
503 amendment to the Bylaws or constitution themselves, following the first reading  
504 of the legislation in the Senate or, at its discretion and with the request of the  
505 Senate President, prior to the first reading of the legislation.

- i. Should the Judicial Board regard legislation of the Senate to be in violation of the constitution, the Judicial Administrator must submit in writing the exact constitutional issues with the legislation to the Senate no less than 48 hours prior to the next duly scheduled meeting of the Senate, or as soon as absolutely possible should the Judicial Board meeting occur within 48 hours of the next duly scheduled meeting of the Senate. Provided that the Senate has not suspended the adoption timeline and already adopted the legislation prior to the Judicial Board's review, the Senate may then either terminate the legislation, amend the legislation to address the issues noted by the Judicial Board and it may resubmit the legislation for review, or proceed with the legislation as written and without further preliminary review from the Judicial Board.
- ii. Should the Senate proceed with the legislation as written and without further preliminary review from the Judicial Board, or if the adoption timeline was suspended and the legislation adopted, the legislation may be considered duly passed and enter into effect; however, should a hearing request be filed regarding passed legislation, it may also be subject to the decisive review of the Judicial Board which may rule the legislation unconstitutional and therefore be nullified.
- iii. Should a hearing request be filed regarding passed Senate legislation, at the next meeting of the Judicial Board two-fifths of the Judicial Board must agree to consider the matter. If the Judicial Board agrees to consider it, the Judicial Administrator must inform the Senate of the Judicial Board's decision posthaste. At the Judicial Board meeting in which they consider the matter, members of the Senate must be allowed to participate in discussion on the matter as any Justice would, but may not make motions.
- c. University closures and academic vacations and holidays are not counted against the aforementioned time periods. Violations of any part of these due process procedures will render the decision in the case null and void. Should the Judicial Board be alleged of violating due process, it may disagree with the allegation by majority vote; should this occur, the President shall preside over a Special Committee on Judicial Appeals consisting of the Judicial Administrator, the Senate President, the Vice President, and two fee-paying students-at-large appointed by the President who are not otherwise ASWOU Government members or parties in the case(s) in question. This Special Committee shall meet posthaste to determine by majority vote if due process was, in fact, violated. The defendant(s) in the case(s) shall be invited to the meeting of the Special Committee and allowed to speak and/or submit their testimony in writing as to the alleged violation(s) of due process. Any sentence by the Judicial Board on the



case(s) in question shall be stayed pending the determination of the Special Committee.

**4. GOVERNING DOCUMENTS:**

- a. The ASWOU governing documents are to be formatted in a standard format utilizing 12-point Times New Roman font, line numbers, and page numbers throughout. They may not include page borders. The Judicial Administrator shall regularly update the governing documents as they are duly amended.

**5. INCAPACITATION:**

- a. If a dispute arises regarding the ability of the Judicial Administrator to serve, the Senate may determine by a two-thirds affirmative vote that the Judicial Administrator is unable to serve. Should this occur, the question over incapacitation will then go to the Judicial Board with the President presiding as chair. The Judicial Board shall then vote on the question of upholding the Senate's decision, which shall require a majority vote. Should this occur, the procedure in Article V, Section 1.d shall be followed.

**6. ATTENDANCE AND CONDUCT:**

- a. Each Justice is allowed one unexcused absence per term; failure to comply with this policy is an impeachable offense. Any Justice who is more than 10 minutes late will be considered absent unless otherwise excused by the Judicial Administrator. If a Justice has informed the Judicial Administrator of their anticipated absence, or wishes to excuse their absence after the fact, the Judicial Administrator shall determine whether the absence is excused or unexcused. Early departure from a meeting may be counted as an absence and either be excused or unexcused at the discretion of the Judicial Administrator. A Justice may appeal the decision of the Judicial Administrator to not excuse their absence at the next meeting of the Judicial Board and the Judicial Board may overturn the Judicial Administrator's decision by a two-thirds vote. Proxies for Justices are strictly prohibited in all circumstances.
- b. Justices are expected to conduct themselves in a manner becoming of their position. Failure to adhere to their responsibilities or conducting themselves in an injurious manner either within or outside of Judicial Board meetings are impeachable offenses.

