



## **Constitution of the Associated Students of Eastern Oregon University Student Government**

### **PREAMBLE**

We, the students of Eastern Oregon University, acting within the authority delegated by the Eastern Oregon University Board of Trustees do establish this Constitution in order that we may fully employ the advantages of shared governance to achieve our core mission of advancing the educational, social, and cultural experience of students at Eastern Oregon University.

## **ARTICLE I (Name)**

**Section 1:** The students of Eastern Oregon University shall legally be known as the Associated Students of Eastern Oregon University (ASEOU).

**Section 2:** The governing body of the ASEOU shall be legally known as the Student Government of the Associated Students of Eastern Oregon University (ASEOU Student Government).

## **ARTICLE II (Membership)**

**Section 1:** All students of Eastern Oregon University paying the incidental fee regardless of credit hours being taken or completed shall be members of the ASEOU.

**Section 2:** Enrollment for the summer term is not necessary to maintain membership status.

### **ARTICLE III (Organization)**

**Section 1:** Where Powers Vested. Except as this constitution otherwise provides, all the powers of the ASEOU Student Government shall be vested in its Senate. The Senate shall adhere to, create, or modify bylaws to carry out its core mission.

**Section 2:** Liaison. The ASEOU Student Government reports to and works with the Vice President for Student Affairs and the Director for Student Involvement.

**Section 3:** Division of government. The ASEOU Student Government is divided into three Branches.

- A. The Legislative Branch: Which consists of the ASEOU Senate, and any Deputy Chief of Staff to Senator [Insert Name].
- B. The Executive Branch: Which consists of the ASEOU President, the Directors, the Chief of Staff, and any Deputy Chief of Staff to Director [Insert Name].
- C. The Judicial Branch: Which consists of the Chief Justice, the Justices, and the Clerks of [Judicial Branch Position] [Justice Name].

**Section 4:** Recognized Officers. Recognized officers of the ASEOU Student Government shall include: all members of each branch laid out in **Section 3**, excluding the Deputy Chiefs of Staff, the Clerks, and Solicitor General(s).

- A. Each of the officers not elected during the general election shall apply to and be appointed by the Senate or the Interim Senate during the spring term after the general election.
- B. The Deputy Chiefs of Staff, and Clerks are not recognized officers of the ASEOU Student Government, but are members and may fully participate in ASEOU Student Government activities. The Deputy Chiefs of Staff, and Clerks are appointed by the officer under whom they serve for a maximum term of their appointing officer.

## **ARTICLE IV (The Legislative Branch)**

**Section 1:** Senate. The Senate shall be composed of the ASEOU President and eight (8) students.

The responsibilities of the Senate include, but are not limited to: creating and regulating the incidental fee structure, attending required training(s), and creating any legislation needed to carry out its core mission.

**Section 2:** Senators. ASEOU Senators shall be elected by popular vote in a general election in the winter of each academic year.

ASEOU members who apply for vacant Senate seats after the general election may be appointed by the Interim Senate or ASEOU Senate via a two-thirds (2/3) majority vote of the Senate.

They will serve a term that begins on the last Friday of the spring term after the general election and ends on the last Thursday of the spring term in the following year.

Between the end of the election and the last Friday of the spring term, all newly elected or appointed ASEOU Senators will be known as Interim Senators. Interim Senators shall attend training during this time to fulfill the training requirement associated with officially becoming an ASEOU Senator.

Interim Senators under this Section and Section 4, are unable to run for Executive and Judicial Branch positions.

**Section 3:** Veto. The Senate may then override a Presidential veto with a two-thirds (2/3) majority vote of the ASEOU Senate and must do so within seven (7) academic days of the veto presentation.

**Section 4:** Interim Senate. The Interim Senate shall be composed of the Interim Senators and the Interim President prior to their taking of office.

The Interim Senate shall have authority limited to the appointment of vacant Senate seats, appointment of vacant Supreme Court seats, appointment of vacant Executive Staff positions, and any further authority as deemed necessary by the existing Senate.

## **ARTICLE V (The Executive Branch)**

**Section 1:** ASEOU President. The ASEOU President shall be elected by popular vote in a general election in the spring of each academic year.

