

**GREEN TAPE**

**NOTEBOOK**

**2008-2009**

# ASUO Green Tape Notebook

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### **Please Note:**

The ASUO's Green Tape Notebook is printed in hard-copy form at the beginning of each academic year, and the documents included are up-to-date as of the print date. Should the governing documents in this collection be changed after this printing, no additional paper copies will be printed. However, an updated copy will be posted to and noted on the ASUO's website as soon as possible. *The Green Tape Notebook is available in accessible formats upon request. Please contact the ASUO Executive, Suite 4 EMU (346-3724) for more information. This version updated 05/14/08.*

# ASUO Green Tape Notebook

## INTRODUCTION

### WHAT IS THE GREEN TAPE NOTEBOOK?

The ASUO Constitution states, “The President shall publish an annual compilation of rules, resolutions and other policies established by the Executive Office, the Student Senate, ASUO Programs Finance Committee, Athletics and Contracts Finance Committee, Department Finance Committee, ASUO Constitution Court, EMU Board, and other agencies which may from time to time issue rules, resolutions or policies affecting the student body and its programs.”

The ASUO’s Green Tape Notebook is the collection of governing rules that apply to all ASUO programs. Beginning with the 2005-06 academic year, specific procedural information related to ASUO policies that was previously included in the Green Tape Notebook will be included in a separate publication called the ASUO Programs Manual.

In addition to the documents contained in the Green Tape Notebook, the ASUO is subject to all applicable rules of the Erb Memorial Union (for those programs housed in the EMU), the University of Oregon and the Oregon University System, and the laws of the State of Oregon and the United States.

*“No agency or program of the ASUO shall make any rule or take any action abridging the privileges and immunities of any person or program under the Constitution and laws of the United States or the State of Oregon, or the rules of the University of Oregon, or the ASUO Constitution.” (ASUO Constitution, Section 2.3)*

All rules, resolutions, and policies established by the ASUO Executive office, the Student Senate, the ASUO Programs Finance Committee, the Athletic and Contracts Finance Committee, the EMU Board, and the Department Finance Committee, must be reviewed and approved by the Constitution Court for compliance with the ASUO Constitution before going into effect. All such rules, resolutions and policies shall take effect as promulgated unless declared unconstitutional by the Constitution Court.

### STUDENT GOVERNMENT AT THE UNIVERSITY OF OREGON

The Associated Students of the University of Oregon (ASUO) exists to provide for the social, cultural, educational and physical development of its members, and for the advancement of their individual and collective interests both within and outside the University. (ASUO Constitution, Section 1.2) The ASUO, through the Executive, administers more than 150 student programs, from the African Student Association to Zeta Phi Beta Sorority, Inc.

All students at the University of Oregon who have paid the current term/semester’s incidental fee are members of the ASUO and generally have access to all ASUO programs and services. (People who are not enrolled as full-time students may not be eligible for all services.)

The ASUO Constitution establishes three student governmental bodies: the ASUO Executive, a Student Senate and a Constitution Court. In addition, the ASUO Constitution establishes four major committees as part of the financial framework of the student government: the Programs Finance Committee (PFC), Athletics and Contracts Finance Committee (ACFC), the Erb Memorial Union Board of Directors (EMU Board), and the Department Finance Committee

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(DFC). All members of the Senate and certain members of the Programs Finance Committee, the Athletics and Contracts Finance Committee (ACFC), the EMU Board, and the Department Finance Committee (DFC) are elected. The other members of these committees, plus the Constitution Court, are appointed. The following is a brief description of these six areas:

### **ASUO EXECUTIVE**

Suite 4, EMU • 541-346-3724 • [asuo@uoregon.edu](mailto:asuo@uoregon.edu)  
<http://asuo.uoregon.edu/executive.php>

The ASUO Constitution calls for a chief executive officer, the ASUO President, who is responsible for the administration of ASUO programs and acts as the official spokesperson for UO students. The Executive consists of the President and Vice President plus approximately 15 staff positions.

The Constitution gives the ASUO President the authority to “make such rules as are necessary to insure the fair and efficient operation of ASUO agencies and programs...” (Section 5.11). These rules are contained in the *ASUO Program Rules*.

### **STUDENT SENATE**

Suite 4, EMU • 541-346-3749 • [senate@uoregon.edu](mailto:senate@uoregon.edu)  
<http://asuo.uoregon.edu/senate.php>

The 20-member ASUO Student Senate is responsible for allocating incidental fees and for representing the collective interest of students in all matters considered and acted upon by the University Senate. The ASUO Student Senate allocates incidental fees, collected from each student, through the annual budget process and through Special Requests. Senators also serve on student/faculty committees.

Ten members of the ASUO Student Senate are elected to serve on Senate and on the various Finance Committees .

Reflecting its dual functions, ten members of the ASUO Student Senate are elected by academic major to represent the university’s schools and colleges and are known as "Academic Senators." Per 9 C.C. (2006/07) , and 19 C.C. (2007/08) rulings by the Constitution Court, the distribution of Academic seats are as follows: Seat 11 – Undeclared. Seat 12 – AAA, Psychology and School of Music. Seat 13 – Business Administration. Seat 14 – Arts and Sciences Group 1. Seat 15 – Arts and Sciences Group 2. Seat 16 – Arts and Sciences Group 3. Seat 17 – Graduate and Law. Seat 18 – Graduate and Law. Seat 19 – Journalism and National Student Exchange. Seat 20 – School of Education, Community Education. The other ten senators are elected to serve on finance committees and are known as "Finance Senators". Their assigned seats are delineated in Section 6.1 of the ASUO Constitution.

The ASUO Student Senate has its own rules of procedure which are compiled as the *Rules of the Student Senate*.

### **ASUO CONSTITUTION COURT**

Suite 4, EMU • 541-346-3724 • [concourt@uoregon.edu](mailto:concourt@uoregon.edu)  
<http://asuo.uoregon.edu/concourt.php>

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The Constitution Court, appointed by the ASUO President and confirmed by the Student Senate, serves as the Court of Appeals for the ASUO. All rules, regulations and policies established by the ASUO Executive, the EMU Board and the Student Senate must be reviewed and approved by the Court as complying with the ASUO Constitution.

The five-member Court has the authority to rule on any question arising under the ASUO Constitution or any rule promulgated under it. This review power covers almost any action by ASUO government bodies, programs, and in special cases such as elections, actions by individual students within programs. The Court has broad powers to impose sanctions in order to compel compliance with its rulings. Court appointees serve as long as they remain students at the University of Oregon.

The operating rules and procedures of the Constitution Court are contained in the *ASUO Constitution Court Rules and Procedures*.

### **ASUO PROGRAMS FINANCE COMMITTEE**

Suite 4, EMU • 541-346-3749 • [pfc@uoregon.edu](mailto:pfc@uoregon.edu)  
<http://asuo.uoregon.edu/pfc.php>

The ASUO Programs Finance Committee (PFC) acts on all matters relating to the allocation of incidental fees to ASUO student programs. This budgeting process begins in the fall and ends with submission of an ASUO Programs recommended budget to the Student Senate in the winter. The 7-member PFC includes three Finance Senators, two members elected at-large by the student body, one appointed by the ASUO President, and one by the ASUO Programs Council.

The operating rules of the Programs Finance Committee are contained in the *ASUO Programs Finance Committee Bylaws*.

### **ATHLETICS AND CONTRACTS FINANCE COMMITTEE**

Suite 4, EMU • 346-3749 • [acfc@uoregon.edu](mailto:acfc@uoregon.edu)

The Athletics and Contracts Finance Committee (ACFC) acts on all matters relating to the allocation and appropriation of incidental fees for the UO Athletic Department, as well as all contracted services for the ASUO, for the purpose of recommending a budget to the Student Senate. The goal of the ACFC is to provide UO students with an opportunity to attend Intercollegiate Athletics sporting events at a reasonable price, for the affordable use of MacArthur Court for student-sponsored events, and to provide students with services that the University does not provide.

The ACFC consists of two Finance Senators, one member elected at large for a two year term, one member elected at large for a one year term, and one member appointed by the ASUO President for a one year term. The ASUO Finance Coordinator also serves on the Committee as a non-voting member. The ACFC is a new Major Program Committee created by combining the responsibilities for the Athletic Department Finance Committee, and the Contracts formerly managed by the Program Finance Committee. The ACFC's operating rules and guidelines will be contained in the *ASUO Athletics and Contracts Finance Committee Bylaws*, once the group is established.

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### **ERB MEMORIAL UNION BOARD**

Mezzanine Level, EMU • 541-346-3720

<http://emu.uoregon.edu/>

The EMU Board (EMUB) is a 15-member committee consisting of students, faculty and EMU staff. It is responsible for allocating a five million dollar budget to programs and service areas and for allocating space in the 200,000 square foot EMU facility. Any matter dealing with renovations of the building, reassignment of space or changes in EMU program budgets must be approved by the EMUB.

The Erb Memorial Union is houses a multitude of services and programs which serve University of Oregon students, including administrative offices, meeting rooms, a copy center, US post office, retail food services, and a variety of ASUO-funded programs.

The EMU's mission and organizational structure are outlined in the *Erb Memorial Union Governance Document*.

### **DEPARTMENT FINANCE COMMITTEE**

Suite 4, EMU • 346-3749 • [dfc@uoregon.edu](mailto:dfc@uoregon.edu)

The Department Finance Committee (DFC) acts on all matters relating to the allocation and appropriation of incidental fees of some Departments at the UO, for the purpose of recommending a budget to the Student Senate. The goal of the DFC is to provide UO Departments with a level of funding so that they may enhance the physical and cultural development of the University.

The DFC consists of two Finance Senators, one member elected at large for a two year term, one member elected at large for a one year term, and one member appointed by the ASUO President for a one year term. The DFC is a new Major Program created by ballot measure in April 2008. The DFC's operating rules and guidelines will be contained in the *ASUO Department Finance Committee Bylaws*, once the group is fully established.

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## Incidental Fee Guidelines University of Oregon Clark Document Revised 11/03/05

### A. Introduction

The student Incidental Fee has been authorized by the Oregon Legislature to provide for the “cultural or physical development” of students. In authorizing the Incidental Fee, the Legislature recognized that students have a legitimate interest in participating in the determination of the level and allocation of the fee, and the Legislature also provided recognized student governments the right to recommend fee levels and allocation to the Oregon State Board of Higher Education (OSBHE). The provisions outlined herein follow from ORS and from the Board’s delegation of authority, and assignment of responsibility to the institutional executive administering the affairs of the institution in accordance with the Board’s policies, plans, budgets, and standards; and the Board’s rule (OAR 580-10-090) that representatives of duly organized and recognized student governments shall (1) participate with the institutional executive in the formulation of guidelines and procedures for budgeting, allocation, and amount of incidental fee income, to be derived at the institution, and (2) shall participate in the decisions on budgetary allocations, and determination of incidental fee income based upon said guidelines. The procedures set forth in this document are based on student government rights and responsibilities under ORS, OAR, policies of the OSBHE and the University of Oregon, relevant opinions of the Oregon Attorney General, and the ASUO Constitution.

The University of Oregon President (hereinafter President) and the ASUO, acting through its President and Student Senate, have agreed to these guidelines and procedures in order to achieve clarity and fairness in the fee recommendation process. This document is based on the principles that the responsibility for allocating student incidental fees is an essential interest of a recognized student government and that incidental fee allocation decisions must comply with legal obligations and must not interfere with the University’s ability to carry out its educational mission.

### B. Recognition and Delegation

The University of Oregon acknowledges the right of recognized student government, in exercise of its delegated power and through its constitution, to elect a body to make fee recommendations to the OSBHE. That body is now the Student Senate. Anyone serving on a fee recommending body must be chosen in a fair and equitable manner. There shall also be three Finance Committees each of which shall recommend a lump sum budget to the Student Senate for fee allocations to one of the three Major Programs (ASUO Programs and Services, Erb Memorial Union, Intercollegiate Athletics) as follows: the ASUO Programs Finance Committee for ASUO Programs, EMU Board for the Erb Memorial Union, and the Athletic Department Finance Committee for Intercollegiate Athletics. Election, appointment, and replacement processes for the Student Senate representatives shall be set forth in the ASUO Constitution.

Responsibility for the administrative structure, personnel administration, and reporting relationships of major programs funded by student incidental fees resides within the University

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Administration. Any recommendations for realignment of major programs or other considerations of what constitutes optimal reporting relationships should be the outcome of proper consultation and wide support between student government and the University President. Such modification requires approval of the President.

The ASUO recognizes the legitimate interest of both the OSBHE and the University administration in maintaining an efficient fee recommendation and establishment process. The administration and the ASUO, therefore, agree that unless disagreements arise, the normal transmittal process will be for fee recommendations to be provided to the University President in writing for the President's approval and transmittal to the Chancellor for compilation and to the OSBHE for approval. The ASUO retains its statutory right (OAR 580.10.090) to make recommendations directly to the OSBHE. Applicable provisions of state law and OSBHE regulations will be followed in the development, transmittal, and expenditure of incidental fees.

### **C. Procedures: Meetings and Student Membership**

All meetings of incidental fee committees and subcommittees thereof shall be conducted in accordance with the Oregon Public Meetings Law. For purposes of determining application of public meetings law, a subcommittee of the Student Senate is defined as one of the three Finance Committees (ASUO Programs Finance Committee, EMU Board, and the Athletic Department Finance Committee), or any two or more members of the Student Senate, or the Finance Committees meeting to deliberate on an issue before or intended to come before the Student Senate for decision. Notice of all meetings must be provided at least 24 hours in advance to the Oregon Daily Emerald and any other media requesting notice. Public notice of hearings to determine budget recommendations shall be published in the Emerald.

All members of the Student Senate and all student members of the finance committees, or subcommittees thereof, shall be students enrolled in eight undergraduate or the equivalent graduate credit hours (except summer).

### **D. Timelines and Schedules**

No later than November 7 of each year, the President (or designee) of the University will meet with the ASUO President and Vice President, the Student Senate, and members of finance committees to review responsibilities and standards, as required by the Board rule (OAR 580-10-090), relevant opinions of the Attorney General, and University policies for participating in establishment of recommended Incidental Fee levels. By November 15 of each year, the President (or designee) of the University will notify the Student Senate and the ASUO President of: 1) the date by which he or she needs to have fee recommendations to the University President for transmittal to the Chancellor and the OSBHE, and 2) the enrollment and fee revenue estimates to be used in determining the recommended Incidental Fee required for budgeted programs.

The finance committees shall each establish and publish a schedule of hearings affording at least one public hearing on the budget request of each program under its jurisdiction seeking funding. The Student Senate shall also establish and publish a schedule of hearings affording at least one public hearing on each lump sum budget recommended by the three Finance Committees. Copies of the hearings schedule and notification of any changes shall be provided to the ASUO Executive, the affected program, the Oregon Daily Emerald and any other media

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requesting notification, the President, the Director of the EMU, and the Athletic Director where affected.

Scheduling of hearings shall be at the discretion of the Student Senate and Finance Committees, except that hearings on allocation requests from the EMU and the Department of Intercollegiate Athletics shall be held at a time mutually convenient to those departments and the Finance Committee.

### **E. Hearing Format**

Within the context of the ASUO Programs Finance Committee, the Athletic Department Finance Committee, and the EMU Board hearings process, each program within a Major Program must submit a goal statement which allows each Finance Committee to determine for itself whether the program or activity meets the statutory standard of ORS 351.070(3)(d) which authorizes the OSBHE to collect fees to fund programs for the cultural or physical development of students. Any request for one-time or limited-duration funding for programs or projects must also be accompanied by a statement of goals which allows each finance committee to consider the appropriateness of that request under ORS 351.070(3)(d). The Student Senate and all finance committees will only consider funding programs or projects they believe meet the statutory standard.

Other hearings procedures shall be at the discretion of the Student Senate and finance committees, and shall be made available in writing to all hearing participants prior to the beginning of the annual budget hearing process. The Student Senate and finance committees may each, at its own discretion, hold preliminary hearings for, among other things, seeking information or clarifying goals.

Documents submitted to the Student Senate and finance committees and their decisions regarding approval of both programs goals and levels of funding shall be forwarded to the ASUO President and then to the University President (or his or her designee).

### **F. Ballot Measures**

There shall be no direct allocation or introduction of fees through use of the referendum process. However, in some cases, it may be appropriate for the ASUO to use ballot measures to assess the level of student support for a program. In execution of authority delegated to the ASUO to recommend Incidental Fee levels, the appropriate branch of the ASUO will review initiative language before it is presented to the student body for direct vote. This review shall determine compliance with the ASUO Constitution and rules promulgated under it, the Clark Document, and compliance with the statutory standard "advantageous to the cultural or physical development of students" prescribed in ORS 351.070 (3)(d).

The referendum process may not be used to establish incidental fee funding for new or continuing programs or services. Ballot measure questions may serve to provide supplemental, non-binding guidance to the appropriate branch of student government, but in doing so may not establish or take measure of support for any specific funding level.

### **G. Reserve Funds**

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To help insure sound fiscal management, the Student Senate, ASUO Executive, and University administration shall adopt and maintain sound fiscal practices for Incidental Fee monies. The following appropriated and unappropriated reserve funds shall be maintained.

Contingency or Surplus Fund. An appropriated contingency or surplus fund shall include an unallocated reserve budgeted by the Student Senate. This unallocated reserve shall be augmented each fiscal year with ASUO Programs funds which have been appropriated but unexpended during the prior fiscal year or carried over from the prior fiscal year. The Contingency or Surplus fund shall be allocated in accordance with the usual budget procedures of the Student Senate and ASUO Executive.

Building and Equipment Reserves. Allocation of Incidental fees must regularly cover full funding of all ASUO and EMU building and equipment reserves as required by Oregon Law, Chapter 351 and Oregon Board of Higher Education Rules (351.070 ORS/OAR 580-010-0090) and Internal Management Directives, section 6. The EMU building Reserve will be established as a component of Incidental Fee calculation in the spring following conclusion of the ASUO budgeting process. The EMU Building Reserve will equal 3.5% of the total estimated incidental fee budget, and this reserve allocation will be excluded from ASUO calculations determining compliance with EMU major program growth limits. Such appropriated reserve funds have the status of allocated monies that have been approved by student government, the UO President, the OUS chancellor and OSBHE and may be spent by the EMU director without further approval or authorization by the EMU Board or student government. The EMU Director will notify the ASUO Executive, ASUO Senate, and the EMU Board of all expenditures from the EMU building reserve.

5% Prudent Reserve Fund. An unappropriated Reserve fund shall be maintained with Incidental Fee income. The unappropriated Reserve fund shall be created at the beginning of the fiscal year at a level equal to at least 5% of the current fiscal year's total Incidental Fee budget to insure against shortfalls due to under-realized enrollment and/or other unforeseen contingencies. This fund may be used only to address emergency budgetary shortfalls, or other compelling prudent fiscal actions. In all cases, requests for use of the 5% Prudent Reserve Fund should be identified in specific written transmittals to the University President.