**7. OATH OF OFFICE:**

- a. The Oath of Office for all ASWOU Government members shall be: "I, [student name], do solemnly swear to faithfully execute the duties of the office of [position title] to the best of my abilities and, in the best interest of the Associated Students of Western Oregon University, to uphold the Governing Documents and the Student Code of Conduct." This oath must be taken in front of a witness.
- b. ASWOU Government members shall also be required to sign a document acknowledging that they have taken the Oath of Office, which is also to be signed

by the witness and the Judicial Administrator or their designee who swore in the member. These documents are to be kept on record by the Judicial Administrator, with a copy being provided to the member.

## 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 Bylaws 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 Bylaws, 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 Committee*: The body of students and its advisors who oversee and set policies in accordance with the ASWOU Bylaws for ASWOU Elections. This committee is a subunit of the Judicial Branch.
- n. *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 Bylaws need to be changed.
- o. *Endorsement*: To give approval of a cause or candidate via public support, or by public statement.
- p. *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.
- q. *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.
- r. *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.

- s. *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.
- t. *Poster*: Each visible side of a poster (whether on the same sheet of paper/material) shall be counted as one poster.
- u. *Slate*: A slate is any recommendation by a person or entity that more than one candidate and/or cause should be voted for. These are allowed by ASWOU elections.
- v. *Special Election*: Any election other than the General Election, including and 'Emergency Election.' A special election may be called by a duly passed resolution of the Senate or at the discretion of the Judicial Board.
- w. *Ticket*: A ticket refers to a way of casting a vote in which, by voting for one person for one position, a voter is also casting their vote automatically for another person for another position in such a manner as the voter is unable to vote for different candidates for different positions by choosing to vote for a single candidate for a single position. These are not allowed on ASWOU election ballots.
- x. *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.
- y. *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 Bylaws, Constitution, or other Governing Documents.

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

- a. Except for special elections, elections shall only take place during spring term of the academic year. They should start no later than the fourth week of April, unless otherwise decided by a joint resolution passed by the Senate and approved by the Judicial Board.

- 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 Joint Committee on Elections Appeals to be formed by the beginning of spring term.
- 4. ELECTIONS COMMITTEE RESPONSIBILITIES**
- a. Once the Elections Committee has been formed, the branch heads shall provide a mandatory training and orientation to all members. Any branch head who is serving as a member of the Elections Committee or is a candidate in the election in question shall not provide this orientation and training. Should all branch heads be therefore disqualified, a professional ASWOU advisor is to provide the training and orientation.
- b. The Elections Committee chair shall maintain and improve as necessary their transition binder to ensure each Elections Committee is well informed on proper procedure.
- c. At the end of the each election, the Elections Committee shall submit a report to the ASWOU branch heads-elect outlining areas of improvement in the elections process. This report may include recommendations but may not include wholesale policy changes and is neither prescriptive nor binding.
- 5. ENDORSEMENTS:**
- a. Any candidate(s) may endorse any other candidate(s).
- 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 Bylaws, 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.

- 744 f. Candidates, and their campaign staff, should not obstruct or break up meetings  
745 organized by other parties and candidates, prevent the distribution of handbills  
746 and leaflets, or interfere with other parties' political material, for example, by  
747 defacement or over-postering. It is the responsibility of candidates to ensure that  
748 their campaign staff does not engage in activities likely to lead to a breach of  
749 election policies.
- 750 g. Any ASWOU employee may work for any candidate or cause, provided that the  
751 employee is not using any ASWOU resources beyond what is allowed by these  
752 Bylaws, including Section 6.b of this article.