The ASEOU President shall serve a term that begins on the last Friday of the spring term after the general election and ends on the last Thursday of the spring term in the following year.

The ASEOU President shall preside over Senate meetings.

The ASEOU President may vote only to break a tie in the Senate. The ASEOU President cannot vote in cases that involve presidential veto override legislation.

The ASEOU President shall have line-item veto power in the Senate. The ASEOU President must execute the veto power within seven (7) academic days after the vote.

**Section 2:** ASEOU Interim President. Between the end of the election and the last Friday of finals week of the winter-term, the newly elected ASEOU President will be known as the Interim President with the sole responsibility of presiding over meetings of the Interim Senators.

The Interim President is granted all powers defined within the constitution as belonging to the ASEOU President during this time, as pertaining to the Interim Senate.

The Interim President may attend training during this time to fulfill the training requirement associated with officially becoming the ASEOU President.

**Section 3:** Directors. There may be as many Directors as laid out in the ASEOU By-Laws.

The Directors term begins the first day of Summer Term. The Directors are ineligible to compensation till Fall Term.

**Section 4:** Chief of Staff are recognized officers of the ASEOU Student Government.

Chief of Staff are appointed by the President, from the pool of applicants.

Chief of Staff's term is from the time the President appoints them, till the end of that appointing President's term.

The Chief of Staff must be in the Interim Senate to provide accurate notes. The Chief of Staff may be relieved of that position if the Interim President has selected and appointed his own Chief of Staff. The Interim Presidents appointed Chief of Staff is not entitled to compensation till the Interim Directors are.

Other than resignation, force removal, or impeachment, as they serve at the pleasure of the President, the executive branch with  $\frac{3}{4}$  vote, may dismiss them with approval of the Senate.

The Chief of Staff can not be a sitting Justice or Senator. Excluding the exception laid out in Clause 8.

If the Chief of Staff is vacant, the President may appoint a Director to serve as Chief of Staff within their other described duties for the purpose of taking meeting minutes.

If the Chief of Staff position is not vacant, but the Chief of staff is unable to attend to the minute taking duties, the Chair may ask a member to take meeting minutes. Preference goes to a non-voting member. For Senate meetings, the preference should go:

- A. Directors
- B. Justices
- C. Senators

**Section 5:** The Solicitor General. The Solicitor General is appointed by the President to argue cases for ASEOU. This appointment is on an ad hoc basis.

The Solicitor General may be anyone inside or outside ASEOU, excluding the Justices.

A person with a conflict of interest should not serve as Solicitor General.

The only required person to become the Solicitor General is the person that introduces articles of impeachment in the ASEOU Senate. The President is required to appoint this member to be the Solicitor General to argue in favor of impeachment to the Supreme Court.

As suggested guidelines for the President to select Solicitor General(s), the President should choose the presiding officer on that issue. When it is an issue on initiatives, the Director of Campus Affairs should serve as Solicitor General. The President should keep the skill set of the person in mind when choosing a Solicitor General.

The Solicitor General's term lasts the length of the case. Once the case is closed the term expires. There may be as many Solicitor Generals as cases.

## ARTICLE VI (The Judicial Branch)

**Section 1:** Supreme Court. The Supreme Court of ASEOU hereinafter referred to as ‘the Court’ shall be composed of a Chief Justice, and two (2) Associate Justices.

The Court shall resolve student government disputes, disputes that arise out of removal and or impeachment of an officer, and interpret this constitution.

These Justices may not be members of another branch of the ASEOU Student Government.

**Section 2:** Chief Justice. The Chief Justice is appointed by the President, confirmed by the Senate. The Chief Justice shall be the head of the Court.

The Chief Justice presides over impeachment. (Excluding conflict)

The Chief Justice preferably will be the Associate Justice with the most seniority<sup>1</sup>.

The Chief Justice must be appointed from the pool of Associate Justices (§ 3 & 4).

**Section 3:** Associate Justice. The Associate Justice has the power to interpret the Constitution and By-Laws, just as the Chief Justice has.

**Section 4:** Term. These Justices shall apply to and be appointed by the Senate or the Interim Senate during the winter term after the general election. Each Justice shall serve a term that begins on the last Friday of the spring term after the general election and ends on the last Thursday of the spring term in the following year.

