

# **ASUPS Constitution**

**Amended on January 26<sup>th</sup> 2012 by the ASUPS Senate.**

**Approved by the Board of Trustees of the University of Puget Sound on February 17<sup>th</sup> 2012.**

**Approved by the student body during the General Election of February 28<sup>th</sup> 2012.**

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## **Preamble**

We, the Associated Students of the University of Puget Sound, in order to provide a student voice through representation, foster a sense of community among students, and execute the official business of the Student Body, with a firm belief that the capacity of a unified collective is greater than the sum of all its individual parts, do hereby affirm and establish this Constitution within the authority granted to us by the Board of Trustees.

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## **Article I. Name**

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### **Section 1.**

The name of our organization shall be the “Associated Students of the University of Puget Sound,” herein called the “ASUPS.”

## **Article II. Organization and Membership**

### **Section 1.**

The ASUPS is organized and established under the authority of the Board of Trustees of the University of Puget Sound.

### **Section 2.**

All students, graduate and undergraduate, listed in the UPS finance office who pay fees and abide by the Articles of Incorporation and By Laws of the University, and by the Constitution, By Laws, and general policies of the ASUPS as established by the ASUPS Senate, shall have full membership rights in the ASUPS. All full-time undergraduates shall be required to pay membership fees.

### **Section 3.**

Authorities and powers of the ASUPS shall be exercised by the ASUPS Executive Officers, the ASUPS Senate, and the ASUPS Honor Court, or by delegation through their agents or agencies established under the Constitution and By Laws.

### **Section 4.**

Meetings of the general membership of the ASUPS may be called at any time during the school year by the ASUPS President, by petition of one-third of the ASUPS Senate, or by petition of five percent of the total membership of the ASUPS.

## **Article III. Executive Branch**

### **Section 1.**

The executive officers of the ASUPS shall be the President, the Vice President, and the General Manager.

### **Section 2. The Office of the President**

The President of the ASUPS shall have at least sophomore standing at the time of the general election in which the President is elected and shall be a fee-paying member of the ASUPS throughout the full term of office. The President shall serve no more than one term as President. The President's powers shall be divided between the two stages of the Presidency: the President-Elect (Pre-Inauguration) stage and the President (Post-Inauguration) stage. The President-

Elect stage will last from election until Inauguration—and will be compensated with one month's pay—and the President stage will last twelve months.

### **Section 3. Responsibilities and Powers of the President-Elect**

From the moment the election results are officially verified, in accordance with the process articulated in the By Laws, to the swearing in at the Inauguration, the President-Elect shall have the following responsibilities and powers:

- i. Complete a paid transition month, shadowing the standing President and gaining a keen understanding of the capacities and responsibilities of the role.
- ii. Read through the ASUPS Constitution, By Laws, Finance Code as well as the Continuity provided by the standing President.
- iii. Work in conjunction with the Vice President-Elect to advertise and conduct the hiring of all Executive Directors, Executive assistants, programmers and media heads.
- iv. Monitor the Budget Process and consult with the standing President, Vice President, Director of Business Services as well as the Vice-President Elect and newly-hired Director of Business Services regarding the shape, scope and distribution of the budget.
- v. Attend all informal and formal Senate meetings, as well as the Spring Senate Retreat.
- vi. Schedule and publicize at least one regular hour a week for a café hour to be available for the student body.
- vii. Write introductory report for the Board of Trustees, and nominate students for trustee committees as requested by the President's Office.
- viii. Accompany the standing President to all regular meetings that do not overlap with unavoidable, pre-existing commitments such as classes.
- ix. Sign off on the final monthly paychecks of all outgoing executive officers and directors in recognition of a satisfactory transition period.

### **Section 4. Responsibilities and Powers of the President**

The President shall have the following responsibilities and powers after being inaugurated until the end of the term:

- i. Be the primary spokesperson for the ASUPS and serve as the chief executive officer of the organization.
- ii. Set goals and overall objectives of the ASUPS and to determine general executive policies for carrying out those goals and objectives.
- iii. Be accessible to the student body on official school days by means of regular office hours throughout the term.
- iv. Preside over meetings of the general membership of the ASUPS.

