

University of Arkansas Associated Student Government



Introduction

On April 19, 2004, the University of Arkansas Board of Trustees conferred upon the chancellor of each campus the responsibility and authority to approve and establish a structure of student government.

In accordance with those actions, a new Associated Student Government Constitution, written to serve the students of the University of Arkansas, is promulgated on this date, April 30, 2004.

This Constitution reflects many hours of thoughtful deliberation on the part of a number of students, faculty, and staff. The new Constitution is designed to foster responsible, inclusive governance representative of the diverse population that comprises the U of A student body.

Updated April 2018

**ASG Constitution and Code
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University of Arkansas Associated Student Government

ASG Constitution

Preamble

Vision

To represent the common interests and voice of all undergraduate students, the Associated Student Government provides an educational experience of shared governance in the University's decision and policy making process.

Purpose

The Associated Student Government shall act as an organized voice for all students at the University of Arkansas, to effectively represent students in the University's decision and policy making process and to provide a broad educational experience for students, while promoting citizenship on campus and in the greater community. In doing so, ASG knowingly and responsibly recognizes the students' roles in the shared governance at the University of Arkansas.

Article I - Membership and Privileges

Section 1 - Membership:

Any currently-enrolled undergraduate student at the University of Arkansas, Fayetteville who pays the student activities fee is considered a member of this organization.

Section 2 - Privileges:

Members of this organization will be eligible to vote in Associated Student Government elections.

Section 3 - Holding an Official Position

To be elected or appointed to an ASG position, the student must meet the University's requirements for participating in co-curricular activities as outlined in the Student Handbook and be verified by the Office of Student Activities**. All persons elected or appointed to an ASG position are subject to all rules and regulations that may be enacted by this organization.

Article II – Executive Branch

Section 1 – Offices

The Executive powers of the Associated Student Government (ASG) shall be vested in the Offices of President, Vice President, Treasurer, and Secretary.

Section 2 – Election and Term of Office

- A. Executive Officers shall be elected in the spring general election by a popular vote of the student body administered no earlier than the first (1st) of March and no later than the thirtieth (30^h) of March.
 - a. An election that has begun in the stated period of time mentioned above may enter into a runoff after the thirtieth (30th) of March and still be considered valid.
- B. Executive Officers shall be sworn in by the Chancellor, or the Chancellor's designee, no earlier than five (5) business days prior to, and no later than Dead Day of the spring semester.
- C. The term of the Executive Officers shall be from their swearing in until the swearing in of their properly elected successor.

Section 3 – Eligibility

- A. Candidates for Executive Office shall be required to have attended the University of Arkansas for a minimum of one (1) semester.
- B. Candidates for an Executive Office must meet requirements established by the University, outlined in the Student Handbook, for participation in co-curricular activities.

Section 4 – Vacancies

- A. In the case of a vacancy in the Office of President, the Vice President shall assume the Office of President for the duration of the term.
- B. In the case of vacancies in the Office of Vice President, or Secretary, those positions shall be filled by an emergency general election by a popular vote of the student body. This election shall meet all of the requirements for elections as outlined in this Constitution and the ASG Code. This election shall be held no later than twenty-five (25) school days after the seat is vacated when class is in session in the fall or spring semesters, if at least twenty-five (25) days remain in the academic year.
- C. In the case of the vacancy of the Office of Vice President, Treasurer, or Secretary, the President shall appoint an interim officer until a properly elected officer can take office.
- D. In the case of the vacancy of the Office of Treasurer, the Deputy to the Treasurer shall assume the duties of the Treasurer until a properly elected officer can take office.
- E. Emergency elections are coordinated by the ASGJ as outlined in this Constitution in conjunction with the Office of Student Activities (OSA). No emergency elections shall be held within two (2) weeks of spring general election.

Section 5 – Incompatibilities

- A. No person shall serve in more than one (1) ASG Executive Office simultaneously.
- B. No person shall simultaneously serve as on the Executive Committee of ASG and hold an officer position or title in any Registered Student Organization (RSO) or other campus governance body.
- C. No person shall simultaneously serve as an Executive Council member and as a:

enrollment-group wide or at-large vacancy Senator or member of an Executive Branch program.

Section 6 – The Office of President

- A. The President shall be the official representative of the student body.
- B. The President shall be required to be present at a minimum of eight (8) meetings of the Senate per semester.
- C. The President shall have the authority to call the ASG Senate into a special session, provided that a minimum of twenty-four (24) hour's notice is given.
- D. The President shall have the power to veto any legislative action of the ASG Senate (except resolutions that call for a Student Referenda or summon the ASGJ) provided that the Chair of the Senate is notified of said veto within six (6) calendar days after the legislative action is taken by the ASG Senate. The President or other Executive Officer shall attend the following ASG Senate meeting to report and answer questions on the veto. The President shall have a line-item veto on any Appropriations Bill or RSO Funding legislation passed by the ASG Senate.
- E. The President shall convene all meetings of the Executive Council.
- F. The President shall give a State of the Students address before the Senate at least once per semester.
- G. The President shall be required to deliver a report at each ASG Senate meeting for which he or she is in attendance. This report must include updates on legislative action taken by the ASG Senate, but may not contain any comments about submitted or pending legislation. The ASG President, in consultation with the Chair of the Senate and Legislative Clerk, shall track the progress of any legislation passed by the Senate.
- H. The President shall have the power to issue Presidential Proclamations which shall be the opinion of the ASG President concerning any issue.
- I. The President shall have the power to issue Executive Orders pertaining to the structure and operation of the Executive Branch. These Executive Orders shall not contradict this Constitution or the ASG Code.
- J. The President shall appoint the members of the ASGJ, for the two-thirds (2/3) approval of both legislative bodies, as outlined in Article II Section 1 of this Constitution.
- K. The President shall compile an End of the Year Report made available to campus governance groups and the OSA.
- L. The President shall have any other authority or powers specified by Senate legislation, University Policy, or the ASG Code that do not conflict with this Constitution or University Policy.
- M. The President shall be a member of the Campus Council.
- N. The President must notify the Chair of the Senate within forty-eight (48) hours upon signing all legislative bills and resolutions.

