

# **ASSOCIATED STUDENTS OF NORTHERN ARIZONA UNIVERSITY CONSTITUTION**

## **PREAMBLE:**

We, the students of Northern Arizona University, viewing our primary goal as the pursuit of education, do hereby establish this Association of students to provide a forum for student representation in matters of student concerns to Northern Arizona University, and we do hereby ordain and adopt this Constitution.

## **ARTICLE I: Name**

The name of this organization shall be the Associated Students of Northern Arizona University, hereinafter referred to as "ASNAU".

## **ARTICLE II: Purpose**

The primary purpose of the governing body of ASNAU is to serve NAU as the representative student voice at the campus, local, state, and national levels. ASNAU officials are to become informed on every issue concerning NAU and communicate that knowledge and information to the students. In order to accomplish this, opportunities for students must be provided for them to have their opinions heard by creating an atmosphere that seeks student input and student involvement. As the representative student body, the governing body of ASNAU seeks to promote NAU and its activities including but not limited to: Academics, Athletics, Special Events, Community relations, and Student Activities. The goal of the governing body of ASNAU is to provide every student with information about current legislation and various opportunities to be represented. A primary responsibility of the governing body of ASNAU is serving as the liaison between students, staff, administrators and alumni of NAU. In those efforts, it is sought to create a relationship of open communication respect among all divisions in the University.

## **ARTICLE III: Membership**

Any person enrolled as a student, paying tuition and registration fees at Northern Arizona University's Flagstaff campus shall be a member of ASNAU. All members shall hold equal voting rights in ASNAU general and special elections, as applicable. With respect to other applicable qualifications, all members shall be eligible to hold office in ASNAU or in any of its subordinate faculties.

## **ARTICLE IV: Authority**

The governing body of ASNAU and all staff, personnel, boards, committees, and agencies responsible to, or created, or employed by, ASNAU shall be recognized as the official student representatives to the university faculty and administration of the community, state, and nation.

## **ARTICLE V: Executive Branch**

The executive branch shall be comprised of the officers of the Executive Council and all other personnel and staff directly responsible to them.

### **Section 1: The Structure of the Executive Council**

The Executive Council shall consist of the ASNAU President, Vice President of Student Affairs, Vice President of Academic Affairs, Vice President of Government Affairs and Chief of Staff, all of whom shall be undergraduate fee paying students on the Flagstaff Mountain Campus. The Chief of Staff shall be appointed by the newly elected ASNAU President, Vice President of Academic Affairs and Student Affairs. Each of these individuals shall be elected by the student body, except for the Chief of Staff, who shall be appointed by the President and confirmed by the ASNAU Senate on an annual basis.

### **Section 2: Quorum**

Quorum of the Executive Council shall consist of two-thirds (2/3) of the voting members of the Executive Council for the purpose of conducting meetings.

## **ARTICLE VI: The Legislative Branch**

The legislative branch shall be comprised of the Senate and all staff and personnel directly responsible to them, all of whom are Undergraduate fee paying students on the Flagstaff Mountain Campus.

*Updated March 2018*

### **Section 1: The Structure of the Senate**

The Senate shall consist of a Chair, Vice-Chair, Senators, a Clerk, and a Parliamentarian.

### **Section 2: Membership**

- A. The Vice President of Academic Affairs shall serve as Chair of the Senate.
- B. The members of ASNAU shall elect senators. Each member of ASNAU shall cast no more than two (2) votes for Senate elections. A member of ASNAU cannot cast two (2) votes for the same candidate.
- C. The Senate Clerk and Parliamentarian shall not possess Senate rights and shall only be permitted to discuss issues relating to their respective duties.
- D. The ASNAU Senate shall consist of fourteen (14) elected members of the Northern Arizona University Flagstaff Mountain Campus. Senators shall have declared majors or pre-majors within their respective colleges or stand-alone schools. Each Student Senator must resign his or her position if he or she withdraws from and causes a violation of sub-section E.
- E. Senators shall consist of elected members from no less than three (3) colleges or stand-alone schools based on the elected member's major. No more than five (5) Senators may be from the same college or stand-alone school.
- F. There are fourteen (14) Senators.
- G. In the event the top fourteen (14) elected Senators, based on popular vote, do not fulfill sub-section E, the elections commission along with a student life advisor shall determine which candidate(s) will be awarded Senate seats in order to fulfill sub-section E. Students with the highest number of votes shall be awarded vacant seats as long as sub-section E is met.

### **Section 3: Senate Committees**

The Senate may formulate or nullify any committees, as it deems necessary.