753 **7. CANDIDATES:**

- 754 a. A candidate is only eligible for one place on the ballot per election.
- 755 b. Candidates must be in good judicial standing with WOU.
- 756 c. All candidates shall follow the WOU Student Code of Conduct, and the Elections  
757 Code of Conduct.
- 758 d. Write-in candidates must meet the GPA, credit, and judicial standing  
759 requirements to be declared elected and take office upon receiving sufficient  
760 notes. Votes for a write-in candidate wherein the intent of the vote may be clearly  
761 ascertained are to be counted even if the name written in on the ballot is not  
762 exactly the name of the write-in candidate. Votes for a write-in candidate are to be  
763 counted even if the write-in candidate has not informed the Elections Committee  
764 of their candidacy.
- 765 e. A candidate is any student who meets the definition of a candidate or write-in  
766 candidate.

767 **8. CANDIDATE RESPONSIBILITIES:**

- 768 a. All candidates are required to attend all Mandatory Elections Meetings.
- 769 i. If the candidate is unable to attend, then it is their responsibility to notify  
770 the Elections Committee a minimum of twenty-four hours in advance. If a  
771 candidate becomes aware of a medical emergency, a required class  
772 expectation, or a matter that does not allow them to notify the Elections  
773 Committee a minimum of twenty-four hours in advance, then they must  
774 still notify the Elections Committee as soon as possible. The Elections  
775 Committee can disqualify a candidate from the race if they feel that the  
776 candidate did not sufficiently attempt to notify the Elections Committee.
- 777 b. Candidates must submit a list of campaign staff to the Elections Committee by the  
778 Friday before Campaign Week.
- 779 i. Campaign staff may be altered at any point in time, but all changes must  
780 be reported to the Elections Committee within 24 hours of the change.
- 781 c. Uphold all elections policies for themselves and their staff. Any violation(s) that  
782 occur by the campaign staff, or themselves, are the responsibility of the candidate.

- d. No candidate or candidate staff is allowed to use ASWOU supplies for the purpose of a candidate's campaign; however, the ASWOU President, in consultation with the ASWOU Office Coordinator, shall determine prior to the start of each election reasonable prices to allow for a candidate's campaign to use ASWOU supplies.
- e. Email communication is the official method of notification of policy changes. It is the responsibility of the Elections Committee Chair to maintain the Elections Committee email inbox. Prior to the Elections Committee being formed and a Chair being selected, the Judicial Administrator has the responsibility of maintaining the Elections Committee email inbox. No candidate will be responsible for adhering to the changes in policy if an email notification has not been made to them. Should the Elections Committee Chair not send out such a notification in a timely manner, a branch head who is not running for office may send out the notification; should all branch heads be running for office, a professional ASWOU advisor is to send out the notification posthaste.
- 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. Candidate or cause campaign may not spend more than \$1,000 on their campaigns. This amount includes both direct expenditures and 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.

- 823                   iii. Question and answer period for each candidate for a period of time set by  
824                   the moderator.
- 825                   iv. One one-minute closing statement for each candidate.
- 826           b. The moderator will determine the order of speakers.
- 827           c. The Elections Committee will appoint someone to act as moderator.
- 828           d. Specific times and places for the forum will be determined by the Elections  
829           Committee.
- 830           e. The Elections Committee shall determine times and places of each forum, and  
831           notify the candidates, a minimum of one week prior.
- 832                   i. Forums shall be advertised in accordance with university posting policies,  
833                   and to allow for accommodations to be possible.
- 834           f. Write-in Candidates may participate in the Candidates Forum. Write-in  
835           Candidates must inform the Elections Committee that they wish to participate at  
836           least twenty-four hours in advance of the candidate forums.
- 837           g. Candidates may make additional speeches outside of the forums at their own  
838           discretion, but still must adhere to all campus regulations and election policies.
- 839   **12. CAMPAIGN MATERIALS:**
- 840           a. Campaign materials, as defined above, shall not deface college property or disrupt  
841           the educational environment of the University, and must adhere to the following  
842           provisions:
- 843                   i. A sample of all campaign materials to be distributed or displayed in any  
844                   manner must be submitted and reviewed by the Elections Committee  
845                   Chair prior to use or before being made public.
- 846                           1. All materials that were approved by the Elections Committee Chair  
847                           are exempt from having their approval questioned, as long as it  
848                           adheres with all elections policies outlined in the ASWOU Bylaws  
849                           and the posting/advertisement guidelines set by the Office of the  
850                           Vice President of Student Affairs (VPSA).
- 851                   ii. All campaign materials, including lawn signs, posted on WOU bulletin  
852                   boards and other specific WOU posting areas, including the Residence  
853                   Halls, must be stamped by the VPSA Office prior to posting.
- 854                   iii. Campaigning is prohibited in the Residence Halls, Valsetz Dining Hall,  
855                   and their entryways for the ASWOU Election.
- 856                           1. Verbal door-to-door campaigning in the residential halls is not  
857                           permitted.
- 858
- 859                   iv. It is the responsibility of the candidate and/or staff to remove all campaign  
860                   materials from all campus locations, excluding private dormitories and  
861                   campus offices, within five hours of the polls closing.