Section 7 – The Office of Vice President

- A. The Vice President shall perform the duties of the President should the President be temporarily unable to perform his or her duties.

- B. The Vice President shall be required to submit to both legislative bodies for approval nominations for student representatives to any non-ASG committee as outlined in the ASG Code. Approved nominations will then be submitted to the Vice Chancellor of Student Affairs.
- C. The Vice President shall be required to attend the meetings of the Executive Council, except in circumstances excused by the President.
- D. The Vice President shall be required to be present at a minimum of eight (8) meetings of the Senate per semester.
- E. The Vice President shall have any other authority or powers specified by Senate legislation, the ASG President, University Policy, or the ASG Code that do not conflict with this Constitution or University Policy.

Section 8 – The Office of Treasurer

- A. The Treasurer shall be ultimately responsible for the financial affairs of ASG.
- B. The Treasurer shall be required to be present at a minimum of eight (8) meetings of the Senate per semester.
- C. The Treasurer shall present a Financial Report as well as a complete budget for the remaining fiscal year no later than one (1) month after the first meeting of the fall and spring semesters.
- D. The Treasurer shall be the Director of RSO Financial Affairs.
- E. The Treasurer shall be responsible for the reconciliation of all ASG financial records and affairs.
- F. The Treasurer shall be required to attend the meetings of the Executive Council, except in circumstances excused by the President.
- G. The Treasurer shall have any other authority or powers specified by Senate legislation, the ASG President, University Policy, or the ASG Code that do not conflict with this Constitution or University Policy.

Section 9 – The Office of Secretary

- A. The Secretary shall be responsible for the external correspondence of ASG as well as for any other public relations duties outlined in the ASG Code, as well as coordinating with any public relations activities of the ASG Senate.
- B. The Secretary shall be required to be present at a minimum of eight (8) meetings of the Senate per semester.
- C. The Secretary shall be required to attend the meetings of the Executive Council, except in circumstances excused by the President.
- D. The Secretary shall keep and publish minutes of the Executive Committee meetings.
- E. The Secretary shall be required to maintain records of the minutes of all Senate meetings, all Executive Committee meetings, and all ASGJ meetings, as well as copies of all legislation as passed, amended, or failed. The Secretary shall, before the expiration of his or her term, compile all of this information into one (1) volume for the reference of future members of ASG. This volume shall also be submitted to the ASG Webmaster, the Vice Chancellor of Student Affairs, the ASG Advisor, the Staff Senate, the Faculty Senate, and the Campus Council.

- F. The Secretary shall be required to request minutes from all other campus governance bodies and collect this information into one (1) volume for the reference of members of ASG and submit said volume to the ASG Webmaster.
- G. The Secretary shall have any other authority or powers specified by Senate legislation, the ASG President, University Policy, or the ASG Code that do not conflict with this Constitution or University Policy.

Section 10 – Executive Council

The Executive Council: shall consist of the President, the Vice President, the Treasurer, the Secretary, and the Chair of the Senate, Chief of Staff, Chief Justice, and Freshman Leadership Coordinator.

- A. All of these members shall have voting powers in ASG Executive meetings.
- B. The Executive Council shall utilize monies as provided by the Executive Budget outlined in Article IV of this Constitution.
- C. The Executive Council shall meet a minimum of twelve (12) times per semester.
- D. The Secretary shall keep minutes of the Executive Council meetings.
- E. The minutes of these meetings shall be published on the ASG Website in no less than five (5) business days following the meetings.

Section 11 Executive Committee

- A. The Executive Committee shall be made up of the President, Vice-President, Treasurer, Secretary, and Chair of Senate.
- B. The Executive Committee will have the power to vote in Executive meetings if there was a tie on any voting item that could come along.

Section 12 – Executive Cabinet

- A. The President-elect shall be responsible for appointing a Chief of Staff before his ASG inauguration.
- B. The President shall appoint an Executive Cabinet before the ASG inauguration.
- C. No person shall simultaneously hold a Cabinet position and a Senate seat.
- D. The duties of the members of the Cabinet shall be defined by an Executive Order issued by the President.
- E. Cabinet members shall be required to attend the meetings of the Executive Council as requested by the President.
- F. The Treasurer shall appoint a Deputy to the Treasurer before the ASG inauguration.
- G. The Secretary shall appoint a Deputy to the Secretary before the ASG inauguration.

Section 13 – Freshman Leadership Forum

The President-elect shall be responsible for appointing a Freshman Leadership Forum Coordinator before the ASG inauguration.