Over-realized Fund (ORF). Funds accruing in the unappropriated Reserve Fund in excess of the mandated 5% Prudent Reserve due to over-realized enrollment income shall be identified as "over-realized funds" (ORF). Allocation of ORF must only be used in accordance with the following criteria:

- (1) Address one-time, non-recurring expenses for which other funding sources are not available or are inappropriate;
- (2) Benefit large groups of students or to support projects with a broad base of student support;
- (3) Address issues of an emergency nature that have an impact on students;
- (4) Respond to special or unique targets of opportunity, where investment of resources will result in substantial savings of student fees;
- (5) Reduction of fee collections. Currently enrolled students, ASUO recognized student groups, and any programs or departments funded as a supplement to the following year's fee collections or as a source for student-recommended fees are eligible to request and receive an allocation of over-realized funds.

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An emergency allocation from the 5% Prudent Reserve fund or allocation of ORF funds must include certification of the unusual nature of the proposed expenditure(s) and have the recommendation of the Student Senate and the written approval of the ASUO President as well as the formal approval of the University President or his/her designee.

### H. Recommendation Format and Criteria

Incidental fee allocation recommendations shall be aggregated by three major categories: (1) EMU; (2) ASUO programs and services; and (3) Intercollegiate Athletics. Each of these categories is considered a Major Program. For the purpose of this document, EMU shall include EMU activities and services; the ASUO Major Program shall be comprised of educational, cultural, and student government activities, registered and recognized student organizations, and all other non-EMU or non-Athletic department programs and services funded in whole or in part with incidental fees; and Intercollegiate Athletics shall be known as the Athletic Department Program.

A distinct activity within a Major Program that has been funded for six consecutive years is considered a Traditionally Funded Program (TFP).

Funding recommendations for major programs and any sub-component of a major program is limited to one fiscal year, and all budget recommendations will be for fixed sum amounts only. For fee allocation purposes, programs and services previously funded through indefinite or multiple year referendums will become a part of the Major Program titled ASUO. Such programs and services will be established as Traditionally Funded Programs (TFP) after completion of six consecutive years funding.

A proposed decrease in the level of fee support for any Major Program shall not exceed 10% of the preceding year's allocation unless the Program voluntarily requests such a reduction. A recommendation to reduce a major program by more than 10% requires a unanimous vote of the Student Senate, and must be approved. The same process shall be applied to recommendations concerning TFP's, except that the allowable reduction shall be 25%, and a unanimous vote of the appropriate Finance Committee is required.

The ASUO and the University President recognize that fiscal stability is essential to long-term planning. These offices agree that in any situation involving substantial budget decreases in Major Programs or TFP's, both the ASUO and the University President shall assist the affected program in attempting to find or develop additional sources of funding. This agreement does not constitute any legally enforceable commitment to provide such funding at any level, nor shall it interfere with the Student Senate's or any incidental fee finance committee's right or the President's inherent right to recommend a budget reduction for reasons of policy. Any reductions in Major Programs or TFP's shall be consistent with the fulfillment of contractual obligations of an affected University department or program. Current service level budgets will serve as a basis for consideration by the finance committees.

The Student Senate, in making its recommendation regarding the appropriate fee level to provide for the budgeted level of services, shall use enrollment and fee revenue estimates provided by the University. The Student Senate shall transmit its fee recommendations in writing to the University President (or his/her designee). At a minimum, the fee recommendation must include:

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- 1) The recommended Incidental Fee with detail of the fee calculation by fee category;
- 2) A summary of approved Incidental Fee budgets by Major Program;
- 3) Line item budgets for each program recommended for funding; and
- 4) Program goal statements for each program recommended for funding.

These procedures and criteria are not intended to limit the right of the student body to require other procedures, or to limit the power of the Student Senate, Finance Committees and ASUO Executive, provided those requirements or limits are not inconsistent with this document and statute.

### I. Appeals

The President shall notify the ASUO in writing within seven working days of receipt of the complete incidental fee budget allocation, or any recommendation for allocation from the incidental fee unappropriated reserve or over-realized fund. The President's written notification will indicate approval or denial, disagreement with any portion, or whether he or she wishes to suggest changes to the recommended allocation(s). In the event that the President suggests changes or denies a budget recommendation, the ASUO President shall respond in writing to the suggestions or denial either affirmatively or negatively within seven working days of receiving them. If the ASUO President does not respond, the President's suggested changes or denial are accepted by the ASUO and become part of its recommendation. If the ASUO President does not agree with the President's suggested changes or denial, the President or designee and representatives of the Student Senate and ASUO Executive shall meet and attempt to resolve the conflict. If agreement cannot be reached within ten working days, a Hearing Board then may be requested by either the ASUO President or the President. It shall be constituted pursuant to OAR 580-10-090(3)(h), and its recommendations considered by both the ASUO and the President prior to final fee recommendations being transmitted by the President to the OSBHE and the Chancellor.

Members of the Hearings Board shall not be members of the Student Senate or its staff, members of the Finance Committees or their staff, the ASUO Executive or its staff, the staff or management of the affected program or the immediate staff of the University President, but shall be constituted as required by 580-10-090(3)(h)(A). The Hearings Board shall select its own presiding officer and establish its own rules of procedure subject to the requirements of OAR 580-10-090(3)(h). The ASUO and the President agree that one ASUO representative and one Presidential representative shall be subject (after his or her nomination) to the approval of the non-nominating entity. Both parties shall notify the Hearings Board and each other within five working days and in writing whether they accept or reject the recommendations of the Hearings Board.

### J. State Board Action

The President shall confer with the ASUO President and Student Senate in making any necessary adjustments in the allocations, and communicate the final action on the proposed fees by the State Board of Higher Education to the ASUO President and Student Senate in writing within ten working days after the final action is taken.

### K. Amendment

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This document and the delegation herein may be withdrawn or revised at annual intervals by the President after consultation between the parties or following a request by the ASUO. If the parties fail to agree, appeals may be made in accordance with the applicable provisions of OAR 580-10-090.

Revisions shall not be made during the annual budget development process in such a way as to affect the process, except that agreement deadlines may be extended for mutual convenience. In order to insure fairness and equal application of standards during the budgeting process, revisions affecting the process shall be made prior to November 1 of the fiscal year in which the revisions are to have effect.

*Promulgated by University President*

*Received by ASUO President*

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# ASUO Green Tape Notebook

## ASUO CONSTITUTION

Amended 4/04, Last Amended 04/08

### 1. NAME AND PURPOSE

- 1.1 This organization shall be known as the Associated Students of the University of Oregon (ASUO).
- 1.2 The purpose of the ASUO is to provide for the social, cultural, educational and physical development of its members, and for the advancement of their individual and collective interests both within and without the University.

### 2. MEMBERSHIP AND RIGHTS

- 2.1 The membership of this Association shall consist of all students at the University of Oregon, Eugene, Oregon, who have paid the current term or semester student incidental fee. Payment of summer term incidental fees is not necessary to maintain membership status for the purpose of holding office.
- 2.2 Student membership of any of the particular classes shall be determined by the academic rules of the University of Oregon.
- 2.3 No agency or program of the ASUO shall make any rule or take any action abridging the privileges and immunities of any person or program under the Constitution and laws of the United States or the State of Oregon, or the rules of the University of Oregon, or the ASUO Constitution.
- 2.4 Access to activities supported in whole or in part through mandatory student incidental fees shall not be denied for reasons of sex, race, religion, age, sexual orientation, marital status, disabled, political view, national origin or any other extraneous considerations. Activities limited to living units legally segregated by sex may be limited by sex.

### 3. OFFICERS

- 3.1 The elected executive officer of this Association shall be the ASUO President (hereinafter "President").
- 3.2 There shall be an ASUO Student Senate (hereinafter "Student Senate") composed of twenty (20) members of this Association as defined in Sec. 6.1.
- 3.3 There shall be an ASUO Programs Finance Committee composed of seven (7) members of this Association as defined in Sec. 7.1.
- 3.4 There shall be an ASUO Athletics and Contracts Finance Committee (hereinafter ACFC) composed of six (6) members of this Association as defined in Sec. 10.1.

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- 3.5 There shall be an ASUO Departments Finance Committee (hereinafter DFC) composed of six (6) members of this Association as defined in Sec. 10.1.
- 3.6 There shall be an Erb Memorial Union Board (hereinafter "EMUB") composed of at least seven (7) members of this Association as defined in Sec. 9.1 and in the EMU Governance Document.
- 3.7 There shall be a Constitution Court composed of five (5) members of this Association as defined in Sec. 11.1.

### 4. QUALIFICATIONS FOR OFFICE

- 4.1 All students of this Association shall be eligible to hold elective or appointive office under this Constitution. All students elected or appointed, serving in ASUO governance, programs or committees, shall be required to enroll in and complete each term at least eight credit hours required by the University to maintain half-time status, except as provided under Section 2.1 of this Constitution, during their term of office.
- 4.2 No member of this Association shall simultaneously hold more than one elected office under this Constitution. A person may simultaneously hold an elected and appointed position or more than one appointed position unless the Constitution Court determines, upon petition, that a potential conflict of interest exists between the two positions.
- 4.3 Candidates for the ten Academic Student Senate seats shall either have declared a major with the University Registrar or shall at the time of filing declare which constituent group they seek to represent, based on the major they expect to be enrolled in by the following fall term.
- 4.4 If a member elected or appointed pursuant to Sec. 5.4 to an Academic Student Senate seat changes majors to one outside of the constituent group s/he was elected or appointed to represent, that member is no longer eligible to serve on the Student Senate and his or her position shall be declared vacant.
- 4.5 Notwithstanding Section 4.4, a member elected or appointed pursuant to Sec. 5.4 to an Academic Student Senate seat who is a pre-major (undeclared) student may adopt a major and continue to serve on the Student Senate until his or her term of office expires.
- 4.6 Conflict of interest prohibited. No member holding an elected position on the Student Senate, the ASUO Programs Finance Committee, the Athletics and Contracts Finance Committee, Department Finance Committee or the EMU Board may vote on the budget of any ASUO or EMU program in which they will be holding a paid position during the year the fiscal budget is in effect. This section shall be construed so as to prohibit conduct that creates the appearance of a conflict of interest, as well as an actual conflict of interest.

### 5. DUTIES OF THE PRESIDENT AND VICE PRESIDENT

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## ASUO Green Tape Notebook

- 5.1 The President is the chief executive officer of the ASUO, is responsible for the administration of ASUO programs, and acts as the official spokesperson for students as a whole, within and without the University.
- 5.2 The President shall nominate to the President of the University, upon recommendation from the ASUO University Affairs Coordinator, members to the student-faculty committees, appoint members to executive, administrative and ASUO student committees, and make all other appointments to positions deemed necessary.
- 5.3 The President shall appoint a member of the ASUO to serve as Vice President. Such appointment need not be made through formal hiring and affirmative action process provided that the Vice President has been publicly announced as the President's running mate and included on the ballot as such. The President must name one person to perform the duties required of the Vice President by the Constitution. Any non-elected Vice Presidents shall not be in the line of succession to the Presidency.
- 5.4 The ASUO President shall appoint persons to vacant positions of the Constitution Court, Athletics and Contracts Finance Committee, Department Finance Committee, the EMU Board (with the exception of positions appointed by the EMU Board), the Programs Finance Committee and the Student Senate. These appointments shall be made within a period of thirty (30) calendar days of the vacancy and shall be subject to confirmation by a majority of the Student Senate within seven (7) calendar days of the appointment, with the exception of summer term.
- 5.5 The President shall submit to the Student Senate a recommendation for the next fiscal year's incidental fee allocation by November 21st to assist the Student Senate in establishing budgeting benchmarks for each of the four Major Programs Committees: the EMU Board, the ASUO Programs Finance Committee, Athletics and Contracts Committee, and the Department Finance Committee.
- 5.6 The President or designee shall submit budget recommendations to the Student Senate for each of the four Major Programs: the EMU, ASUO Programs Finance Committee, Athletics and Contracts Finance Committee, and the Department Finance Committee. These recommendations are to be submitted in writing at the same time as the EMU, ASUO Programs Finance Committee, Athletics and Contracts Finance Committee, and the Department Finance Committee submits their budgets for their programs to the Student Senate. The President or designee recommendation shall be in memo format and include the total Incidental Fee allocation, and percentage increase recommended from the previous year's funding. The President or designee shall also present its budget recommendation of the Major Program to the Student Senate at the Major Programs Budget Hearing. The President shall hold veto powers over all allocations of the Student Senate of Major Programs. The President shall take such action regarding a Major Program Budget within 3 school days of receiving written notice of final Senate approval of said budget.

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- 5.7 The President shall submit an accounting of expenditures of all ASUO programs from the previous fiscal year. (Referred to as Post close and produced by the ASUO Accounting Coordinator and Controllers)
- 5.8 The President and the Student Senate shall agree by end of fall term on a deadline by which the total incidental fee budget shall be submitted to the University President on or before March 31st. If they fail to agree, the Constitution Court shall set the deadline. In the event that the Student Senate fails to meet the deadline, the President shall, following consent of the Constitution Court, be responsible for preparing the ASUO budget and submitting it to the University President.
- 5.9 The President or designee shall provide budget recommendations for all program budgets of the ASUO Programs Finance Committee. Budget recommendations shall be made at the programs' Programs Finance Committee meeting. Budget recommendation shall include incidental fee allotment for each line item, total incidental fee allotment and percentage increase from the previous fiscal year. The President shall hold veto powers over all of the allocations all budget recommendations of the ASUO Programs Finance Committee. The President shall take such action regarding a program's budget within 3 school days of receiving written notice of final approval by the ASUO Programs Finance Committee of said budget.
- 5.10 There shall be an ASUO Program Directors' Council established with a representative from each program chosen by the Program director, and a representative of the ASUO Executive chosen by the ASUO President. The President shall submit all proposed administrative or program rules, or changes therein, to the Council for comment. This Council will be chaired by the Executive representative, and shall meet at least twice per term. The President shall make a report of the plans and activities of the ASUO Executive during Fall, Winter, and Spring terms. This Council may also be used as a channel through which procedures such as budget writing may be presented to the program representatives.
- 5.11 The President may make such rules as are necessary to insure the fair and efficient operation of ASUO agencies and programs, and to insure compliance with such budget notes and resolutions as may be approved by the Student Senate. Any such rule, once properly established shall continue in effect indefinitely unless repealed or superseded by subsequent action of a President or Student Senate. The President must provide reasonable notice and an opportunity to comment prior to adoption of any rule to all agencies and programs, including the Program Directors' Council, likely to be affected by the rule.
- 5.12 The President shall publish an annual compilation of rules, resolutions and other policies established by the Executive Office, the Student Senate, ASUO Programs Finance Committee, Athletics and Contracts Finance Committee, Department Finance Committee, ASUO Constitution Court, EMU Board, and other agencies which may from time to time issue rules, resolutions or policies affecting the student body and its programs. This publication shall be provided to all funded programs, to the members of governance bodies and to appropriate University officials, and shall be made available upon request to any member of

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the University community. Rules published in this manner shall have effect until replaced or eliminated following procedures under Sections 5.10 and 5.11 of this Constitution and other appropriate sources.

- 5.13 The President shall establish a written agreement for each salaried, appointive position in the ASUO Executive Office prior to hiring for the position, setting forth its duties and responsibilities in accordance with the ASUO stipend model.
- 5.14 Except as otherwise provided in this Constitution, the President shall abide by the ASUO Affirmative Action plan in making appointments to all non-elective salaried ASUO positions.
- 5.15 The President and Elected Vice President shall serve a term in office of one year commencing on May 25 and ending on May 24 of the following year.
- 5.16 The President, with the approval of a majority of those present and voting at a regular meeting of the Student Senate, shall appoint the official student representative(s) or agent(s) to any faculty-administration (Oregon State Board of Higher Education) negotiations in the advent of faculty collective bargaining.
- 5.17 The President shall establish and publish his or her own criteria for fulfillment of duties within one month of taking office. The President shall also perform all duties as required by this Constitution. Articles of impeachment may be brought against the President by a 3/4 vote of the seated Student Senate. Upon such vote, the Constitution Court shall try the case and reach a decision by majority vote. Articles of impeachment brought before the Constitution Court shall clearly set forth the grounds for removal from office.
- 5.18 Rulings of the ASUO Constitution Court shall be enforced by the President. Failure to enforce such a ruling shall constitute non-fulfillment of duties.
- 5.19 The President shall announce prior to November 1 each year the general guidelines to be used in preparing the Executive budget recommendation.
- 5.20 The ASUO Vice President shall assume all duties pertaining to the office of the President in the President's absence and all other duties as delegated by the President.
- 5.21 The ASUO Vice President shall serve as an ex-officio member of the Student Senate.

### 6. THE STUDENT SENATE

- 6.1 The Student Senate shall be composed of twenty members, eighteen (18) of whom shall each serve for a two year term and two (2) of whom shall each serve for a one year term, pursuant to Sec. 13.10 and 13.11. Three (3) Senators shall be elected to serve as members of the ASUO Programs Finance Committee. Three (3) Senators shall be elected to serve as members of the EMU Board and will all serve on the EMU Budget Committee. Two (2) Senators shall be elected to serve as members of the Athletics and Contracts Finance Committee. Two (2) Senators shall be elected to serve as members of the Department Finance Committee. These ten (10) Senators shall be known as the "Finance Senators".

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The remaining ten (10) Senators shall be elected by major to represent academic departments and shall be known as "Academic Senators".

- 6.2 The Student Senate shall act on matters relating to the allocation and appropriation of incidental fees, represent the collective and constituent interests of students in all matters considered and/or acted upon by the present General Assembly and University Senate, and/or any matters coming before a shared-governance body or University or departmental administrative channels relating to: student personnel services, University administered housing, campus design, and University budgeting, except as otherwise provided for in this Constitution.
- 6.3 The Student Senate, in order to vote on a Major Program Budget, is required to muster a quorum of two-thirds (2/3) of the filled Student Senate seats, and in order for such a motion to pass it must receive an absolute majority of those filled Student Senate seats.
- 6.4 Notwithstanding Sec. 6.3, the Student Senate shall determine the quorum for all Senate actions other than a vote on a Major Program Budget.
- 6.5 The Student Senate shall take no action impinging upon the duties, responsibilities or authority of the ASUO Executive or EMU Board.
- 6.6 The Student Senate shall establish budgeting benchmarks by November 30th for each Major Program. These benchmarks will serve as a guideline to assist each Major Program committee in developing its budget recommendation for submission to the Student Senate.
- 6.7 The Student Senate shall vote to approve or deny the budgets recommended by the ASUO Programs Finance Committee, the EMU Board, Athletics and Contracts Committee and the Department Finance Committee. The Senate may deny any part of the ASUO Programs Finance Committee recommendation by a vote of 4/5 of the filled seats.
- 6.8 The Student Senate may override any presidential veto of a Senate allocation by a vote of 2/3 of its filled seats. If a Major Program budget is vetoed, the vote to override must take place within five school days of receiving written notification from the President of said veto.
- 6.9 In the event that a veto from the President is not overridden, the Student Senate shall submit a revised budget recommendation to the President within two school days after receiving a new recommendation from the affected Major Program Committee pursuant to Section 7.10, 8.8, or 9.9.
- 6.10 The Student Senate shall hear appeals of the Program Finance Committee, Athletics and Contracts Finance Committee, Department Finance Committee or EMUB budget recommendations for any budget within a Major Program if the recommended budget in question is below the amount necessary to fund the current service level, and following a vote of two-thirds (2/3) of the filled seats of the Student Senate to hear the appeal. Appropriations or allocations granted through the appeal process will be incorporated into the budget recommendations of the affected Major Program. Program budgets that are determined by the Student Senate in this appeal process may not be altered in any way by the respective finance committees.

