

**CONSTITUTION OF THE ASSOCIATED STUDENTS**

**OF**

**NEW MEXICO HIGHLANDS UNIVERSITY**

ADOPTED BY  
THE ASSOCIATED STUDENTS OF  
NEW MEXICO HIGHLANDS UNIVERSITY STUDENT SENATE  
March 24, 2019

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**ASNMHU Representative**

RATIFIED BY  
THE STUDENT BODY OF  
NEW MEXICO HIGHLANDS UNIVERSITY  
April 22, 2019

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**Dr. Kimberly Blea, Dean of Students**

APPROVED BY  
THE NEWMEXICO HIGHLANDS UNIVERSITY  
BOARD OF REGENTS  
June 7, 2019

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**Chair, NMHU Board of Regents**

**FINAL COPY**

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## Constitution of the Associated Students of New Mexico Highlands University

Approved on April 23, 2014

### Preamble

We, the students of NEWMEXICO HIGHLANDS UNIVERSITY, in order to effectively organize the student body to assume the duties and responsibilities of self-government and to define student's rights, individually and collectively within the UNIVERSITY community, do hereby establish this Constitution of the ASSOCIATED STUDENTS OF NEW MEXICO HIGHLANDS UNIVERSITY. This Constitution shall provide the substantive and procedural framework for the student body's relationship with faculty and administration. This Constitution, the ordinances enacted pursuant to the Constitution, and actions taken under the Constitution and ASNMHU by-laws shall be subject to the laws of the United States, State of New Mexico, and to UNIVERSITY regulations approved by the NMHU Board of Regents.

### ARTICLE I.

#### Section 1. – Definitions

- A. Ad-hoc Committee – A committee appointed by the President to carry out tasks as needed.
- B. ASNMHU Government – The representative body of ASNMHU, established to pursue student concerns.
- C. Chair – The person designated to preside over a meeting or committee.
- D. Entire Senate – The number of voting members present at a meeting.
- E. Executive Session – A closed session approved by a simple majority of the entire Senate to discuss confidential/personnel matters.
- F. Good Standing – Any degree-seeking student (full-time or part-time) who is registered for classes and has paid their ASNMHU Government fee, not on academic or disciplinary probation or suspension, and having at least a 2.5 cumulative grade point average from any college or university is eligible to serve on student government. The only exception to having a 2.5 cumulative grade point average is if the student is a first semester freshman. Per Article III, Section 4-C, ASNMHU Executives will be expected to keep a 3.0 cumulative grade point average. Graduate Senators will be expected to keep a 3.0 cumulative grade point average. Failure to maintain minimum GPA requirements will result in removal from office. Officers and Senators who fail to maintain minimum GPA requirements will be notified of their removal in writing by the Dean of Students or his/her designee and by the President of the Student Senate and will be removed by confirmation from the Senate.
- G. Neglect of Office – Willfully knowing, and intentional failure to attend to one's official duties.
- H. Officer – Any student holding a position in an ASNMHU Government funded organization and all elected or appointed students serving in the ASNMHU Government.

- I. Quorum – A simple majority of the total number of Senators.
- J. Referendum – A means by which the student body may vote on particular propositions.
- K. Simple Majority – A number more than half of the total number of a given group.
- L. Standing Committees – One of the seven committees outlined in this constitution.
- M. Student – Any person enrolled in the University.
- N. Student Organization – Any student group that meets the chartering requirements of the University.
- O. Term of Office for Executives – Term is one academic year, beginning immediately upon taking the oath of office. The President, Vice-President, Treasurer, Secretary may serve a maximum of two terms within the office to which they were elected or appointed.
- P. Term of Office for Senators – Term of office for elected or appointed Senators is one academic year, upon taking oath of office.
- Q. Two-thirds Majority – A number that is at least 67 percent of the total number in a group.
- R. The Associated Student of New Mexico Highlands University – Members include the entire student body of New Mexico Highlands University.
- S. Upon- a formalization of the word “on,” taking the implication that actions are subsequent and contingent to previous events or ruling.

## **Section 2. – Student Rights**

These are the rights recognized by ASNMHU, and governing the operation of ASNMHU Government. ASNMHU Government shall promote these rights within the University Community.

- A. Every Student has full and equal rights in the University regardless of gender, race, color, national or ethnic origin, religion, physical or learning disability, political belief, handicap, sexual orientation, marital or parental status, age, military involvement, etc.
  - 1. Any action that violates federal, state laws and University policies, including the NMHU Student Code of Conduct, shall be prohibited.
- B. Every student has the right to freedom of expression of ideas.
- C. Every student has the right to vote in general elections in accordance with normal procedures established by the NMHU Office of Campus Life. Every Student Senator has the right to vote on action items before the ASNMHU Senate in accordance with normal procedures established by ASNMHU Government.
- D. Every student has the right of access to all ASNMHU Government records.