- 862 v. With the exception of the Elections Committee's voter's pamphlets and  
863 other Elections Committee information, no campaigning which is visible  
864 or audible by other voters or workers at the polls will be allowed.
- 865 1. Voters who feel harassed by any such campaigns are urged to file a  
866 complaint against the candidate.
- 867 2. Such a complaint may be considered a violation(s) of election  
868 policy and may be valid information at any election hearing  
869 regarding election policy violations of a candidate.
- 870 vi. Campaign materials may only be posted within designated areas or  
871 distances set by the Elections Committee.
- 872 1. Campaign materials may not be posted within one hundred feet of  
873 a polling station, or within twenty feet of any campus computer  
874 lab. Measurements of violation will be determined by the Elections  
875 Committee.
- 876 2. Designated areas may not be in violation of the posting guidelines  
877 set by the VPSA Office.
- 878 vii. Lawn sign posting guidelines:
- 879 1. Avoid spiking lawn signs into the roots of trees, bushes, and plants  
880 other than the grass.
- 881 2. Lawn signs may be posted between the sidewalk and the street on  
882 both sides of Monmouth Ave. between the north side of the  
883 intersection of Church St./Monmouth Ave. and the south side of  
884 the intersection of Jackson St./Monmouth Ave.
- 885 3. No lawn signs may be placed on the Heritage Hall lawn.
- 886 4. No lawn signs may be placed between Werner University Center  
887 (WUC) and the Heritage Hall driveway.
- 888 5. Lawn signs may not be larger than posting guidelines set forth by  
889 the VPSA Office.
- 890 6. Use stakes no wider than  $\frac{3}{4}$ " by 1  $\frac{1}{2}$ ". Lathe is preferable.
- 891 7. Any area on campus not covered in these policies shall be decided  
892 upon by the Elections Committee during an election.
- 893 viii. Posting of campaign materials on campus is allowed between midnight  
894 seven days prior to the opening of the polls until five hours following the  
895 closure of the polls for any given election.
- 896 ix. Candidates, if invited by a student club or organization, may address the  
897 club membership, but are not required to.
- 898 x. Campaign signs must be removed by 5pm on Sunday nights so the  
899 Physical Plant may mow campus grounds. Signs may be put back up after  
900 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 student fee-paying students of WOU 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

941 numbers” or other student identification are utilized. The Elections  
942 Committee has the final determination as to whether an electronic vote is  
943 valid or not.

944 iii. If a candidate, a member of their campaign organization, or a member of a  
945 cause organization votes multiple times, the candidate or cause  
946 organization will be reviewed for a campaign violation.

947 iv. With computers acting as voting booths, candidates are prohibited from  
948 sending flash or “pop-up” messages to all students, all student emails, use  
949 of campus list serves not connected with the campaign, or instant  
950 messaging groups of students anonymously.

951 1. Campaigns, including candidates, may not send email regarding  
952 the election or campaigning to individual groups of students unless  
953 it is to a relevant ASWOU Government authority and not for the  
954 purpose of requesting votes or support.

955 2. These emails should be for the purpose of coordinating their  
956 campaign or resolving grievances.