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- 6.11 The ASUO Vice-President shall vote in cases of a tie.
- 6.12 The Student Senate shall elect from its own membership a President, who shall preside over meetings of the Student Senate, and a Vice President, who shall preside in the absence of the President.
- 6.13 All meetings of the Student Senate shall be in accordance with the Oregon Public Meetings Law. Times and places of such meetings shall be submitted to campus media.
- 6.14 The Programs Finance Committee, on behalf of the Student Senate shall submit, within their budget, a budget for an unallocated reserve of not more than 1.5% of the total incidental fee budget, using funds other than surplus from carry over and over realized enrollment.
- 6.15 The ASUO recommended incidental fee assessment for each of the following Major Programs:
- 1) ASUO programs,
  - 2) Athletics and Contracts Finance Committee,
  - 3) Department Finance Committee, and
  - 4) the incidental fee portion of the EMU budget; shall not exceed a 7% increase over the previous year's student incidental fee assessment, unless individually approved by an initiative or referendum held under Section 14 of this Constitution. If placed on the ballot, the measure shall specify the exact amount in both percentage and dollars by which the 7% limitation will be exceeded.
- 6.16 [Repealed April 2005].
- 6.17 The terms of all Senators shall begin on May 25 and end on May 24. They shall be elected as set forth in section 13.10 and 13.11 of this constitution.
- 6.18 [Repealed April 2005].
- 6.19 Academic Senators shall serve on at least two Student/Faculty Committees during their term of office.
- 6.20 The ASUO President shall submit appointments requiring Student Senate confirmation to the Student Senate. The Student Senate shall confirm or deny appointments within no more than 15 school days of receipt of the applications from the ASUO President, except as provided in section 5.4. The appointments requiring senate approval are members of the ASUO Constitution Court, ASUO Elections board, Programs Finance Committee, Athletics and Contracts Finance Committee, Department Finance Committee, all elected student members of the EMU Board and the Student Senate, and executive appointments.
- 6.21 A quorum of the Student Senate shall meet at least once during any three week period, exclusive of dead weeks, final weeks, and weeks when the full University is not in session. Failure to do so will be subject to disciplinary action under section 11.14.
- 6.22 The Student Senate in conjunction with the President, ASUO Programs Finance Committee, Athletics and Contracts Finance Committee, Department Finance

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Committee and EMU Board, shall establish and publish the budget process schedule by the end of fall term, including the deadlines for the budgets to be submitted to the Student Senate and then to the ASUO President.

- 6.23 The Student Senate shall establish and publish, by November 1, its own rules of procedure, criteria for fulfillment of duties and guidelines for allocation and appropriation of incidental fees. It shall clearly set forth the conditions which must be met for the release of such fees and, once allocated; there shall be no attempt to attach any further conditions or policies concerning the use of such accounts. Once the programs have fulfilled the conditions for release, they are entitled to the full use of such funds for the established purposes.
- 6.24 For purposes of section 6.15 only, no allocation that is a component part of any Major Program and has been funded via a direct vote of the students shall be considered in determining whether a Major Program budget exceeds a 7% increase of the previous year's student incidental fee assessment.

### 7. THE ASUO PROGRAMS FINANCE COMMITTEE

- 7.1 The ASUO Programs Finance Committee shall be composed of seven (7) members selected as follows: two (2) members elected as Finance Senators for two year terms, one (1) member elected as Finance Senator for a one year term, two (2) members elected at large for two year terms, one (1) member appointed by the ASUO President for a one year term, and one (1) appointed by the ASUO Programs Council for a one year term. The Chair and Vice Chair shall be chosen from the members.
- 7.2 The ASUO Programs Finance Committee shall act on all matters relating to the allocation and appropriation of incidental fees to ASUO Programs for the purpose of recommending a budget to Student Senate.
- 7.3 A quorum of the ASUO Programs Finance Committee shall be four (4).
- 7.4 The ASUO Programs Finance Committee shall establish and publish its own rules of procedure and criteria for non-fulfillment of duties by October 25th.
- 7.5 All meetings of the ASUO Programs Finance Committee shall be in accordance with the Oregon Public Meetings Law. Times and places of such meetings shall be submitted to campus media.
- 7.6 The ASUO Programs Finance Committee shall assign a tag to each ASUO Program by October 10th.
- 7.7 The ASUO Programs Finance Committee shall submit to the Student Senate a recommendation for allocations and appropriations for ASUO Programs by November 21st for the purpose of assisting the Student Senate in establishing benchmarks.
- 7.8 The ASUO Programs Finance Committee shall determine and submit a recommended budget for all ASUO Programs to the Student Senate according to the provisions of Sec. 6.22 and 6.23.

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- 7.9 By a vote of 2/3 of its seated members, the ASUO Programs Finance Committee may override any Presidential veto of an ASUO Programs Finance Committee budget recommendation at any time before the recommended Major Program budget is submitted to the Student Senate.
- 7.10 In the event that a veto of the ASUO Programs Finance budget from the President is not overridden by the Student Senate, the ASUO Programs Finance Committee shall submit a revised budget recommendation to the Student Senate within five (5) school days of receiving written notification from the Senate of the vote to override.

### 8. ATHLETICS AND CONTRACTS FINANCE COMMITTEE

- 8.1 The Athletics and Contracts Finance Committee (ACFC) shall be composed of six (6) members selected as follows: two (2) members elected as Finance Senators for two year terms, one (1) member elected at large for a two year term, one (1) member elected at large for a one year term, and one (1) member appointed by the ASUO President for a one year term. The ASUO Finance Coordinator will also serve on the Committee as a non-voting member. The Chair shall be chosen from the elected members in accordance with their by-laws.
- 8.2 The Athletics and Contracts Finance Committee shall act on all matters relating to the allocation and appropriation of incidental fees for the Athletic Department at the University of Oregon (hereinafter the Athletic Department) and Contracted Services for the purpose of recommending a budget to the Student Senate.
- 8.3 A quorum of the Athletics and Contracts Finance Committee shall be four (4).
- 8.4 The Athletics and Contracts Finance Committee shall establish and publish its own rules of procedure and criteria for non-fulfillment of duties by November 1.
- 8.5 All meetings of the Athletics and Contracts Finance Committee shall be in accordance with the Oregon Public Meetings Law. Times and places of such meetings shall be submitted to campus media.
- 8.6 The Athletics and Contracts Finance Committee shall submit to the Student Senate a recommendation for allocations and appropriations for the Athletic Department and all Contracted Services by November 21st for the purpose of assisting the Student Senate in establishing benchmarks.
- 8.7 The Athletics and Contracts Finance Committee shall submit a recommended budget for appropriations and allocations for the Athletic Department and all Contracted Services to the Student Senate according to the provisions of Sec. 6.22 and 6.23.
- 8.8 In the event that a veto of the Athletics and Contracts Finance Committee budget from the President is not overridden by the Student Senate, the Athletics and Contracts Finance Committee shall submit a revised budget recommendation to the Student Senate within five (5) school days of receiving written notification from the Senate of the vote to override.

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9. THE ERB MEMORIAL UNION BOARD (EMUB)
  - 9.1 The Erb Memorial Union Board shall be composed of two (2) members elected as Finance Senators for two year terms, one (1) member elected as Finance Senator for a one year term, four (4) members elected at large for two year terms, and the remaining membership as defined in the EMU Governance Document. Members shall be elected pursuant to Sec. 13.12. One of the four members elected at large will be selected as the Board Chair.
  - 9.2 The EMUB shall have as its central purpose a shared responsibility for the development and maintenance of the Erb Memorial Union.
  - 9.3 [Repealed 4/28/95].
  - 9.4 The EMUB shall take no actions impinging upon the duties, responsibilities, or authority of the Student Senate, or upon the administration of ASUO Programs.
  - 9.5 The EMUB shall establish and publish its own criteria for fulfillment of duties by November 1.
  - 9.6 All meetings of the EMUB shall be in accordance with the Oregon Public Meetings Law. Times and places of such meetings shall be submitted to campus media.
  - 9.7 The EMUB shall submit to the Student Senate a recommendation for incidental fee allocations and appropriations for the EMU by November 21st for the purpose of assisting the Student Senate in establishing benchmarks.
  - 9.8 The EMUB shall submit a recommended budget for incidental fee allocations and appropriations for the EMU to the Student Senate according to the provisions of Sec. 6.22 and 6.23.
  - 9.9 In the event that a veto of the EMU budget from the President is not overridden by the Student Senate, the EMUB shall submit a revised budget recommendation to the Student Senate within five (5) school days of receiving written notification from the Senate of the vote to override.
10. DEPARTMENT FINANCE COMMITTEE (DFC)
  - 10.1 The Departmental Finance Committee (DFC) shall be composed of six (6) members selected as follows: two (2) members elected as Finance Senators for two year terms, one (1) member elected at large for a two year term, one (1) member elected at large for a one year term, and one (1) member appointed by the ASUO President for a one year term. The ASUO Finance Coordinator will also serve on the Committee as a non-voting member. The Chair shall be chosen from the elected members in accordance with their by-laws.
  - 10.2 The Department Committee shall act on all matters relating to the allocation and appropriation of incidental fees for Departments at the University of Oregon for the purpose of recommending a budget to the Student Senate.

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- 10.3 A quorum of the Department Finance Committee shall be four (4).
  - 10.4 The Department Finance Committee shall establish and publish its own rules of procedure and criteria for non-fulfillment of duties by November 1.
  - 10.5 All meetings of the Department Finance Committee shall be in accordance with the Oregon Public Meetings Law. Times and places of such meetings shall be submitted to campus media.
  - 10.6 The Department Finance Committee shall submit to the Student Senate a recommendation for allocations and appropriations for all Departments by November 21st for the purpose of assisting the Student Senate in establishing benchmarks.
  - 10.7 The Department Finance Committee shall submit a recommended budget for appropriations and allocations for all Departments to the Student Senate according to the provisions of Sec. 6.22 and 6.23.
  - 10.8 In the event that a veto of the Department Finance Committee budget from the President is not overridden by the Student Senate, the Department Finance Committee shall submit a revised budget recommendation to the Student Senate within five (5) school days of receiving written notification from the Senate of the vote to override.
11. THE CONSTITUTION COURT
- 11.1 The Constitution Court shall be composed of five (5) members appointed by the ASUO President, at least two of whom shall be a second- or third-year law student.
  - 11.2 The Constitution Court shall have supreme and final authority on all questions of interpretation of this Constitution and any rules promulgated under it, including elections rules and complaints.
  - 11.3 The Constitution Court may delegate its authority to act as a fact-finder and to make initial recommendations to a member of the ASUO who shall act as a Hearings Officer.
  - 11.4 Upon receiving a complaint, a Hearings Officer shall take testimony and shall make a recommendation on the question to the Constitution Court within four calendar days. The Hearings Officer shall compile a written record of the complaint and its disposition, along with the recommended decision, which shall be filed with the ASUO Administrative Assistant and shall be presented to the Constitution Court in the event of an appeal.
  - 11.5 Complaints arising under the ASUO Elections Rules may be delegated to a Hearings Officer for a ruling. Such a ruling is final unless overturned by the Constitution Court. A Hearings Officer sitting as a judge of election rule complaints may be delegated the authority to impose special sanctions, including but not limited to denial of accession to office or the ballot, payment of any cost incurred in handling the complaint, performance of specific duties for the

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- Elections Board or revocation of any rights arising out of status as an ASUO Program or Recognized Group.
- 11.6 The Constitution Court shall select its own Chief Justice.
- 11.7 The Constitution Court shall promulgate its own rules of procedure and rules to be used by Hearings Officers.
- 11.8 Hearings Officers shall be appointed by the Constitution Court on a case-by-case basis, and shall hold no continuing authority to review or make recommendations on other unrelated actions.
- 11.9 Any member or administrative body of the Association may refer any question regarding correct construction or interpretation of any part of this Constitution or any rule promulgated under it to the ASUO Constitution Court. Members of the Court may not make such requests.
- 11.10 The Court shall, when practical, hear questions within seven calendar days after they are presented. The Court shall endeavor to rule on each question within ten calendar days after presentation.
- 11.11 The term of office of members of the Constitution Court shall not expire until leaving or graduating from the University of Oregon. Absence during summer term dates does not constitute leaving the University. Upon re-enrollment at the University of Oregon, continued service as a Court member would require re-appointment. Regarding the incidental fee, an enrolled student may remain on the court for a maximum of one term per year.
- 11.12 Members of the Court may be removed from office by the President should the President and at least twelve of the members of the Student Senate voting, after a public hearing, determine that the member is guilty of non fulfillment of duties.
- 11.13 All questions relating to non fulfillment of duties, except as provided in Section 11.12, shall be decided by the Constitution Court.
- 11.14 Upon failure of a quorum of the Student Senate to meet at least once during any three week period, the Constitution Court shall have the authority to remove all members of the Student Senate.
- 11.15 All rules, resolutions, and policies established by the ASUO Executive office, the ASUO Programs Finance Committee, Athletics and Contracts Finance Committee, Department Finance Committee, the EMU Board, and the Student Senate shall be reviewed and approved by the Constitution Court for compliance with the ASUO Constitution before going into effect. All such rules, resolutions and policies shall take effect as promulgated unless declared unconstitutional by the Constitution Court upon review. The Court shall respond as required in Sec. 11.10.
12. {FORMER SECTION 11 NOW SECTION 12 REPEALED BY BALLOT MEASURE, 4/27/94}
13. REGULAR ELECTIONS

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- 13.1 The ASUO Elections shall be conducted in a manner consistent with the best interests of the student body. The elections shall be conducted in a fair, orderly and impartial manner, and the educational atmosphere of the University shall not be compromised, by any member of the ASUO involved in the electoral process.
- 13.2 The regular ASUO election shall be held no earlier than February 1<sup>st</sup> and no later than April 30<sup>th</sup> of each year.
- 13.3 All officers elected under this Constitution shall serve a term of office commencing on May 25 and ending on May 24 of the last year of their term of office
- 13.4 Any incidental fee paying member of this Association is eligible to vote for candidates seeking elective office, except in elections of Academic Student Senate seats, in which only members of the appropriate constituent group may vote for their representative.
- 13.5 The ASUO President shall appoint an Elections Board Chair and, no later than November 1st each year; appoint four members to the Elections Board upon recommendation of the Elections Board Chair. The Chair and Board are subject to confirmation by a majority of the Student Senate. The Elections Board shall be responsible for promulgation of election rules and procedures, and for the overall direction of the elections. The Elections Board shall interpret the Election Rules on request and shall have the authority to hear complaints of violations. The Elections Board shall have the authority to act as hearings officers and form a Hearings Committee that must include but is not limited to three Elections Board members. All rule interpretations and Hearings Committee decisions may be appealed to the Constitution Court.
- 13.6 A candidate in the ASUO election may file for only one position contested in that election.
- 13.7 Elections for positions currently filled by appointees or currently vacant shall be held at the earliest regular ASUO election in order to fill the remainder of the term.
- 13.8 A majority of votes cast in the ASUO Executive election shall be necessary to elect. If no candidate receives a majority, a run-off election shall be held within one week between the two candidates receiving the highest number of votes.
- 13.9 If the election is for a multiple position seat, e.g., EMUB, ASPAC, ASUO Programs Finance Committee, Athletics and Contracts Finance Committee, Department Finance Committee or Student Senate, and more candidates than twice the number of seats available file or receive the required number of votes as write-ins, then twice the number of candidates than seats available shall go on to the general election ballot, based on the number of votes received. One-year and two-year seats shall be elected separately.
- 13.10 Candidates for Student Senate shall run for numbered seats. Senators elected to serve as members of the ASUO Programs Finance Committee will hold seats 1, 2 and 3. Senators elected to serve as members of the EMUB will hold seats 4, 5, and 6. Senators elected to serve as members of the Athletics and Contracts

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Finance Committee will hold seats 7, and 8. Senators elected to serve as members of the Department Finance Committee will hold seats 9 and 10. Academic Senators will hold seats 11 through 20 which will be based on proportional academic constituencies. The Constitution Court shall review these constituencies every two years and rearrange them if necessary to ensure reasonably equal representation. A disparity of 15% or less from the ideal size shall be deemed reasonably equal. Ten of the twenty members of the Student Senate shall be elected to represent academic constituencies. The remaining ten Senators shall be elected to serve as members of the Major Program Committees, pursuant to Sec. 6.1. A majority of votes cast in the Student Senate elections shall be necessary to elect. If no candidate receives a majority, a run-off election shall be held between the two candidates receiving the highest number of votes for that particular numbered position.

13.11 Finance Senate members elected to seats 1 and 4 shall serve a term of one year. Finance Senate members elected to seats 2, 5, 7 and 9 shall serve a term of two years and be elected in even numbered years. Finance Senate members elected to seats 3, 6, 8 and 10 shall serve a term of two years and be elected in odd numbered years. All Academic Senators shall serve a term of two years. Academic Senators elected to even numbered seats (12, 14, 16, 18 and 20) will be elected in even numbered years. Academic Senators elected to odd numbered seats (11, 13, 15, 17, and 19) will be elected in odd numbered years.

13.12 Two of four elected EMU Board members will be elected in odd numbered years. In odd numbered years the names of the four candidates receiving the most votes in the primary election will be placed on the ballot for the general election. Similarly, in even numbered years, two board members will be elected in the general election from among the four who received the most votes in the primary election. Each EMU Board member elected in this way shall serve a term of two years.

13.13 A midterm position is any elected position that is currently vacant, filled by an appointment, or will be vacant by a student who does not plan to fulfill the position's duties.

### 14. REPLACEMENT, RECALL AND IMPEACHMENT

14.1 The vacancy of any office elected under this Constitution shall, with approval of those present and voting at a regular meeting of the Student Senate, be filled by appointment by the ASUO President if the vacancy occurs more than four weeks prior to the next scheduled ASUO election.

14.2 Vacancies on the Constitution Court shall be filled in accordance with Section 5.4 of this Constitution.

14.3 Non fulfillment of duties for three weeks will be considered a vacancy of any office elected or appointed under this Constitution.