- E. ASNMHU encourages the right of student representation on University committees dealing with the formation of policies affecting students.
- F. No student shall be denied the right of orderly assembly on the campus.
- G. Every student has the right to contest before the Judicial Branch, the constitutionality of legislation, rulings, or decisions made by ASNMHU Government or any chartered organization that would affect students. Students contesting the constitutionality of legislation, rulings, or decisions made by ASNMHU must submit their protest(s) in writing to the Chief Justice, as well as a statement of relief/remedy sought for resolving the matter, no later than ten (10) days after the minutes are posted. Students contesting the rulings or decisions of a club/organization shall submit their protest(s) in writing to the Office of Campus Life, as well as a statement of relief/remedy sought for resolving the matter, no later than ten (10) days after the decision is made. Protests or questions will be considered untimely, and thus, null and void, if the deadlines are not met.

## **ARTICLE II. – LEGISLATIVE BRANCH**

### **Section 1. – Senate**

All legislative powers of ASNMHU Government shall be vested in the Senate.

### **Section 2. – Legislative Function**

The Senate shall make all laws and regulations it deems necessary and proper for the ASNMHU Government, prepare the budget, appropriate all funds of ASNMHU appropriated through the ASNMHU fee, approve or disapprove all appointments to constitutional and statutory executive committees and legislative committees made by the President or Vice-President.

### **Section 3. – Composition of the Senate**

The Senate shall consist of one (1) Senator per one hundred (100) students and shall be representative of the enrolled student population on the main campus, including proportional representation of both undergraduate and graduate students.

For example, if there are 1500 undergraduate students and 700 graduate students enrolled on the main campus when seats are being determined, the senate will be composed of 15 undergraduate student senators and 7 graduate student senators. Conversely, if there are fifteen hundred 1500 graduate students and seven hundred 700 undergraduate students enrolled on the main campus when seats are being determined, the senate will be composed of 15 graduate senators and seven 7 undergraduate senators.

There shall be an election for the two (2) Freshmen Senate seats held in the Fall session. This election must be held no later than the second (2nd) scheduled Senate meeting of the Fall Session. This election will be run by the Justices abiding by the stipulations for a Special Election outlined by the ASMHU Constitution.

Per Article VI, Section 1. (Election Procedures) below, Graduate student representation requires at least one student from each of the university's school and colleges (School of Education, School of Business, College of Arts and Sciences, and School of Social Work) to be represented among elected senators.

### **Section 4. – Qualifications of Senators**

Senators must be in good academic and disciplinary standing with the university and ASNMHU Student Senate. In order to be declared eligible to seek or remain in office, either by election or appointment, students must maintain good academic and disciplinary standing with the university and ASNMHU Student Senate throughout their term of office. Failure to do so will result in removal of office and students will be notified in writing by the Dean of Students Office and by the President of the Student Senate and will be removed by confirmation from the senate.

### **Section 5. – Duties and Responsibilities of Senators**

Each Senator must perform the following duties:

- A. Attend and participate in scheduled Senate meetings and activities.

- B. Attend and participate in assigned committee meetings.
- C. Represent the students and clubs of NMHU to the best of their ability.
- D. Prepare and present legislation in proper form to the Senate for consideration.
- E. Consult and decide on all matters of a constitutional question. A two-thirds (2/3) vote of the entire voting Senate in presence is required to settle matters of constitutional question.
- F. Serve as a representative of the entire membership of the Associated Students in the Senate and before faculty, administration, and Board of Regents.
- G. Vote as their conscience dictates for the general good of Associated Student members on matters brought before the Student Senate.
- H. All ASNMHU expenditures above \$75 must be approved the Senate. Anything under \$75 may be approved by the Treasurer.
- I. Without prior notice or proof of emergency, anyone who leaves any Senate meeting prior to adjournment shall receive a half absence.
- J. The ASNMHU Senate work-study (office assistant) shall be approved by the Senate with a 2/3 majority vote.