**Section 5:** Opinions. The Court is able to answer quick questions about constitutional questions, during a meeting. The Court should provide a written explanation of why they said any decisions rendered were allowed or not, and this opinion should be submitted to the Chief of Staff. In these Opinions, they should use standard Bluebook Citations. Opinions should be written for every decision that the Court makes.

**Section 6:** Stare Decisis. The Court is required to read and take previous Court's ruling into consideration for any issues brought before them, whether it is in regards to removal and or impeachment of an officer, or questions on constitutionality.

**Section 7:** Legality. The Court consists of Justices who are not licensed attorneys. When questions arise of legality outside of the items mentioned in **Section 1, Clause 2**. The Court, with the President, must work with the ASEOU Liaison, and EOU's Attorney to answer such questions.

**Section 8:** Questions. When a question is asked about the constitutionality outside of an ASEOU Senate meeting, the Chief Justice should draw a random name out of the pool of

---

<sup>1</sup> Most seniority means the longest serving member of the Associate Justices.



Justices to make a determination on that question, and write the opinion. If this ruling is appealed, this chosen Justice must recuse themselves from the trial.

**Section 9:** Trial. A trial occurs when an appeal comes from an ASEOU member from an administrative decision regarding ASEOU. The appeal is prepared and sent to the Chief Justice of the Court, and they sit to make the decision to grant a trial or not. This follows in the Judicial Branch Guidelines.

The Court preferably will meet in the Alumni Room to conduct the trial.

The trial must be held as a public meeting. The Court is required to place this case on the docket, with a minimum of 5 academic days to occur before hearing the case. The Court must inform all relevant parties by serving them the relevant paperwork. Paperwork may be delivered via email.

The Court may expedite a case, when voted unanimously, with the written consent of the Senate Chair and President to move forward. Expedited cases require a minimum of 24 hour notice

Once the case is placed on the docket, the Court will instruct the parties to write a brief explaining their positions before trial. During this time, any member of ASEOU is able to submit an amicus brief to the court.

The Court will hear the case called at an accessible time for all. (i.e. around class schedules). Each side will have thirty minutes to make their case, and yield time for witnesses. Each side will have a total of fifteen minutes to rebut and cross-examine all witnesses called, and five minutes for closing statements.

At this time the Court will adjourn the trial for deliberation.

The Court is required to call the parties back within three academic days to read the Court's opinion to the parties. The Court must restate in plain terms to the parties the final ruling. The opinion will be published at the time of this meeting.

The Chief of Staff or the Clerk of the Court is required to be the one who receives documents for cases before the court. They must also record, and provide a transcript of the proceedings for the public, to be placed in the record.

**Section 10:** Recusal. If a Justice has a conflict of interest, the Justice must declare it to the Senate. If the Senate believes the conflict is valid, or the Justice believes they can not be impartial, the Senate Chair will replace them.

If recusal occurs, and the Senate Chair has a conflict, the Senate shall choose a replacement for the court.

If the Chief Justice is recused, the Senate Chair will serve as the head of the Court for

the relevant case. If the Chief Justice and Senate Chair are recused, the President shall choose the head of the Court.

Replacement of a Justice in the case of recusal only is valid for that singular case, and for the duration of that case.

## **ARTICLE VII (Eligibility for all ASEOU Officers)**

**Section 1:** To be eligible to apply or run for an ASEOU Student Government office, candidates shall:

- A. Be a member of ASEOU.
  - 1. Winter elections and appointments. Students which have been accepted to Eastern Oregon University and are not yet members of ASEOU may apply and/or run for only one ASEOU position only during the annual winter elections and appointment process.
- B. Have a 2.5 cumulative grade point average, hereinafter 'GPA', of the courses taken at Eastern Oregon University.
  - 1. Transfer credits shall solely be considered until a basis for GPA at Eastern Oregon University has been established.
    - a. A basis for GPA at Eastern Oregon University shall be considered established after one (1) full-time quarter, or two (2) part or half-time quarters at Eastern Oregon University.
    - b. After a basis for GPA has been established at Eastern Oregon University, the GPA from this institution shall receive sole consideration.
- C. Be in good academic and behavioral standing with Eastern Oregon University.
- D. Pay student incidental fees.

