Constitution

Student Government Association

Western State College of Colorado

Preamble,

We, the students of Western State College of Colorado do hereby establish this Student Government Association in order to preserve rights and privileges; provide a means for student expression; and provide for meaningful operation of self-government, declare this Constitution to act as the official doctrine of the Associated Student Body.

ARTICLE I. NAME AND PURPOSE

Section 1. The name of the organization established by this Constitution shall be the Student Government Association of Western State College of Colorado, also referred to as SGA of Western State College of Colorado.

Section 2. The purposes of the Student Government Association shall be:

1. To act as the official voice of the Associated Student Body of Western State College of Colorado, also referred to as the ASB of Western State College of Colorado
2. To protect the rights and privileges of the Associated Student Body in the process of shared governance of Western State College of Colorado
3. To accurately represent the concerns of the Associated Student Body to the administration, faculty and staff of Western State College
4. To oversee the allocation and distribution of all appropriate student fees to all subcommittees and student organizations
5. To maintain the fiscal authority over all Student Government Association funds

ARTICLE II. STUDENT RIGHTS

Section 1. As outlined in this Constitution, a person shall be entitled to all rights and subject to all restrictions pertaining to the Associated Student Body by being a currently enrolled student at Western State College.

Section 2. All members of the Associated Student Body shall be treated with equality and fairness in matters concerning Student Government Association. Members of the Associated Student Body shall not be discriminated against on the basis of race, color, creed, religion, gender, age, disability, or sexual orientation.

Section 3. All members of the Associated Student Body have the right to request or receive accurate and timely information of Student Government Association on matters of policy that affect all realms of student life.

Section 4. All members of the Associated Student Body have the right to freely express their opinions about Western State College to the Student Government Association.

Section 5. All members of the Associated Student Body, with a valid identification card, have the right to vote in the General Election and any Special Election.

Section 6. Power of the Associated Student Body

1. All members of the Associated Student Body have the right to petition Student Government Association for initiation, inquiries, complaints, and/or grievances.
2. Petitions
    a. Guidelines
        i. A petition may be submitted to the Student Senate on any given issue
        ii. Upon receiving the petition, the Student Senate shall have the responsibility to determine the validity of the petition based on criteria outlined
        iii. The petition shall be valid for a period of six months from the date of the earliest signature on the petition
        iv. A petition must state the proposed legislation on the top of each and every page of signatures
        v. A petition must contain full printed name, signature, date, and student identification number of the student
        vi. Any elected member must report business of a proposed petition to the Student Senate at the next scheduled Student Government Association meeting
        vii. Any elected member must give petition protocol to any inquiring member of the Associated Student Body
    b. Procedure
        i. Upon receiving the petition, the Senate shall have responsibility to determine the validity of the petition based on the aforementioned criteria
        ii. If ten percent of the Associated Student Body validly sign the petition, then the petition will be submitted to the Student Senate as a piece of legislation for consideration
3. Initiative
    a. Ten percent of the Associated Student Body may initiate legislation by signing a petition requesting a special election on a stipulated issue. The initiating party or parties of the petition must make their intentions known to any elected member before such petition is circulated or the petition will be considered null and void
    b. Upon receiving a petition calling for the initiation of this legislation, the Election Committee shall set and the Student Senate approve, a date for an Initiative Election at which time the issue shall be resolved
    c. The date of the Special Election shall be held no later than four academic weeks following the presentation
    d. The issue shall be resolved by a plurality of those members of the Associated Student Body casting ballots
    e. Notice of the election and the issue to be resolved shall be made known via the campus media
4. Referendum

a. Any issue which has been cleared from the agenda of the Student Senate, which may be facing controversy from the Associated Student Body, may be resolved by a petition
b. Upon receiving a petition calling for the initiation of this legislation, the Election Committee shall set and the Student Senate approve, a date for the Referendum Election at which time the issue shall be resolved
c. The date of the Referendum Election shall be no later than four academic weeks following the presentation
d. The issue shall be resolved by a plurality of those members of the Associated Student Body casting ballots
e. Notice of the election and issue to be resolved shall be made known via the campus media