#### **Section 6. – Legislation**

- A. Legislation- Legislation shall be defined as Senate Bills, Internal Business and Resolutions.
- B. Definition- A bill passed by a simple majority vote of the entire Senate shall become law upon signature of the President within six days after its passage. A bill shall be considered vetoed shall the President fail to sign six days after its passage, requiring the President to inform the Senate of its veto. If a bill or line item is vetoed, this veto can be overturned by a vote of two-thirds of the entire Senate at the following Senate meeting.
- C. Distribution of Legislation- Copies of all Bills and Resolutions must be provided to the members of the Senate at least twenty-four (24) hours prior to a regular or special meeting. If the meeting is to be held on a non-working day, the copies will be provided on the last working day prior to the meeting. Bills and Resolutions will be considered delivered by placing them in the Senate member's mailboxes in the Senate Office.
- D. Emergency/Special Legislation – Emergency and/or other legislation needing consideration before a regular meeting is scheduled may be presented in either an emergency or special meeting with at least a 24 hour notice to all senators and executive members.



## **Section 7. – Committees**

- A. The Vice-President and President Pro-Tempore shall work together to appoint the members of Standing Committees. The President has the ability to choose the Standing Committee's chairmanships. The Standing Committees are the Activities Committee, Board of Student Publications, Finance Committee, Presidential Appointments Committee, Marketing Committee, the Graduate Committee, and Steering & Rules Committee.
1. The Activities Committee shall be established to plan and implement social, cultural and educational events in coordination with the Office of Campus Life. This committee shall consist of five to seven senators. The Chair shall be picked at the discretion of the President. The Chair will report on progress at each ASNMHU meeting. All proposed activities by ASNMHU Senators and Executives must be brought before and approved by the Activities Committee.
  2. The Board of Student Publications shall be established with the responsibility of content and financial integrity of the student radio station and student publications. The Board of Student Publications has the authority to determine policy, to select the editors, to assure the editorial freedom of the student media and publications and to assure that the radio station and student publications serve the students of New Mexico Highlands University. The ASNMHU President and the Dean of Students (or designee) shall serve as Co-Chairpersons of the Board. The Dean of Students (or designee) shall not vote except in the event of a tie. The ASNMHU President and the Dean of Students (or designee) shall appoint equal numbers of faculty and ASNMHU members to the Board as voting members. The Director of University Relations shall be a voting member. Editors, advisors and radio station managers shall serve as ex-officio members.
  3. The Finance Committee shall be established to investigate budget reports and make recommendations regarding the budget of the ASNMHU Government. Legislation concerned with finances shall be referred to this committee. This committee shall be composed of five to seven Senators. The Treasurer of the ASNMHU Student shall serve as chair and shall have not vote except in the event of a tie.
  4. The Presidential Appointments Committee shall be established to consider all Presidential appointments and make recommendations to the Senate. This committee shall be composed of three to five Senators. The President Pro-tem of ASNMHU shall serve as chair and shall not vote except in the event of a tie.
  5. The Steering and Rules committee shall be established to investigate all legislation not dealing with ASNMHU Government funds. The committee shall be composed of five to seven Senators. The Parliamentarian of ASNMHU shall serve as the chair and shall have no vote except in the event of a tie.
  6. The Marketing Committee shall be established for purposes of advertising and promoting ASNMHU activities.
  7. The Graduate Committee is comprised of all Graduate Students on ASNMHU, both senators and executives. It shall establish a minimum percentage of fees paid by graduate students as the funding source for professional development awards available to graduate

students or clubs representing graduate students who apply for funding to ASNMHU for such things as attending conferences and symposia, presenting research and/or professional papers, and other professional development activities. Guidelines and eligibility requirements for funding professional development awards to graduate students or clubs representing graduate students will be developed by the Graduate Committee and approved by ASNMHU. In addition to the percentage of fees to be used for professional development awards to graduate students and clubs representing graduate students, the Graduate Committee shall establish a percentage of graduate student fees that will be allocated to ASNMHU for operational costs associated with graduate student senator meeting stipends, materials, and meals for graduate student officers in ASNMHU.

The Graduate Committee is authorized to review requests for funding from graduate students and/or clubs and organizations representing graduate students. The Graduate Committee is authorized to recommend amounts of professional development awards to graduate students and/or clubs representing graduate students within available funds designated for that purpose. The Graduate Committee shall make recommendations to the full ASNMHU Senate for action on the request. The Graduate Committee cannot allocate money directly to graduate students or clubs without the approval of the Senate.

- B. The president shall name members to Ad-hoc committees and the President Pro-Tempore shall notify Senators of their appointments.

### **Section 8. – Sessions of the Senate**

- A. There shall be two sessions of the Senate each academic year.
  - 1. The first session shall begin when elected officers and Senators take an oath of office in the Fall Semester.
  - 2. The second session shall begin within the first week of the Spring Semester at the first meeting.
- B. The University President or designee shall swear in Officers during a swearing-in ceremony or at which time their election or appointment to ASNMHU has been confirmed by the Senate. Senators and officers not sworn in at a ceremony shall be administered the Oath of Office at a regular meeting by the Dean of Students upon confirmation.