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- 14.4 Impeachment and removal from office of the ASUO President may be under the process set forth in Section 5.17 of this Constitution, in addition to the process of Section 14.3
  - 14.5 Should the offices of ASUO President and Vice President become vacant concurrently, the President of the Student Senate shall become interim President. The Interim President shall hold an election for the office of ASUO President within a reasonable time not to exceed three weeks excluding finals and vacations.
  - 14.6 The ASUO President-elect and Vice President-elect shall succeed the President and/or Vice President should either of those officers resign or be recalled after their successor's election but before their terms are completed.
  - 14.7 The membership shall have the power to recall any elected ASUO official by a majority vote.
  - 14.8 Persons desiring the recall of any officer shall notify the ASUO President and the Elections Board in writing prior to any actions to bring about the recall of said officer(s). The ASUO President and/or the Elections Board shall furnish to persons desiring the recall of any officer(s) an adequate number of ASUO petition forms. The ASUO petition forms shall set forth the name(s) of the officer(s) to be recalled, their positions, the names of all persons initiating the recall petitions and organization on whose behalf those persons are acting and the time and date of initiation of recall petitions.
  - 14.9 Persons desiring the recall of any officer(s), having completed the requirements set out in Sec. 14.8, shall obtain the signatures of not less than 10% of the members of the ASUO within a one-month period from the date of initiation of the recall petition.
  - 14.10 All recall petitions must be turned over to the Constitution Court within one month of the initiation of the recall petitions. A majority of the members of the Constitution Court shall determine the validity of the signatures on the recall petitions. Upon validation of the signatures and petitions, a special election shall be called by the ASUO President at which time the question of recall shall be submitted to the voters.
  - 14.11 Should the Constitution Court validate a petition calling for the recall of the ASUO official constitutionally responsible for calling and holding the elections, the Constitution Court shall, by a 4/5 vote, appoint a person independent of the Executive to administer the elections.
15. INITIATIVE, REFERENDUM AND AMENDMENT
- 15.1 Except as otherwise provided in this Constitution, an initiative may be placed on the ballot by a petition containing the signatures of at least 5% of the members of this Association, as defined in Section 2.1 of this Constitution. The petition shall set forth the precise and exact wording of the initiative as it would appear on the ballot, and the petition must be presented to the ASUO President at least two weeks prior to the election.

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- 15.2 Proposals to amend this Constitution or to recall an elected official must contain the signatures of 10% of the members.
  - 15.3 The ASUO President may place an amendment or other initiative on the ballot without petition.
  - 15.4 The Student Senate may by a 2/3 vote of its seated members, place on the ballot proposals, referendums, and amendments without petition.
  - 15.5 The wording of all proposals to be placed on the ballot must be reviewed and approved by the Constitution Court. None of the steps outlined in Sections 15.1-15.4, including circulation of petitions, gathering of signatures, or placement on the ballot by the ASUO President or Student Senate, may be taken until the Court has approved the proposed measure. To be approved by the Court, the proposed measure must meet the following standards:
    - 15.5.1 The proposed ballot measure must consist of two parts: a brief question and a separate statement. The statement shall provide any pertinent background information and an explanation of the effects of the measure. The statement may be omitted only when there is no pertinent background information and when the effects of the measure are clear from the question alone. Both the question and the statement are subject to all requirements of this review.
    - 15.5.2 There shall be no direct allocation or introduction of fees through use of referendum process. It may be appropriate for the ASUO to use ballot measures to assess the level of student support for a program. The referendum process may not be used to establish incidental fee funding for new or continuing programs or services. Ballot measure questions may serve to provide supplemental, non-binding guidance to the appropriate branch of student government, but in doing so may not establish or take measure of support for any specific funding level.
    - 15.5.3 The proposed ballot measure must be worded in a clear and objective fashion.
    - 15.5.4 The proposed ballot measure may contain no language inclined to influence voters.
    - 15.5.5 The proposed ballot measure must be consistent with the ASUO Constitution.
    - 15.5.6 With the exception of proposed amendments to the ASUO Constitution, the proposed ballot measure must be consistent with all rules promulgated under the ASUO Constitution.
    - 15.5.7 The proposed ballot measure must be consistent with the University of Oregon Clark Document.
    - 15.5.8 The proposed ballot measure must be consistent with the standard “advantageous to the cultural or physical development of students” prescribed by ORS 351.070(3)(d).
  - 15.6 [Repealed April 2005]
16. ENABLING CLAUSE

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- 16.1 The Constitution shall go into effect immediately upon the validation by the elections officer of the results of the election, if those results show a majority of the voters favor adoption of the Constitution.
- 16.2 Constitutional amendments and other ballot measures shall go into effect immediately, or as specified by the measure, and upon the validation by the elections officer of the results of the election, if those results show a majority of the voters favoring adoption of the amendment or measure, except that amendments or measures affecting the elections process shall go into effect upon settlement of all disputes arising under the prior language.
17. GRIEVANCES
- 17.1 Any grievance filed by a member of the ASUO against an ASUO program, excluding the ASUO Executive and Student Senate, must be filed first with the ASUO Programs Administrator. Any resolution to a grievance filed with the ASUO Programs Administrator may be appealed to the ASUO President within 7 business days. Decisions made by the ASUO President may be appealed to the Constitution Court within 7 business days if the grievance falls under the jurisdiction of the Court pursuant to Section 11.2.

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# ASUO Green Tape Notebook

## Rules of the Student Senate

Approved 9/29/94 • Amended 4/20/03 • Updated 10/14/05 • Amended 11/22/05 • Amended 4/20/06 •  
Amended 4/26/06 • Amended 11/11/07

### Preamble

The Student Senate is committed to the belief that student government is an integral part of the educational experience at the University of Oregon. Because the Associated Students have an inherent interest in the operation and affairs of their University, the Senate has a duty to represent the interests of the ASUO before the staff, faculty, administration and State Board of Higher Education. To that end, the Senate shall endeavor to represent the students professionally, ethically and in a manner deserving of the respect of the ASUO and the staff, faculty, administration and State Board of Higher Education.

### Purpose

The Student Senate shall act on matters relating to the allocation and appropriation of incidental fees, represent the collective and constituent interests of students in all matters considered and/or acted upon by the present General Assembly and the University Senate, and/or any matters coming before a shared-governance body or University or departmental administrative channels relating to: student personnel services, University administered housing, campus design, and University budgeting, except as otherwise provided for in the ASUO Constitution.

### 1. Membership

1. Student Senators shall be elected in accordance with Article 12, sections 10 and 11 of the ASUO Constitution.
2. Vacant seats shall be filled in accordance with Article 5, section 4 of the ASUO Constitution.
  - (a). Seats filled by appointees shall become open at the earliest regular ASUO election (ASUO Const., Art. 12, section 7.)
3. The terms of all Student Senators shall run in accordance with Article 6, section 17 of the ASUO Constitution.
4. Ex-officio Student Senate members may not vote, nor hold any Student Senate office but the ASUO Vice President may vote in the case of a tie.
  - (a). Such members are:
    - (A). The ASUO Vice President.
      - (i). The ASUO Vice President may send a designee to an Student Senate meeting, provided that the Student Senate President or Vice President is given written notice of the designee's attendance at least 24 hours before the meeting.
    - (B). Student Senators-Elect
  - (b). Such members may make announcements and proposals.
  - (c). Such members may participate in discussion of all motions.

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5. No additional membership requirements may be placed on any current or prospective member of the Student Senate.
6. The rights and privileges of any member of the Senate may not be restricted nor revoked, except under Rule 1.5 for any violation of Rule 5.3(a)-(e) or under the procedures set forth in Rule 6.

### 2. Meetings

1. The Student Senate shall meet Wednesday nights at least once per calendar week during Fall, Winter and Spring Terms, excluding dead week, finals week, and any period the University is not in regular session. Notice of all meetings shall be submitted to all ASUO programs and campus media at least 48 hours prior to the meeting.
  - (a). Special meetings of the Student Senate may be called by the President of the Student Senate, or at the written request of 1/3 of the Student Senate. Notice of special meetings shall be submitted to all ASUO and EMU programs, the Oregon Daily Emerald and other Campus Media and all Student Senators at least 24 hours before the meeting.
  - (b). When the University is not in regular session the Student Senate shall still be required to meet at least once per calendar month.
2. The Student Senate President shall send out an agenda for each meeting, to be available at least 48 hours prior to the meeting.
  - (a). Programs can be put on the agenda under special requests by submitting a special request form in accordance to Student Senate Rule 11.
  - (b). Programs, organizations, or individuals may be put on the agenda under announcements at the discretion of the Student Senate President, as met by Rule 2.6.
3. Unless otherwise set forth in these rules, the Student Senate, Programs Finance Committee, EMU Board, Athletic Department Finance Committee, and Student Senate Committees and Subcommittees shall follow "Robert's Rules of Order" during all meetings. The chair of the Committees shall rule on all questions of parliamentary procedure, and the individual committees may, by a majority vote, select a parliamentarian to advise the chair on parliamentary decisions.
4. Unless otherwise set forth in these rules, a quorum shall be 2/3 of the filled seats.
  - (a). The Student Senate shall make no decision without a quorum present.
  - (b). When a quorum is not present, all action items on the agenda will be postponed until the following meeting.
5. All meetings of the Student Senate, Programs Finance Committee, EMU Board, Athletic Department Finance Committee, and Student Senate Committees and Subcommittees shall be subject to the Oregon Public Meetings Law (ORS 192.610-192.710 (1995, 2003)).
6. As provided by state law (ORS 192.660), executive session may be held with the following constraints

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- (a). The executive session must be announced in open session. When a meeting is executive session only, public notice shall be given to the media and actual notice to affected parties.
  - (b). The acting chair of the meeting shall announce the statutory authority for the executive session.
  - (c). No final decision may be made in executive session.
  - (d). The Student Senate may go into executive session to consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, unless such public officer, employee, staff member or individual agent requests an open hearing.
7. The following rules shall be applied to discussion before the Senate:
- (a). Discussion of questions before the Student Senate shall be limited to members of the Student Senate, and non-members recognized by the acting chair, or as otherwise set forth in this Rule.
    - (A). Announcements by non-members of the Student Senate will be limited to a time specified by the acting chair of the meeting.
  - (b). The Student Senate may, at its discretion, set aside a period for testimony.
    - (A). During such testimony, no member of the Student Senate shall speak to or debate with those testifying.
  - (c). Non-Student-Senators may address the Student Senate in response to direct questions asked of them by a member of the Student Senate. Such response shall be limited and germane to the specific question(s) put forth.
  - (d). Official representatives of programs with business before the Student Senate shall be given 10 minutes of non-interruptible time to make any presentation they see fit to the Student Senate. This time shall be allotted regardless of Rule 2.6(b)-(c).
8. Officers of the Student Senate may refer questions of interpretation of Student Senate Rules, Clark Document, Resolutions and the ASUO Constitution to the Student Senate Rules Committee.
- (a). The Student Senate Rules Committee may ask Constitution Court for interpretation.

### 3. Officers

1. The Student Senate President shall:
- (a). Be selected by the Student Senate in accordance with Rule 4.2 .
  - (b). Preside over Student Senate meetings and comply with Student Senate Rule 3.6(a).
  - (c). With the Student Senate Vice President, be responsible for the payment of stipends to Senators.
  - (d). Notify the President of the University Senate of Student Senate appointees to the University Senate.
    - (A). Whenever a vacancy exists for reasons other than expiration of term, notification must be given of any potential appointee 48 hours before the appointment is made.
  - (e). Be responsible for the orientation of new members.

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- (A). Arrange for the orientation of Student Senators-Elect prior to May 25.
- (f). Maintain office hours in accordance with Rule 5.2.
- (g). Assume all other responsibilities that are necessary for the operation of the Student Senate.
- (h). Remain for the first two meetings of the new Student Senate in the spring to facilitate a smooth transition of power.
- (i). Assume the duties of the ASUO President in the event that the offices of both the ASUO President and the ASUO Vice President become vacant concurrently.
- (j). Serve on the Student Senate Rules Committee.
  - (A). Facilitate for the yearly evaluation and possible revision of all Student Senate rules.
- (k). Serve as a member of the Associated Students Presidential Advisory Council (ASPAC).

### 2. The Student Senate Vice President shall:

- (a). Assume the Student Senate President's responsibilities in the absence of the Student Senate President.
- (b). Serve on the Student Senate Finance Committee, unless the Student Senate Vice President is an ASUO Finance Senator.
- (c). Assume responsibilities delegated by the Student Senate President.
- (d). Maintain a working relationship with a specified staff member of the Oregon Daily Emerald and any other campus media as may be required.
- (e). Submit press releases concerning all events of the Student Senate.
- (f). Submit an overview of the Student Senate for publication in the ASUO Programs Guide.
- (g). Maintain a Student Senate World Wide Web page, which should contain Student Senate minutes, membership list, meeting notices, etc.
- (h). Notify the President if a Student Senator has missed a regularly scheduled meeting, failed to hold office hours, or failed in any other duties required of the Student Senator and notify said Student Senator.
- (i). Be responsible for the maintenance of meeting minutes and audio tape records.
  - (A). Meeting minutes must be maintained in compliance with Oregon Public Meetings law (ORS 192.650).
  - (B). Pursuant to Oregon Public Meetings Law (ORS 192.650), the minutes shall include a minimum of the following information.
    - (i). All Student Senators present at all times during the meeting including those who are tardy or absent for only a portion of the meeting.
    - (ii). All motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition.
    - (iii). The results of all votes, listed by name.
    - (iv). The substance of any discussion on any matter.
    - (v). A reference to any document discussed at the meeting.
- (j). Bring non-fulfillment of duties charges pursuant to Rule 6.2 for any violations of Rule 5.3(a) and 5.3(d) by the Student Senate Ombudsman.

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- (k). Supervise all Student Senate personnel.
  - (l). Serve on the Senate Personnel Committee.
3. The Student Senate Ombudsman shall:
- (a). Organize and supervise the operation of the Student Senate Office Hours by:
    - (A). Arranging for space within the ASUO Executive Office or where otherwise needed.
    - (B). Ensuring Student Senators sign-up for and fulfill their designated times to work at the table in accordance with Rule 5.2(c).
    - (C). Report to the Student Senate President any Senators who fail to report for their Office Hours.
  - (b). The Student Senate Ombudsman shall compile a weekly report of complaints and other communications received and forward that report to the full Student Senate at its weekly meeting.
    - (A). The Student Senate Ombudsman shall work with Student Senators to assist them in following-up grievances filed by their constituents.
    - (B). The Student Senate Ombudsman shall submit a weekly update of the progress of any ongoing investigations, including any results obtained.
  - (c). With the Student Senate President, review each term the outreach strategies employed by the Student Senators to reach and inform their departments of Senate action.
  - (d). Act as a liaison between students and their respective academic Student Senators.
  - (e). Bring non-fulfillment of duties charges pursuant to Rule 6.2 for any violations of Rules 5.3(a) and 5.3(d) by any Student Senator except the Student Senate Ombudsman.
  - (f). The Student Senate Ombudsman shall compile a list of Student Senators involvement of ASUO organizations. That list shall be made public by the second week of each term.
4. The Student Senate Treasurer shall:
- (a). Provide a weekly report on the remaining surplus funds.
  - (b). Organize fund-raising activities and collect all moneys raised.
    - (A). Moneys raised through fund-raising shall be turned over to the Student Senate Finance Committee.
  - (c). Chair Student Senate Finance Committee.
  - (d). Assist any Senators with financial questions.
  - (e). Act as a financial liaison between the ASUO Controllers and the Student Senate.
  - (f). Review Special Requests that come before the Student Senate and bring a copy of programs ledger and budget to the Student Senate Hearing.
    - (A). Give a report to the Student Senate at the day of the hearings about the financial status of the programs that have Special Requests being heard.
5. The Student Senate Academic Chair shall:
- (a). Be elected by a majority of the Academic Student Senators.
  - (b). Organize a meeting of all Academic Student Senators at least once a month.

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- (c). Ensure that Academic Student Senators are appointed to at least two student/faculty committees each.
    - (A) Ensure that Academic Student Senators are actively participating on their respective student/faculty committee.
  - (d). Work with the ASUO Constitution Court to ensure the proper alignment of Academic Student Senate Seats.
6. The Acting Chair of the Senate Meeting shall:
- (a). Follow and comply with Oregon Public Meeting Law.
  - (b). Be responsible for the submission of all Incidental Fee Action Memos relating to business decided at the Student Senate meeting.
    - (A). The above mentioned memos shall be submitted to the ASUO President and ASUO Vice President within 48 hours of the meeting.
  - (c). Be the next senior officer, if the Student Senate President is absent, in the following order of order they are listed in the following order of seniority:
    - (A). Student Senate Vice President
    - (B). Student Senate Ombudsman
    - (C). Student Senate Treasurer
    - (D). Student Senate Academic Chair
    - (E). If none of the above listed officers are present it shall be the Student Senator in the lowest numbered seat who is present.

### 4. Nominations and Elections

1. Nominations and elections of Student Senate representatives to the University Senate shall be made by the third meeting of Fall term.
  - (a). Pursuant to University Senate Bylaws five academic Senators will be appointed to serve on the University Senate.
    - (A). The above mentioned five Student Senators will be nominated by the Academic Student Senators and elected by the full Student Senate.
    - (B). In the event that five Academic Student Senators cannot attend University Senate due to University class interference then an ASUO Finance Student Senator may be appointed.
  - (b). For the purposes of the first University Senate meeting of the academic year five members of the summer Senate shall serve as temporary appointees.
  - (c). Student members of the University Senate are eligible for appointment to the University Senate Executive and Rules Committee.
2. All officers of the Student Senate shall be selected from and elected by the Student Senate at its second meeting of Fall term. Officers shall serve a one-year term.
  - (a). Nominations shall be made at the first meeting of Fall term.
    - (A). Student Senators may nominate themselves.
    - (B). Nominations do not require a second.
  - (b). Candidates for each officer position shall provide a candidate's statement to each Student Senator at least 72 hours prior to the election.

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- (c). Candidates shall be allowed to speak about and answer questions regarding their candidacies at the Student Senate election meeting.
    - (A). Presentations shall be limited to ten minutes, including the question and answer period.
  - (d). A quorum for the election of officers shall be four-fifths of all filled seats.
3. The appointment of Student Senators to Student/Faculty committees shall occur as necessary.
- (a). Student Senators may submit applications to the Chair of the Committee on Committees for any student/faculty committees they wish to serve on.
  - (b). Appointees shall meet the requirements, if any, of the committee to which they are appointed. Appointees may remain on their student/faculty committees as long as they remain students or until they resign or are removed.
4. Nominations and Elections for Student Senate internal committees, with the exception of the Nominations and Elections for Summer Committee, shall occur at the first meeting of Fall Term.
- (a). Quorum for election of internal committees shall be four-fifths of filled seats.
  - (b). Any vacancies that occur will be filled at the next Student Senate meeting.
  - (c). Each Student Senator shall serve on at least one internal committee.
5. Nominations and Elections for Summer Committee will occur according to the following provisions.
- (a). Nominations of Summer Committee officers shall occur at the earliest opportunity on or after May 25<sup>th</sup>.
  - (b). Elections of Summer Committee officers shall occur at the next regular meeting after the nominations are approved.