5. Recall Elections
    a. Ten percent of the Associated Student Body may call for a recall of any member of Student Government Association, either elected or appointed, by signing a petition stating the name of the member of Student Government Association in question and a list of charges
    b. Upon receipt of a petition for the Recall Election, the Student Senate will review the charges brought against the official in question, by the next regularly scheduled Student Government Association meeting and rule whether the charges are sufficient grounds for a recall election
    c. The date of the Recall Election shall be no later than four academic weeks following the presentation of the petition
    d. The issue shall be resolved by a simple majority of the Associated Student Body, provided that at least thirty percent of the Associated Student Body casts ballots in the election
    e. Should less than thirty percent of the Associated Student Body cast ballots at the Recall Election, charges shall be dropped and the election shall be declared invalid

ARTICLE III. STUDENT FEES

Section 1. All students who are currently enrolled in Western State College of Colorado shall pay a yearly Student Government Association fee to fund and extracurricular activities, clubs and events, dedicated to serving a sizeable portion of the ASB.

Section 2. Student Government Association fee will be distributed between the General Fund and the Fund Reserve

1. The General Fund consists of the following permanent sub-committees:
    a. Student Government Association operational budget
    b. Arts & Humanities and Campus Media
    c. Inter-Club Council
    d. Intramural Sports

e. Program Council
f. Wilderness Pursuits
g. Student Affairs, Health and Wellness
h. Student Government Association fees may be distributed into the Fund Reserve when the Student Government Association deems necessary to maintain a minimum cap

Section 3. Student Initiated Fee Changes

1. Any student and/or student organization of the Associated Student Body may place a referendum or initiative concerning a student fee increase or decrease, on the ballot of an election by obtaining a petition signed by at least ten percent of the Associated Student Body
2. Any student fee increase or decrease proposed by the Administration, Student Senate and/or Student Government Association Budget Committee must go before the Student Government Association Budget Committee and the Student Senate
3. The Student Senate will vote to forward the recommendation to the Board of Trustees of Western State College of Colorado. The vote requires a two-thirds vote to be forwarded.
4. See the *Institutional Plan for Student Fees* for further information

Section 4. A currently enrolled student may waive the Student Government Association fee via a petition if they meet the following requirements

1. Have special circumstances where the student will be enrolled through Western State College of Colorado, but participating in an educational setting outside of the campus and community of Gunnison, Colorado
    a. National Student Exchange (NSE) students are not eligible to have the fee waived.
2. The petition must be signed by the academic department chair, the student, and the President of Student Government Association
3. Waivers are subject to the final approval of the acting President of Student Government Association
4. Any denials for a waiver may be brought in the form of a grievance before the Appeals Board

ARTICLE IV. MEMBERSHIP AND STRUCTURE OF STUDENT GOVERNMENT ASSOCIATION

Section 1. Membership Requirements

1. All full-time (12 plus semester credit hours), degree seeking members of the Associated Student Body shall be eligible to be a member of Student Government Association
2. All members of the Student Government Association must be in good standing with the Registrar's Office to remain or run for office
3. All members must have at least one full academic year remaining at Western State College of Colorado before taking office

Section 2. Student Government Association consists of five branches:

1. Executive Committee consists of the President, Vice-President of Internal Affairs, Vice-President of External Affairs, Treasurer, and Senate Chair
2. Advisory Committee consists of the President, Athletic Ambassador, Arts & Humanities and Campus Media Director, Inter-Club Council Director, Intramural Sports Director, Program Council Director, Student Affairs, Health and Wellness Ambassador and Wilderness Pursuits Ambassador
3. Student Senate consists of thirteen students of the Associated Student Body who meet the aforementioned criteria
4. Senate Associates consists of any student of the Associated Student Body who seek admission to Student Government Association
5. Appeals Board consists of any member of the Associated Student Body, who shall remain anonymous, who meet previous mentioned criteria