### **Section 9. – Meetings**

- A. Meetings shall be held at least every two weeks during the regular academic year – Fall and Spring Semester with the exception of extenuating circumstances.
- B. Special meetings may be called by the President, Vice-President, President Pro-Tempore or upon petition of at least one-third of the entire Senate, or upon receipt by the President of a written request for a special meeting signed by at least ten percent of the Associated Students memberships. Special meetings shall be advertised as fully and as far in advance to the meeting as reasonably possible.

- C. All meetings of ASNMHU shall be open to the public, except in the case of Executive sessions.
- D. All meetings shall be conducted with the latest edition of Robert's Rule of Order.
- E. The Parliamentarian shall ensure that rules of order are followed at each scheduled meeting. In the absence of the Parliamentarian, the Vice-President shall act as Parliamentarian.

#### **Section 10. – Quorum**

- A. A simple majority of the voting Senators of ASNMHU shall constitute a quorum at regular Senate meetings. Should a quorum not be present at any regular meeting one-half hour after the time for which the meeting is scheduled, the Senate shall automatically adjourn for lack of quorum.
- B. The Senate must schedule the next meeting at least 24 hours after adjournment. If there is no quorum at the regular meeting, the members present at the next regular meeting, regardless of number, will constitute a quorum.
- C. The Dean of Students, or his/her designated representative, shall be present at all regular, special, or emergency meetings. If unable to attend, the Dean, or his/her representative shall inform the Student Senate as soon as reasonably possible.

#### **Section 11. – Debate**

- A. Speaking Privileges – Only Senators, Executive Officers, and Advisors of the Senate shall have speaking privileges. People in the gallery may speak only if the Chair yields the floor to them or if a Senator wants to ask them a question relating to matters on hand.
- B. Objection to Recognition- If a Senator objects to such recognition of someone from the gallery, a two-thirds (2/3) of those Senators present and voting must vote for the objections to prevent the person from speaking.
- C. Senators are in order when a motion is on the floor or when making a motion, and can speak only when the chair has recognized him/her.
- D. Sponsor's Privilege means that the principle sponsor of any legislation shall have the personal privilege of addressing such legislation first and last as deemed necessary.
- E. Cloture- A motion of cloture (which may interrupt a speaker) is in order at any time. It requires the vote of two-thirds (2/3) of those present and voting for passage. It is not debatable. Individuals who have been clotured may not again participate during the debate at hand.

#### **Section 12. – Attendance**

An Executive member or Senator shall be removed from office after three (3) unexcused absences from regular meetings per year. Each ASNMHU member will be allowed to personally address the Senate for an appeal after his/her third absence.

### **Section 13. – Salaries**

- A. The Senate may establish salaries for the purpose of compensation for student officials and employees.
- B. The executive salaries shall be set at President (\$2,000), Vice President (\$2,000), Treasurer (\$1,500), Secretary (\$1,500), and Parliamentarian (\$700) for the academic year. Parliamentarian shall also receive a \$50 allowance in order to purchase Roberts Rules of Order/parliamentary procedure book.
- C. Any one student may hold no more than one salaried position in ASNMHU Government as an officer or student employee.
- D. All Senators shall be paid a stipend of thirty (30) dollars per regular meeting and President Pro-Tem shall be paid a stipend of thirty-five (35) dollars per regular meeting. There shall be no compensation for committee meetings or emergency meetings.

## **ARTICLE III. – EXECUTIVE BRANCH**

### **Section 1. – The President**

- A. The Executive power and the power of enforcement of legislation shall be vested in the President.
- B. The President shall have earned a minimum of thirty credit hours at New Mexico Highlands University and served at least two (2) semesters in ASNMHU.
- C. In the event that the office of the President is vacant, the Vice-President shall assume the title and duties of that office.

### **Section 2. – Responsibilities of the President**

- A. The President may make Executive rulings necessary for the enforcement and execution of this Constitution and ASNMHU legislation that are not in violation of this Constitution and ASNMHU legislation.
- B. At each meeting, the President shall report information to the Senate, in person, on student and University matters.
- C. The President, in consultation with his or her executive officers, shall prepare and submit to the Senate a budgetary proposal at the first official meeting of the fall semester for student government and its committees. Please note that the term “official” is used to distinguish from retreats or ad hoc meetings that may take place prior to the first official ASNMHU meeting of the fall semester.