### 5. Duties

1. Student Senators shall:
- (a). Attend all regularly scheduled meetings of the Student Senate.
    - (A). Appropriate notice, as defined by the Student Senate President, must be given to Student Senate President when missing a Student Senate meeting.
  - (b). Check mailboxes and e-mails for messages.
  - (c). Academic Student Senators shall serve on at least two student/faculty committees per term of office (ASUO Const., Art. 6, section 19).
    - (A). Student Senators shall inform the Academic Chair of any action pending or decided by any student/faculty committee upon which they serve.
  - (d). Maintain office hours in accordance with Rule 5.2.
  - (e). Provide a verbal report of activities and projects currently being worked on at every other regularly scheduled meeting.
  - (f). Perform other duties as may be required, including those duties delegated by the Student Senate President, Vice President or Ombudsman.

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- (g). Attend ten complete PFC program budget hearings, three complete EMU Board budget hearings, as well as one complete ADFC contract negotiation hearing.
  - (A). Student Senators must check in with Program Chair at each of the hearings.
- (h). When vacating their seat, meet at least once prior to May 25 with the Student Senator that will be filling their seat.
- (i). At the beginning of each term, Student Senators shall prepare a statement listing all ASUO organizations that they are in any way involved with or with which they may have a conflict of interest.
- (j). Serve on at least one Student Senate Internal Committee.
  - (A). The Summer Committee does not count towards one of the Internal Committee Student Senators must service on.
- (k). Remain viewpoint neutral on any subject matter brought in front of the Student Senate.

### 2. Office hours:

- (a). Academic Student Senators shall hold one office hour per week, and Finance Senators shall hold two office hours per week.
  - (A). The Student Senate President shall serve four additional office hours per week and the Vice President and Ombudsman shall serve three additional scheduled office hours per week.
- (b). Office hours shall be scheduled between 8:30am and 5pm, Monday through Friday excluding school recognized holidays.
- (c). Academic Student Senators shall serve two hours and Finance Student Senators one hour of grievance duty.
  - (A). The Student Senate President and Student Senate Vice President shall perform one additional hour of grievance duty each week.
- (d). At least one of each Student Senator's office hours shall be kept in the Student Senate office.
- (e). Academic Student Senator's office hours shall be posted in the departments, programs, schools and colleges that he or she represents in addition to being posted in the Student Senate and ASUO Executive Offices.
- (f). When missing scheduled office hours the Student Senate Ombudsman and President shall be notified and the hours missed shall be rescheduled.

### 3. Non-fulfillment of duties may occur if a Student Senator:

- (a). Misses two regularly scheduled meetings of the Student Senate in a single term.
  - (A). Missing a scheduled meeting with failed quorum counts as a missed meeting.
  - (B). Arriving tardy, after the meeting has been called to order, or leaving before the meeting has been adjourned, three times in a single term will be considered an absence from one meeting. This technical absence shall be considered as a true absence in regards to Student Senate rule 3(a.)
- (b). Fails to maintain 2/3 of their weekly office hours for two consecutive weeks.
- (c). Failure to perform any other duty required under the ASUO Constitution or these rules.

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- (d). Is found guilty of non-fulfillment of duties by his or her respective finance committee.
- (e). Failure to actively participate on any student/faculty committee pursuant to Rule 5.1(c) shall be considered as non-fulfillment of duties.

4. Student Finance Senators shall report activities of their respective committees at each meeting of the Student Senate.

### 6. Discipline

1. Any member of the ASUO may bring a complaint before the Constitution Court against any Student Senator for non-fulfillment of duties pursuant to Article 10, section 13 of the ASUO Constitution.
2. Any Student Senator may move to censure any other Student Senator for non-fulfillment of duties.
  - (a). Such motion must be made in writing, copies of which shall be delivered to all members at least 72 hours prior to the meeting at which the motion will be made.
  - (b). The motion shall include:
    - (A). The name of the motion's maker.
    - (B). The name of the member against whom censure is sought.
    - (C). A detailed account of the allegations, including all relevant facts and sections of the ASUO Constitution and/or Student Senate Rules that were violated.
    - (D). The punishment being sought, in accordance with Rule 6.2(g).
  - (c). On being seconded, the motion shall be postponed, without discussion, until the second regularly scheduled meeting following the meeting at which the motion was made and is not subject to amendment.
    - (A). If the term of the member against whom censure is sought expires before the second meeting, the motion shall be withdrawn.
  - (d). The President shall, within 24 hours of the motion being made, notify in writing the ASUO Executive, the presidents of the University Senate and Assembly, the Chair of any committee upon which that member serves, and the Oregon Daily Emerald.
    - (A). The notice shall indicate:
      - (i). Against whom the complaint is being made.
      - (ii). By whom the complaint is being made.
      - (iii). The opportunity for the recipient of the notice (except for the Oregon Daily Emerald) to submit a written response to the motion.
        - (1). Such response may be either in favor of or opposed to the motion, but shall carry no decisive authority.
        - (2). Such response must be received by the President not later than the next regularly scheduled meeting.
        - (3). Oral statements may be given upon a majority vote of the filled seats, following a motion by any member.
          - (a). Such a vote is required for each speaker.
      - (iv). The time and place for the censure hearing.

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- (B). The notice shall include a copy of the written motion including a notation of who seconded.
- (e). The President shall, within 24 hours of the motion being made, cause to be delivered to the member against whom censure is sought, formal notice of the pending action. Such notice shall be delivered via personal service (for which a signed receipt must be obtained) or certified mail (with restricted delivery).
  - (A). The notice shall describe the nature of the pending action, including the authority under which the action is being taken, the times and places for all events that are to occur pursuant to the action, a copy of the motion including a notation of who seconded, and a notice of the member's rights, including:
    - (i). The right to counsel.
    - (ii). The right to present and rebut evidence.
    - (iii). The right to take testimony under oath.
    - (iv). The right to depose and/or subpoena witnesses.
    - (v). The right to cross-examine witnesses.
    - (vi). Any other rights required by these rules, the ASUO Constitution, University Rules, and the laws of the State of Oregon and the United States.
- (f). Hearing format
  - (A). The Student Senate shall conduct the hearing in executive session pursuant to ORS 192.660(1)(a)(D)(b), unless the member being censured requests an open hearing.
  - (B). The member seeking censure and the member against whom censure is sought, in that order, shall each have 30 minutes to present their case and 15 minutes of rebuttal time.
  - (C). The President shall cause to be entered into the record (which shall be written and recorded on either audio or video tape) any written responses received pursuant to Rule 6.2(d)(A)(iii). Copies of these responses shall be given to all members 48 hours prior to the hearing. Copies shall also be made available to all members of the media who request copies.
  - (D). Additional oral statements may be made in accordance with Rule 6.2(d)(A)(iii)(3).
  - (E). Both sides shall then have five minutes to deliver closing arguments, in the same order as before.
  - (F). The Student Senate shall then deliberate on whether there is sufficient evidence to censure the member.
    - (i). Neither party to the action may be present during the deliberations in executive session.
    - (ii). Neither party to the action may partake in the deliberations or voting.
    - (iii). The Student Senate may conduct non-binding polls of its members during deliberations.
    - (iv). No new evidence may be submitted during deliberations following closing statements according to Rule 6.2(f)(E).

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- (v). For the motion to be successful, it must receive the approval of 2/3 of the present Student Senators, excluding the parties to the action.
  - (G). The final and deciding vote shall be held in open session, and that vote shall be by roll-call or, upon majority vote of the Student Senate, by hand count.
    - (i). Votes shall be recorded and placed in the official record of the hearing.
  - (H). If the Student Senate votes not to censure the member, the motion is killed and may not be reconsidered.
  - (I). If the motion is passed, the President shall cause to be entered into the record the exact wording of the motion as passed and the punishment, if any, imposed.
    - (i). Such punishment shall become effective immediately.
  - (g). Available forms of discipline are limited to:
    - (A). Suspension from the Student Senate for up to three weeks, with or without pay; and/or
    - (B). Loss of stipends for up to one month; and/or
    - (C). Removal from position as Student Senate officer; and/or
    - (D). In severe cases, the Student Senate may forward to the Constitution Court articles of impeachment against the member.
  - (h). The decision of the Student Senate to censure a member may be appealed to the Constitution Court.
  - (i). In the event charges of non-fulfillment of duties are brought against the Student Senate President, the Student Senate Vice President shall carry out the duties of the President under Rule 6.
3. The Student Senate may, by a vote of 3/4 of the filled seats direct the Student Senate President to submit to the ASUO Constitution Court articles of impeachment against the ASUO President.
- (a). For purposes of that hearing the Student Senate shall conform to the procedures and format of Rule 6.2, excluding Rules 6.2(b)(D) and 6.2(g).
4. The Student Senate may, by a vote of 12 Senators and of the ASUO President, authorize the ASUO President to remove a justice from the Constitution Court.
- (a). For purposes of that hearing the Student Senate shall conform to the procedures and format of Rule 6.2, excluding Rules 6.2(b)(D) and 6.2(g).

### 7. Confirmations

1. The Student Senate shall consider nominees to the Constitution Court, the ASUO Programs Finance Committee, Athletic Department Finance Committee, the ASUO Elections Board, and all elected student members of the EMU Board and the Student Senate within five school days of the nomination; all nominations and appointments requiring Student Senate confirmation shall be considered within 15 school days of the appointment.
  - (a). Nominee applications shall be submitted to Student Senators at least 24 hours prior to the Student Senate meeting of their confirmations.

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- (A). Nominee Student ID numbers along with other personal and confidential information must be blacked out on the nominee applications.
- (b). Quorum for confirmation shall be 2/3 of the filled seats.
- (c). Nominees shall be given five minutes to make a presentation to the Senate regarding their qualifications for their nominated positions.
- (d). The Student Senate shall have the opportunity to question nominees on their qualifications for any length of time the Student Senate deems necessary.
- (e). The Student Senate shall then deliberate on the nominee's qualifications, selection process, and ability to perform the duties of the job to which the individual has been nominated.
- (f). The Student Senate shall then vote, a simple majority being necessary for confirmation.
- (g). All nominee applications must be kept personal & confidential and turned back into the Student Senate President after the completion of the confirmation process.
  - (A). The Student Senate President shall then shred all materials immediately after receiving it.
- (h). The Student Senate Summer Committee shall not confirm any nominees.
  - (A). Confirmations shall then take place at the first meeting of fall term.

### 8. Committees

1. The Student Senate shall create a standing rules committee.
  - (a). The rules committee shall be composed of the Student Senate President and four Student Senators who shall be elected according to the provisions of Student Senate Rule 4.4.
  - (b). The rules committee shall meet at least once per term and as needed to evaluate Student Senate Rules, and all rules promulgated under them, for constitutionality, practicality, and clarity.
  - (c). The rules committee shall be responsible for submitting all rules for approval to the Student Senate.
    - (A). Within 72 hours of approval, rules shall be submitted to the ASUO Constitution Court for review in accordance with Article 10, section 15 of the ASUO Constitution.
  - (d). The rules committee shall review all proposed Student Senate Resolutions in accordance with Rule 10.2
  - (e). Rules shall be numbered in the following format: x.x(a)(A)(i)(1)(a).
    - (A). The first number shall be the primary rule number under which the new rule is placed.
    - (B). Subsequent numbers and letters shall specify the subsections of the rule.
  - (f). The rules committee shall elect a chair from among its members, and may create its own procedures that are consistent with the Student Senate rules.
  - (g). The rules committee shall interpret Student Senate Rules, resolutions, the Clark Document, and the ASUO Constitution for the Student Senate.
    - (A). The rules committee may refer to the Constitution Court for interpretation.

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2. The Student Senate shall create a standing finance Committee.
  - (a). The finance committee shall be composed of the Student Senate Vice President and four ASUO Academic Student Senators, who shall be elected according to the provisions of Student Senate Rule 4.4.
    - (A). If the Student Senate Vice President is an ASUO Finance Student Senator, then the Student Senate Vice President shall not serve on the finance committee and a fifth ASUO Academic Senator shall be elected according to the provisions of Student Senate Rule 4.4.
  - (b). The finance committee shall be responsible for the drafting, presentation and implementation of the Student Senate and Unallocated Reserves budgets.
  - (c). The chair of the finance committee shall be the Student Senate Treasurer.
    - (A). If the Student Senate Treasurer is an academic senator, the Treasurer does not count as one of the four ASUO Academic Student Senate Finance Committee Representatives.
  - (d). No expenditure of Student Senate programming and administrative funds in excess of \$50 shall be made without the approval of the finance committee.
    - (A). Rule 8.2(d) may be waived by the Student Senate President in case of extenuating circumstances.
  - (e). The finance committee may create its own procedures that are consistent with the Student Senate Rules.
  - (f). The finance committee shall be responsible for the yearly evaluation of the stipend model to ensure parity among incidental fee programs.
3. The Student Senate shall create a standing personnel committee.
  - (a). The personnel committee shall be composed of the Student Senate Vice President and four Student Senators, who shall all be elected according to the provisions of Student Senate Rule 4.4.
  - (b). The personnel committee shall be responsible for:
    - (A). The hiring of all Student Senate personnel in accordance with Executive Rule 80.2.
      - (i). The personnel committee does not have the power to reappoint Student Senators.
    - (B). Conducting performance evaluations of all Student Senate officers and employees once a term.
      - (i). Officers, including the Student Senate Vice President, shall be excluded from any proceedings regarding personal performance evaluation.
    - (C). The provision of an administrative assistant at all Student Senate hearings to ensure accordance with Oregon Public Meeting Law.
  - (c). The personnel committee may create its own procedures that are consistent with the Student Senate Rules.
4. The Student Senate shall create a Summer Committee.

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- (a). The summer committee shall be composed of all Student Senators who can attend at least 2/3 of the summer meetings and hold office hours in accordance with Student Senate rule 5.2.
    - (A). The summer committee will consist of at least six Student Senators.
    - (B). Any non-summer committee Student Senator able to attend a summer committee meeting will retain their right to vote.
  - (b). Summer committee shall become active upon the completion of Spring Term and cease to function with the start of Fall Term.
    - (A). The summer committee shall meet at least once a month and when deemed necessary by the Summer Committee Chair.
    - (B). Quorum of the summer committee shall be set at 2/3 of the filled seats of the summer committee.
  - (c). The summer committee shall abide by the Student Senate Rules and as follows.
    - (A). The Student Senate shall select a Summer Committee Chair and Vice Chair in accordance with Senate Rule 4.2(e).
    - (B). The Summer Chair and Vice Chair shall abide by Student Senate Rules 3.1 and 3.2 respectively.
    - (C). The summer committee shall allocate no more than a total of \$5000.00 for special requests for the entire summer session.
      - (i). Upon the reasonable and rational judgment of the summer committee, any special request for funds that will be spent at a later date and could wait until the full Student Senate is reconvened shall be deferred until that time. Any program requesting special funds shall justify why they are in need of immediate funding to the Summer Committee.
      - (ii). The summer committee shall not hear any special request from a program seeking full budget funding.
  - (d). The summer committee shall make no changes or amendments to the ASUO Student Senate Rules
  - (e). The summer committee shall not pass resolutions.
6. The Student Senate may create any other committees that it deems necessary to enable it to fully perform its duties.

### 9. Fee Allocation

- 1. The Student Senate shall establish budgeting benchmarks by November 30. (ASUO Const. Art. 6, section 6).
  - (a). For the purposes of this rule the term benchmark shall be defined as the allowable percentage increase from the current fiscal year's budget allocation to the subsequent year's allocation.
  - (b). A major program's deviation from their proposed benchmark may be accommodated at the discretion of the Student Senate.
  - (c). At the first regularly scheduled Student Senate meeting of every month, an EMU Finance Senator will be responsible for providing an itemized account of the current year's expenditures from the EMU building reserve.

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2. The Student Senate in conjunction with the ASUO President, ASUO Programs Finance Committee, Athletic Department Finance Committee and EMU Board, shall establish and publish the budget process schedule by the completion of Fall term, including the deadlines for the budgets to be submitted to the Student Senate and then to the ASUO President. (ASUO Const. Art. 6, section 22).
3. The Student Senate shall receive completed budgets from the EMU Board, Athletic Department Finance Committee and the ASUO Programs Finance Committee not later than Dead Week of Winter Term.
  - (a). Finance committees shall submit 21 copies of their budget to the Student Senate.
  - (b). If a major program fails to submit a budget by its deadline, as set forth in this rule, the Student Senate may submit to the Executive that major program's budget for the current fiscal year, regardless of any action taken by that major program.
    - (A). The Student Senate may extend the deadline for any major program. Such an extension requires a 2/3 majority and shall be made only when the failure to meet the deadline is because of circumstances beyond the control of the major program.
4. A completed budget shall contain all information necessary for the Student Senate to make an informed decision regarding that budget.
  - (a). Such information includes:
    - (A). A complete breakdown and description of each funded line item including job descriptions for all paid positions.
    - (B). Minutes from all meetings at which line items and/or budgets were discussed.
    - (C). Any supporting documentation submitted to the major program at the program or department's budget hearing in support of any line item or budget.
    - (D). Any additional information requested by the Student Senate.
    - (E). The mission and goals statements for groups or programs that fall under the major program.
  - (b). Budgets shall be either spiral bound down the left side of the paper or stapled in the upper-left corner of the paper.
5. The Student Senate may schedule preliminary hearings to seek further information or clarify goals.
6. The Student Senate shall vote on all budgets within two weeks of the budgets' submissions to the Student Senate.
7. The Student Senate shall vote to approve or deny the budgets recommended by the ASUO Programs Finance Committee, the EMU Board, and the Athletic Department Finance Committee. The Student Senate may deny any part of the ASUO Programs Finance Committee recommendation by a vote of 4/5 of the filled seats. (ASUO Const. Art. 6, section 7).
  - (a). The Student Senate shall allow at least one public hearing on each of the major program budgets, prior to taking a final vote.
  - (b). Scheduling of hearings shall be at the discretion of the Student Senate, except that hearings on allocation requests from the EMU and the Department of Intercollegiate Athletics shall be held at a time mutually convenient after

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development of their preliminary departmental budgets and at least three weeks prior to the President's fee recommendation deadline.