- v. Appoint and/or nominate all student members of the faculty and trustee committees, attaining the consent of the ASUPS Senate for faculty appointments in accordance with the By Laws, and in accordance with the procedures for such committee appointments/nominations as established by the faculty, administration and the Board of Trustees.
- vi. Advise and maintain contact with all student members of faculty and trustee committees and agencies.
- vii. Appoint the General Manager of the ASUPS in order to effect the policies of the ASUPS Senate.
- viii. Sign contracts for the ASUPS in order to effect the policies of the ASUPS Senate.
- ix. Maintain a comprehensive log of the Presidential responsibilities and actions as a reference for the next President.
- x. Remove any Presidentially-appointed persons, when necessary, with a two-thirds vote of the ASUPS Senate.
- xi. Serve as a full voting member of the Faculty Senate.
- xii. Serve as an *ex-officio* student member of the Executive Committee of the Board of Trustees.
- xiii. Serve as a non-voting member of the ASUPS Senate.
- xiv. Convene the President's Council on a weekly basis, as described in the ASUPS By Laws.
- xv. Sign or veto all legislation within three working days of being passed by the ASUPS Senate and to oversee the execution of signed legislation.
- xvi. Advise with the Vice President and the Chair of the ASUPS Senate in coordinating all appointments of Senators to student committees and liaisons.
- xvii. Appoint—in advisement with the Vice President—all at-large students to ASUPS Senate committees and agencies under the President's jurisdiction in accordance with the ASUPS By Laws and the consent of the ASUPS Senate.
- xviii. Perform any other such duties as may be delegated by the Constitution, By Laws or the ASUPS Senate.
- xix. Complete an adequate transition month following the election of the next President, including but not limited to:
  - a. the handing over of a comprehensive continuity binder;
  - b. an introduction of the President-elect to all necessary contacts on campus;
  - c. a shadow period in which the President-elect can glean a keen understanding of what the daily tasks and responsibilities of a President look like;
  - d. regular meetings with the President-elect to discuss any questions the President-elect may have;

- e. and the removal of all personal artifacts and items from the President's office, the ASUPS office and the President's computer desktop

## **Section 5. The Office of the Vice President**

The Vice President of the ASUPS shall have at least sophomore standing at the time of the general election in which the Vice President is elected and shall be a fee-paying member of the ASUPS throughout the full term of office. The Vice President shall serve no more than one term as Vice President. The Vice President's powers shall be divided between the two stages of the Vice Presidency: the Vice President-Elect (Pre-Inauguration) stage and the Vice President (Post-Inauguration) stage. The Vice President-Elect stage will last from election until Inauguration—and will be compensated with one month's pay—and the Vice President stage will last twelve months.

## **Section 6. Responsibilities and Powers of the Vice President-Elect**

From the moment the election results are officially verified, in accordance with the process articulated in IV.4.4.h of the By Laws, to the swearing in at the Inauguration, the Vice President-Elect shall have the following responsibilities and powers:

- i. Complete a paid transition month, shadowing the standing Vice President and gaining a keen understanding of the capacities and responsibilities of the role.
- ii. Read through the ASUPS Constitution, By Laws, Finance Code as well as the Continuity provided by the standing Vice President.
- iii. Work in conjunction with the President-Elect to advertise and conduct the hiring of all Executive Directors, Executive assistants, programmers and media heads.
  - a. The Vice President-Elect will be the sole executive that is able to hire the aforementioned positions
- iv. Monitor the Budget Process and consult with the standing President, Vice President and Director of Business Services, as well as the President-elect and newly-hired Director of Business Services regarding the shape, scope and distribution of the budget.
  - a. The Vice President-Elect shall attend all meetings of the Budget Process that do not create an academic conflict.
- v. Attend all informal and formal Senate meetings, as well as the Spring Senate Retreat.
  - a. The Vice President-Elect shall schedule, plan and lead the Spring Senate Retreat, in coordination with the newly-elected Senate Chair.
- vi. Schedule and publicize at least one regular hour a week for a café hour to be available for the student body.