- D. The President may establish an Executive Committee to advise and assist him or her in the execution of his or her duties. The tenure of these appointments shall not exceed the term of office of the appointing President.
- E. The President shall attend and report at all scheduled Board of Regents meetings and shall serve as a representative of the student body at other pertinent meetings and functions.

### **Section 3. – Senate Administrative Officers**

- A. The Vice-President shall be the chairperson and preside over the Senate meetings, and shall not vote except in the event of a tie.
- B. The president Pro-Tempore shall be elected from the membership of the Senate by majority vote. The President Pro-Tempore of the Senate shall preside over the Senate meeting in the absence of the Vice President.

### **Section 4. – The Executive Cabinet**

- A. There shall be an Executive Cabinet composed of the President, the Vice-President, the Secretary, the Treasurer, the Parliamentarian, the President Pro-Tempore, and all other officials or persons appointed by the President. The Executive Cabinet shall advise and assist President in his or her duties as well as facilitate coordination among the Executive committees and Executive officials.
- C. Executives will be expected to keep a 3.0 cumulative grade point average.

### **Section 5. – The Vice President**

- A. There shall be a Vice-President who will assist the President in his or her duties. The Vice-President shall have earned a minimum of thirty credit hours at NMHU.
- B. In the event that the office of the Vice-President is vacant, the President Pro-Tempore of the Senate shall assume the title and duties of the office.
- C. The Vice President shall preside over ASNMHU meetings.

### **Section 6. – The Secretary**

- A. The Secretary shall make available a typed set of minutes and the agenda to each member of the Senate twenty-four (24) hours prior to a regular or special meeting. If the meeting is to be held on a weekday or holiday, the copies will be provided on the last weekday prior to the meeting. Legislation will be considered delivered, by placing them in the Senate member's mailboxes in the Senate office.
- B. The Secretary must publicly post notification of all Senate meetings, with such notification posted at, including, but not limited to; outside of the Senate office, at the library, and in the Purple Pub computer lab. Notice should be posted one (1) day from the time that the date of the meeting is set, but shall be posted no later than three (3) working days prior to a meeting.

In the case of an emergency meeting, notice shall be posted as soon as the date is set for the meeting.

- C. The Secretary shall notify any ASNMHU Government member who is a candidate for removal due to absences, notice shall be given at least 24 hours before the next scheduled meeting.
- D. The Secretary shall keep accurate records and faithfully carry out all duties assigned by the ASNMHU Constitution and other duties assigned by the President or Vice-President.
- E. All letters of interest or resumes shall be sent to the Secretary prior to being sent to any other Executive, Senator or Committee.
- F. It shall be the duty of the secretary to develop an agenda for every meeting of the Senate in consultation with the executive officers and approval by the President.
- G. In the event of a vacancy in the Secretary position, letters of interest or resumes shall be sent to the ASNMHU President.

#### **Section 7. – The Treasurer**

- A. The Treasurer shall provide a written and oral budget report which will include a spending report at every scheduled regular meeting, except in the case of official University break periods lasting at least seven (7) days. The report will be given at the next regular meeting after the break.
- B. The Treasurer shall maintain, in conjunction with the University Business Office, complete financial reports and provide such reports upon request by the President or by a simple majority vote of the Senate.
- C. The Treasurer shall serve as the chair of the Finance Committee.
- D. The Treasurer shall faithfully carry out all duties assigned by the President or Vice-President.
- E. All expenditures above \$75 must be approved the Senate. Anything under \$75 may be approved by the Treasurer.

#### **Section 8. – The President Pro-Tempore**

- A. The President Pro-Tempore shall be elected from the ranks of the Senators by a simple majority vote of the entire voting Senate.
- B. The President Pro-Tempore shall act as Chair and conduct meetings only if the Vice-President is absent.
- C. The President Pro-Tempore, when acting as Chair, shall only vote on legislation in the event of a tie.

- D. The President Pro-Tempore is to relinquish the role of Chair if the Vice-President arrives at the meeting.
- E. The President Pro-Tempore shall faithfully carry out all duties assigned by the President or Vice-President.
- F. The President Pro-Tempore, in conjunction with the Parliamentarian, shall appoint the Chief Justice and two Associate Justices.