- (c). Budget reductions may only be made for reasons of policy.
8. The Student Senate may override any ASUO President's veto of a Student Senate allocation by a vote of 2/3 of its filled seats. If a major program budget is vetoed, the vote to override must take place within five school days of receiving written notification from the ASUO President of said veto. (ASUO Const. Art. 6, section 8).
9. In the event that a veto from the ASUO President is not overridden, the Student Senate shall submit a revised budget recommendation to the President within two school days after receiving a new recommendation from the affected major program committee pursuant to Article 7, section 10, Article 8, section 8, or Article 9, section 9 of the ASUO Constitution. (ASUO Const. Art. 6, section 9).
10. The Student Senate shall hear appeals of any ASUO Program whose goal statement is rejected by the Programs Finance Committee. Such appeal must receive the approval of 2/3 of the filled seats of the Student Senate and is not reviewable or revisable by the Programs Finance Committee.
  - (a). Following the rejection of a goal statement by the Student Senate, any new or revised goal statement must be approved by 2/3 of the filled seats of the Student Senate before the budget may be heard by the Programs Finance Committee.
11. The Student Senate shall hear appeals of Programs Finance Committee or EMU Board budget recommendations for any budget within a major program if the recommended budget in question is below the amount necessary to fund the current service level, and following a vote of two-thirds (2/3) of the filled seats of the Student Senate to hear the appeal. Appropriations or allocations granted through the appeal process will be incorporated into the budget recommendations of the affected major program. Program budgets that are determined by the Student Senate in this appeal process may not be altered in any way by the respective finance committees. (ASUO Const. Art. 6, section 10).
  - (a). Appeals shall be submitted to the Student Senate only after a program has exhausted its appeals before the Programs Finance Committee or EMU Board.
  - (b). Appeals shall be submitted on an approved Student Senate appeal form no later than 72 hours before the major program's scheduled Student Senate hearing.
    - (A). Any appeal to the Student Senate shall include the original budget request submitted to the Programs Finance Committee or EMU Board, as well as any information submitted on appeal to the Program Finance Committee or EMU Board.
  - (c). For purposes of Rule 9.11, the Student Senate rules committee shall determine whether a program's recommended budget is below the amount necessary to fund the current service level.
    - (A). In determining current service levels, the rules committee shall take into consideration cost increases beyond the control of the program.
    - (B). Any reduction in a program made solely in order to compensate for a mandated increase shall constitute funding below the amount necessary to fund the current service level.

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- (d). Such appeal requires the approval of 2/3 of the filled seats of the Student Senate to be successful.
12. Documents submitted to the Student Senate and their decisions regarding approval of both programs goals and levels of funding shall be forwarded to the ASUO President within 48 hours of the major budget hearing.
- (a). An Incidental Fee Action Memo shall serve as the cover page for each major program's budget decision.

### 10. Resolutions

1. Resolutions shall be the only means by which Student Senate can adopt a position.
2. The definition of a resolution shall be as follows:
  - (a). A finance resolution relates to the allocation and/or expenditure and/or other use of the incidental fee.
  - (b). The Student Senate may draft, pass, and/or adopt resolutions not related to the allocation and/or expenditure and/or other use of the incidental fee when it is in the direct interest of the overwhelming majority of the incidental fee paying students.
3. The process for submission of a resolution shall be as follows:
  - (a). Any incidental fee paying student may submit a resolution.
    - (A). At least one Student Senator shall sponsor the proposed resolution prior to its submission.
  - (b). Resolutions shall be submitted no less than five school days prior to the next regularly scheduled meeting.
  - (c). The proposed resolution shall be presented to the full Student Senate at a regularly scheduled meeting.
  - (d). A majority vote of the Student Senate shall be necessary to refer the proposed resolution to the Student Senate Rules Committee for review as outlined in Student Senate Rule 10.3.
  - (e). Rules Committee shall meet to review the proposed resolution within five school days of its presentation to the Student Senate.
  - (g). The Rules Committee shall then resubmit the proposed resolution to the Student Senate, outlining any changes made to the numbering, 48 hours prior to the next regularly scheduled meeting.
  - (h). Once the Student Senate receives the resubmitted proposed resolution from the rules committee, it must vote on it at its next regularly scheduled meeting.
    - (A). A quorum for a vote of a proposed resolution shall be 4/5 of the filled seats.
    - (B). The Student Senate may only discuss the validity, purpose, and impact of the proposed resolution.
    - (C). A 2/3 majority is required to pass all resolutions.
  - (i). If the proposed resolution passes, the Student Senate President must refer it to the Constitution Court.
4. The Rules Committee shall review all proposed Student Senate Resolutions for:

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- (a). Student Senate Resolutions shall be numbered according to the following guidelines:
  - (A). The format shall be xx.x.xxx(A)(1)(a)(i).
  - (B). The first number shall be the last two digits of the current year.
  - (C). The second number shall be the proposed resolution's sequential relation to all rules passed in that calendar year.
  - (D). The last number shall be three digits that delineate primary paragraphs of the resolution, with sub-paragraphs labeled in the manner shown in Rule 10.2(a)(A)(i).
- (b). The Rules Committee shall evaluate proposed resolutions for conformity to:
  - (A). Student Senate Rules
  - (B). Student Senate Resolutions
  - (C). ASUO Constitution
  - (D). Clark Document
  - (E). ASUO Program Rules
  - (F). Any other governing documents that may relate to the proposed resolution.
- (c). Student Senate resolutions shall be formatted according to the following guidelines:
  - (A). Title
  - (B). Author
  - (C). Sponsor

### 11. Special Requests

1. The Student Senate shall hear requests from all ASUO Executive and EMU Board recognized organizations for funding in addition to groups regular funding.
  - (a). EMU Department requests for funds from the Unallocated Reserve (Senate Surplus) shall be limited to requests for the funding of program activities.
    - (A). For purposes of 11.1(a). above, programmatic activities shall be defined as events or activities directly and substantially related to the physical and cultural development of the University through the department's mission and goal's statement.
    - (B). For purposes of 11.1(a). above, payroll and other administrative expenses not directly expressing a department's mission and goals, or any other activity not easily placed within the definition provided in 11.1(a).(A). shall not be considered a programmatic activity.
2. Requests shall be due at the following times:
  - (a). Requests less than \$1,000.00 shall be submitted no less than 3 school days prior to the Student Senate meeting at which the request will be heard.
  - (b). Requests over \$1,000.00 shall be submitted no less than 5 school days prior to the Student Senate meeting at which the request will be heard.
3. Requests shall include the following information:
  - (a). Name of requesting organization

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- (b). Name(s) and position(s) within the organization of the person(s) submitting the request.
    - (A). Requests may only be submitted by those individuals authorized to submit regular annual funding requests to the organization's respective finance committee.
  - (c). Amount requested and line item to which that amount is to be applied.
  - (d). Reason for the request.
  - (e). An explanation of why the item was not funded via the regular funding process.
  - (f). Any additional information the organization believes may assist the Student Senate in evaluating the request, and/or any additional information requested by the Student Senate.
4. Special requests may be only for items that are eligible to be funded via the regular fee allocation process and are subject to all Student Senate rules pertaining to incidental fees.
  5. Organizations that were zero-funded for the current year may not submit a special request unless and until they are funded via the regular fee allocation process, or until not fewer than 3/4 of the filled seats agree to hear the special request.
  6. Failure to appear for a scheduled special request hearing shall result in denial of the request, unless 24 hours notice is given to the Student Senate President or Student Senate Vice President.
    - (a). A second violation of Rule 11.6 shall also result in the forfeiture of the organization's right to submit special requests for the remainder of the fiscal year.
  7. If a special request is for the purchase of food above \$300, a separate food special request form must be submitted.
    - (a). Special requests for the release of food holding above \$300 are due at least 3 school days prior to the requested hearing date.
      - (A). The Student Senate President can waive Student Senate rule 11.2 (a).
    - (b). If funds are being requested from surplus to be used for the purchase of food, both a special request for the release of food holding above \$300 and the special request form must be submitted
      - (A). Such forms shall be due on the dates provided in Student Senate rules 11.2(a) and 11.2(b).
    - (c). Programs spending less than \$300 from food holding line items shall inform the Student Senate by placing an itemized list of the money spent in each Senator's mailbox. (Footnote – special request form is filled out and turned in using normal procedures, but group will not need to appear before Senate if the amount is below \$300.)
  8. The Student Senate should ensure that all special requests for funding are compliant with all Student Senate rules, the Clark Document, and ASUO Constitution.

### 12. Accounting

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1. The management of all those accounts held by ASUO programs shall be the responsibility of the ASUO Controllers Office.
  - (a). ASUO Controllers are to be selected and overseen by the ASUO President and with the ASUO Accounting Coordinator.
  - (b). ASUO Controllers shall ensure that all PFC programs maintain compliance with all applicable state, University, and ASUO imposed accounting practices set forth in this section.
2. Accounting Coordinator may authorize unpaid purchase orders from previous fiscal years, given that:
  - (a). An original, dated receipt is provided which proves the expenditure occurred during previous fiscal years.
  - (b). Sufficient funds were available to reimburse the vendor during the receipt's fiscal year.
  - (c). A positive fund balance is in Surplus Index OS000I to pay for expense.
  - (d). An action fee memo to the controllers is signed by the Student Senate President and Treasurer, verifying rules 12.2.
    - (A). If either the Student Senate President and/or Treasurer, will not sign the action fee memo, then a special request shall be brought to the entire student senate to vote on.
3. The Authorized Program Signers are ultimately responsible for their program accounts and all funds.
4. Account Deficit
  - (a). No single fund can be in deficit.
    - (A). A line item may only go in deficit by 10% of money allocated, as long as the entire Fund has a positive balance and the exceptions provided in Student Senate Rules 12.5(a)(G).
  - (b). If either the Non Event Revenue Fund, Unrestricted Event Revenue Fund, General Funds, and/or the Restricted Event Revenue Fund goes into deficit then the program must follow the Fundraising Plan that is set for the program by the Controllers.
  - (c). Incidental fee funded programs that go into deficit will be frozen until a positive balance occurs, or on a fundraising plan set forth by ASUO Controllers.
5. ASUO fee funded programs shall be able to hold monies in any of the following five types of funds, but cannot transfer money in or between said funds.
  - (a). Incidental Fee Fund (I)
    - (A). Money for the Incidental Fee Fund shall come from students who pay the incidental fee.
    - (B). Allocation of Incidental Fees must be in accordance with rules set forth in section 9, 11, and 12.
    - (C). For any program to receive incidental fees it must
      - (i). Be recognized by the ASUO Executive and

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- (ii). Have its program mission and goals statement approved by the Student Senate via their respective major program.
  - (1) Once a program's mission and goals statement is approved, any amendments must be approved by the Senate.
- (D). Any new program whose goal statement is approved according to Rule 12.5(a)(C) during Fall Term may go through the regular fiscal year funding process by submitting a budget to the ASUO Programs Finance Committee in accordance with the rules and resolutions of that committee.
  - (i). Such funding is limited to \$300 for that fiscal year.
  - (ii). Such program may not submit special requests until the year following their first year of funding.
- (E). Any program whose goal statement is approved according to Rule 12.5(a)(C) after Fall Term may not go through the current fiscal year funding process until the following fiscal year fund process.
- (F). It shall be the responsibility of the Student Senate to ensure that the allocation of all incidental fee monies is for the primary benefit of Incidental Fee-paying students.
- (G). Student Senate approval is required in order for ASUO Programs to:
  - (i). Authorize spending money into or out of payroll accounts,
  - (ii). Authorize spending money into or out of payroll assessment accounts,
  - (iii). Authorize spending money in excess of 10 percent of an original Incidental Fee line allocation,
  - (iv). Authorize spending Incidental Fee allocation from a line item created by the Student Senate, ASUO Programs Finance Committee or EMU Board to one created by the program,
  - (v). Authorize spending money out of non-long distance telephone accounts,
  - (vi). Authorize spending money into or out of food and food holding accounts.
- (H). Food may be purchased with incidental fees provided that:
  - (i). The food is integral to the event where it is offered,
  - (ii). Said event is open to all incidental fee paying students,
  - (iii). The food is used to provide unique opportunities to students that, without the food, would not be possible.
  - (iv). Food cannot be purchased with incidental fees for:
    - (1) An event where a profit is made,
    - (2) Staff meetings or events where it will benefit only a select group of Incidental Fee paying students.
  - (v). The money is being taken out of a food holding account.
- (I). Expenditures
  - (i). General
    - (1) It is the responsibility of all programs to conduct expenditures in accordance with the procedures outlined in the ASUO Programs Manual.

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### (ii). Conferences, Retreats & Travel

(1) For the purposes of sending program representatives to conferences and retreats the following subsection of rules will apply.

(a) Those going must be selected from a pool of applicants open to the entire student body or all students within a specific school or college when participation in a conference is limited to such students.

(A) The funding of Officer of Administration and Classified Staff travel is permissible provided it is in compliance with all relevant University Requirements.

(b) Attendees to the proposed conference must be selected in an unbiased process.

(c) The program must make every effort to ensure that the experience gained by the individual attendees can be passed on as an experience that will further the physical and cultural development of the entire student body.

### (iii). Deductible Payment

(1) For the purposes of paying charges accrued as a result of the state insurance deductible programs shall submit a request to the University Office of Risk Management and also notify the ASUO Accounting Coordinator.

(a) Upon the approval of the Office of Risk Management any amount greater than \$250 not covered by insurance deductible will be paid from the Prudent Reserve Fund.

(b) The program shall be responsible for paying up to \$250.00 back into the Prudent Reserve Fund provided that such expenditure by the program would not substantially and adversely affect the ability of the program to fulfill its mission and goals statement.

(c) At the last meeting of each academic term the ASUO Accounting Coordinator shall be responsible for notifying the senate of all such expenditures from the Prudent Reserve.

### (iv). Payroll

(1) Those programs with monthly stipend positions are required to maintain them at the level and category allocated by the PFC or EMU Board.

(a) Such positions may not be converted to work study positions at any time.

(b) Those programs with students on a stipend must follow the ASUO stipend model.

(c) No work study position may be converted to a stipend position at any time.

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- (d) If a program wishes to change the job description of a stipend position, that program is required to wait until the next regular fee allocation process to do so.
  - (A). At the discretion of the Student Senate a special request, along with the new and old job descriptions, may be submitted to make the necessary changes to such a position.
- (2) Those programs employing students on a work study or otherwise hourly basis are required to follow the Human Resources Department's pay scale and Federal work study guidelines.
- (3) At the discretion of the Student Senate, exceptions to above rule 12.5(a)(l)(iv) may be granted.
- (v). Gifts and Compensation
  - (1) The following subsections of this rule shall apply to purchases made with incidental fee monies and should serve as a guideline for purchases made with fund raised monies.
  - (2) The purchase of a gift, given in appreciation of assistance in fulfilling a program's mission and goals, is acceptable provided that the gift's value does not exceed \$25.00.
    - (a) Any "gift" exceeding \$25.00 in value will not be considered a gift, but instead a form of compensation which requires the filing of a Personal Service Contract.
    - (b) The purchase of a gift certificate in compliance with Rule 12.5 (a)(l) is permissible provided:
      - (A). Said certificate is not transferable to cash.
      - (B). Said certificate is not purchased from an establishment where alcohol and tobacco products or products with bottle deposits are sold.
        - (i) The University of Oregon Bookstore will be an exception to Rule 12.5(a)(l)(v)(b)(B).
    - (c). The expenditure of incidental fee monies for the purpose of honoring current employee achievements or recognizing employees retiring is prohibited.
- (J). Restrictions:
  - (i). The Student Senate will only consider funding programs or projects it believes meet the requirements of ORS 351.070(3)(d).
  - (ii). Incidental fees shall not be allocated for:
    - (1) Fundraising, the purpose of which is to generate funds for a purpose that could not otherwise be funded with incidental fees.
    - (2) Any use that fails to conform to the requirements of ORS 351.070 (3)(d).
    - (3) Any use that requires expenditure beyond the current fiscal year. (The fiscal year begins on July 1 and ends on June 30).

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- (iii). A representative of a recognized ASUO Program may receive a per-diem established by the Business Affairs Office while acting on behalf of that Program.
  - (1) Covered expenses include, but are not limited to, lodging, food and transportation.
- (K). Incidental Fee money allocated to a PFC program that is not spent by the fiscal year end, shall then rollover to Surplus Index OS000I, starting the beginning of the next fiscal year.
- (L). Under no circumstances shall any incidental fee paying student of the University of Oregon be denied the right to participate or attend an activity or event, fundraiser or otherwise, that is sponsored in whole or in part by an incidental fee funded PFC Program based solely on that student's inability to pay the requisite donation or admission charge.
  - (i). In no way may such a student's participation or attendance be in any way altered from that of a student that is able to pay.
  - (ii). For the purposes of PFC program sponsored events where tickets are sold or a specified donation is solicited, the price asked of a fee paying student shall be at least 20% less than that of a non-student attendee.
- (M). At no time may incidental fee monies be donated to a charitable cause.
- (b). Nonevent Revenue Fund (N)
  - (A). Nonevent Revenues are those monies not given through the UO Foundation or from Restricted Event Revenue.
  - (B). Donating the proceeds of a Nonevent Revenue activity to a charitable organization is acceptable, provided that the organization is one deemed appropriate by the EMU Director as provided in OAR 571-011-0010 and only if no incidental fees were used to generate the funds.
  - (C). The spending of such monies shall be at the discretion of the program except that it may not be used to purchase alcohol or to pay for a bottle deposit.
- (c). General Fund (G)
  - (A). General Fund monies are those donated to a PFC Program by any non-ASUO department of the Oregon University System.
    - (i). Said donation must be used for the specified event/program for what it was intended for.
  - (B). Once funds have been transferred to a PFC programs General Fund account they can't be transferred by that program.
  - (C). The spending of such monies by ASUO Programs shall be in accordance with any restrictions imposed by the State of Oregon or the department.
- (d). Restricted Event Revenues Fund (E)
  - (A). Restricted Event Revenues are all monies generated from events sponsored in whole or in part by incidental fees (e.g. ticket sales), as allowed in Rule 12.3.(d)(G).
  - (B). All revenue generated shall be used only on any future programming and/or event expenses.

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- (C). The payment of dues or any other sort of membership fees to a PFC or EMU program shall be construed as Restricted Even Revenue Funds.
- (D). All Restricted Event Revenue activities shall be approved by the EMU Scheduling Office as designated by the EMU Director.
  - (i). The appropriate paperwork shall be submitted to the Scheduling Office no later than 15 working days prior to the planned event.
- (E). In order to facilitate the auditing of Restricted Event Revenue activities required by state law (OAR 571-011-0010 Sect 8), a yearly line item will be allocated to the Programs and Assessments budget for the purpose of subsidizing auditing fees incurred by PFC Programs.
  - (i). PFC programs in need of funds for this purpose shall note this need on the application filed pursuant to Rule 12.5(d)(D).
    - (1) The EMU Scheduling Office will review the group and its activities for compliance with state law and Student Senate Rule 12.5(d).
    - (2) Upon approval a maximum of \$50.00 shall be disbursed to groups.
    - (3) Any one program is limited to three such disbursements per term.
    - (4) At the discretion of the Student Senate exceptions to subsections (b) and (c) above may be granted.
    - (5) In the event that the entire line item is expended before the close of the fiscal year, Programs and Assessments will submit a Student Senate Special Requests for the amount they deem necessary.
      - (a) In no way will a lack of funds in the Programs and Assessments budget or Student Senate's denial for funding exempt a group from auditing requirements of state law.
  - (ii). As with all other program line items, it shall be within the purview of the PFC to amend the amount of this allocation based on past spending.
  - (iii). Only Incidental Fee funded Programs who sponsor events in whole or in part by Incidental Fees are available for auditing fees reimbursements.
- (F). Pursuant to OAR 571-011-0010 any program engaged in Restricted Event Revenue activities in a given term is required to submit to the EMU Scheduling Office a report of the receipts and expenditures related to said activities no later than seven calendar days prior to the end of the academic term.
- (G). Under no circumstances shall any incidental fee paying student of the University of Oregon be denied the right to participate in or attend an activity or event, that is sponsored in whole or in part by an incidental fee funded PFC Program based solely on that student's inability to pay the requisite donation or admission charge.
  - (i). In no way may such a student's participation or attendance be in any way altered from that of a student that is able to pay.
  - (ii). For the purposes of PFC Program sponsored events where tickets are sold or a specified donation is solicited, the price of a fee paying student

## ASUO Green Tape Notebook

shall be at least 20% less than that of a non-student community member.