- vii. Accompany the standing Vice President to all regular meetings that do not overlap with unavoidable, pre-existing commitments such as classes.
- viii. Attend two meetings with the ASUPS General Manager to gain an understanding and insight to the ASUPS Financial Code
- ix. Sign off on the final monthly paychecks of all outgoing executive officers and directors in recognition of a satisfactory transition period.

## **Section 7. Responsibilities and Powers of the Vice President**

The Vice President shall have the following responsibilities and powers after being inaugurated until the end of the term:

- i. Serve as the chief operating officer of the ASUPS.
- ii. Be responsible for the internal operations of ASUPS and set policies for the carrying out of these operations.
- iii. Advise with the President and Chair of Senate in coordinating all appointments of Senators to student committees and liaisons.
- iv. Serve on the President's Council of the ASUPS.
- v. Serve as a voting member and the Chair Pro Tempore of the ASUPS Senate.
- vi. Supervise, recommend the use of, and guide the expenditures of all ASUPS funds.
- vii. Supervise the ASUPS Interoffice Personnel in the management of the ASUPS funds in accordance with the By Laws.
- viii. Monitor the entire ASUPS Budget and Sub-budgets and the day-to-day expenditures of the ASUPS funds within standards set by the ASUPS Financial Code.
- ix. Present a published financial statement to the ASUPS Senate each month.
- x. Present a budget to the ASUPS Senate for approval in accordance with the By Laws and the ASUPS Financial Code.
- xi. Work with the offices of the Chief Financial Officer of the University and meet with the General Manager of the ASUPS on a regular basis.
- xii. Maintain an updated and comprehensive list of contact information for all ASUPS clubs, organizations, and ASUPS student leaders in conjunction with the ASUPS administrative assistants and the Student Activities Office in order to facilitate regular contact with ASUPS clubs and organizations.
- xiii. Consult with the Student Programs Director regularly about the vision, purpose, and details of the Student Programming office.
- xiv. Appoint all members to ASUPS Senate committees and agencies under the Vice President's jurisdiction in accordance with the By Laws and the consent of the ASUPS Senate.

- xv. Perform any other such duties as may be delegated by the Constitution, By Laws, or the ASUPS Senate.
- xvi. Complete an adequate transition month following the election of the next Vice President, including but not limited to:
  - a. the handing over of a comprehensive continuity binder;
  - b. an introduction of the Vice President-elect to all necessary contacts on campus;
  - c. a shadow period in which the Vice President-elect can glean a keen understanding of what the daily tasks and responsibilities of the Vice President look like;
  - d. regular meetings with the Vice President-elect to discuss any questions the Vice President-elect may have;
  - e. and the removal of all personal artifacts and items from the Vice President's office, the ASUPS office and the Vice President's computer desktop.

## **Section 8. The General Manager**

The General Manager of the ASUPS shall be a member of the faculty or the administration and shall be appointed to serve a one-year term each march by the ASUPS President with the consent of the ASUPS Senate. The General Manager shall act as an advisor on all contracts and financial dealings of the ASUPS.

## **Section 9. Executive Powers**

The General Manager, the ASUPS President, the ASUPS Vice President, and the Director of Business Services shall be authorized to transact any business which concerns the ASUPS during the summer months, in accordance with the By Laws and the ASUPS Financial Code.

## **Section 10. Transition Powers**

The distribution of the final monthly paychecks of the outgoing President, Vice President and all Executive Directors shall be contingent upon the approval of the President-Elect and Vice President-Elect. If any transition is deemed to have not been executed sufficiently by the incoming administration, they must produce a written explanation of the rationale for withholding the paycheck and present it to whomever is being denied a final monthly paycheck. The decision to deny a final monthly paycheck due to an insufficient transition process may be appealed via written argument to the ASUPS Honor Court, which will render a final decision on the matter.