Section 14 – Misconduct

- A. Should any Executive Officer engage in conduct unbecoming of his or her office, he or she shall be subject to removal from his or her office.
- B. Unbecoming conduct shall include conduct which under the policies of the University of Arkansas as outlined in the Student Handbook could result in expulsion as a student or other sanctions under applicable University Policies and Procedures, as well as failure to comply with this Constitution and the ASG Code.

Article III – Legislative Branch

Section 1 – Composition of the Legislative Branch

- A. The Legislative powers of the ASG shall be vested in the ASG Senate.
- B. The Senate shall pass no bill or resolution that infringes on the rights and operation of the Graduate-Professional Student Congress, and its members.
- C. The Graduate-Professional Student Congress shall pass no bill or resolution that infringes on the rights and operation of the Senate, and its members.

Section 2 – Composition of the Senate

Seats in the Senate shall be apportioned as follows:

- A. The Senate shall have exactly fifty-one (51) Senate seats including the Chair of the Senate.
- B. Seats in the ASG Senate shall be apportioned according to a college-based model outlined below:
 - a. Senate seats are apportioned from the following undergraduate colleges: Dale Bumpers College of Agricultural, Food and Life Sciences; Fay Jones School of Architecture; J. William Fulbright College of Arts and Sciences; Sam M. Walton College of Business; College of Education and Health Professions; and College of Engineering;
 - b. Each of the six (6) enrollment groups listed in (a) above shall be entitled to one (1) Senate seat. The Chair of the Senate shall constitute the fifty-first (51st) Senate seat;
 - c. The class of newly admitted undergraduate students shall be entitled to five (5) Senate seats to be filled no later than the end of the fourth (4th) week of classes. The definition of a newly admitted student for both elections and voting qualifications shall be that they are either newly admitted or re-admitted for the fall semester based on the student's status with the Registrar's Office;
 - d. The remaining thirty-nine (39) Senate seats shall be allocated proportionally by population between the enrollment groups each year. That is, each enrollment group will receive its whole percentage (excluding fractional remainders) of the total University student population in Senate seats. If the number of Senate seats distributed based on whole percent's does not add to thirty-nine (39) seats, the remaining seats shall be allocated to those enrollment groups with the largest

fractional remainders until thirty-nine (39) seats are allocated. Students enrolled in more than one (1) college shall be required to designate the enrollment group in which they will vote; and

- e. The University population shall be based on the official University enrollment on record with the Registrar's Office on the eleventh (11th) day of classes in the spring semester.
- C. All Senators shall be elected in publicized, enrollment group-wide or at-large vacancy, secret ballot elections administered by the OSA in conjunction with ASGJ or appointed through the process outlined in Title V, Section 5 of the ASG Code. The initial Senate election shall be held in conjunction with the Executive Officer election in the spring semester
- D. Quorum for ASG Senate meetings shall be a simple majority of Senators on roll (excluding fractional remainders).

Section 3 – Retention of Senate Seats

In order to maintain his or her seat, Senators must adhere to the attendance policy as set forth:

- A. Senators are encouraged to attend all Senate meetings; however, Senators will be removed from the Senate roll after accumulating more than two (2) absences in a single semester;
- B. Absences from regularly scheduled committee meetings shall count as an absence from a Senate meeting except in circumstances approved by the Chair of the committee;
- C. Proxies must be members of ASG. Attendance of a proxy shall count as one-half (1/2) of an absence;
- D. No member may proxy for more than one (1) Senator simultaneously;
- E. No Senator may proxy for another Senator; and
- F. Proxies shall have the full duties and powers of a Senator for the duration of the meeting.

Section 4 – Vacancies within the Senate

- A. Vacant Senate seats are to be filled by members of ASG via an at-large election in October or through the appointment process outlined in of the ASG Code. Elections should be coordinated by ASGJ in conjunction with the Office of Student Activities as follows:
- B. Members of ASG filling vacancies in the Senate shall serve until the end of that academic year.

Section 5 – Duties and Powers of the Senate

The duties and powers of the Senate shall be:

- A. To address the academic and non-academic concerns of members by acting as representatives of undergraduate students;