ARTICLE V. EXECUTIVE COMMITTEE

Section 1. The Executive Committee shall be responsible for the necessary and pertinent operational guidelines as may be required for the enforcement of the actions of the Student Senate and to ensure proper execution of all Student Government Association duties as defined by the By-laws

ARTICLE VI. ADVISORY COMMITTEE

Section 1. The Advisory Committee shall represent their respective sub-committees and shall determine necessary guidelines for its operation.

1. No sub-committee shall receive funding unless a student chair, or advisory, is in place
2. If a sub-committee chair, or advisory, seat remains vacant for a period existing four academic weeks Senate has the authority to appoint a temporary chair, by a two-thirds vote
3. All advisors, who serve as a chair of a sub-committee, must allocate funds using a majority vote of their prospective sub-committee

ARTICLE VII. ELECTIONS

Section 1. General Elections

1. The following positions are elected by a simple majority vote of the Associated Student Body:
    a. President
    b. Vice-President of Internal Affairs
    c. Vice-President of External Affairs
    d. Twelve Senators
2. All elected positions shall serve one year terms to begin with the summer term following the election
3. Constitutional and Student Fee changes may be included on the ballot, if necessary
4. General Elections will be held no later than four weeks prior to the end of the spring semester

Section 2. Qualification for Candidates

1. Persons running for elected Student Government Association offices shall obtain applications for the various positions from the Student Government Association office, Union front desk or SGA website. Applications shall be made available at least three weeks prior to the General Election. The applications must be filed with the Election Committee chair and approved by the Election Committee at least one week prior to the Election
2. Persons must be in good standing at Western State College by the time they take office
3. The application must be certified by the registrar's office
4. It shall be the responsibility of the candidate to make sure that the application is valid. If the candidate takes his/her application and tries to validate it and he/she does not have it back to Election Committee chair by the deadline, the application ~~will~~ may not be accepted

Section 3. Candidate's Meeting

1. One week prior to the General Elections, the Election Committee shall have a meeting with all candidates to approve them and inform them of election regulations. No campaigning can take place until candidates have received approval
2. Attendance to candidate meeting is mandatory by all candidates unless special arrangements have been made with Election Committee

Section 4. Rules for Campaigning

1. All campaign materials shall be posted only with approval by appropriate building director
2. Campaign materials shall not deface state property, candidates will be held responsible for any damages incurred
3. Campaign materials shall not attack another candidate in offensive manner as defined in the Student Handbook, offensive materials will result in candidate being removed from the election.
4. At the time voting occurs, campaign materials cannot be placed within fifty feet of the building utilized as a voting place
5. No candidate shall post campaign materials concerning preliminary or false election results any time
6. Candidates shall be prepared to submit a statement and photo to the campus media and campus media shall provide equal opportunities for campaigning
7. Candidates shall remove campaign materials within two days after the election

Section 5. Rules for Elections

1. All voting will be done on an official ballot. Absentee ballots will be accepted for two school days prior to the election
2. The order the candidates are placed on the ballot will be determined through a random drawing by a member of the Election Committee
3. Voting place will be located in a highly circulated building excluding residence halls and the location of the voting place shall be made public at the Student Senate meeting at least two weeks prior to the elections