**Section 2:** To maintain office one shall:

- A. Attend required training(s) during one's term of office.
- B. Maintain a 2.5 cumulative GPA at Eastern Oregon University.
  - 1. Transfer credits will not be considered for GPA to maintain office.
- C. Be enrolled in and complete at least twelve (12) credit hours per quarter and pay student incidental fees.
  - 1. Seniors and Graduate Students may take fewer than twelve (12) credit hours as long as graduation results no later than the end of spring term of the current academic year or the minimum satisfactory credits are taken for Graduate degree programs.
  - 2. Eastern Oregon University online and partner school credits may be included for the acquisition of this total.
- D. Be in good academic and behavioral standing with Eastern Oregon University.

E. Perform all duties and responsibilities of the given office.

**Section 3:** The Deputy Chiefs of Staff, and Clerks are not subject to the above requirements for eligibility.

**Section 4:** ASEOU officers not meeting eligibility guidelines shall immediately be considered by the Senate for resignation, impeachment, or other disciplinary action.

A. Eligibility shall be checked during the fifth (5th) week of the academic term by the advisors of ASEOU.

1. GPA will be checked during the first (1st) week of each term.

B. Summer term shall not be used for measuring eligibility regarding twelve (12) credit minimums.

**Section 5:** ASEOU officers that are defined under **ASEOU Const. Art. V & VI**, are required to be an on campus student, to be eligible to hold such offices.

## **Article VIII (Statement of Non-discrimination)**

**Section 1:** The practices and policies of the ASEOU officers shall not:

- A. Exclude, expel, discriminate, or limit membership because of an individual's race, color, creed, ethnicity, religion, age, sex, gender, gender expression, gender identity, sexual orientation, national origin, legal status, socioeconomic status, disability, political status, or status as a veteran.
- B. Exclude from being hired, elected, appointed, or otherwise discriminate against any individual with respect to her/his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, creed, ethnicity, religion, age, sex, gender, gender expression, gender identity, sexual orientation, national origin, legal status, socioeconomic status, disability, political status, affiliation of a club, modality of a student, or status as a veteran.

## ARTICLE IX (Impeachment)

**Section 1:** Impeachment. Impeachment shall be defined as the bringing of charges against an ASEOU officer regarding an act inappropriate to their office.

The Deputy Chiefs of Staff, and Clerks~~Intern~~ may not be impeached. The supervising officer has sole discretion for the removal of The Deputy Chiefs of Staff, and Clerks.

The Chief of Staff is eligible for impeachment.

**Section 2:** Impeachable offenses include, but are not limited to:

1. Misappropriation of ASEOU funds.
2. Election fraud.
3. Inappropriate acts as deemed by the ASEOU Senate.
4. Failure to perform the duties and responsibilities of a given office.

**Section 3:** The ASEOU Senate shall have the sole power to initiate (through legislation).

1. Impeachment procedures shall be established in the bylaws.
2. Impeachment is not subject to Presidential veto.

**Section 4:** The Supreme Court is the body responsible to decide the removal from office under this Article.

To be removed from office under this Article, the Court must rule unanimously. The Court must publish an opinion(s), per curiam. If the Court can not come to a unanimous decision, the officer will not be removed from the office unless the appeal overturns the decision.

The Senate has the right to review the Court's decision, and is the body to hear an appeal.  $\frac{1}{3}$  of the Senate must vote in the affirmative to review the decision. To remove or restore the officer of their position,  $\frac{2}{3}$  must rule in the affirmative. Each Senator must publish a vote explanation.

The Solicitor General, and the Officer who charges have been brought against them, may not be in any position to review, or vote in the decision making processes. Those who fill in for the Justice shall not vote as well.

**Section 5:** Once an ASEOU Student Government officer is removed from office as a result of an impeachment trial, for any reason, they are never eligible to hold another office within the ASEOU Student Government.

**Section 6:** The member removed will be held accountable by the appropriate Student Affairs Office.



## **ARTICLE X (ASEOU Official Records)**

**Section 1:** All official documents of the ASEOU Student Government shall be maintained by the ASEOU President, their Designee, or the Chief of Staff.