- B. To establish and modify as necessary a set of bylaws that dictate ASG operation known as the ASG Code. If changes are made to the ASG Code, corrections must be made and the current document must be made public within five (5) calendar days;
- C. To establish honoraria for officers provided that such honoraria are not changed for the current term of office and are in accordance with University Policy;
- D. To elect delegates (12) delegates to the Campus Council by the third (3rd) meeting of the fall semester- by a plurality vote of the ASG Senate;
- E. To pass bills by a majority vote. A legislative bill is a form of action that carries with it the power to sanction, establish permanent structures, dictate the appropriation of funds, or modify the ASG Code:
 - a. A bill stands in effect until it is repealed or replaced; and
 - b. A bill may not supersede nor contradict this Constitution.
- F. To pass resolutions by a majority vote. A resolution is a formal request of action. A resolution may set aside funds for a specific project or budget area, make a specific policy request to the University Administration, establish temporary government structures, or request specific action by ASG officers or committees:
 - a. A resolution shall terminate at the end of each academic year unless it specifies another term of effectiveness;
 - b. A resolution may establish standing or ad-hoc committees. The resolution must state the manner in which the committee members will be selected, as well as the specific charge and duties of the committee. The established committee must adhere to all stipulations stated in Article II, Section 14 of this Constitution; and
 - c. A resolution may not supersede nor contradict this Constitution.
- G. To amend any clause of a piece of legislation being considered on the legislative floor;
- H. To send Constitutional Amendments to a referendum of the general ASG membership by as outlined in Article II, Section 1 of this Constitution;
- I. To refer to the students any question it deems necessary by a majority vote via referendum with the exception of Constitutional Amendments;
- J. To override a Presidential veto of Senate legislation by a two-thirds (2/3) vote of Senators on roll;
- K. To meet regularly throughout the year and at least twelve (12) times each semester;
- L. To approve, by a majority vote, Senate Standing Rules submitted by the Chair of the Senate in the form of a Senate resolution no later than the second meeting of the Senate each fall semester governing:
 - a. Author's report, questioning, and debate time limits for legislation;
 - b. Legislation submission time lines;
 - c. Placement and time limits for Special Order agenda items (including guest speakers); and
 - d. Friendly amendment processes.
- M. The Standing Rules shall be published on the ASG Website within five (5) calendar days of their passage;
- N. To suspend or modify Senate Standing Rules by a two-thirds (2/3) vote-;
- O. To abide by Parliamentary Procedures in the order outlined below:
 - a. The Legislative Branch shall abide by Parliamentary law outlined in this Constitution and the ASG Code; and

- b. The latest edition of *Robert's Rules of Order* shall govern all parliamentary procedure not delineated in this Constitution or the ASG Code.
- P. To act in accordance with this Constitution and the ASG Code. Legislators shall have any other authority or powers specified by ASG legislation, University Policy, or the ASG Code that do not conflict with this Constitution or University Policy.
- Q. To serve on at least one (1) standing committee.
- R. To vote or abstain on all pieces of legislation officially submitted to the chair of their respective legislative body.
- S. To yield the floor during the debate time on any piece of legislation to any member of the University of Arkansas community subject to time constraints established by Legislative standing rules, excluding ASG Executive Officers who may only be yielded the floor to answer points of information or to give an authorship report on a piece of legislation of which the Executive is the author.

Section 6 – Special Senate Offices

- A. The Senate shall elect, from amongst the Senators, via a simple majority, a presiding officer for its meetings who shall be known as the Chair of the Senate. This election shall occur in the spring semester as outlined in Article II, Section 11 of this Constitution.
- B. The Senate shall elect, from amongst the Senators, via a simple majority, a Parliamentarian.
- C. The Senate shall elect, from amongst the Senators, via a simple majority, a Legislative Clerk.
- D. The Senate shall elect, from amongst the Senators, via a simple majority, a Sergeant at Arms.
- E. The Senate shall elect, from amongst the Senators, via a simple majority, chairs for any additional committees created via Senate resolution.
- F. The Senate shall elect, from amongst the Senators, via a simple majority, an Appropriations Committee Chair.
- G. Election for the special senate offices shall occur no later than the end of the third (3rd) meeting of the fall semester with the exception of the Chair of the Senate.

Section 7 – Terms of Office

- A. All holders of special senate offices shall serve for the academic year in which they are elected with the exception of the Chair of the Senate.
- B. Should any vacancy occur for any special senate office, that vacancy shall be filled in the same manner in which the position was to be originally filled, as stipulated in Article II, Section 9 of this Constitution.

Section 8 – The Office of Chair of the Senate

- A. The Chair of the Senate shall be responsible for arranging, publicizing, and convening all meetings of the Senate in a room on campus.
- B. The Chair of the Senate shall interpret and enforce the rules of the Senate during Senate meetings.

- C. The Chair of the Senate shall hold a seat in the Senate and shall vote only to break or cause a tie after the official Senate vote has been taken except when voting by secret ballot.
- D. The Senate may overturn the Chair of the Senate's interpretation on any rule by a majority vote.
- E. The Chair of the Senate shall be responsible for updating this Constitution and the ASG Code to reflect the legislative actions of the Senate, the general ASG membership, or the Chancellor.
- F. The Chair of the Senate shall set the agenda for the meetings of the Senate and shall publish each meeting's agenda no later than twelve (12) hours before the start of the said meeting. After the agenda is published, the order outlined may only be changed by a two-thirds (2/3) vote of the Senate.
- G. The Chair of the Senate shall present a signed copy of all legislation passed to the ASG President within forty-eight (48) hours of its passage. The Chair of the Senate, in consultation with the ASG President and Legislative Clerk, shall track the progress of any legislation passed by Senate.
- H. The Chair of the Senate may remove any Senator who is being disruptive from a meeting of Senate subject to majority consent of the Senate.
- I. The Chair of the Senate shall be required to attend all meetings of the Executive Committee, except circumstances excused by the ASG President.
- J. The Chair of the Senate shall assist the ASG Secretary in coordinating the new Senator orientation.
- K. The Chair of the Senate shall not simultaneously hold an officer position in any RSO or other campus governance body.
- L. The Chair of the Senate shall be sworn in by the Chancellor, or the Chancellor's designee, no earlier than five (5) business days prior to, and no later than Dead Day of the Spring semester.
- M. The Chair of the Senate shall be elected in the spring semester according to the following procedure:
 - a. The Chair of the Senate shall be elected from amongst the Senators via a simple majority. The election shall occur during the regularly scheduled Senate meeting of the week where Executive Officer elections are scheduled, unless an alternative date is agreed upon by the ASG Advisor and ASGJ; and
 - b. The term of the Chair of the Senate shall be from his or her swearing in until the swearing in of his or her properly elected successor.
- N. The Chair of the Senate shall be a member of the Campus Council.