### **Section 4: Voting Between Meetings**

If voting needs to take place between meetings, the Vice President of Academic Affairs will send out a mass email stating the motion on the table. The email will also state the durations of discussion, along with a date and time of when all votes must be cast. A Senator can submit discussion and amendments by replying to all Senators and the Vice President of Academic Affairs. If Senators agree with the amendment made through discussion, the Vice President of Academic Affairs will re-submit the amended motion. Senators must then vote on the amended motion within the time frame that was given. After the online voting has taken place, the Vice President of Academic Affairs must present the tally of votes and result in their report at the next Senate Meeting.

### **Section 5: Quorum**

A quorum of the Senate shall consist of a majority of its voting members. In the case of a special session, a quorum shall consist of two-thirds (2/3) of the voting membership.

## **ARTICLE VII: The Judicial Branch**

The judicial branch shall be comprised of the Justices of the Supreme Court.

### **Section 1: The Structure of the Supreme Court**

The Supreme Court shall consist of one (1) Chief Justice, four (4) Associate Justices, and one (1) Clerk. The justices shall serve two-year terms and be appointed by the President with a two-thirds (2/3) confirmation by the Senate. The Clerk shall serve a one-year term and shall be appointed by the Chief Justice on an annual basis.

### **Section 2: Purpose**

The purpose of the Supreme Court shall be to interpret, apply, and deliberate with respect to this Constitution By Laws in ruling on all disputes regarding the meaning and intent of this document. In doing so, the Supreme Court must stay within the parameters of the Constitutions of the United States and the State of Arizona.

**Section 3: Jurisdiction**

- A. The Supreme Court shall have original and exclusive jurisdiction over all disputes arising under this Constitution By Laws to review all actions and decisions of the Executive Council.
- B. Upon receipt of a complaint or an appeal, jurisdiction shall be determined by a majority vote of the Supreme Court affirming jurisdiction. In the event that the Court decides that it does not have jurisdiction over a dispute, it shall issue a written statement explaining the reasons for the dismissal of the case.
- C. Upon the request of any member of ASNAU, the Supreme Court may issue advisory opinions as to applications of the Constitution and Bylaws of ASNAU.

**Section 4: Rules of the Supreme Court**

The Supreme Court shall have the authority to establish, maintain, and enforce certain rules that shall govern the official policy and procedure of the Court.

**Section 5: Decisions**

The decisions of the Supreme Court shall include Executive Council and Senate opinions when deemed necessary. All decisions of the Supreme Court are final.

**Section 6: Records**

All Supreme Court decisions and opinions shall be permanent public documents.

**Section 7: Quorum**

A quorum of the Supreme Court shall consist of three (3) Justices.

**Section 8: Vacancies**

Supreme Court vacancies shall be filled by appointment with two thirds (2/3) approval of the Senate no later than one (1) month following the opening of a position on the Court. Appointees filling a previously vacated position shall serve only the remainder of the current term.

**Section 9: Impeachment**

Justices of the Supreme Court may be impeached only in accordance with the procedures outlined in Article X, Section 1.

**ARTICLE VIII: Meetings****Section 1: Convening Meetings**

- A. The Senate shall meet once every week during the academic year according to University policy.
- B. Special sessions of the Senate may be called at any time during the calendar year by the President, the Senate Chair, the Senate Vice Chair, or by petition of at least two-thirds (2/3) of the Senate.
- C. Open meetings of the Senate shall be canceled only when preceded by seven (7) days' notice of such a cancellation.
- D. The Supreme Court shall convene as soon as possible upon the request of any member of ASNAU proving just cause for such a meeting.

**Section 2: Order of Business**

- Call to Order
- Roll Call
- Call to Audience
- Unfinished Business
- New Business
- Executive Reports
- Staff Reports
- Committee Reports

- Senator Reports
- Advisor Reports
- Open Forum
- Announcements
- Adjournment

### **Section 3: Closed Sessions**

A. All general and special sessions of the Senate shall be open to the public, except in the event that the Senate must discuss matters regarding individual students' educational information, matters relating to individual personnel, or other topics that may be confidential in nature. During closed sessions, no motions may be made and no vote may be taken.

B. All sessions of the Supreme Court shall be open sessions unless otherwise decided by a majority vote of the Justices of the Supreme Court in favor of holding a closed session.

### **Section 4: Parliamentary Procedure**

A. The Senate shall approve a Parliamentarian who shall be consulted regarding a question of proper parliamentary procedure. The most recent edition of Robert's Rules of Order shall be used by all members of the Senate as the official parliamentary resource.