957 c. Paper Ballot Elections (if used):

958 i. Student fee-paying students of WOU shall be allowed to vote, and they  
959 shall be given only one ballot.

960 ii. A trained poll worker shall distribute a validated ballot after receiving the  
961 student ID number from the student, and crossing the student’s name off  
962 the student roster list. If a student’s name is not found on the student  
963 roster, a current proof of enrollment as obtained on the student’s WolfWeb  
964 will be required to allow that student to vote. This process verifies voter  
965 eligibility.

966 iii. The ballots shall be kept for no less than three weeks after the results have  
967 been announced.

968 iv. The voter is required to place the ballot in the ballot box.

## 969 15. **WITHDRAWAL:**

970 a. A candidate who wishes to withdraw their name from the ballot must submit a  
971 request via email to the Elections Committee and verify the withdrawal either in-  
972 person or by the phone with the Elections Committee Chair, or by meeting with  
973 no less than two members of the Elections Committee and an Elections  
974 Committee advisor.

## 976 16. **RESULTS:**

977 a. The ballots shall be counted in a closed session immediately after the closing of  
978 the polls. The closed session will take place in a neutral meeting place, and the  
979 doors will remain closed until the votes are validated. Only the Elections  
980 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 or if a decision of the Elections Committee is appealed, then the matter shall be reviewed by the Joint Committee on Elections Appeals (JCEA). Only matters brought to the JCEA by candidates or causes are to be reviewed. This board is to be comprised of the Judicial Administrator and one Justice appointed by the Judicial Administrator, and the Senate President and one Senator appointed by the Senate President. Members of the JCEA must meet the same membership requirements as members of the Elections Committee. The ASWOU President shall serve as a non-voting Chair of JCEA, unless they are running for office, in which case the highest-ranking member of the Executive Cabinet who is not seeking office shall chair the meeting. Neither the appointed Justice nor Senator may be concurrently serving

on the Elections Committee. Should no Justice or no Senator be available for appointment to the JCEA, then neither a Justice nor a Senator may serve. The Senate President and Judicial Administrator may not vote on any deliberations of which they are directly involved with the matter in question. Should all members of the JCEA be disqualified, the matter will be taken up by the three at-large students appointed by the ASWOU advisors. A two-thirds vote is required to uphold the decision of the Elections Committee

- b. When a matter is duly brought before the JCEA, it is to be heard by the JCEA within 72 hours or at the soonest possible time that all members of the JCEA can meet and, if at all reasonably possible, the party bringing the matter to the JCEA is available as well.
- c. The party bringing the matter to the JCEA shall include in their email notification to the Senate President, Judicial Administrator, and President: a detailed account of the matter at hand and relevant statutes, procedures, and policies; any corroborating statements or evidence; and a clear and reasonable case for why the matter should be considered by the JCEA.

#### **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 Bylaws. 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 finally 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 elections policies duly created by Senate. The Elections Committee may recommend policies to the Senate for approval, which shall only be in effect for the duration of the election in question for which the Elections Committee has been appointed. Such recommendations are technically within the legislative agenda of the Senate, but are not subject to any legislation adoption timeline and may be voted on at the next Senate meeting following their recommendation. The Senate may also, in consultation with the members of the Elections Committee, enact such policies.
- 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. All of the advisors may remain in attendance during closed deliberations.