Section 9 – Senate Committees

- A. The committees, as outlined in the ASG Code, shall consist of three (3) or more members from the general ASG membership.
- B. Senators shall sign-up for membership in at least one (1) Senate standing committee by the fourth (4th) Senate meeting.
- C. Absences from regularly scheduled committee meetings shall count as an absence from a Senate meeting except in circumstances approved by the chair of the committee. Proxies

can attend committee meetings in place of a Senator; these absences shall only count as one-half (1/2) of an absence.

- D. Each committee shall be guaranteed placement on the Senate agenda to speak on matters concerning the committee upon simple notification to the Chair of the Senate twenty-four (24) hours before any given Senate meeting.
- E. Each committee shall be required to report to Senate on matters relevant to the committee at every general legislative session of the Senate.
- F. If a committee receives referred legislation, the committee must make a recommendation to the Senate (or request more time for consideration) within two (2) Senate meetings of receiving legislation.
- G. After hearing a committee's recommendation, the Senate shall debate and vote on the legislation. Each committee must give a written majority report on the committee's recommendation. If the committee's recommendation was not unanimous, a written minority report must also be presented to the Senate.

Section 10 – The Appropriations Committee

- A. The purpose of the Appropriations Committee shall be to deliberate on all financial matters within the authority of ASG Senate, and to make recommendations to the Senate concerning the same.
- B. The Appropriations Committee Chair shall be the presiding officer of the committee and shall coordinate the committee's meetings.
- C. Senators shall elect, from amongst the Senators, by a plurality, members of the Appropriations Committee.
- D. Members of the Appropriations Committee shall be elected by the fourth (4th) meeting of the Senate in the fall semester.

Article IV – Judicial Branch

Section 1 - Name

The Judicial Branch of ASG shall be named the Associated Student Government Judiciary (ASGJ).

Section 2 – Composition and Terms of Office

- A. The agents of the ASGJ shall be nine (9) Justices.
- B. The ASG Advisor shall serve as an ex-officio, non-voting member of the ASGJ.
- C. The ASGJ shall have the power to appoint any additional ex-officio, non-voting members deemed necessary to maintain adequate facilitation of the judicial process.
- D. Judicial Proxies shall serve as ex-officio, non-voting members of the ASGJ.
- E. Each Justice will serve a term for the duration of three (3) academic years from the beginning of the academic year in which he or she was sworn in or until his or her eligibility expires.

- F. Judicial Proxies will serve a term for the duration of one (1) academic year from the beginning of the academic year in which he or she was sworn in or until his or her eligibility expires.
- G. No Justice or Judicial Proxy may serve simultaneously on any aspect of the Executive or Legislative Branches during his or her term, with the exception of Freshman Leadership Forum staff and being a member of the Razorback Action Group, and University Committees
- H. After a Justice or a Judicial Proxy is confirmed, he or she must undergo a mandatory training process before serving as a Justice.

Section 3 – Vacancies and Appointment Process

- A. A vacant seat shall be defined for a Justice as removal from office, resignation, or graduation.
- B. A leave of absence shall be granted to a Justice if he or she submits a leave of absence request and is approved by the ASG President.
- C. Any vacancies of the ASGJ shall be filled as soon as practicable through appointment by the ASG President with the advice and consent of the Senate.

Section 4 – Judicial Proxies

- A. In the case of a vacancy or a leave of absence, the ASG President shall select one (1) Judicial Proxy to serve as a Justice until that vacancy is filled or the leave of absence expires.
- B. While serving as a Justice, a Judicial Proxy will have full power as a Justice.

Section 5 – Office of the Chief Justice

- A. A Chief Justice shall be selected from the body of Justices by a majority vote of all Justices on the ASGJ.
- B. The Chief Justice shall have full voting rights as a Justice.
- C. If the Chief Justice cannot be present at a meeting of the ASGJ, the Chief Justice shall designate another Justice to chair the meeting.
- D. In the case that the Chief Justice must abstain from a particular issue, an interim Chief Justice shall be selected via a majority vote of the remaining Justices for the duration of that particular issue.

Section 6 – Meetings of the ASGJ

- A. A quorum of the ASGJ shall consist of five (5) Justices.
- B. The ASGJ shall convene:
 - a. In the case of ASGJ membership issues;
 - b. After being summoned for interpretation of this Constitution or the ASG Code;
 - c. To conduct Senate Seat and Executive Officer Elections; or
 - d. To hear an allegation filed with the Chief Justice as specified in Article III, Section 10 of this Constitution.
 - e. For a specific reason deemed necessary by the Chief Justice

- C. No member of the ASGJ shall allow personal interest to influence a vote. Any member who has a conflict of interest personal affiliation to a matter to be considered shall recuse himself or herself from that particular case.

Section 7 – ASGJ Membership Issues

- A. After a Justice acquires three (3) absences, he or she may be removed from the ASGJ by a three-fourths (3/4) vote of the remaining Justices.
- B. The ASGJ shall meet for membership issues only if one (1) or more Justice has acquired at least three (3) absences.