B. This Constitution and the Bylaws of ASNAU shall take precedence over means of parliamentary sources.

## **ARTICLE IX: Salaries**

All ASNAU officers and staff shall receive compensation as approved by the previous year's Senate.

## **ARTICLE X: Removal from Office**

### **Section 1: Senator Impeachment**

A. Upon due causes, a Senator, a member of the Executive Council, or an Advisor can ask the Executive Council to consider impeaching a Senator.

B. The Executive Council will turn to the Supreme Court for investigation of the charges brought to them about the Senator.

C. A Senator may go directly to the Supreme Court and ask them to investigate reasons for impeachment.

D. The Supreme Court will issue a written statement as to whether the Senator should be impeached. This will be read in the Call to Audience section of the meeting.

E. The Supreme Court must submit this statement at the second meeting following the Executive Council's or Senator's request.

F. If the Supreme Court does not find merit within 2 weeks as to the impeachment of a Senator, they do not have to issue a statement to the entire Senate. They must however notify the members requesting the investigation, that they will not be recommending impeachment.

G. After a recommendation stating the Senator in question should be impeached from the Supreme Court, any Senator can make a motion to impeach said Senator.

H. Upon two-thirds (2/3) of vote by all Senate in favor, the Senator will be removed from office.

I. No Senator can make a motion to impeach if the Supreme Court did not recommend the individual be impeached.

J. Once a Senator has been impeached from a position in ASNAU, they are not eligible to run or apply for any ASNAU position for the rest of their academic career a NAU.

### **Section 3: Executive Officer Impeachment**

A. A Senator may go directly to the Supreme Court and ask them to investigate reasons for impeachment.

B. The Supreme Court will issue a written statement as to whether the Executive Officer should be impeached. This will be read in the Call to the Audience section of the meeting.

C. The Supreme Court must submit this statement at the second meeting following the Senator's request.

D. If the Supreme Court does not find merit within 2 weeks as to the impeachment of an Executive Officer, they do not have to issue a statement to the entire Senate. They must however notify the members requesting the investigation, that they will not be recommending impeachment.

- E. After a recommendation stating the Executive Officer in question should be impeached from the Supreme Court, any Senator can make a motion to impeach said Executive Officer.
- F. Upon two-thirds (2/3) of votes cast in favor by all Senate, the Executive Officer will be removed from office.
- G. No Senator can make a motion to impeach if the Supreme Court did not recommend the individual be impeached.
- H. Once an Executive Officer has been impeached or fired from ASNAU, they are not eligible to run or apply for any ASNAU position for the rest of their academic career as NAU.

#### **Section 4: Recall**

- A. Any member of the Executive Council or Senate may be recalled from office by the constituency who elected them.
- B. Any member of ASNAU may initiate a petition calling for a recall election. If such a petition contains the required number of signatures pursuant to signature requirements outlined in the ASNAU Election Code for Executive Council, and Student Senator positions, it shall be presented to the Elections Commission for verification.
- C. For the purposes of Sub-Section B, the member of ASNAU wishing to initiate a petition must also submit a written statement of purpose outlining their intentions and reasons for wishing an ASNAU official be recalled from office.
- D. If the petition is found to be valid, a special referendum will be announced to the student body to decide whether or not to recall the official in question from office.
- E. If the official in question is recalled from office by a majority vote by the student body, the process for a special election shall begin. The recalled official has the option to have his or her name placed upon the special election ballot.
- F. Recall procedures may not begin until one (1) month after the first general meeting of the fall semester or one (1) month after taking the oath for officials elected during special elections or taking office by appointment.
- G. Whoever is elected in a recall election shall hold office only for the unexpired portion of the current term.

### **ARTICLE XI: Amendments to the Constitution**

#### **Section 1: Origin**

Amendments to the Constitution may originate through:

- A. Any member of the legislative branch or
- B. A petition containing the signatures of not less than fifteen (15) percent of all members of ASNAU. The petition shall be presented to the Senate upon the verification of the signatures by the Elections Commission.

#### **Section 2: Confirmation**

All amendments must be presented before the Senate for a two-thirds (2/3) vote by all Senate in favor of confirmation to be placed before all members of ASNAU for ratification.

#### **Section 3: Ratification**

Proposed amendments must be put to a vote before all members of ASNAU in an election in which the proposed amendments are placed on the ballot shall ratify the amendment.

#### **Section 4: Enactment**

A ratified amendment shall take effect on the date specified in the amendment or, if no date is specified, shall take effect immediately.