**ARTICLE VII – INCIDENTAL FEE COMMITTEE**

1. Oregon state law designates a public university's recognized student government as having the right to mandate the Board of Trustees to collect student fees to be allocated by the student government. The Senate, as the legislative branch of the ASWOU Government, is in charge of this process. The Senate delegates this duty to the Incidental Fee Committee (IFC), insofar as it is not otherwise restricted in these Bylaws, which is hereby created. The Senate maintains its legal right to be the final arbiter of student fees.
2. The IFC shall be governed by the ASWOU Constitution and Bylaws. The IFC may also create for itself bylaws, but no part of the IFC Bylaws may conflict with any part of the ASWOU Constitution or Bylaws.
3. Upon IFC completing its work and after its preliminary decision and open hearings, it shall formally vote to recommend a budget for approval to the Senate. This recommendation shall be considered at the regularly scheduled Senate meeting immediately following the IFC recommendation. The Senate may not reject a budget exclusively because it disagrees with its contents, but it shall review the following requirements and ensure that all have been met by the IFC during its process, barring limited extenuating circumstances:
  - a. The IFC website was regularly maintained with updated information as needed.
  - b. Area budgets were provided with sufficient time for IFC committees to review them and provide feedback.
  - c. IFC committees reviewed and were given the opportunity to provide feedback to areas regarding the budgets and presentations prior to the area presenting to the full IFC.
  - d. No fee-paying WOU student was expressly barred from participating in an IFC committee.
  - e. At least two open hearings were held during proper meetings of the IFC which were publicized with sufficient notice.

- 1224 f. IFC members were properly trained early enough in the process to be able to  
1225 diligently conduct their duties.
- 1226 g. The IFC duly considered input from fee-paying WOU students in making its  
1227 recommendation to the Senate and recommended a budget which serves to  
1228 enhance the experience of WOU students at the university while remaining  
1229 cognizant of the fee amount.
- 1230 4. Should the Senate determine that any of these requirements have not been met, it may  
1231 reject the budget if the unmet requirement(s) are determined to have negatively  
1232 impacted the right of students to be charged a fair and beneficent fee. Notice to the  
1233 IFC of the Senate's rejection of the budget shall be accompanied, within three  
1234 business days, by a written message from the Senate President stating the reasons for  
1235 the Senate's rejection. If the Senate approves the IFC budget but believes certain  
1236 requirements were unmet, the Senate may request the Senate President provide the  
1237 IFC with a written message explaining its procedural deficiencies. Should the Senate  
1238 reject the IFC's recommendations, a Joint Committee on Student Fees shall be  
1239 formed within two business days of the Senate's rejection notice to the IFC. This  
1240 Joint Committee shall be comprised of two Senators appointed by the Senate  
1241 President, two members of the IFC appointed by the IFC Chair, the Senate President,  
1242 and the IFC Chair. The ASWOU President shall preside as the chair of these  
1243 meetings, but may not vote. All members are to negotiate in good faith. The members  
1244 of the Senate on the Joint Committee, as actors on behalf of the Senate during this  
1245 process, may only recommend changes to the proposed budget regarding areas in  
1246 which it has determined the IFC has disregarded concerns of students to the detriment  
1247 of the greater fee-paying student body and line items which may be affected by these  
1248 changes. Should no resolution be reached within five business days, the Senate's  
1249 recommendation is to be forwarded to the University President within 36 hours.  
1250 Members who do not agree with the Senate's recommendation shall be permitted to  
1251 add an addendum to the Senate's report stating their dissension, provided it be sent to  
1252 the Senate President within 24 hours.
- 1253 5. Should the Senate not consider the IFC's recommendations at the Senate meeting  
1254 immediately following the IFC making its recommendations to the Senate, the IFC  
1255 recommendations are, for all intents and purposes, approved by default and to be  
1256 forwarded to the University President.
- 1257 6. While the IFC may establish for itself procedural requirements, those requirements  
1258 shall not negate what requirements the Senate establishes for itself in this process, nor  
1259 shall they add to those requirements without the consent of the Senate or, between its  
1260 meetings, the Senate President.
- 1261 7. The rules of procedure contained in the most recent edition of Robert's Rules of  
1262 Order shall govern the Incidental Fee Committee and all of its committees in all cases  
1263 in which they are applicable and consistent with the laws of the State of Oregon,

ASWOU Governing Documents, and IFC Bylaws. The ASWOU Senate President or their representative shall serve as the parliamentarian for the IFC. If the Senate President is absent and has not appointed a representative, the IFC Chair may appoint a temporary parliamentarian.

#### **ARTICLE VIII – AMENDMENTS TO THE BYLAWS**

1. Unless otherwise allowed for therein or in the ASWOU Constitution, changes to the Bylaws may only be made through formal legislation of the ASWOU Senate and subject to those adoption procedures. Should legislation affect the same section or alter alphanumeric section labels referenced in concurrent legislation, the Judicial Administrator shall exercise careful discretion in updating the governing documents, requesting the guidance of the Senate President whenever in any doubt and subject to the clarification of the Senate.