Section 8 – Interpretation

- A. The ASGJ has the power to interpret this Constitution and the ASG Code by a majority vote of the Justices when summoned by any ASG member.
- B. The Justices must submit a written majority report on the interpretation to the ASG Secretary and the Chair of the Senate. If the Justices' decision is not unanimous, a written minority report must also be submitted.

Section 9 – Senate Seat & Executive Officer Elections

- A. The ASGJ has the power to conduct Senate Seat and Executive Officer Elections. These elections shall be administered by the Office of Student Activities.

Section 10 – Investigation of an Elected or Appointed ASG Agent

- A. When a breach of the Standards of Ethics occurs, any ASG member may file allegations specifying a charge against another elected or appointed agent of the body. These allegations should be filed with the Chief Justice. In the case of absence or vacancy of the Chief Justice, allegations may be submitted to any other Justice. Suspicion of intentionally filing false charges may result in referral to the All University Judicial Board (AUJ).
- B. The hearing shall be conducted in an impartial manner. The defendant shall have the following rights:
 - a. The right to a written notice of the charges against him or her;
 - b. The right to a pre-hearing interview;
 - c. The right to a written notice of the date, time, and location of any ASGJ hearing in regards to the case;
 - d. The right to speak in his or her defense;
 - e. The right to submit evidence in his or her defense;
 - f. The right to call and question witnesses; and
 - g. The right to attend or not attend his or her pre-hearing interview and/or hearing.
- C. The complainant shall have the following rights:
 - a. The right to speak at the ASGJ hearing;
 - b. The right to submit evidence to support the complaint;
 - c. The right to call and question witnesses; and
 - d. The right to attend or not attend the hearing.

Section 11 – Appeals of the ASGJ

All ASGJ decisions are final and may not be appealed with the exceptions of election complaint decisions.

Article V – Finances

Section 1 – ASG Budget

The ASG shall receive revenue as apportioned by the ASG Fee assessed to students which shall be allocated, collected, accounted for, and expended in accordance with University Policy.

Section 2 – ASG Executive Operating Budget

- A. Twenty-four and a half percent (24.5%) of ASG Budget shall be apportioned to serve as the Executive Operating Budget.
- B. The Executive Operating Budget of the ASG shall be administered by the ASG Treasurer. All expenditures from the ASG Executive Operating Budget must be approved by the ASG Executive Council and the ASG Advisor.
- C. The ASG Executive Operating Budget shall be used to fund the following:
 - a. Annual honoraria of the ASG Executive Officers;
 - b. Programming administered by the ASG Executive Officers;
 - c. Copying expenses for the ASG Executive Officers; and
 - d. Administrative expenses of the ASG Executive Officers.
- D. The ASG Treasurer shall submit the Executive Operating Budget to the Senate as a part of his or her duties as outlined in Article I, Section 8, Subsection C in this Constitution.

Section 3 – ASG Senate Operating Budget

- A. Five percent (5%) of the ASG Budget shall be apportioned to serve as the ASG Senate Operating Budget.
- B. The Senate Operating Budget of the ASG shall be administered by the ASG Chair of the Senate and the Legislative Clerk in conjunction with the ASG Executive Committee and approved by the ASG Advisor.
- C. The ASG Senate Operating Budget shall be used to fund the following:
 - a. Annual honoraria of the special senate offices;
 - b. Copying expenses for the Senate including agendas, minutes, legislation;
 - c. All new Senator orientation materials; and
 - d. Administrative expenses of the ASG Senate.
- D. The ASG Treasurer shall submit the ASG Senate Operating Budget to the Senate as a part of his or her duties as outlined in Article I, Section 8, Subsection C in this Constitution.

Section 4 – Judicial Operating Budget

- A. Two percent (2%) of the ASG Budget shall be apportioned to serve as the Judicial Operating Budget.

- B. This percentage shall be apportioned from the ASG Budget prior to the allocation of the ASG Executive Operating Budget, ASG Senate Operating Budget, and ASG Allocations Budget.
- C. The Judicial Operating Budget of the ASG shall be administered by the ASGJ Chief Justice. All expenditures from the Judicial Operating Budget must be approved by the ASG Executive Council and the ASG Advisor.
- D. The ASG Judicial Operating Budget shall be used to fund the following:
 - a. Annual training of the ASG Justices;
 - b. Copying expenses for the ASG Justices; and
 - c. Administrative expenses of the ASG Justices.
- E. The ASG Chief Justice shall submit the ASG Judicial Operating Budget to the Senate as a part of his or her duties as outlined in Article I, Section 8, Subsection C in this Constitution.

Section 5 – ASG Allocations Budget

- A. Sixty-Five percent (65%) of the ASG Budget shall be apportioned to serve as the ASG Allocations Budget. In addition, any funds allocated by the ASG Fee rolling over from the previous academic years shall be added to the ASG Allocations Budget.
- B. The ASG Allocations Budget shall be used to fund the following:
 - a. RSOs Funding as outlined in the ASG Code; and
 - b. Any other purpose as specified and appropriately approved by an Appropriations Bill or Resolution.
- C. Expenditures from the ASG Allocations Budget shall be in accordance with University Policy.

Section 6- Freshman Leadership Forum Budget

- A. One and a half percent (1.5%) of ASG Budget shall be appropriated to serve as the Freshman Leadership Forum Operating Budget
- B. The Freshman Leadership Forum Operating Budget shall be administered by the Freshman Leadership Forum Coordinator in consultation with the Deputy Coordinators. The Freshman Leadership Forum Coordinator shall submit the ASG Freshman Leadership Forum Operating Budget to the Senate and Executive Committee.