A. ASEOU official documents include, but are not limited to:

1. ASEOU Senate Roll Call
2. ASEOU Senate Voting Records
3. ASEOU Supreme Court Opinions
4. ASEOU Election Results
5. ASEOU Presidential Vetoes
6. ASEOU Bylaws
7. ASEOU Constitution
8. All ASEOU Meeting Minutes
9. ASEOU Legislation
10. Voting Explanations

**Section 2:** All official documents shall be considered public records.



## ARTICLE XI (Amendments)

**Section 1:** Amendments. Amendments shall be known as changes to the ASEOU Constitution.

Amendments to the ASEOU Constitution shall adhere to the following process:

1. Must be initiated by a two-thirds (2/3) majority vote of the ASEOU Senate.
2. Approved by the Student Affairs Committee as provided by **EOU Const. Art. V, § 6, cl. C.5.**
3. Information item sent to University Council.
4. Once the Senate, and Student Affairs Committee has approved an amendment it must be ratified by a popular vote of the ASEOU members.
  - a. One (1) percent of the ASEOU members must vote in this election.
  - b. Two-thirds (2/3) of those votes cast must be in the affirmative.

Housekeeping items which do not alter or affect the policies, procedures, or rules identified within this Constitution may be made by a unanimous vote of the Senate.

## **ARTICLE XII (Bylaws)**

**Section 1:** Bylaws of the ASEOU Constitution shall include, but not be limited to: rules, procedures, and job descriptions of the ASEOU Student Government Officers.

**Section 2:** The ASEOU Constitution shall take precedence over any ASEOU Bylaw, and in doing so, nullifies any conflict between the two (2) documents.

**Section 3:** Amendments to the ASEOU Bylaws must be initiated by a two-thirds (2/3) majority vote of the ASEOU Senate.

**Section 4:** Bylaws may not be suspended.

### **ARTICLE XIII (Enactment)**

**Section 1:** This ASEOU Constitution shall be considered effective immediately following ratification by a majority of those voting in a campus-wide election. One (1) percent of the ASEOU members must vote in this election. The previous ASEOU Executive Staff shall administer elections to fill the positions established herein within thirty (30) academic days.

**Section 2:** This ASEOU Constitution shall supersede all previous Constitutions and Bylaws of the Associated Students of Eastern Oregon University. The Constitution of Eastern Oregon University, the Constitution of the State of Oregon and the Constitution of the United States of America shall supersede the ASEOU Constitution where applicable and where contradictions arise.

**Section 3:** If, for any reason, a position should need to be filled in the year(s) following the ratification of this document, said position shall be filled in the manner prescribed herein.

**Section 4:** Those persons elected under the guidelines of the previous Constitution shall maintain their office(s), but fall under the jurisdiction of this Constitution.

**Section 5:** If an office is eliminated, and a person was elected to serve that position. The elected person still will have the right to their office, and must complete duties under the job description as prescribed before the elimination of their office.

## **Approval History**

Revised on: Winter Term 2017

Adopted into practice on May 9, 2017

Revised on: May 9, 2017

Approved by Associated Students of Eastern Oregon University on April 24, 2017

Approved by Student Affairs Committee on May 27, 2017

Submitted to University Council as an Information Item on May 9, 2017

Adopted into practice on May 9, 2017

Approved by Associated Student of Eastern Oregon University on January 7, 2019

Approved by Student Affairs Committee on January 24, 2019

Submitted to University Council as an Information Item on February 12, 2019

Adopted into practice on March 5, 2019

Revised on November 27, 2019

Approved by Associated Student of Eastern Oregon University on January 27, 2020

Approved by Student Affairs Committee on February 13, 2020

Submitted to University Council as an Information Item on February 11, 2020

Adopted into practice on March 13, 2020

Revised by SB 2023-01-A on January 31, 2024

Approved by Associated Student of Eastern Oregon University on January 31, 2024

Adopted into practice on March 13, 2020

Revised on January 10, 2024

Approved by Associated Student of Eastern Oregon University on January 17, 2024

Approved by Student Affairs Committee on February 15, 2024

Submitted to University Council as an Information Item on April 9, 2024

Adopted into practice on March 22, 2024

##

---