

CONSTITUTION OF THE ASSOCIATED STUDENTS OF WESTMINSTER

Preamble

We the students of Westminster, in order to promote shared governance on campus, develop a sense of community, facilitate better communication with the faculty, administration and Board of Trustees, enrich the lives of students while attending the college, provide leadership, training and opportunities for students, and provide a forum for student concerns do ordain and establish this Constitution for the Associated Students of Westminster. (ASW)

ARTICLE I - MEMBERSHIP AND ORGANIZATION

Section 1 - Membership Rights and Privileges

1. All students currently registered for two (2) or more semester credit hours at Westminster are member of ASW.
2. Lifetime and Honorary members act as members of ASW.
3. The ASW Advisor will act as a non-voting member.

Section 2 - Organization and Governing Power

1. Authority is established and power is granted to ASW by the students and Board of Trustees of Westminster College.
2. The ASW will be organized with a Legislative, Executive, and Judicial Branch with two independent agencies governing activities and student clubs as outlined in this ASW constitution.
3. All elected ASW officers will be elected by eligible student members of ASW for a one (1) year term.
4. This Constitution shall supersede any and all other bylaws, documents, or regulations.

ARTICLE II - RIGHTS OF THE STUDENTS OF WESTMINSTER

1. No ASW statute shall limit the right to expression, in all its forms, or the right to peaceably assemble.
2. No ASW statute or policy may exist that abridge the rights or privileges of any member of ASW based on sex, race, ethnic origin, religion, physical disability, socioeconomic status, gender identity, sexual orientation, or age.
3. No ASW policy can be interpreted as a limitation of freedoms guaranteed by the U.S. Constitution, Utah Constitution, or the U.N. Declaration of Human Rights.

ARTICLE III - THE LEGISLATIVE BRANCH

Section 1 - Student Senate of ASW

1. All legislative powers herein granted shall be vested in a Student Senate of the ASW.
2. Membership
 - A. Two (2) seats granted to each academic class.
 - B. One (1) seat granted to each academic major cluster.

- C. Two (2) seats granted to non-traditional students (as defined by the college).
 - D. Senators must be members of the academic class they represent at the time they are elected/appointed.
 - E. All members of the Senate will be elected by eligible members of ASW, in an election held in accordance with all bylaws and college regulations.
 - F. Vacancies in the Senate shall be filled by appointment by the Senate.
2. Eligibility
- A. Senators must be registered for at least six (6) undergraduate or three (3) graduate semester hours at Westminster.
 - B. Senators must have a cumulative G.P.A. of 2.5 or above and be in good academic standing at the time they are elected or appointed and the duration of their term.
3. Powers and Responsibilities
- A. To appoint a Speaker of the Senate that will organize and chair meetings. The Speaker will be nominated by the current senators and voted on by a majority, fifty plus one, of the body in the first senate meeting of the session.
 - B. To appoint a Parliamentarian. The Parliamentarian will be nominated by the current senators and voted on by a majority, fifty plus one, of the body in the first senate meeting of the session.
 - C. To conduct business with a quorum present (as defined in the bylaws).
 - D. To confirm or reject all appointments made by ASW officers.
 - E. To decide how resources collected from student fees and other sources will be distributed.
 - F. To propose College Policies, Procedures, Rules, and Regulations.
 - G. To express the Senate's position through resolutions.
 - H. To debate and amend any ASW bylaw.
 - I. To debate and ratify legislation brought before the Senate.
 - J. To debate and ratify the proposals of the ASW Standing Committees.
 - K. To debate and ratify appointments of lifetime membership of ASW.
 - L. To debate and ratify appointments of honorary membership of ASW.
 - M. To serve as a student forum for concerns of the student body.
 - N. To create any committee deemed necessary to carry out the functions of ASW and the student body.
 - O. To overturn, by a super majority vote, of two-thirds (2/3) plus one (1), of all ballots cast, any measure previously passed.
 - P. To authorize any officer deemed necessary to aid in the functions of the body.
 - Q. To have total oversight of the ASW executive, Events, and Clubs, and to compel any ASW officer appear.
 - R. To actively provide support for ASW, its activities, and the club community.

Section 2 - Speaker of the Student Senate of ASW

- 1. Eligibility
 - A. The Speaker of the Senate must be an elected/appointed senator in good standing with a 3.0 GPA.
- 2. Powers and Duties
 - A. To call and chair meetings of the Senate.

- B. To carry out directives of the Senate.
- C. To distribute relevant information to individual senate members and the student community prior to general senate meetings.