Section 7 - RSO Financial Affairs

- A. The Office of RSO Financial Affairs shall be responsible for the allocation of RSO Allocations portion of the ASG Budget for use by RSOs.
- B. The Office of RSO Financial Affairs shall be comprised of the following positions:
 - a. ASG Treasurer;
 - b. Secretary to the Treasurer;
 - c. Nine RSO Financial Affairs Officers;
 - d. Adjunct Financial Affairs Officers; and
- A. Changes can only be made to the Standing Rules through the following process:
 - a. Approval through a two-thirds $\frac{2}{3}$ vote by the Financial Affairs Officers; then
 - b. Approval through a majority vote the Senate.

- B. The Treasurer must notify the Senate of any changes to the Standing Rules by the next Senate meeting to allow both legislative bodies to approve the changes.

Section 8 – ASG Capital Improvements

- A. Two percent (2%) of the ASG Budget shall be apportioned to serve as the ASG Capital Improvements Budget.

Article VI – Elections

Section 1 – Executive Officer Elections

- A. Executive Officers shall be elected in the spring general election by a popular vote of the student body administered no earlier than the first (1st) of March and no later than the thirtieth (30th) of March.
- B. Registration for Executive Officer candidacy shall be a week-long process starting no more than five (5) weeks before and concluding no less than three (3) weeks prior to the spring general election.
- C. Executive officer elections shall be administered by the OSA and facilitated by the ASGJ in conjunction with the ASG advisor.
- D. Executive Officers shall be sworn in by the Chancellor or the Chancellor’s designee no earlier than five (5) business days prior to, and no later than the day before Dead Day of the spring semester.
- E. In the case of vacancies in the Office of Vice President, Treasurer, or Secretary, those positions shall be filled by an emergency general election by a popular vote of the student body. This election shall be held no later than twenty-five (25) business days after the seat is vacated and coordinated by the ASGJ in conjunction with the OSA. Registration for candidacy in an emergency election shall be a week-long process concluding no more than two (2) weeks before the emergency general election. No emergency election shall be held within two (2) weeks of the conclusion of the spring general election.

Section 2 – Senate Elections

- A. All Senators shall be elected in publicized, enrollment group-wide or at-large vacancy, secret ballot elections administered by the OSA in conjunction with ASGJ. Registration for Senate candidacy shall follow the same timeline as the Executive Officer election.
- B. The initial Senate election shall be held in conjunction with the Executive Officer election.
- C. Vacant Senate seats are to be filled via an at-large election held no later than the end of the fourth (4th) week of fall semester classes and an at-large election held no later than the end of the fourth (4th) week of spring semester classes.
- D. The Senate may hold additional Senate vacancy elections provided that at least five (5) vacancies exist. A majority vote of Senate shall be required to call these additional vacancy elections.

- E. The at-large vacancy election shall be a general election in which all empty seats are opened up to candidates from any college. Senators will be elected by a plurality vote of the student body.

Section 3 – Chair of the Senate Elections

- A. The Senate shall elect, from amongst the Senators, via a majority of Senators present, a presiding officer for its meetings who shall be known as the Chair of the Senate. This election shall occur in the spring semester as outlined in Article II, Section 11 of this Constitution and be coordinated by the Ethics Committee.
- B. The Chair of the Senate shall be elected in the spring according to the following procedure:
 - a. The Chair of the Senate shall be elected from amongst the Senators, via a simple majority. The election shall occur during the regularly scheduled Senate meeting of the week where Executive Officer elections are scheduled, unless an alternative date is agreed upon by the ASG Advisor and ASGJ. Nominations for the Chair of the Senate shall be taken at the two (2) meetings prior to the election.
- C. The Chair of the Senate shall be sworn in by the Chancellor, or the Chancellor's designee, no earlier than five (5) business days prior to, and no later than the day before, Dead Day of the spring semester, in conjunction with the swearing in of the Executive Officers.

Section 4 – Appropriations Committee Member Elections

- A. Senators shall elect, from amongst the Senators, by a plurality vote, members of the Appropriations Committee by the fourth (4th) meeting of the Senate in the fall semester. The Chair of the Senate will administer the nominations and election process in conjunction with the Ethics Committee.
- B. Nominations for Appropriations Committee membership shall be taken at two (2) Senate meetings prior to the fourth (4th) meeting of the Senate.

Section 5 – Other Internal Senate Elections

- A. The Senate shall follow the following procedure for all elections within the Senate for special senate offices, committee chairs, and/or committee members required to be elected as prescribed in Article III of this Constitution or by Senate legislation creating additional committees.
- B. Nominations for special senate offices, committee chairs, and/or committee members shall occur over at least one (1) week nomination process including at least two (2) meetings of the Senate.

Article VII – Approval and Amendment

Section 1 – Approval

This Constitution is established by approval of the Chancellor as authorized by the Board of Trustees of the University of Arkansas.