## **Section 11. Inauguration**

The annual ASUPS Inauguration serves to celebrate and close out the outgoing administration and welcome in the new. The Inauguration shall be held on Thursday of either the thirteenth or fourteenth academic week of the semester, as determined by the incoming Executives. Prior to the Inauguration:

- i. all transitions should have been completed; and
- ii. all final monthly paychecks should have been approved by the President-Elect and Vice President-Elect; and
- iii. all Executive Directors should have been presented to and approved by the ASUPS Senate; and
- iv. the Spring ASUPS Senate Retreat shall have taken place.

## **Article IV. Legislative Branch**

### **Section 1.**

The legislative powers of the ASUPS shall be vested in the ASUPS Senate.

### **Section 2.**

The membership of the ASUPS Senate shall be as follows:

- i. twelve Senators elected from the ASUPS (with the exception of the beginning of the Fall term before regularly scheduled ASUPS elections, during which time there will be only eleven active Senators)
- ii. a faculty representative
- iii. a university staff member, appointed by the Staff Senate
- iv. the Dean of Students or the appointed designee
- v. the ASUPS Vice President, who shall serve as Senate Chair Pro Tempore
- vi. the ASUPS President (non-voting)

### **Section 3.**

The ASUPS Senate shall have the following powers and responsibilities:

- i. Establish and review policies for all affairs, properties, and activities of the ASUPS.
- ii. Budget funds, and authorize entry into contractual and financial relationships on behalf of the ASUPS.
- iii. Ratify and confirm all appointments of the ASUPS.
- iv. Rescind ratification and confirmation of any and all appointments of the ASUPS by a two-thirds majority vote. Motion to invoke action regarding this section must be submitted to the Senate one week prior to the actual vote.



- v. Recognize student organizations at the University of Puget Sound, thereby granting them the privileges and expectations requisite of ASUPS-recognized clubs and organizations.
- vi. Adopt and amend the ASUPS Budget.
- vii. Adopt and amend the ASUPS By Laws by a two-thirds majority vote.
- viii. Select a Chair, Club Liaison and Club Sports Liaison from amongst the Senators.
- ix. Override the Presidential veto in the next formal session following such an action with a two-thirds majority vote.
- x. Perform any other such duties as may be delegated by the Constitution or By Laws.

#### **Section 4.**

The officers of the Senate shall be the Chair, the Club Liaison and the Club Sports Liaison. The officers, selected by the Senators after general elections, of the Senate shall serve as the leadership of the ASUPS Senate, and will convene when necessary to discuss the goals of the Senate and monitor the progress of those goals. The officers of the Senate and their duties shall be as follows:

- i. Chair of Senate—Chair meetings of the ASUPS Senate, supervise the work of Senators and recommend action, if needed, monitor the progress of Senate Projects, and serve as a member of the ASUPS President's Council.
- ii. Club Liaison—Consult and advise Senators on developing and enhancing their liaison contact with clubs/organizations, and work with the ASUPS Director of Public Relations to coordinate messaging and create a coherent dialogue between organizations, Senators and the Executive Team. The Club Liaison also shall serve as a member of the ASUPS President's Council.
- iii. Club Sports Liaison—serve as the point-person contact for all ASUPS-recognized club sports, developing knowledge of and relationships with each team, and creating a continuity of ASUPS interactions with and support of its recognized club sports teams.
- iv. Secretary of the Senate—record and maintain minutes of the ASUPS Senate, as directed by the Chair of Senate, and provide copies of the minutes to anyone who requests them. The position of Secretary of the Senate can be filled through the hiring of a fee-paying undergraduate student who is hired by the Vice President and approved by a majority vote of the Senate.
- v. Officers of the Senate shall perform any other such duties as may be delegated by the Constitution, By Laws, or ASUPS Senate.

#### **Section 5.**

The ASUPS Senate shall choose the Officers of the Senate, by means of a closed ballot vote, from among its voting members within four weeks of every general election.

### **Section 6.**

The ASUPS Senate shall meet in formal session regularly in accordance with the By Laws.

### **Section 7.**

Any measure not in conflict with the Constitution or By Laws may be initiated by any member of the ASUPS Senate and shall require a majority vote for approval.