### **Section 9. – The Parliamentarian**

- A. The Parliamentarian shall enforce the government documents as prescribed by the ASNMHU Constitution and ASNMHU By-laws.
- B. The Parliamentarian shall be knowledgeable and enforce Parliamentary Procedure as prescribed in the latest edition of Robert’s Rule of Order at every Senate meeting.
- C. The Parliamentarian shall prepare and submit the ASNMHU By-laws at the first regular meeting of the Fall Semester.
- D. It shall be the duty of the Parliamentarian, unless he/she is being impeached, to serve notice of impeachment proceedings to the Defendant.
- E. Per Article II, Section 7-A-5 above, the Parliamentarian shall serve as the Chair of the Steering and Rules Committee.
- F. Per Article II, Section 8-F above, the Parliamentarian, in conjunction with the President Pro Tempore, shall appoint the Chief Justice and two Associate Justices.
- G. The Parliamentarian may be appointed from the ranks of the Senators or appointed by the ASNMHU President from the student body. In either case, the Parliamentarian must be confirmed by a simple majority vote of the Senate before being sworn in and assuming Parliamentarian duties.

### **Section 10. – ASNMHU Executive Committees**

- A. The President shall appoint all chairs and members of Ad-hoc Committees in agreement with the Vice- President and upon confirmation of the Senate.
- B. The term of office for committee membership shall coincide with that of the President.
- C. The President shall be empowered to remove any of his or her appointees from any Committee. Vice-Presidential appointees may be removed by the Vice-President, but is subject to the approval of the Senate.

- D. There must be at least a 24 hour notice by chairs of committees prior to meetings. If not, the absences will be invalid.

## **ARTICLE IV. – JUDICIAL BRANCH**

### **Section 1. – Judicial Function**

- A. The Chief Justice and/or two Associate Justices will represent the Student Senate in University disciplinary matters as needed.
- B. The Parliamentarian, in conjunction with the President Pro Tempore, shall appoint the Chief Justice and two Associate Justices.
- C. The process of disciplinary action against an ASNMHU elected officer (Senator or Executive) regarding a matter before the governing body will follow a court style hearing with the Chief Justice and the two Associate Justices presiding to give a recommendation to the senate. The decision will be made by two-thirds (2/3) of the whole Senate. Violations of general university policies and procedures are subject to disciplinary sanctions outlined in the Code of Conduct.

### **Section 2. – General Duties**

- A. The Chief Justice will preside at all meetings of the Court or be responsible for assigning a Justice to preside when the Chief Justice cannot attend. The Chief Justice or designee by the chief justice will preside at all judicial sessions of the Court.
- B. The Justices will publish all rulings and decisions of the Student Court within seven days of issuance.
- C. Associate Justices will preside over four meetings of the Court throughout their year term.
- D. If a grievance arises the Justice who is present first shall preside.
- E. Athlete conduct-HU Cares will provide a presentation at the Beginning of the Academic Year or During Orientation.
- F. A pre-approved question sheet shall be prepared at the beginning of the academic year to be used.

### **Section 3: Appeals Procedures**

- A. Associate Justices are expected to ask questions of the grieving and accused parties during hearings.
- B. Justices will keep consistent contact and will work in conjunction with faculty senate. Which means responding to emails within 24 hours.



- C. Justices should pursue due diligence and must be knowledgeable with the appeals process.
- D. When issues arise Justices must be familiar with the Universities Code of Conduct.
- E. Justices have the power to bring up to discussion decision of the Executive and/or Legislative Branch if such decision is found to be beyond the scope of authority of the Executive and/or Legislative Branch.
- F. The Student Court shall conduct bi-weekly meetings throughout each semester.

#### **Section 4. – Justices Code of Conduct**

- A. All members of the Court will establish, observe, and maintain high standards of conduct so that the integrity and independence of the judiciary may be preserved.
- B. Members of the Court will respect and comply with the law and will conduct themselves at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.
- C. Members of the Court will not permit those under their control to convey the impression that they are in a special position to influence the decisions of the Court.
- D. Members of the Court will be patient, dignified, and courteous to those with whom they deal in an official capacity, and will require similar conduct of those subject to their direction and control.
- E. Each Justice is charged with the duty of carefully reading and analyzing the pertinent submitted material on each case in which they participate.
- F. Each member of the Court will take or initiate appropriate disciplinary measures against any other member of the Court for unprofessional conduct of which they become aware.
- G. In exercising the power and authority of the Court, members of the Court will avoid any form of conflict of interest as outlined in the by-laws of the ASNMHU.

### **ARTICLE V. – FINANCE**

#### **Section 1. – Student Funds**

The funds of the ASNMHU Government shall be derived from designated ASNMHU fees, income from enterprises of ASNMHU Government, and other legally approved sources. Per Article II, Section 7-A-7, and Article V, Section 2, a portion of graduate student fees is allocated to ASNMHU for the purposes of assisting graduate students with research-related and professional development opportunities. Distribution and allocation of those fees is described in those sections.