ARTICLE IV - EXECUTIVE BRANCH

Section 1 – ASW President

1. Eligibility
 - A. The President must be registered for at least six (6) undergraduate or three (3) graduate semester hours at Westminster;
 - B. The President must have a cumulative G.P.A. of 3.0 or above and be in good standing at the time of being elected and the duration of their term.
 - C. The President will be elected by the student members of ASW.
2. Powers and Responsibilities
 - A. To act in the interest of the student body.
 - B. To enforce legislation.
 - C. To carry out directives of the Senate.
 - D. To serve as official spokesperson of ASW.
 - E. To approve or veto any legislation presented by the Senate within forty eight (48) hours of the legislation's presentation to the President. Properly presented legislation shall be enacted on the third day after presentation to the President.
 - F. To appoint executive directors from the student body to be confirmed or rejected by the Senate.
 - G. To make all student appointments to appropriate College Committees.
 - H. To represent Westminster on the Utah Student Association's Executive Board.
 - I. To serve as the chief liaison to the Board of Trustees and Board Committees.
 - J. To delegate subsequent Executive Cabinet members to various committees and councils as needed.
 - K. To perform all duties devolving from the Office.
 - L. To notify the ASW Vice-President in case of inability to fulfill any of the above duties.
 - M. To be responsible for additional duties and powers expressed herein and as may be requested by the Senate.
 - N. To actively provide support for ASW, its activities, and the club community.

Section 2 – ASW Vice-President

1. Eligibility
 - A. The Vice-President must be registered for at least six (6) undergraduate or three (3) graduate semester hours at Westminster College.
 - B. The Vice-President must have a cumulative G.P.A. of 3.0 or above and be in good standing at the time they are elected or appointed and the duration of their term.
 - C. The Vice-President will be elected by the student members of ASW.
2. Powers and Responsibilities
 - A. To serve as the ASW President in the ASW President's absence.
 - B. To act in the interest of the student body.
 - C. To serve as a member of the Executive Cabinet.

- D. To actively assist the ASW President in enforcing legislation and representing students.
- E. To actively advocate for and represent students in the internal campus community.
- F. To be a voting member of the Senate only in the event of a Senate vote results in a tie.
- G. To serve as the chief liaison to the Alumni Board.
- H. To appoint and oversee an administrative staff, as needed.
- I. To be responsible for the management of ASW officers, facilities and employed personnel in conjunction with the Director of Student Involvement and Leadership and according to College Policy.
- J. To be responsible for additional duties and powers expressed herein and as may be requested by the ASW President or the Senate.
- K. To actively provide support for ASW, its activities, and the club community.

Section 3 – Executive Directors

1. Eligibility
 - A. Executive Directors must be registered for at least six (6) undergraduate or three (3) graduate semester hours at Westminster College.
 - B. Executive Directors must have a cumulative G.P.A. of 2.5 or above and be in good standing at the time they are appointed and the duration of their term.
 - C. Executive Directors will be appointed by the ASW President and approved or denied by the Senate.
2. Powers and Responsibilities
 - A. To serve as a member of the Executive Cabinet.
 - B. To organize and coordinate specific executive tasks.
 - C. To carry out the directives of the ASW President and the Senate.
 - D. To be appointed and terminated at the discretion of the ASW President as approved by the senate.
 - E. To maintain regular communication with the ASW President.
 - F. To submit progress reports to the Senate monthly during the academic year.
 - G. To actively provide support for ASW, its activities, and the club community.
 - H. To ensure the branding integrity of the ASW according to the ASW Branding Guidelines.

Section 4 – Executive Succession

1. Should the office of the ASW President be permanently vacated, the ASW Vice-President will automatically be installed as the ASW President.
2. Should the offices of the ASW President and Vice-President be permanently and simultaneously vacated, the Speaker of the Student Senate will automatically be installed as the interim ASW President until a special election can be held.
3. Should the office of the ASW Vice-President become permanently vacated, the ASW President will appoint a new Vice-President to fill the unexpired term.

Section 5 - Executive Powers and Responsibilities

1. Collective Powers and Responsibilities of the Executive Cabinet
 - A. To maintain electronic and physical records.
 - B. To oversee the finances of ASW and all subsequent organizations.
 - C. To provide promotion and marketing for ASW and all subsequent

organizations.

- D. To act in the interest of the student body.
- E. To serve office hours within the physical ASW office space.
- F. To provide leadership training and opportunities to the student body.
- G. To conduct free, fair, and transparent elections of ASW officeholders.
- H. To actively serve the greater community.
- I. To actively strive for social justice on campus and in the greater community.
- J. To embody the highest morale character while conducting the business of the students.