4. Polls will remain open for a minimum of twelve hours over two, or more, school days
5. When students are voting they need to have a valid student ID and may not bring external materials to influence them in their decision making
6. The election table area shall include candidate's applications, ballot forms, proposed changes to the Constitution and By-Laws, voting box, pencils and at least one current member from Student Government Association not running for office. This member may not address questions concerning candidates but may direct voters to candidate applications
7. The voting box shall be stored in the campus life director's office between election days
8. No preliminary count or opening of the voting box shall take place prior to the official counting
9. Counting shall begin within one hour of the polls closing and shall be done in an objective way with at least four members of the Election Committee present
10. Election results shall be made known, first, to the candidates via a phone call or other accommodations and secondly, a sign of election results shall be posted at the Union Front Desk and made available to campus media within twenty-four hours of the counting of ballots
11. Ballots shall be in a secure place for a minimum of three weeks in case of recall
12. If necessary, runoffs will be held within fourteen calendar days of the posting of the results of the election
13. The count of the Election Committee is final unless an appeal is filed
14. In the case of an appeal concerning election results the appellate must address concerns to the election committee and if necessary the Student Senate within one week of election results
15. Infraction of any of the above rules will be handled and ruled on by the Election Committee with the right to appeal to the Appeals Board for the final decision
16. Any regulation needed to facilitate and control these rules must be stated no later than one week prior to the election date in a public forum
17. Newly elected officials will take an oath of office at the annual Induction Ceremony. Their term will begin following the last Student Government Association meeting of the spring term in which they were elected
18. All regulations for Special Elections are the same as those outlined
    a. Changes to procedures in order to accommodate time constraints must be presented to the Student Senate prior to the election
    b. The constitution may not be submitted for approval of changes during a special election

Section 6. Special Elections

1. When three or more vacancies of the Student Senate occur at any point in time, a Special Election will be held to fill the vacancies
2. When vacancies occur at any point in time in the Vice-President of Internal Affairs and Vice-President of External Affairs position, a Special Election will be held
3. Special Elections must be held within three weeks after the vacancies occur

ARTICLE VIII. APPOINTMENTS

Section 1. Appointed positions of the Student Government Association shall be as follows

1. Arts & Humanities and Campus Media Director
2. Athletics Ambassador
3. Inter-Club Council Director
4. Intramural Sports Director
5. Program Council director
6. Secretary
7. Treasurer
8. Student Affairs, Health and Wellness Director
9. Wilderness Pursuits Ambassador
10. Incoming Student Senator

Section 2. The President shall have the power to fill any vacancy on the Student Senate with a Temporary Senator upon approval of the Student Senate

1. Only two temporary senators may be seated on the Senate per academic year

Section 3. A Review Committee consisting of at least but not limited to; the newly elected President, Vice-President of Internal Affairs, Vice-President of External Affairs, two newly elected Senators appointed by the President, shall be utilized to provide support to the newly elected President in reviewing applications and interviewing for all appointed positions

Section 4. Regulations

1. Applications for available positions will be made available at the Union Front Desk, Student Government Association office, and the Student Government Association website at least ten days prior to the interview dates
2. All applications must be turned in directly to the President's desk
3. All interviews will be scheduled by the Review Committee
4. All candidates will be called to verify the final outcome of the hiring process
5. In the case of discrepancies in sub-committee appointments of monetary positions in their realms, concerns can be brought to the appeals board for reconsideration

ARTICLE IX. STUDENT GOVERNMENT ASSOCIATION COMMITTEES

Section 1. There will be standing committees essential to the internal operations of Student Government Association which consists of Budget Committee, Constitution Committee and Election Committee

Section 2. The Budget Committee

1. The Budget Committee should regularly consist of:
    a. Treasurer as Chair
    b. Student Government Association Faculty Advisory
    c. Representative from Finance Department

d. Arts & Humanities and Campus Media Director
e. Arts & Humanities and Campus Media Faculty Advisor
f. Athletic Ambassador
g. Intramural Sports Director
h. Intramural Faculty Advisor
i. Inter-Club Council Director
j. Inter-Club Council Faculty Advisor
k. Program Council Director
l. Program Council Faculty Advisor
m. President of Student Government Association
n. Student Affairs, Health and Wellness Director
o. Wilderness Pursuits Ambassador
p. Wilderness Pursuits Ambassador Faculty Advisor