### **ARTICLE XII: Initiatives**

#### **Section 1: Authority of Initiatives**

Any member of ASNAU may require an initiative on a specific question by submitting a petition containing the signatures of not less than fifteen (15) percent of all members of ASNAU to the President. The Elections Commission must validate signatures.

### **Section 2: Initiative Board**

The President must appoint an Initiative Board within five (5) business days of the receipt of the request for an initiative(s). This Board shall consist of a sufficient number of members to ensure the proper, efficient management of the initiative and shall be responsible for establishing all procedures and regulations for the conduct of the initiative(s).

## **ARTICLE XIII: Referenda**

### **Section 1: Authority of Referenda**

Upon a two-thirds (2/3) affirmative vote by all Senate, any issue can be referred to all members of ASNAU for a vote.

### **Section 2: Ratification of Referenda**

Referenda shall be ratified by a majority of all votes cast in an election in which the referenda are placed on the ballot.

## **ARTICLE XIV: Elections**

### **Section 1: General Elections**

- A. General elections are held for the purpose of electing ASNAU President, Vice President of Student Affairs, Vice President of Academic Affairs, Vice President of Government Affairs, Student Senators, and to pass any amendments to the ASNAU Constitution, Election Code, and/or Homecoming Code.
- B. All general elections for ASNAU shall be completed a minimum of forty (40) business days before spring semester completion, unless elections commission and Senate decide to postpone the election later into the spring semester as stated in the ASNAU Election Code.
- C. All elections shall be held in accordance with the ASNAU Election Code.
- D. For the purpose of electing ASNAU President, Vice President of Student Affairs, Vice President of Academic Affairs, Vice President of Government Affairs and Student Senators, only Undergraduate students will have a vote.

## **ARTICLE XV: Terms of Office**

- A. Any and all ASNAU elected officials shall hold a term, unless otherwise noted, in the ASNAU Constitution, of one year, beginning and ending at the ASNAU Inaugural Banquet.
- B. There shall be no term limits for any elected position within ASNAU.
- C. No member of ASNAU may hold more than one elected office.
- D. Terms for appointed officials shall conclude in the academic year in which they were appointed.

## **ARTICLE XVI: Vacancies**

### **Section 1: Vacancy Succession**

In the case of a vacancy within the Office of the President, the Vice President of Academic Affairs shall become the President. Should both offices become vacant simultaneously, the Vice President of Student Affairs shall become the President. If the three offices become vacant simultaneously, the Vice President of Government Affairs shall become the President. The Vice Chair of the Senate shall become the Vice President of Academic Affairs.

### **Section 2: Vacancy Procedures**

- A. In the case of a temporary absence of the President, the Vice President of Academic Affairs shall act as the President or, if also absent, the Vice President of Student Affairs, or if also absent, the Vice President of Government Affairs, or if also absent, the Vice Chair of the Senate. In the event that all of these individuals are absent simultaneously, the President shall appoint a Senator to temporarily represent them.
- B. In the case of a permanent vacancy of all three executive positions, a special election shall be held under the direction of the Elections Commission. The Senate, by a two-thirds (2/3) affirmative vote by all Senate, shall select from its membership a person to act as the President until a permanent replacement has been inducted.

C. In the event of a vacancy in either the ASNAU Executive Council (excluding the president) or ASNAU Senate, the ASNAU President shall appoint a replacement with a two-thirds (2/3) approval by all the ASNAU Senate.

D. All ASNAU elected officials taking office after the general election shall serve in that office for the remainder of the term.

E. All vacancies for Executive, Senate, and Staff positions must be advertised to the entire student body within five (5) days of vacancy, unless prohibited by the university academic calendar.

### **Section 3: Special Elections**

All special elections shall be under the discretion of the Elections Commission and shall be held in accordance with the procedures established in the ASNAU Election Code.

### **ARTICLE XVII: Bylaws**

ASNAU Bylaws shall be established to include the rules, duties, and authority for all ASNAU officials and affiliates. The Bylaws shall be binding unless in conflict with the ASNAU Constitution or local, state, and federal laws under which they operate. The Bylaws of ASNAU shall be amended by a two-thirds (2/3) vote in favor of the amendment by all the ASNAU Senate.

### **ARTICLE XVIII: Constitutional Authority**

The ASNAU Constitution shall be binding over any and all legislation, enactments, and mandates made previous to the adoption of the Constitution.

### **ARTICLE XIX: ASNAU Sessions**

The ASNAU Sessions will run in accordance with the Academic year.

### **ARTICLE XX: Constitutional Enactment**

The ASNAU Constitution shall have full force and effect as of April 8, 2003.