### **Section 8.**

Members of the ASUPS Senate shall serve a one year term, unless they are filling the remainder of a vacant position, except for the following cases:

- i. The Freshman Senator, whose term shall last until the general election in the spring.
- ii. The Senior Senator, whose term shall last from the general election in which the Senior Senator is elected until the completion of the next year's spring semester (approximately fifteen months).
- iii. The Senator is recalled, loses membership in ASUPS, or resigns.

### **Section 9.**

All Senators shall be fee-paying members of the ASUPS during their full terms of office as defined in Article IV, Section 8.

### **Section 10.**

A special session of the ASUPS Senate may be called by the ASUPS President, the Chair of the ASUPS Senate, one-third of the ASUPS Senate, or a petition of five percent of the total membership of the ASUPS.

### **Section 11.**

A quorum of the ASUPS Senate shall be two-thirds of the current voting membership of the ASUPS Senate.

## **Article V. Judicial Branch**

## **Section 1.**

The judicial functions of the ASUPS shall be performed by the ASUPS Honor Court.

## **Section 2.**

The membership of the ASUPS Honor Court shall be as follows:

- i. Seven students and five student alternates appointed by the ASUPS President with the consent of the ASUPS Senate.
- ii. One faculty member and one faculty alternate, both appointed in accordance with the procedures for making faculty committee appointments.
- iii. One designee of the Dean of Students, who shall be a member of the University staff.
- iv. An Advisor to the ASUPS Honor Court appointed in accordance with the University faculty committee assignment procedures. The Advisor shall be a non-voting member of the ASUPS Honor Court and shall assist the ASUPS Honor Court in deciding upon all substantive and procedural questions arising under the Code.

## **Section 3.**

The ASUPS Honor Court shall have the following powers and responsibilities:

- i. Exercise disciplinary jurisdiction where prescribed by the Student Integrity Code or by other University or ASUPS policies.
- ii. Have final authority for interpreting the constitutionality of the ASUPS documents.
- iii. Have final authority for interpreting the actions of the various agencies and members of the ASUPS in terms of their constitutional adherence.
- iv. Perform any other such duties as may be delegated by the Constitution, By Laws, or the ASUPS Senate.

## **Section 4.**

Terms of office for Justices of the ASUPS Honor Court:

- i. The student Justices and alternates shall serve for the period of their membership in the ASUPS or until such time as they resign or are removed from the ASUPS Honor Court.
- ii. The faculty Justices and alternates shall serve for a term of three years. Both are subject to removal as set forth herein.
- iii. The Advisor shall serve for a one year term that is renewable in accordance with the same procedures as appointment.
- iv. The Dean of Students designee shall serve a renewable term of three years.

## **Section 5.**

Removal of Justices of the Honor Court:

- i. A Justice of the ASUPS Honor Court may be removed by majority vote of the other Justices of the Court for acts which are a violation of the Student Integrity Code, a serious civil or criminal violation of law, or dereliction in the discharge of the Justice's duties.
- ii. Replacement will be from the same source as outlined above in Article V, Section 4.

## **Section 6.**

Student Leadership of the Honor Court:

- i. One of the seven student Justices of the ASUPS Honor Court shall be elected Chief Justice by the Justices of the Court for a one year term and shall have all rights and responsibilities of any member of the Court.
- ii. Further, the Chief Justice shall convene meetings of the Court at such times and places as is deemed necessary to carry out its duties.
- iii. The Chief Justice shall appoint one of the student alternates as Clerk. It shall be the Clerk's duty to provide for the recording of the Court's activities and to assist the Chief Justice in the everyday duties of the Court.

## **Section 7.**

No member of the ASUPS shall be a member of the ASUPS Honor Court and hold either an elected office of the ASUPS or serve as an Executive Director at the same time.

# **Article VI. Elections**

## **Section 1.**

The ASUPS shall hold the following elections each year:

- i. A general election in the fall semester to elect seven Senators from the general membership of the ASUPS
- ii. A general election in the spring to elect five Senators as well as the President and Vice President of the ASUPS from the general membership of the ASUPS.
- iii. Special elections, if necessary, conducted under the guidelines outlined in the By Laws.