ARTICLE V - THE JUDICIAL BRANCH

All judicial powers herein granted shall be vested in the Judicial Council of the ASW which shall extend to all cases arising under this Constitution, or any document subordinate thereof.

Section 1 – The Chief Justice

1. Eligibility

- A. The Chief Justice must be registered for at least six (6) undergraduate or three (3) graduate semester hours at Westminster College.
 - B. The Chief Justice must have a cumulative G.P.A. of 3.0 or above and be in good standing when elected and the duration of their term.
 - C. The Chief Justice will be elected by the student members of ASW.
2. Powers and Responsibilities
- A. To chair the Judicial Council.
 - B. To be authorized to oversee this Constitution and any organizational charter, constitution or by-law subordinate thereof.
 - C. To receive and review all new club constitutions.
 - D. To chair impeachment proceedings, or appoint a chair, if deemed appropriate.
 - E. To swear in all Senators and Officers.
 - F. To verify that an Order of Action has been completed in the time specified.
 - G. To appoint an Assistant Chief Justice from the student body to be approved or denied by the senate.
 - H. To actively provide support for ASW, its activities, and the club community.

Section 2 – The Judicial Council

1. Eligibility and Structure
- A. Associate Justices must be registered for at least six (6) undergraduate or three (3) graduate semester hours at Westminster College.
 - B. Associate Justices must have a cumulative G.P.A. of 2.5 or above and be in good standing when appointed and the duration of their term.
 - C. Associate Justices will be appointed by the Chief Justice and approved or denied by the Senate.
 - D. The Judicial Council will consist of the Chief Justice and members outlined in the Judicial Code.
2. Powers and Responsibilities
- A. To have the final rule on all constitutional decisions.
 - B. To review all club charters, constitutions, and bylaws.
 - C. To propose judicial code amendments, subject to approval of the Senate.
 - D. To have the powers and authorities as are necessary to afford substantial justice including, but not limited to:
 - D.i. The power of subpoena.
 - D.ii. The power to enjoin.
 - D.iii. The power to enjoin.
 - D.iv. The power to render findings.
 - D.v. The power to compel by sanction or penalty.

Section 3 – Order of Action

1. Any member of ASW may petition the Judicial Council to issue an Order of Action to any elected or appointed official or governing body of ASW. The Order may only be issued after a timely hearing by the Judicial Council at which each party has the opportunity to be heard.
2. It is grounds for impeachment for an official or governing body served with an Order of Action to fail to perform the specified duties within a reasonable period of time.

Section 4 – Oath of Office

1. All ASW officers must swear the following oath before assuming office.
2. The oath of office will be:

I, (name of individual), do solemnly swear that I will support the Constitution of the Associated Students of Westminster and all its purposes and procedures; and that I will endeavor to the best of my abilities to fulfill the duties, obligations, and responsibilities of the office to which I have been elected (or appointed).

ARTICLE VI – ASW Events

Section 1 -The ASW Events President

1. Eligibility
 - A. The ASW EVENTS President must be registered for at least six (6) undergraduate or three (3) graduate semester hours at Westminster College.
 - B. The ASW EVENTS President must have a cumulative G.P.A. of 3.0 or above and be in good standing at the time they are appointed and the duration of their term.
 - C. The ASW EVENTS President will be appointed by outgoing ASW EVENTS officers and the ASW EVENTS advisor and approved by the Senate.
 - D. The ASW EVENTS President must have previous programming experience.
2. Powers and Responsibilities
 - A. To oversee and have final say with regard to the actions and decisions of ASW EVENTS.
 - B. To nominate ASW EVENTS board chairs to be approved or denied by the Senate.
 - C. To be responsible for financial oversight of ASW EVENTS resources.
 - D. To oversee all actions of the Student Activities Commission.
 - E. To submit ASW EVENTS budgets to the Senate.
 - F. To actively provide support for ASW, its activities, and the club community.

Section 2 – Amendments and Operations

See the Charter of the Student Activities Commission. Amendments to this section of the ASW Constitution can be made through the process outlined in the ASW EVENTS Charter.

ARTICLE VII - ASW CLUBS

Section 1 – Structure and Responsibilities

1. Structure
 - A. The ASW CLUBS will be governed by a Democratic Board that will be composed of the ASW CLUBS Board President and four (4) Board Members selected from the student body.
 - B. The ASW CLUBS Board will be composed of 5 members:
 - B.i. One (1) President of the ASW CLUBS.