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

Edition: September 24<sup>th</sup>, 2019

### **Preamble**

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

### **Article II – Constitutional Requirements**

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

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

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

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

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

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

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

#### **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,

63 use of a logo or name, receipt of monetary funding, receipt  
64 of leadership via staff.  
65  
66  
67

## 68 **Article II – Constitutional Requirements**

- 69 1. All Chartered Organization constitutions must contain the following:
- 70 a. The purpose of the organization.
  - 71 b. How to gain membership within the organization.
  - 72 c. The titles, duties and powers of the officers within the organization.
  - 73 d. The requirements to be eligible to run for office within the organization.
  - 74 e. The selection and removal process for officers within the organization.
  - 75 f. The length of the term of office for the officers within the organization.
  - 76 g. Whether the organization collects dues.
    - 77 i. If so, how much is paid to dues, where dues are deposited, and what dues  
78 are used for.
  - 79 h. How often the organization will hold meetings.
  - 80 i. The process by which the constitution of the organization may be amended.
  - 81 j. The process by which the organization would dissolve.
  - 82 k. How debts, should any exist, will be recovered upon dissolution.
- 83

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

- 85 1. Clubs are responsible for completing all trainings mandated by the Director of Student  
86 Organizations and the Director of Business and Finance.
- 87 2. All general club meetings shall be open to all students unless otherwise stipulated in the  
88 organization's constitution.
- 89 a. Funded organizations must be all inclusive at all times, and may have no  
90 limitations on membership.
- 91 3. Organizations shall make their meeting times and locations available to the public, as  
92 well as report them to the Director of Student Organizations by the second week of each  
93 term of the academic year in order for a complete list of club offerings to be compiled.
- 94 4. Club mailboxes should be checked regularly in order to maintain communication  
95 between Chartered Organizations and the WOU Campus.
- 96 5. Emails regarding club standing, infractions, and mandatory directives will solely be sent  
97 to the primary and secondary contacts listed on the charter.
- 98 a. Exceptions to this rule must be negotiated with the Director of Student  
99 Organizations.
- 100 6. WOU and ASWOU policy infractions, or suspected policy infraction, is expected to be  
101 reported to the ASWOU Judicial Administrator promptly.
- 102 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.
  - a. Only the President and Vice President of a chartered organization may make travel requests, purchasing requests, or reimbursement requests. These organization officers must have gained their position according to their organization's constitution. Organization officers must be identified by either the Director of Student Organizations or the Director of Business and Finance.

- 228           b. In the event that a student who has not been identified as an officer of the  
229           organization has made a budget request, the ASWOU President, the ASWOU  
230           Vice President, the Director of Student Organizations, the Director of Business  
231           and Finance, the Judicial Administrator, and the Senate President shall have the  
232           power to deny the budget request. If a chartered organization mistakenly spends  
233           money before the associated purchase request has been approved, the Director of  
234           Business and Finance may recommend to the Judicial Board that the organization  
235           be reimbursed for their expenses; the Judicial Board shall then have final  
236           determination on the matter.
- 237       7. No Chartered Organization's budget, or part of a Chartered Organization's budget, may  
238       be adjusted, withheld, suspended, transferred, or reapportioned in any manner by any  
239       ASWOU Branch once a Chartered Organization's budget has been established and  
240       approved by the IFC except through due process by the ASWOU Judicial Branch for  
241       organizational misconduct.
- 242           a. Transactions initiated and/or approved by a Chartered Organization through the  
243           regular course of business shall not fall under these requirements or limitations.
- 244           b. In the case of organizational misconduct, reducing or eliminating funding shall be  
245           a last resort, will be absorbed into the Student Organization Director's Account  
246           (ASW 937), and shall be utilized in a way that benefits all chartered  
247           organizations.
- 248       8. All funded organizations are responsible for tracking their funding and expenditures.
- 249           a. The Director of Business and Finance will keep detailed records of expenditures  
250           and funding sources, but shall not serve as a treasurer to any Chartered  
251           Organization.
- 252       9. If a funded club overdrafts their account, funding needed to balance the account will be  
253       subtracted from the next year's IFC allocation.
- 254