## **Section 2. – Distribution of ASNMHU Fee**

- A. A budget report shall be prepared and submitted by the President to the Senate for approval no later than the first official meeting of the fall semester. The report shall include budgets for the student government and Executive Committees.
- B. Per Section 7-A-7 of Article II above, the Graduate Committee shall establish a minimum percentage of fees paid by graduate students as the funding source for professional development awards to graduate students as well as for operational costs of graduate students within ASNMHU. The recommendation will be submitted to ASNMHU Senate for approval in accord with the guidelines for the ASNMHU President’s budget, which is no later than the first official meeting of the fall semester.
- C. The Senate may request receipts and/or spending and activity reports from individuals, clubs, or organizations that receive funding from ASNMHU.

## **Section 3. – Authority of Financial Control**

- A. All expenditures must have prior clearance from the ASNMHU Treasurer and the NMHU Business office. Per Article II, Section 5-H above, all expenditures above \$75 must be approved by the Senate. Expenditures below \$75 may be approved by the Treasurer.
- B. The ASNMHU Government, Executive Committees, and any organization funded through ASNMHU Government may not spend in excess of their approved allocation.
- C. All re-usable materials (equipment and supplies) purchased using ASNMHU funds belong to the department in which the student is conducting research. All materials must be returned to the department when the research is concluded.

## **Section 4. – Office Equipment**

Office equipment purchased with ASNMHU Government funds shall become the property of ASNMHU Government.

## **ARTICLE VI. – ELECTION PROCEDURES**

### **Section 1. – Election of the Senate**

- A. Each Senator shall be elected by the student body and shall represent 100 students based upon the entire on-campus population, to include proportional representation of both undergraduate and graduate students. Each individual seeking election must be declared eligible by the Office of Campus Life for the spring general election. The number of seats in the general election will be determined based on enrollment data for the main campus available in the spring semester in which the general election is to take place.
- B. Per Article II, Section 3 above, graduate student representation requires at least one student from each of the university’s schools and colleges (School of Education, School of Business,

College of Arts and Sciences, School of Social Work) be represented among elected/appointed senators. The Office of Campus Life will be responsible for advertising the election and ensuring that outreach is conducted to the respective schools and colleges to ensure that candidates are solicited from each school/college. The Office of Campus Life will also establish procedures for candidacy, petitions, ballot positions, and campaigning, per Section 4 below.

### **Section 2. – Election of Officers**

Individuals who wish to run for Executive positions must have served on ASNMHU for at least two (2) semesters.

### **Section 3. – ASNMHU Government Vacancies**

- A. In the event of a Presidential vacancy, the Vice-President will assume the position of the President.
- B. In the event of a Vice-Presidential vacancy, the President Pro-Tempore will assume the position of Vice- President.
- C. In the event of a vacancy in the position of Secretary or Treasurer due to resignation or removal from office during the academic year, the vacancy shall be announced and posted. Notice to all students must be posted for 10 days. Letters of interest or resumes shall be submitted to the President and forwarded to the Presidential Appointments Committee for review and recommendation. The Presidential Appointments Committee shall provide nominations to the Senate. The Senate shall approve the final nominee by a two-thirds majority vote.
- D. In the event of a vacancy in the Senate, the President shall appoint a member to the Senate upon recommendation of the Presidential appointments Committee and a two-thirds majority vote of the entire Senate.
- E. No Presidential appointed Senator or Executive member shall be allowed to assume responsibilities, duties, or voting privileges until confirmed by the Senate. The tenure of these appointments shall not exceed the term of office of the appointing President.
- F. Compensation for an elected or appointed Executive will begin upon assumption of duties and end when the Executive leaves his/her position by resignation, removal, impeachment, or completion of their term.

### **Section 4. – Election Process**

All elections shall be run with the procedures established by the Office of Campus Life (see Article II, Section 3 and Article VI, Section 1 for general references. The Office of Campus Life will establish procedures for candidacy, petitions, ballot positions, and campaigning.

## **ARTICLE VII. – REFERENDA**

### **Section 1. Referendum into Law**

Legislation may become law via referendum. Referendum items shall be put to a vote of the student body. Referenda that are passed by a simple majority of those students voting shall become ASNMHU Government law.

### **Section 2. Referendum Placement on Ballot**

Referenda may be placed on the ASNMHU ballot by a two-thirds majority vote of the entire Senate or by petition presented to the President and signed by at least one-half of the number of students voting in the previous general election.