- B.ii. Four (4) board members elected by club representatives.
2. ASW CLUBS representatives will evaluate and accept or reject official ASW CLUBS status to new clubs and student organizations.

Section 2 - The President of the ASW CLUBS Board

1. Eligibility
- A. The President of ASW CLUBS must be registered for at least six (6) undergraduate or three (3) graduate semester hours at Westminster.
 - B. The President of ASW CLUBS must have a cumulative G.P.A. of 3.0 or above and be in good standing.
 - C. The President of ASW CLUBS will be elected by the student members of ASW.
 - D. The President of ASW CLUBS must have been an active member of an ASW club the academic year prior to serving.
2. Powers and responsibilities
- A. To organize and chair a monthly meeting consisting of all club presidents or ASW CLUBS representatives.
 - B. To chair the ASW CLUBS Board as an ex-officio voting member.
 - C. To chair the ASW CLUBS (Inter Club Council.)
 - D. To facilitate advertising for club events.
 - E. To prepare a list of all active clubs with contact information.
 - F. To prepare a list of all service projects accomplished by clubs.
 - G. To provide a monthly-oral report to the ASW Senate concerning the state of the club community.
 - H. To actively provide support for ASW, its activities, and the club community.

Section 3 – The ASW CLUBS Board

1. Eligibility
- A. A member of the ASW CLUBS Board must be registered for at least six (6) undergraduate or three (3) graduate semester hours at Westminster College;
 - B. A member of the ASW CLUBS Board must have a cumulative G.P.A. of 2.5 or above and be in good standing.
 - C. A member of the ASW CLUBS Board will be elected by the general ASW CLUBS where every officially recognized club will have one (1) vote.
 - C.i. Any member of the ASW CLUBS Board other than the President may be removed by a 2/3 super majority vote of the general ASW CLUBS.
 - D. A member of the ASW CLUBS Board must have been an active member of an ASW club the academic year prior to serving.
2. Power and Responsibilities
- A. To provide a communications network between clubs and other campus organizations.
 - B. To act as a resource for clubs, particularly in the areas of organization, problem solving, membership promotion, and fundraising.

- C. To keep an updated record of club budgets.
- D. To provide a forum for expressing the interests of clubs.
- E. To provide service opportunities and assistance.
- F. To vote on matters affecting the ASW CLUBS where a simple majority rules.
- G. To amend and ratify the ASW CLUBS Handbook.

ARTICLE VIII - THE STUDENT BOARD OF ASW

1. The Student Board of ASW shall exist to promote open communication and cooperation among the distinct branches of student leadership in ASW.
2. The Student Board of ASW will include:
 - A. The ASW President.
 - B. The ASW Vice-President.
 - C. The ASW EVENTS President.
 - D. The President of the ASW CLUBS Board.
 - E. The Speaker of the Senate.
 - F. The Chief Justice.
 - G. Any appropriate subordinate student officers determined by a majority vote of the student board members listed above, annually, by the second student board meeting of the year.
3. The Student Board will meet biweekly during the academic year.
4. The ASW President will organize and chair the meeting in conjunction with the Vice-President, ASW EVENTS President, Speaker of the Senate, Chief Justice, and the President of ASW CLUBS.
5. The student board is a non-voting body aside from the vote to add additional members to the body.
6. All members of the student board must have a 3.0 GPA.

ARTICLE IX - RECALL AND IMPEACHMENT

Any member of the Executive Cabinet, Student Board, ASW EVENTS Board, Judicial Council, ASW CLUBS Board or Senate shall be removed from office on recall, or impeachment for conviction of any act in direct violation of this Constitution, or any document subordinate thereof.

Section 1 – Recall

1. A recall vote to remove any elected or appointed ASW officer will be held if twenty (20) percent of the total number of student members of ASW sign a petition for the recall of a school wide elected officeholder; or thirty (30) percent of a Senator's constituency sign a petition for the recall of that Senator.
2. The Chief Justice must receive the petition and then authenticate the document within ten (10) days of receiving it for further action to be taken.
 - A. If the Chief Justice is being impeached, the Assistant Chief Justice will chair and take over all affronted duties.
 - B. Upon authentication, the Chief Justice will oversee the recall election process with the Judicial Council.
3. The senator facing recall may request a public forum that shall be open to the public. The Chief Justice and Judicial Council will oversee this process.
4. The individual in question is allowed to have up to one hour of public speaking time, with an additional hour of questions that may be posed by any parties.
5. The Chief Justice will have the power to silence or dismiss any potential voting member or individual that largely disrupts the process.
6. A recall election will be held within ten (10) working days of verification of the petition for the contested position(s).
7. The recall election must allow for easily accessible voting opportunities for the Senator's constituency.