2. Upon the discretion of the Budget Committee Chair the attendance of the following will be mandatory
   a. Secretary
   b. Senate Chair
   c. Senate Bill Sponsorer
   d. Party Requesting Funds
3. All members of the Budget Committee shall be voting members except for the Representative from Finance Department, the College President or the officially appointed representative, the Senate Chair and the Secretary
4. The Budget Committee shall have the next fiscal year's student budget proposal presented to the Student Senate for approval no later than the second scheduled meeting in April
5. Guidelines and procedures of Budget Committee shall be outlined in the By-laws

Section 3. The Constitution & By-laws Committee

1. The Constitution Committee shall consist of the President, Vice-President of Internal Affairs, and at least three other members of Student Government Association.
2. Responsible for any amendment recommendations to the Constitution & By-laws which must be presented and approved first by the Student Senate in a two-thirds affirmative vote, then approved by the Associated Student Body in the General Election by a simple majority affirmative vote
3. Amendments to the Constitution & By-laws take effect upon completion of the previously mentioned criteria

Section 4. The Election Committee

1. The Election Committee shall consist of the Vice President of Internal Affairs as Chair, and at least four other members of the Student Government Association not running for office
   a. If the Vice-President of Internal Affairs is running for office, then the Election Committee shall appoint another member to act as chair

2. Responsible for proper execution of the Student Government Association elections, as outlined in Article VII of the document

Section 5. Ad Hoc Committees

1. The Student Senate may form any ad hoc committee pertaining to any issue brought forth to the Student Senate as deemed necessary
2. A senator must chair the ad hoc committee and be responsible for proper representation of all involved parties concerning the issue
3. The guidelines and procedures of any ad hoc committee shall be determined by the committee
4. Ad hoc committee shall terminate its existence upon resolution of the issue

ARTICLE X. APPEALS BOARD

Section 1. The Appeals Board shall consist of five members of the Associated Student Body appointed by the previous President and filed with the faculty advisor

1. The five members of the Appeals Board shall remain anonymous, with the exception of the President and Vice-President of Internal Affairs until an appeal is filed

Section 2. Grievance Policy

1. If at any time, any member of Student Government Association or the Associated Student Body feels that a Student Government Association member is abusing their power, the grieving members may create a petition with the individual's name and a list of grievances which must be submitted to the Appeals Board for review
2. The grievance procedure shall be as follows:
    a. The grievant must first contact the individual verbally and describe the grievance
    b. If step one fails to bring out satisfactory results, the grievant may then verbally contact the Senate Chair to voice the grievance
    c. If step two fails, then the grievant shall submit a written grievance to both the individual in question and the Senate Chair
    d. If step three fails, the grievant must then file a written complaint with the Vice-President of Internal Affairs, who will present the grievance to the Appeals Board for action

Section 3. Appeal Process

1. The appellant(s) must submit a letter to the appeals board stating justification for an appeal within seven days of the receipt of the sub-Committee's original action(s) that are being appealed
2. The Appeals Board must decide whether or not to hear the appeal within seven days of receipt of the appellant's written request. The Appeals Board decision must be recorded in writing.
3. After acceptance of the appeal, the Appeals Board has seven days to rule upon the sub-committees original decision and then the following procedure shall be observed:

a. Each party shall be allowed fifteen minutes to present their case without the presence of their opposition
b. The Appeals Board has the authority to strengthen, uphold, dilute or repeal the decision of the sub-committee
    i. All decisions of the Appeals Board shall be reached by a simply majority vote
    ii. The Appeals Board shall notify affected parties of their decision in writing within seven days of the hearing
    iii. All decisions of the Appeals Board are final

ARTICLE XI. ENACTMENT

Section 1. This Constitution and along with consequential amendments shall take effect following Senate and Associated Student Body approval, in the year two-thousand and eight, in accordance with this Constitution and By-Laws

Section 2. Full faith credit shall be given to all former administrations, their actions, records and elections