## **ARTICLE VIII. – AMENDMENTS**

- A. Amendments to this constitution may be approved by a two-thirds majority vote of the entire Senate and ratified by an affirmative vote of one-half of the number of students voting in the general election.
- B. After its adoption by the students, the NMHU board of Regents must approve the amendments.
- C. Articles and amendments of the Constitution, proposed by the students and approved by the NMNHU Board of Regents, shall be placed in the appropriate context within this document, including specific numerical references (Article, Section, and paragraph number).

## **ARTICLE IX. – RESIGNATION, REMOVAL AND IMPEACHMENT**

### **Section 1. – Resignation**

Any member of the ASNMHU Student Senate or Executive Council who chooses to resign from office shall submit a letter of resignation to the Student Senate (President and/or Secretary) immediately upon his/her decision to resign.

### **Section 2. – Removal**

- A. Any member of ASNMHU Government who fails to attend three regular meetings of the Senate shall be removed from office upon notification of such removal by the Secretary. Removal shall not be enforced under the circumstances described in this Section if the member's absence is excused. An excused absence shall be defined as: Any school sanctioned activity, any absence due to attending a conference or workshop that is used to enhance education, serious illness or family emergency, or inclement weather. Every effort should be made to attend the meeting via Zoom if any of the above situations arise, the exception being serious illness or family emergency. The Secretary is to be notified of any absence expected at least twenty-four hours

prior to the absence, the exception being family emergency or sudden illness. Written Documentation may be requested in the event of Illness. Any member of ASNMHU who is unable to attend the regular meeting in person has the ability to attend meetings via zoom. If a member is to be attending a meeting through zoom, they are to let the secretary know the Friday prior to the regular meeting by 6:00 p.m., or in the case of an emergency, one hour prior to the meeting. The zoom access should only be used in emergency situations as defined in Section 2, Clause A. Members will be limited to one-third of the meetings being in attendance via zoom, for the academic year. Any meetings being in attendance via zoom thereafter will be considered unexcused, upon review by the executive committee.

- B. The President shall be empowered to remove his appointees from any constitutional or statutory committees, without the consent of the Senate.
- C. Any member of ASNMHU who fails to maintain good academic or disciplinary standing shall be removed from office upon notification in writing by the Dean of Students Office or his/her designee and by the President of the Student Senate and will be removed by confirmation from the Senate.

### **Section 3. – Impeachment**

- A. All elected officials, and all appointed members of any constitutional or statutory committee shall be subject to impeachment. The judicial power to impeach shall be reserved to the Student Senate.
- B. Impeachment proceedings may be initiated by a two-thirds majority vote in favor of commencing the impeachment process by the entire Senate. In addition, impeachment proceedings may be initiated by any member of ASNMHU Government upon petition of the Senate. The Senate shall vote on the petition, and impeachment proceedings shall be commenced upon a two-thirds majority vote in favor of proceedings.
- C. Violations of any laws of ASNMHU, the regulations of the NMHU Board of Regents, and any State or Federal criminal laws shall be grounds for impeachment. Willful neglect of office, misconduct, and incompetence shall be grounds for impeachment.
- D. The charges constituting the basis for the impeachment process shall be made in written form for presentation to the Senate and for service on the Defendant. Unless there is reasonable cause for the delay, the Defendant must be notified, in writing, within 24 hours of the time the Senate votes to pursue impeachment of the charges or accusation made against him or her. In such events, notice shall be served to him/her by certified registered mail at his/her last known address, or such other means as the Senate may deem necessary.
- E. It shall be the duty of the Parliamentarian, unless he/she is the person being impeached, to serve notice of the impeachment proceedings to the Defendant. If the Parliamentarian is unavailable, the duty shall be that of the Vice-President. If the Parliamentarian and Vice-President are both being impeached, it shall be the duty of the President to handle proceedings.
- F. The Defendant shall be entitled to an advisor. However, neither ASNMHU nor the University shall be required to provide one to him/her.

- G. The impeachment hearing will be held within fourteen (14) days of the vote of the Senate to pursue impeachment. The Defendant shall be impeached and removed from office only upon a two-thirds majority vote of the entire Senate.
- H. The proceedings will be conducted by the Judicial Branch constituting the two (2) Justices and one (1) Chief Justice in a courtroom style trial in which the Justices will give their official recommendation to the senate prior to the official vote.

#### **Section 4. Stop Payment on Salary**

Upon the impeachment, removal, or resignation of an officer of ASNMHU, the salary for that member will cease to be paid.

#### **ARTICLE X. – RATIFICATION**

This Constitution shall be considered fully ratified and adopted as the official document of the ASNMHU Government upon student body ratification and an affirmative vote of the NMHU Board of Regents.