## **Section 2.**

The fall general election, or Fall Elections, shall result in the election of the following seven Senators by the student body:

- i. Two Senators At-Large: elected by the general membership of the ASUPS.
- ii. One Freshman Senator: elected by members of the freshman class.
- iii. One Residence Hall Senator: elected by students living in UPS residence hall facilities (excluding those living in Greek chapter housing).
- iv. One University Residence House Senator: elected by those living in UPS on-campus houses and specialty freshman houses.
- v. One Greek Chapter Housing Senator: elected by those living in Greek chapter housing.
- vi. One Off-Campus Senator: elected by those not living on-campus.

## **Section 3.**

The spring general election, or Spring Elections, shall result in the election of the following five Senators by the student body:

- i. Two Senators At-Large: elected by the general membership of the ASUPS.
- ii. One Sophomore Senator: elected by members of the freshman class
- iii. One Junior Senator: elected by members of the sophomore class
- iv. One Senior Senator: elected by members of the junior class

## **Section 4.**

All elected officials must be fee-paying members of the ASUPS during their terms.

## **Section 5.**

No student may serve simultaneously as an ASUPS Senator and a member of the ASUPS Executive Branch.

## **Section 6.**

Elected officials must be members of the constituency that elected them at the time of their election unless otherwise stated in this Constitution.

## **Section 7.**

Students must intend to be in full-time attendance at the university during the full course of their term (as defined in Article IV, Section 9) to be eligible to run for or hold an elected ASUPS office, legislative or executive. This includes students in their final academic year, students taking a leave of absence, and those participating in a study abroad or other program that may otherwise indicate attendance but requires the student to be away from campus during their term.

## **Section 8.**

The ASUPS Senate may waive the term requirements set forth in Article IV, Section 9 and Article VI, Section 6, by a majority vote, under the following circumstances, provided the student in question is otherwise eligible to hold the position in question, as per the requirements set forth in the ASUPS Constitution and Elections Guidelines:

- i. During a normally-scheduled ASUPS election, if no other eligible candidates have completed the application process for the position before the official deadline.
- ii. In the case of a vacancy, and if no other eligible candidates have been appointed to a seat by the processes set forth by Article X, Section 5.

# **Article VII. Initiative, Referendum and Recall**

## **Section 1.**

Upon receiving an initiative petition signed by at least ten percent of the general membership of the ASUPS, any act of any official committee or organization existing under this Constitution may be repealed or amended as described in Section 4 of this article.

## **Section 2.**

Upon receiving a petition signed by at least ten percent of the members of the ASUPS, any official of the ASUPS may be recalled as described in Section 6 of this article.

## **Section 3.**

The ASUPS Senate shall provide for a referendum vote by the general membership of the ASUPS whenever a majority of the ASUPS Senate members present and voting shall approve the presentation of a referendum measure to the ASUPS.

#### **Section 4.**

An initiative or referendum shall be submitted to the members of the ASUPS at the next regular election, or at a special election called by the ASUPS Senate. An initiative or referendum measure shall be adopted if a majority of those voting on the measure vote in favor of it, whereupon the measure shall become effective immediately.

#### **Section 5.**

Any initiative or referendum measure adopted by the vote of the ASUPS is binding upon the ASUPS until such time as that measure is repealed or amended.

#### **Section 6.**

The ASUPS shall have the power to recall any appointed or elected official for malfeasance or failure to discharge the duties of said office. A petition for recall shall be submitted to the ASUPS Honor Court for confirmation that the statement of charges deals with grounds for recall before such a petition shall be circulated. The petition for recall, duly-submitted and filled out according to the proper procedures, shall warrant an election within twenty regular school days of its presentation to the ASUPS Honor Court. If a majority of those voting vote in favor of recall, the official is recalled and a special election will be held to fill the vacancy.