(H). The spending of such monies shall be at the discretion of the program except that it may not be used to purchase alcohol, tobacco products, or to pay for a bottle deposit.

(e). Unrestricted Funds (U)

(A). Unrestricted funds are those monies donated by contributors through the UO Foundation.

(B). The spending of such monies shall be in accordance with guidelines given by the private donor and comply with the UO Foundation policies and guidelines.

(C). Grants and donation gifts must comply with UO Foundation guidelines

(D). Private donors must specify how they would like the program to spend the donation.

(E). Donation checks must be given to and deposited by the ASUO Accounting Coordinator through the UO Foundation.

(F). The program cannot receive or deposit a private donation with their ASUO funds.

(G). These monies cannot be used to purchase alcohol or pay a bottle deposit.

### 13. Miscellaneous

1. The Student Senate rules shall become effective upon approval by 3/4 of the Student Senate, unless invalidated by the Constitution Court. (ASUO Const., Art. 10, section 15).
2. If any parts of the Student Senate rules are declared invalid, the remaining portions shall continue in full force and effect.
3. Changes to the Student Senate rules must be approved by the Student Senate rules committee prior to being placed before the Student Senate.
4. The Student Senate rules may not be suspended for any reason.

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### ASUO PROGRAM RULES

Revised 07/25/06, Revised 10/06/06

#### PROG R 80.1 (revised 2006) Grievances

If there is an internal grievance in a program, and the problem cannot be resolved through in-program discussion, bring the problem to the attention of the ASUO Conflict Resolution Services. This impartial agency will attempt to reach a compromise.

If Mediation is unsuccessful, or if either or both parties are unwilling to use mediation, bring the problem to the attention of the ASUO Programs Administrator. S/he will meet with the individuals involved to discuss the problem, and to develop a plan that will alleviate the problem. If the Programs Administrator concludes that the situation is irresolvable s/he may recommend corrective action if deemed necessary, including the removal from office of any program member, and set a deadline by which the problem must be resolved. If the grievance involves staff members, the ASUO Programs Administrator should refer to the 'Terms of Employment Statement' outlined in PROG R 84.1. The corrective action to be taken by the Programs Administrator is explained in PROG R 84.2. Any action taken by the Programs Administrator may be appealed to the ASUO President. Any Presidential action taken under this rule may be appealed to the ASUO Constitution Court.

If the grievance directly involves actions of the Programs Administrator, the ASUO President or his/her designee will fill the role of the Programs Administrator in the process described above.

It is important for program members, before initiating the grievance procedures outlined above, to consult their program's by-laws and/or charter as well as UO Rules or Oregon Administrative Rules to see if a separate grievance procedure is mandated within any of those documents. If the program is in violation of the ASUO Constitution, ASUO Executive Rules, University Rules, or State Law, or if the problem is one other than an internal grievance, refer to PROG R 81.1.

#### PROG R 80.2 (revised 2006) Staff Selection Procedures

The following guidelines for staff selection and affirmative action procedures applies to all positions in ASUO recognized programs that are not elected positions unless an exception is granted by the ASUO Programs Administrator. (See PROG Rule 83.1 for elections procedures.) Please direct questions to the Administrator or to the Director of the Office of Student Advocacy.

1. Form a selection committee consisting of the program director or committee chair, if possible, and at least one other person with knowledge of the program. Non-students may sit on selection committees, but should not constitute a majority of the committee. The committee must remain consistent throughout the hiring process. A temporary employee may not sit on the selection committee if s/he is applying for a permanent position.
2. The committee should prepare a position description clearly stating the position responsibilities and making no references to gender, ethnicity or other non-job-related criteria. See PROG Rule 82.1 for the ASUO policy on protected classes. The position description must include at least the following affirmative action statement: "An

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affirmative action/equal opportunity/Americans with Disabilities Act employer" (AA/EOE/ADA).

3. Programs should use the standard ASUO application form or a form which is approved by the ASUO Programs Administrator. Standard forms are available from the ASUO Receptionist or Administrative Assistant.
4. A copy of the job announcement/position description must be sent to the following programs and agencies:

Asian Pacific American Student Union (APASU)  
 ASUO Multicultural Advocate  
 ASUO Programs Administrator  
 ASUO Women's Center  
 Black Student Union (BSU)  
 Career Center  
 Chinese Student Association (CSA)  
 Hong Kong Students Association (HKSA)  
 International Students Association (ISA)  
 Jewish Student Union (JSU)  
 Lesbian, Gay, Bisexual, Transgender Alliance (LGBTQA)  
 MEChA  
 Multicultural Center  
 Muslim Students Association (MSA)  
 Native American Student Union (NASU)  
 Office of Multicultural Affairs (OMA)  
 Services for Students with Disabilities  
 Singapore Students Association (SSA)  
 YWCA

The ASUO Administrative Assistant will assist you in distributing these announcements.

5. Run an advertisement in the *Oregon Daily Emerald*. This must be a classified ad at minimum. (Selection procedures which do not include ODE advertising will be declared invalid by the ASUO Executive.) The ad may not contain reference to gender, ethnicity, religion, or any other non-job related criteria. The ad must contain at least the following affirmative action statement: "An affirmative action/equal opportunity/Americans with Disabilities Act employer (AA/EOE/ADA)." The ad must include the application deadline which must be no earlier than the day the final ad runs in the ODE. Advertisements must run for at least three (3) days for all positions. Summer term ads must run for at least two (2) days, preferably both a Tuesday and Thursday. Applications must be accepted for at least five (5) days for all positions.
6. The Selection Committee shall determine criteria, based on the position description, for screening applicants. The same committee must participate in all interviews and the basic questions of all applicants shall be the same. The Selection Committee shall choose the best qualified candidate for the position. If two candidates are deemed equally well-qualified, special consideration should be given to a candidate who is a member of a "protected class," as defined by Affirmative Action guidelines. Should none

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of the candidates be qualified for the position, it may be reopened, and process 4 and 5 repeated (again advertised for three (3) days).

7. All applicants shall be notified that the position has been filled. (This is a matter of common and professional courtesy which is often neglected.)
8. Applications and interview notes should be kept for two years. If this is inconvenient for your organization, you may contact University Archives to help with storage.
9. Selection procedures which do not include ALL of these provisions may be declared invalid by the ASUO Executive.

### PROG R 81.1 (revised 2006) Rule Violations

In the event that any incidental fee funded or ASUO program ceases to manage its affairs in a reasonable and responsible manner, or violates the rules of the ASUO Executive, the ASUO Constitution, the Erb Memorial Union, the University of Oregon, or the State of Oregon, the ASUO Programs Administrator may take corrective action as the designated representative of the ASUO Executive. Any action taken by the ASUO Programs Administrator under these rules may be appealed to the ASUO President. (See PROG R 92.1)

The ASUO President may act directly in response to program actions if s/he deems it necessary. Punitive action taken by the ASUO Executive may include any fiscal controls up to and including indefinite freezing of funds. It may also include removal of program staff, denial of certain privileges to program staff (see Exec Rules about staff selection especially PROG Rule 84.2) and/or withdrawal of ASUO recognition or registration. In the event that the corrective actions are unsuccessful, the President may dissolve a program and/or absorb its functions under the ASUO Executive office. In the event of illegal use of program money or University facilities, the ASUO reserves the right to direct violations to the University of Oregon Conduct Code Committee. In the event that the violating individuals are no longer students, the ASUO President may initiate legal action against the responsible individuals. Also, the individuals may be billed directly for any program expenses incurred by the violation. Any Presidential action taken under this rule may be appealed to the ASUO Constitution Court.

### PROG R 81.2 (revised 2006) Telephone Use

Members of programs that receive incidental fee money for long distance calls may receive phone authorization codes. This process is initiated by a request from a program director or co-director to the ASUO Administrative Assistant. It is advisable for programs to keep records of long distance calls as they are made. Incidental fee funded programs receive a monthly printout of income/expense, which includes phone expenses. A more in-depth report, available from the EMU Accounting Office, provides a list of phone calls made, cost of call, length of call, who made the call, and total charges. It is the responsibility of each program to monitor long distance expenses to insure that they do not exceed the budgeted amount. The ASUO Executive has the right to terminate a phone authorization code if a program exceeds its budgeted amount for long distance expenses.

### PROG R 82.1 (revised 2006, 2007) Equal Opportunity

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The ASUO affirms the right of all individuals to equal opportunity in education, employment and access to incidental fee funded programs and their funded activities, without regard to race, color, ethnicity, religion, sex, sexual orientation, gender identity expression, age, different ability, national origin, marital status, veterans' status, or any other considerations not directly and substantially related to effective participation.

### PROG R 82.2 (revised 2006) Temporary Hires and Appointments

For those positions lasting three months or fewer, a temporary director or other temporary staff, may be hired or appointed without going through the usual process, provided that the *Oregon Daily Emerald* is not publishing, or that there is some valid reason why the usual selection process cannot be followed without undue disruption of program activities. People hired under this rule may be chosen by a decision by the group, but are limited to three months in office. The ASUO Programs Administrator should be notified of all such hires and appointments. The position must be formally opened within three months and the formal selection process followed. A temporary employee may not sit on the selection committee if s/he is applying for the permanent job.

### PROG R 82.3 (revised 2006) Selection Process Exemptions

The staff selection and related practices contained in these sections need not apply to programs which employ professional, GTF, or classified staff, provided that such programs comply with the generally recognized principles of hiring which apply to them under their professional, GTF, or classified status.

Programs hiring work study students may be exempted from the ASUO hiring process for those positions at the discretion of the ASUO Programs Administrator. Any program wishing to have work study exemptions under this provision should contact the Programs Administrator prior to filling the position.

### PROG R 82.4 (Revised 2006) Expenditure Restrictions on Political Activities

No incidental fees may be spent to support the campaign of any individual, or party, for public office. Fees may be used to promote appearances and discussions between several candidates for public office, in order to increase student knowledge of issues and candidates.

### PROG R 83.1 (revised 2006) Elections

Programs may elect their directors and other staff provided the following criteria are met. All candidates must be afforded the same opportunity to disseminate information to the electorate. The electoral process must insure that every constituent has an equal opportunity to vote and that every constituent's vote has equal weight in determining the outcome of the election. Only student members of the program may vote in an election for any position having authority in an ASUO program. Membership in a program may be defined by the program as long as the membership rules allow an equal opportunity for all students to participate in the program and there is no other violation of the rules of the ASUO, the University of Oregon or the State of Oregon. Membership rules must be filed with the ASUO Programs Administrator prior to any election. The ASUO Programs Administrator must be notified of any elections, and either the

## ASUO Green Tape Notebook

Programs Administrator or Elections Coordinator may oversee the elections at the request of the program or as directed by the ASUO President.

### PROG R 84.1 (revised 2006) Terms of Appointment/Employment Statements

All program personnel (professional and student) receiving ASUO program stipends or salaries must submit to the ASUO Head Controller, an ASUO "Terms of Appointment/Employment Statement" prior to receiving their stipend or salary. This statement defines the selection procedure, immediate supervisor, period of appointment/employment, and basic position responsibilities of each individual. This information will help the ASUO Programs Administrator facilitate staff personnel grievances. The "Terms of Appointment/Employment Statement" is not intended to replace but rather supplement the ASUO Program Contract which is also required of all ASUO programs.

### PROG R 84.2 (revised 2006) Termination

In the event that a personnel problem can not be resolved through intra-group resolution or mediation, as described in PROG. R 80.1, the individuals involved should contact the ASUO Programs Administrator. If the Administrator finds that there is just cause for firing the employee or appointee, the Programs Administrator will authorize written notice of termination, with at least a one-week delay between notice and termination. Only written notice approved by the ASUO Programs Administrator and the ASUO President is valid for termination. If the subject of termination is the ASUO Programs Administrator, written notice approved by the ASUO President is valid for termination.

### PROG R 84.3 (revised 2006) Estimates and Purchase Orders

No purchase orders will be honored if the amount billed is greater than 10% above the amount of the estimate. (Estimates are discussed in the paragraph below.) In the event that additional services which were not included in the original estimate increase charges, a new estimate will be given. The new charges shall be approved by the involved program through the ASUO Controllers before the additional services are rendered. Additional purchase orders will not be honored to cover original estimates which reflect vendor error or negligence.

Estimates can be given over the phone. In the case of a phone estimate, clear records of the exact services to be rendered should be kept by both parties. When a service is being provided, for example in the cases of the Facilities Services, the ODE and University Press, written estimates must be obtained. They must include both the signatures of the person making the estimate and an authorized program representative.

### PROG R 88.1 Membership

No individual can be excluded from a program on the basis of political ideology, but every individual involved in a program must be sincere to the goals of the program.

### PROG R 88.2 (Revised 2006) Governance Documents

All incidental fee funded and all ASUO Recognized or Registered Programs must submit governance documents and/or by laws to the ASUO Programs Administrator by the first week of

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fall term. Membership must be defined in these documents. The ASUO Programs Administrator must be notified of any changes in these documents.

### PROG R 92.1 (Revised 2006) Grievance Procedure

When the appeal is filed with the ASUO President under the process outlined in PROG. R 80.1 or 81.1, the ASUO President or designee must convene a committee of three, including the ASUO President or designee, the President of the Student Senate and the ASUO Multicultural Advocate, within ten working days after the complaint is filed. However, if any of these individuals have any conflict of interest in the matter of the investigation, the remaining individuals will appoint a neutral person(s) to fill the vacancy and complete the committee. This committee shall have thirty days from the time that the committee is formed to complete all the information in the form of interviews, documents, or whatever information is needed to complete the investigation. This committee may request all information that will help them form a comprehensive conclusion. If the committee determines that the investigation cannot be reasonably completed within thirty days, it will inform the complainant of this in writing prior to the initial deadline, and provide justification for the delay and an alternative deadline for completion.

This committee shall have the authority to conduct an objective investigation into wrongdoing. The ASUO President shall recommend appropriate action based on the outcome of the investigation. In the instance that the complaint involves an ASUO recognized program, the ASUO Executive may take action under PROG R 81.1. In the instance that the complaint involves a non-ASUO recognized organization, the organization is responsible for taking reasonable action based on the recommendation made by the ASUO investigation committee.

No information collected in the investigation will be held in confidence unless it complies with the exemptions from disclosure as described in the Oregon Public Records Law or the Buckley Amendment to the federal Freedom of Information Act. Any action may be appealed to the Constitution Court.

### PROG R 93.1 (revised 2006) Motor Pool Usage by Fee Funded Programs

The ASUO Executive shall have the authority to enforce rules of the ASUO, University of Oregon, or the State of Oregon regulating State Motor Pool usage by any ASUO or incidental fee funded program by invoking sanctions against the program. These rules include ASUO "Instructions for State Motor Pool Drivers" and "Van Safety Rules" as well as OAR 571-10-100 to 571-10-120. Copies of these rules are available in the ASUO Executive office.

When a violation occurs, sanctions shall be invoked by the ASUO President and may include but not be limited to loss of motor pool usage for the program for a specified period of time, freezing of program funds, referral to the Student Conduct Code Coordinator, and a requirement to complete an educational project related to state vehicle usage and safety.

### PROG R 93.2 (Revised 2006) Accidents Involving State-Owned Vehicles

Any accident involving state-owned vehicles being used on official ASUO business shall be reported within 24 hours to the ASUO Programs Administrator or his/her designee. A full

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description of the accident including a copy of the State Department of Motor Vehicles Traffic Accident and Insurance Report shall be provided to the Programs Administrator. He or she will review the accident and determine any actions to be taken to address violation of rules, payment for damages, or other steps necessary to resolve the situation. All actions required by the State Motor Pool in the event of an accident, as described in the accident packet in the state vehicle, must also be completed by representatives from the ASUO program involved.

### PROG R 94.1 Program Financial Obligations

Programs are expected to determine that funding is available prior to entering into any contract with financial obligations. If an incidental fee funded program runs a deficit in any line item, the program's budget may be frozen until line item reimbursement has been made. If an incidental fee funded program ever has an overall budget deficit, funds will be extracted from that program's fundraising account to cover the deficit.

### PROG R 94.2 Equipment Reserve Requests

ASUO Programs wishing to purchase equipment costing over \$500 must file an ASUO Equipment Reserve purchase request with the ASUO Executive. This procedure will insure that the equipment purchased will be placed on the ASUO inventory list and fully insured. It is expected that the program will reimburse the ASUO Equipment Reserve account to the greatest extent possible.

### PROG R 94.3 ASUO Recognition Status

The ASUO Executive will only grant the status of "Recognition" to programs that add to the "cultural and/or physical development of the University Community." That status is a privilege and may be revoked if the program does not conduct itself in a manner consistent with ASUO rules, UO rules, and State law.

### PROG R 06.3 Van Usage (revised Oct-2006)

The purpose of the Associated Students of the University of Oregon (ASUO) vehicles is to conduct the business of the ASUO and its programs. An ASUO program wishing to use an ASUO vehicle needs to contact the director of the program who controls the vehicles (Assault Prevention Shuttle (APS) and Designated Driver Shuttle (DDS)). Upon gaining permission to use the vehicles from the program director, the program borrowing the vehicle needs to plan for reimbursement of gas mileage for usage of that van. ASUO Programs borrowing the ASUO vans shall pay one-half the Oregon University System Mileage Reimbursement rate per mile driven. It is the responsibility of the director lending the vehicle to record the mileage. The director of the program borrowing the ASUO van is to reimburse the lending program on a term-by-term basis.

If an Erb Memorial Union (EMU) Program wishes to borrow an ASUO van, they shall pay 10 cents above the one-half of the OUS Mileage Reimbursement rate per mile driven. It is the responsibility of the director lending the van to record the mileage. The director of the EMU program borrowing the van is to reimburse the lending program on a term by term basis.

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Only ASUO and EMU programs may use the ASUO vans. Exceptions may be granted on at the discretion of the ASUO Executive.

### PROG R 06.4 Executive Rules Change

The ASUO Executive Rules as listed in the Green Tape Notebook shall now be called ASUO Program Rules.