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

- 256       1. All ASWOU Chartered Organizations are required to follow all WOU Travel Policies.
- 257       2. If an ASWOU department or organization has a travel expense which totals over \$999.00  
258       of IFC money in overall expenses, a predetermined advisor must accompany the students  
259       on the trip.
- 260           a. The overall expenses include traveling costs, registration fees, meals, and any  
261           other expenses that are compiled over the course of the trip, or used toward the  
262           trip.
- 263           b. The advisor may be the ASWOU department or organization's formal advisor, or  
264           any other Western Oregon University employee that is approved by the formal  
265           advisor in their absence.
- 266           c. It is up to the ASWOU department or organization to cover the cost of taking the  
267           advisor.

- 268 i. The IFC will not be held responsible to ensure the ASWOU department or  
269 organization has the funds to take an advisor. However, they may present  
270 and request funds from the IFC Extraordinary Travel Fund.
- 271 d. If an ASWOU department or organization wishes, they may request to waive this  
272 policy by petitioning the ASWOU Judicial Board for an exemption.
- 273 i. This petition must be submitted a minimum of six weeks prior to the travel  
274 being slated to occur.
- 275 ii. This petition must give detailed reasoning as to why bringing an advisor is  
276 not possible.
- 277 iii. The application for this exemption may be obtained from the Judicial  
278 Administrator, and shall include but not be limited to the following  
279 information: the department/organization's name, travel destination, total  
280 IFC funding being utilized, purpose of travel, agenda for travel, and  
281 reasoning/explanation for not bringing an advisor.
- 282 e. If the post travel expense is over \$999.00, and an exemption from the Judicial  
283 Board was not previously granted, the organization is subject to judicial  
284 sanctioning.
- 285

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

- 287 1. All event and meeting advertising (by poster, electronic devices, or electronic event  
288 pages) for ASWOU Chartered Organizations must include this disability statement: “If  
289 you have a disability that may require some accommodation in order to participate in a  
290 Western Oregon University activity, please notify the Office of Disability Services at  
291 503-838-8250 or ods@wou.edu at least 72 hours in advance.” Whether the advertising is  
292 done on a poster, social media, or electronic devices around the WOU Campus, all  
293 ASWOU Chartered Organizations shall attempt to advertise at least five days in advance  
294 for their organization's events.
- 295 a. In the case of social media or online profiles, the Disability Statement must be  
296 present on all home/profile pages, but are not required to be present within every  
297 post/interaction.
- 298 2. Each member of any ASWOU Chartered Organization has the right to be free from  
299 discrimination inclusive of, but not limited to, the following areas: race, color, national  
300 ancestry, creed, religion, sexual orientation, gender identity, gender expression, sex, age,  
301 and individuals with mental and/or physical disabilities.
- 302 3. All organizations shall strive to hold general meetings in locations which meet  
303 accessibility guidelines.
- 304

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

- 306 1. ASWOU defines dissolution as a Chartered Organization failing to renew their charter for  
307 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 Bylaws.
    - 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 Bylaws.

- 347                   b. If the legislative changes are not approved by the Judicial Board, the reasoning for  
348                   the disapproval shall be returned to the Senate in writing at the subsequent Senate  
349                   meeting, and the legislation will be null and void.
- 350       4. Once approved by the Senate and the Judicial Board, changes must be signed into law by  
351       the Senate President, the Judicial Administrator, and the ASWOU President.
- 352           a. The ASWOU President retains their power of veto, and must follow the veto  
353           process outlined in Article IV of the ASWOU Bylaws.
- 354       5. Once signed into law, the change will go into full force and effect, and are not subject to  
355       an approval vote by the student body unless otherwise recommended by a governing  
356       branch.
- 357