#### **Section 7.**

The ASUPS Senate shall have the power to recall its own members for two unexcused absences from Senate meetings. To be excused, a notice of absence must be submitted to the President, Vice President, or Chair of Senate twenty-four hours prior to the Senate meeting in question for approval. If the officer believes the excuse to be invalid and denies it, that decision may be appealed by the denied Senator retroactively and secured by a two-thirds majority vote. In the event of an emergency where notice cannot be given, an explanatory notice must be presented to an executive officer within twenty-four hours following the missed Senate meeting. A two-thirds majority vote of the ASUPS Senate shall be required to remove a member from office.

### **Article VIII. Amendments to the Constitution**

#### **Section 1.**

This Constitution may be amended or revised by a majority of ballots cast on the proposed modification at any election of the ASUPS subject to approval by the Board of Trustees.

## **Section 2.**

Amendments or revisions of this Constitution may be proposed by a majority vote of the ASUPS Senate or upon petition signed by ten percent of the ASUPS. Proposed amendments and revisions shall be presented to the members of the ASUPS, following consultation by the ASUPS executive officers with the Dean of Students and University legal counsel.

## **Section 3.**

Amendments and revisions shall be presented to the ASUPS Senate at least two weeks before the election and shall be published and distributed to the ASUPS at least two weeks before the election.

# **Article IX. Formal Documents**

## **Section 1.**

In addition to this Constitution, the formal documents of the ASUPS shall be the By Laws, Elections Guidelines, Clubs and Organizations Governing Guidelines and Policies, and the Financial Code. Establishment of additional formal documents may be initiated by any member of the ASUPS Senate and shall require a two-thirds majority vote of the Senate members present and voting. Formal documents may be amended as described in the individual documents.

# **Article X. Vacancies**

## **Section 1.**

If the President is unable to execute the duties delegated in Article III, Sections 2-4, either due to recall or resignation, or if the office of the President becomes vacant, the ASUPS Senate shall elect a President from its members to assume all powers and responsibilities of the President until the end of the regular term of office. This election shall take place at the next official ASUPS Senate meeting.

- i. In this situation, the fulfillment of the President's seat by a Senator would not disqualify the individual from seeking the office in the future in a general election, unless the individual has served in the role for more than nine months.



## **Section 2.**

If the Vice President is unable to execute the duties delegated in Article III, Sections 5-7, either due to recall or resignation, or if the office of the Vice President becomes vacant, the ASUPS Senate shall elect a Vice President from its members to assume all powers and responsibilities of the Vice President until the end of the regular term of office. This election shall take place at the next official ASUPS Senate meeting.

- i. In this situation, the fulfillment of the Vice President's seat by a Senator would not disqualify the individual from seeking the office in the future in a general election, unless the individual has served in the role for more than nine months.

## **Section 3.**

Should both executive offices become vacant at the same time, a President Pro Tempore shall be elected from the membership of the ASUPS Senate to assume all powers and responsibilities of the President. The President Pro Tempore shall serve until the end of the executive's term. This election shall take place at the next official ASUPS Senate meeting. The offices of the Vice President and Chair of Senate shall be filled in accordance with Sections Two and Four of this Article.

## **Section 4.**

If the Chair of the Senate is absent or unable to perform the required duties, the Vice President shall then assume all powers and responsibilities of the Chair of the Senate until the next general election or the return of the Chair of the Senate. The ASUPS Senate shall then elect a new Chair Pro Tempore from amongst its members.

## **Section 5.**

Should a student position on the ASUPS Senate become vacant, the ASUPS Senate shall decide by a two-thirds majority vote to either:

- i. give the ASUPS President the authority to nominate any fee-paying member of the ASUPS to fill the position for the duration of the vacated seat's term. This authority shall be limited to two nominations per presidential term and require a two-thirds confirmation of the ASUPS Senate; or
- ii. establish a committee comprised of the ASUPS President, the Senate Chair, and one student at-large to nominate any fee-paying member of the ASUPS to fill the position for the duration of the vacated seat's term. The nomination shall require a two-thirds confirmation of the ASUPS Senate; or
- iii. call for a special election to fill the position.

## **Section 6.**

If no decision on the method of replacement is reached by the ASUPS Senate one week prior to the opening of the nomination period for a general election, the position will be filled in that election.