8. A super- majority vote, of two-thirds (2/3) plus one (1), of all ballots cast in the recall election shall be required for the removal of the officer in question.
9. The tabulation of results must occur within five days of the voting process.
10. If a super majority vote occurs for the recall of the individual, the Chief Justice will remove the individual in question within five days of the tabulation.
11. The Senate and all involved parties will subsequently be notified of the removal of the individual within five (5) days.

Section 2-Impeachment

1. Impeachment of elected officers will be sustained if:
 - A. Action calling for the impeachment of an officer is brought before the Senate; and,
 - B. A simple majority vote of all ballots cast in the impeachment hearing are in favor of the measure.
2. If impeached by the Senate, then the officer shall be subject to a conviction hearing as follows within ten (10) days:
 - A. A grievance will clearly and concisely state a description of the matter being complained about at least three (3) days before a conviction hearing. The Senate will provide the respondent with a copy of the complaint in a timely manner. This complaint will also contain a date and time for the trial to occur.
 - B. The Chief Justice shall chair the trial. If the Chief Justice is being impeached, the Assistant Chief Justice will chair the impeachment proceedings.
 - C. The jury shall be made up of the following individuals, chosen by the ASW Advisor.
 - C.i. six (6) senators;
 - C.ii. five (5) students that are members of the ASW; and,
 - C.iii. one (1) administrator.
 - D. The officer facing impeachment will be allowed to seek counsel from either:
 - D.i. a student member of the ASW;
 - D.ii. a faculty member of Westminster; or,
 - D.iii. a staff member of Westminster.
 - E. A member of the Senate will represent, the prosecution, and the officer on trial will be known as the defendant, with the defendant's party called the defense.
 - E.i. The Prosecution and the Defendant have the right to call and confront witnesses, the opportunity to hear and respond to all testimony to examine all evidence, and to present evidence and witnesses, which advance arguments relevant to the issues in contention.
 - E.ii. Either party has the right to allow two advisors at any stage of the proceedings to offer advice.
 - E.iii. Any witness may be cross examined directly after giving any necessary testimony.
 - E.iv. The jury will render their decision in writing directly to all parties involved following reviews of all materials noted above.
 - E.v. Opening and closing arguments will be utilized in order to help establish context for the jury.
 - E.vi. The Chief Justice will act as judge of the proceedings, handling any and all objections that arise.
 - E.vii. The order in which the trial shall occur will be as follows:
 - F. Opening argument of the prosecution.
 - G. Opening argument of the defense.
 - H. Case and chief of witnesses for the prosecution. Cross-examination of witnesses may occur for the defense if desired.
 - I. The closure of the case and the chief of the prosecution.
 - J. The case and the chief of witnesses for the defense. Cross-examination of witnesses may occur for the prosecution if desired.
 - K. The closure of the case and chief of the defense.
 - L. Closing arguments of prosecution.
 - M. Closing argument of the defense.
 - N. If desired, rebuttal of the defense by the prosecution.
 - O. A majority vote, of fifty (50) percent plus one (1), of all ballots cast in the trial shall be required for conviction.

3. If convicted, the officer must be informed in writing of the impending action at least seven (7) days before the action is taken, and the individual will subsequently be removed from the position by the Chief Justice after seven (7) days.
4. In the event of a successful impeachment, the officer's position will be filled by utilizing available procedures and logic. The Senate Body will confirm the replacement and the individual will take on all powers and responsibilities of the position.
5. Any person acquitted of wrongdoing by lack of proper majority, shall not, for the same offense, be otherwise re-examined by any proceedings enumerated in this Constitution.
6. Any conviction, resulting from an impeachment, leading to removal, can be appealed to the ASW Advisor according to the disciplinary procedures in the Student Handbook of Westminster College.

ARTICLE X - AMENDMENTS TO THIS CONSTITUTION

1. Amendments to this Constitution may be proposed through legislative action or by petition signed by not less than ten (10) percent of the student members of the ASW.
2. Proposed amendments to this constitution will be adopted by a super majority vote, of two-thirds (2/3) plus one (1), of all ballots cast by the student members of the ASW.

ARTICLE XI - RATIFICATION

1. Upon ratification, by a super majority vote, of two-thirds (2/3) plus one (1), of all ballots cast by the student members of ASW, this Constitution shall supersede and override any other documents heretofore known as a Constitution of the student body of Westminster College