Section 2 – Amendments

- A. This Constitution shall be amended by a two-thirds (2/3) margin, following the rules for proportional voting as outlined in Article II, Section 1 of this Constitution (unless initiated as outlined in Article VI, Section 3 of this Constitution), by a majority of votes cast in a referendum of the general ASG membership, and by approval of the Chancellor.
- B. Both legislative bodies may establish transitional regulations for amendments made to this Constitution via a resolution passed by a two-thirds (2/3) margin, following the rules for proportional voting as outlined in Article II, Section 1 of this Constitution if necessary, subject to approval of the Chancellor.
- C. The Chief Justice may make clerical amendments to this Constitution as they see fit, provided the amendment does not alter the power or authority of any branch, office, or entity of ASG.

Section 3 – Initiative

- A. The general ASG membership shall have the authority to initiate the amendment process. In order to initiate the amendment process, the general ASG membership must gather a number of valid signatures of general ASG members, with the required threshold set at thirty-five percent (35%) of the number of students which voted in the last regular ASG Executive Election as determined by the OSA. All initiated amendments shall be required to have the amendment title and a short statement of purpose attached to any circulated petition. Initiated amendments must pass by a three-fifths (3/5) majority of students voting on the amendment to be considered valid.
- B. The general ASG membership shall have the authority to initiate a referendum regarding any issue upon attaining a number of valid signatures of general ASG members, with the threshold set at thirty-five percent (35%) of the number of students which voted in the last regular ASG Executive Election as determined by the OSA. All circulated petitions proposing referenda shall include a title and short statement of purpose.
- C. The OSA shall review each signature for authenticity on all petitions. The ASGJ, in conjunction with the OSA, shall administer the referendum.
- D. The short title and purpose of every initiated amendment or referendum shall be reviewed by the ASGJ in order to determine the constitutionality of the initiative and to ensure the short title and purpose serve the same ends.
- E. The specific process for valid initiatives shall follow the process as outline in Title VII of the ASG Code.

Article VII – Standards of Ethics

Section 1 – Statement of Intent

It is the intent of this article to uphold the integrity and honor of ASG and to inspire the confidence, respect, and trust of the student body by prescribing restrictions against conflicts of interest and unethical practices that could undermine the organization. This article is meant to set a standard of conduct to be followed by all persons holding a position in any branch of ASG. Removal proceedings for not following this Statement of Ethical Conduct should be made only

in extreme cases of unethical behavior that could greatly hamper the effectiveness and integrity of the organization.

Section 2 – Definitions

- A. Conflict of Interest – A situation in which regard for a private interest tends to lead to a disregard of a public duty or interest.
- B. Violation in Office – A violation of any provision of this Constitution or the ASG Code or validly enacted legislation.
- C. ASG Agent – Anyone holding a position in any branch of ASG.

Section 3 – General Statement of Ethical Conduct

- A. ASG agents shall think in terms of “students first,” always determining actions and situations in the light of how they affect university students in their education and training.
- B. The ASG shall uphold and enforce the consistent application of all parliamentary rules and procedures during all Senate meetings.
- C. ASG agents shall adhere to basic notions of civility and respect at all ASG meetings, events, or other interactions.
- D. ASG agents shall not seek to further their own political or personal goals at the expense of the organization and/or its members.
- E. No ASG agent shall deceive members of ASG or misrepresent the truth while acting in their capacity as an ASG agent in such a way that could influence how decisions are made or to the degradation of any of its members.
- F. ASG agents shall not participate in any ASG activity which would place them in a position where there is or may be the likelihood of a conflict between a private interest and an interest of ASG.
- G. ASG agents shall not misuse, misappropriate, mismanage, or condone the wrongful use of the equipment, facilities, or funds of ASG.
- H. ASG agents shall not solicit or accept direct or indirect payment for the performance or nonperformance of any act not specifically allowed for in this Constitution and the ASG Code.
- I. Any ASG agent who aids, advises, condones, or in any way induces another to act in violation of any provision of this Constitution or the ASG Code or validly enacted legislation is thereby directly violating the respective rule.
- J. ASG agents shall not cover up evidence or misrepresent a fact pertaining to a violation in office. Agents of ASG must disclose all knowledge of an ASG violation in office.
- K. Consistent with university policies on nondiscrimination, ASG agents are to choose the most qualified and capable applicants to ASG regardless of race, color, sex, religion, national origin, age, marital status, political views, or sexual orientation.

Section 4 – Conduct Reviews

- A. ASG agents will continuously review their own conduct to ensure that they act within an ethical manner as defined by this Constitution and the ASG Code.

- B. When there is a reasonable cause to believe that a breach of the Standards of Ethics has occurred, any agent of the ASG may file allegations against an elected officer of the body. These allegations shall be filed with the ASGJ.
- C. Any ASG agent who violates the Standards of Ethics, and in turn, violates the Code of Student Life, may also be referred to the All University Judicial Board.
- D. Any Executive Officer of the ASG is required to submit to the Senate the reasons for the dismissal and/or replacement of any cabinet member, subject to the right of privacy of such student.

Article IX – Ratification

Section 1 – Ratification Procedure

- A. This Constitution shall be ratified by a simple majority of the ASG Senate.
- B. Upon passage this document shall serve as a guiding document for the summer 2018
- C. All ASG agents that are in office at the time of the enactment of this constitution shall maintain their offices under the new constitution.

Section 2 – Enactment of Constitution

- A. This Constitution shall become effective following the passage of a student referendum.

Section 3- Desuetude Clause

- A. Upon completion of the ratification and enactment of the Constitution, Article X shall be deemed obsolete, and removed from this document.