### PROG R 06.5 Recognition Review Committee Implementation

The ASUO Executive shall use the Recognition Review Committee to review and recognize new student groups. The ASUO Executive shall implement the RRC as outlined in the RRC Program Bylaws below:

- I. Statement of Program Purpose, Goals
  - a. The name of the program is ASUO Recognition Review Committee (RRC)
  - b. The RRC was established in May 2005 by then ASUO President Adam Petkun and was first implemented in October 2005 by the Walsh Administration
  - c. The RRC derives its power from OAR 571-011-0015. The ASUO Executive has the power in Recognize and Review ASUO groups, and this power is delegated to the RRC. The RRC also bases its structure off of the RRC memo from 2004-2005 ASUO President Petkun, which was revised by 2005-2006 ASUO President Walsh.
  - d. The Mission of the RRC is to review all current ASUO Programs within a three year cycle. The review will help to insure that all current programs have updated bylaws and Mission & Goals statements on file, current members to support its ASUO status and that the program is in consistency with the ASUO Green Tape Notebook. When the RRC reviews new groups applying for ASUO recognition it will look for duplication of services, consistency with the mission of the ASUO, that the program is aligned with the Green Tape Notebook and has the evidence to show the ability to maintain ASUO Recognition.

## II. Membership

### a. Open Membership

1. PROG R 88.1 Membership: *No individual can be excluded from a program on the basis of political ideology, but every individual in a program must be sincere to the goals of the program.*
2. PROG. R 83.1 Elections: *Membership in a program may be defined by*

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*the program as long as the membership rules allow an equal opportunity for all students to participate in the program and there is no other violation of the rules of the ASUO, the University of Oregon, or the State of Oregon.*

3. Membership of the RRC will consist of two ASUO Senators (1) two year PFC Seat and (1) two year academic seat and two Programs representatives, which should be elected by the Programs Council at the beginning of each year, the ASUO Programs Administrator or other Executive officer if the Programs Administrator position is not filled and the ASUO Vice President acting as an ex-officio member, only voting to break ties. The RRC Committee members serve one year terms, which by either appointment or election can be renewed

### b. Equal Opportunity

1. PROG R. 82.1 Equal Opportunity: *The ASUO affirms the right of all individuals to equal opportunity in-education, employment and access to incidental fee-funded programs and their funded activities, without regard to race, color, religion, sex, sexual orientation, age, different ability, national origin, marital status, veteran's status, or any other considerations not directly and substantially related to effective participation.*

### c. Authority and Responsibility of members

All RRC members are expected to attend regular meetings, hearings and other informational sessions which involve the RRC. Members are to act in a view point neutral manner, in which any personal bias does not play a role in conversation or in the voting process. Members are to declare to the chair what groups they are affiliated with. Members are required to abstain from voting on program recognition in which they are currently members or on programs in which they have an overwhelming investment in. Non-fulfillment of duties may occur if a member misses 2 unexcused meetings/hearings in one term.

## III. Officers Responsibilities

### a. Committee Chair

1. The position of RRC Committee Chair will be voted upon by the committee at the first meeting of each year. The Chair is responsible for informing student groups of the recognition process, gathering information and documentation for groups who are under review or new applicants, and submitting these documents to RRC members for their review. The Chair will run the RRC meetings, act as an ASUO Executive liaison to the RRC and help organize the RRC agenda for the full year. The Chair is responsible to get signed applications to the Director of Activates at the EMU after the RRC approves the applications. Furthermore, the Chair is responsible to get applications for

## ASUO Green Tape Notebook

review to the RRC members 48 hrs in advance to the hearing, to contact the groups and take meeting minutes.

2. This position lasts for one year, from May 25<sup>th</sup> to May 24<sup>th</sup>

b. Ex-officio Member

1. The ASUO Vice President shall act as an Ex-officio member of the RRC. The Vice President may discuss program groups but only will vote in the event that the RRC has reached a tie. The Vice President shall also assume the role of leading the RRC meeting in the absence of the Committee Chair, but will still only be able to cast a vote in the event of a tie.

2. This position lasts for one year, from May 25<sup>th</sup> to May 24<sup>th</sup>

#### IV. Elections

*Programs may elect their directors and other staff provided the following criteria are met. All candidates must be afforded the same opportunity to disseminate information to the electorate. The electorate process must insure that every constituent has an equal opportunity to vote, and that every constituent's vote has an equal weight in determining the outcome of the election. Only student members of the program may vote in an election for any position having authority in an ASUO program. Membership in a program may be defined by the program as long as there is no other violation of the rules of the ASUO, the University of Oregon or the State of Oregon. Membership rules must be filed with the ASUO Programs Administrator prior to any election. The ASUO Programs Administrator must be notified of any elections, and either the Programs Administrator or Elections Coordinator must oversee the elections.*

Elections are held each year to elect the Programs Representatives (2) to the RRC.

a. Quorum

A quorum will consist of at least 20 ASUO Programs All student programs will be given the opportunity to vote on RRC members, but 20 program votes are required for a valid election.

b. Publicizing the Elections

An announcement of the RRC election will be sent out via e-mail to all program groups 5 calendar days in advance of the election.

c. Candidates shall be introduced during the first Programs Council Meeting and afforded 5 minutes each to describe why they are running for the RRC. Then each program group is afforded one vote, via e-mail, to the ASUO Programs Administrator / ASUO Elections Coordinator with their vote, which should be representative of their groups vote. Programs have 5 calendar days to vote via e-mail from the initial Programs Council Meeting, and polls shall be closed at

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- 5:00 PM on the fifth day. The election results shall then be announced via e-mail and in the next Programs Council meeting.
- d. In the event that a Programs Representative to the RRC shall resign mid-term, the process described in section 4, paragraph c shall be implemented at the next scheduled Programs Council Meeting.
  - e. The Programs Administrator or Elections Coordinator is responsible for overseeing the election
  - f. All officially recognized ASUO Programs are afforded voting rights
  - g. The RRC Bylaws shall be reviewed before May 24 each year.
- V. Officer Transitioning
- a. The current RRC Chair shall take responsibility of transitioning the new RRC Chair. The process of RRC, bylaws, rules and any other questions that the new RRC Chair might have should be discussed with the incoming Programs Administrator or RRC Chair. This transition process should take place in May of each year.
- VI. There are no paid RRC positions.
- VII. Meetings
- a. The meeting schedule of the RRC shall be fluid through out the year. The RRC is required to finish Review Hearings for current fee-funded programs, and new program applications for groups seeking funding by November 10 of each year. After that date hearings should be scheduled to accommodate a speedy approval process for new applications through out the year. Meetings shall be held in the spring term to review current non-fee-funded programs, whose hearings shall be complete by May 1. The RRC shall review new applications in an expedient manner through out the year.
  - b. To vote on any subject, a meeting quorum of at least 4 members must be present.
  - c. All persons from the University community can have input on RRC issues, but only RRC members will have a vote.
  - d. Over the summer, applications are accepted, and will be reviewed when the RRC convenes in fall term.
  - e. The RRC will act in accordance with the Oregon Public Meetings Law
- VIII. Appeals
- a. Appeals against an RRC decision can be filed with the RRC using an RRC

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Appeal Form, found in the ASUO office. Once an appeal is filled with the RRC Chair, the Chair has 7 calendar days to hold an official RRC Hearing to review the appeal. The RRC will review the appeal and vote to hear the appeal. If the hearing of the appeal is granted, the group shall have an opportunity to represent their group to the RRC. The RRC will provide a formal, written decision to the group within five (5) calendar days of the appeal hearing.

- b. If the appealing party is not satisfied with the results of the RRC appeal hearing, they may file a grievance with the ASUO President under PROG R 80.1.
  - c. If the ASUO Constitutional Court or ASUO Executive has a grievance against the RRC, they may file a grievance as outlined in section 8, paragraph a. If the court would like to appeal the RRC grievance hearing, they may appeal to the President of the University's office, following a procedure as outlined by that office.
- IX. Dissolution of the Program
- a. The dissolution of the RRC is the job of the ASUO Executive. If the ASUO Executive deems that the RRC needs to be dissolved, that Executive body will notify all programs, and submit the dissolution request to the ASUO Constitutional Court for review of policy change. With the approval of the ASUO Constitutional Court, the RRC will be officially dissolved as a body.

### X. Amending the Bylaws

- a. Changes need to be submitted to the Programs Council for comments and feedback. Once the Programs Council has received 7 calendar days to review the proposed changes to the bylaws, the RRC will vote to amend the bylaws to represent the change. Any change in the RRC bylaws need to be approved by the ASUO Constitutional Court.
- b. The RRC needs a quorum of four committee members to vote on the change, the majority is needed to approve the changes.
- c. No petitions will be used
- d. All ASUO programs will be notified of the changes through the programs list serve and at the following programs council meeting.
- e. The new amendments will take effect immediately following ratification by the RRC and ASUO Constitutional Court.
- f. Upon amendment, all ASUO Programs will be given an updated copy of the RRC bylaws.

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## ASUO CONSTITUTION COURT RULES AND PROCEDURES

Enacted in November 1993 - Amended March 1995- Amended February 1998- Updated March 2002 \_-  
Amended September 2006 - Last Amended April 2007

### 1. THE COURT RULES

1.1 The operating rules and procedures of the Constitution Court contained herein shall be referred to as the Court Rules.

1.2 The Court adopts and implements these Rules pursuant to the authority granted by Article 10, § 7 of the ASUO Constitution.

1.3 The Court Rules shall govern the operation of the Court and shall apply to the members of the Court and to all persons, parties, organizations, or entities who come before the Court.

1.4 The Court may, from time to time, revise said Rules. Any such revision shall take effect upon publication of the Rules as provided in Rule 2, unless otherwise provided by the Court.

1.5 The Court Rules shall be approved by a majority of the Court.

1.6 The Court Rules shall bear the date of the action of the Court approving the current version of the rules.

### 2. PUBLICATION OF COURT RULES

2.1 The Court Rules shall be made available to any member of the ASUO and copies shall be directed to the ASUO Executive, the Programs Finance Committee, the EMU Board, the Athletic Department Finance Committee, and the Student Senate.

2.2 It shall be the responsibility of the Chief Justice to ensure that the provisions of this section are met.

2.3 Any revision to the Court Rules shall be promptly published as in 2.1 hereinabove.

### 3. HEARINGS BEFORE THE COURT

3.1 Members of the Court shall be referred to as Justice, except the Chair of the Court who shall be referred to as Chief Justice.

3.2 A quorum of the Court shall be required in order to vote on any matter or conduct any business of the Court.

3.3 A quorum of the Court shall consist of three (3) members.

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### 4. OPERATIONS OF THE COURT

4.1 The Chief Justice shall be elected by a majority of the members of the Court and shall serve until the expiration of his/her term on the Court, or until the first meeting of the Court during the Fall academic term, whichever shall occur first.

4.2 The Court shall elect a Chief Justice at the first meeting of the Court during the Fall academic term, or as necessary.

4.3 The Chief Justice may be removed by a vote of three (3) Justices of the Court.

4.4 The Chief Justice shall notify all members of the Court of any meeting of the Court.

4.5 The Chief Justice shall notify the ASUO Executive of the place and manner of notification to the Court and of delivery of items to the Court.

4.6 The Chief Justice shall be responsible for ensuring the payment of all stipends to members of the Court.

### 5. CONDUCT OF THE COURT

5.1 Members of the Court shall at all times conduct themselves with the professional demeanor, respect, and decorum as befits a judicial body.

5.2 While in open session, members of the Court shall address fellow members as Mr. /Ms. or Justice, and shall address those appearing before the Court as Mr. /Ms. or other title, as appropriate.

5.3 There shall be allowed no ex parte contact between a member of the Court and any party in interest who has a matter pending before the Court.

5.3.1 Any person wishing to contact the Court regarding a matter pending before the Court shall do so in writing, with five (5) copies delivered to the Chief Justice, and with copies simultaneously delivered to the opposing parties in interest.

5.3.2 Members of the Court shall immediately report any ex parte contact to the Chief Justice who shall then notify the opposing parties in interest. The Court shall then deliberate and may either proceed with the case after allowing the opposing parties an opportunity to rescind, or may dismiss the case with prejudice to the offending party.

5.4 There shall be no extra-judicial comments from members of the Court regarding matters pending before the Court.

5.5 Members of the Court shall not accept anything of value from any party before the Court.

5.6 Members of the Court shall not serve on, nor be an employee of the ASUO Executive, the Programs Finance Committee, the EMU Board, the Athletic Finance Committee, or the Student Senate. This section does not apply to employees of programs that are merely managed or funded by these agencies.

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5.7 Members of the Court shall not assist parties or potential parties in preparation of their case, except to the extent necessary to ensure compliance with Court procedures.

5.8 Members of the Court shall neither encourage nor discourage any person, group, organization, club, or activity from bringing a case or controversy before the Court.

5.9 No Hearings Officer involved in hearing election complaints pursuant to Article 10, § 4 shall participate in any way in a campaign for or against an ASUO candidate or ballot measure.

5.10 Any member of the Court may, by unanimous vote of the other Justices of the Court, be referred to the ASUO President and Student Senate for a hearing pursuant to Article 10, § 12 of the ASUO Constitution.

### **6. RECUSAL OF MEMBERS OF THE COURT**

6.1 Each member of the Court shall, within ten (10) days of confirmation, deliver to the Chief Justice a letter disclosing membership, interest, employment, or involvement in any group, organization, club, or activity which is governed by the ASUO Constitution or which receives funding from the Programs Finance Committee.

6.2 Such letters shall be available for inspection by any member of the ASUO.

6.3 No member of the Court should participate in any open session or deliberation where that member because of self-interest, bias or prejudice should recuse himself or herself from the matter, case, or controversy.

6.4 No member of the Court shall participate in any open session or deliberation in which his/her employer or employee is a party.

6.5 No member of the Court shall participate in any open session or deliberation in which s/he is an officer of an organization, group, club, or activity which is a party before the Court.

6.6 The Court may, upon its own motion or upon a motion of a party in a matter before the Court, request that a member recuse himself or herself from participation based exclusively upon Rules 6.4 or 6.5.

6.6.1 If the member refuses to recuse himself or herself, a member of the Court or a party in the matter before the Court may motion for a hearing to decide if the member shall participate in the matter before the Court.

6.6.2 Thereupon, a majority of the Court may exclude the member from participation in that matter.

### **7. MEETINGS OF THE COURT**

7.1 The Court shall meet either in open session or in closed deliberation, as prescribed herein.

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7.2 Any open session of the Court shall be open to the public and notice shall be delivered in advance to the Oregon Daily Emerald, to the ASUO Executive, and to the parties.

7.3 The Court may, at its discretion, grant upon request or require upon its own motion, oral presentation before the Court, in open session, on any issue before the Court.

7.3.1 The Court shall allow each party an opportunity to present their issues to the Court.

7.3.2 Members of the Court may pose questions to the parties or may request additional written materials from the parties.

7.3.3 The Chief Justice shall determine the amount of time allowed for each party to present their arguments, provided that each party is afforded an equal amount of time.

7.3.4 The Chief Justice may allow interested persons to deliver amicus arguments on a matter. However, repetitious arguments shall not be allowed.

7.3.5 The Chief Justice shall rule on all motions and objections during oral argument.

7.3.6 All parties appearing before the Court shall conduct themselves with appropriate civility, respect, and deference. The Court will not tolerate abusive or derisive displays directed at any person in attendance at a session of the Court.

7.3.7 The Court may take appropriate action necessary to ensure the orderly conduct of its processes.

7.4 No decision of the Court shall be delivered during open session, but only upon deliberation of the Court and issuance of a written opinion pursuant to Rule 8.

7.5 Deliberations of the Court shall be conducted in closed session, limited to the members of the Court and a recorder.

7.5.1 The purpose of deliberations is for the Court to (a) discuss the merits of argued cases and to seek to reach a consensus opinion; (b) to review and discuss proposed rules, policies, and resolutions pursuant to Article 10, § 15 of the ASUO Constitution; or (c) to discuss matters related to the internal operation of the Court.

7.5.2 No member of the Court shall discuss or reveal matters arising from the deliberations of this Court.

7.6 Meetings of the Court shall be held in the time and place determined by the Chief Justice, but should generally be held either in the EMU or Knight Law Center (the Law School).

### **8. OPINIONS OF THE COURT**

8.1 The Chief Justice shall issue all decisions where there is no opinion of the Court.

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8.2 The Chief Justice shall issue all per curium decisions of the Court.

8.3 Where the Chief Justice is part of the majority of the Court, s/he shall assign the drafting of an opinion of the majority of the Court to either a member of the Court or to him/herself.

8.4 Where the Chief Justice is not party of the majority of the Court, the majority shall select a member to draft the opinion of the Court.

8.5 A draft of the majority opinion shall be forwarded to each member of the Court who shall have at least three (3) days for review and comment.

8.6 The Chief Justice may reduce the time for review under 8.5 when exigent circumstances so warrant.

8.7 Dissenting or concurring opinions may be issued by any member of the Court and do not require the approval of the Chief Justice.

8.8 Drafts of dissenting or concurring opinions shall be forwarded to the other members of the Court for consideration in drafting the majority opinion.

8.9 The majority opinion and any dissenting or concurring opinions shall bear the name of the member who authored the opinion.

8.10 Decisions and opinions of the Court shall become effective when issued by the Chief Justice to all parties.

8.11 All decisions and opinions of the Court shall be numbered sequentially as described herein. For example: 3 C.C. 1 (1997/8). Where "3" refers to the third opinion of the Court during the Term; "C.C." refers to the Constitution Court; "1" refers to the first page of the opinion or to the jump cite page when referring to the opinion in a subsequent document; and "(1997/8)" refers to the beginning and ending years of the Term in which the decision was reached.

### **9. REVIEW OF RULES, POLICIES, AND RESOLUTIONS PURSUANT TO ARTICLE 10 § 15**

9.1 Proposed rules, policies, or resolutions of the ASUO Executive, the Programs Finance Committee, the EMU Board, the Athletic Department Finance Committee, and the Student Senate shall be delivered to the Court in the place and manner provided by the Chief Justice under Rule 4.5.

9.1.1 Those organizations governed by Article 10, § 15 of the ASUO Constitution shall submit a cover letter and five (5) copies of each proposed rule, policy, or resolution to the Court.

9.2 The Chief Justice shall assign the initial review and recommendation of a proposed rule, policy, or resolution to a panel of two members of the Court.

9.2.1 The Chief Justice shall determine the members of each panel and may be a member of the panel.

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9.2.2 The panel shall review the proposed rule, policy, or resolution consistent with the requirements of Article 10, § 15.

9.2.3 The panel shall forward its recommendation to the Chief Justice not more than five (5) days following the assignment for review. The Chief Justice may allow additional time upon the request of the panel.

9.2.4 Upon the request, notification, or motion of any member of the Court, the Chief Justice shall convene the Court for the purpose of deliberating on a proposed rule, policy, or resolution.

9.2.4.1 Any member of the Court may then request an open session wherein the ASUO Executive, the Programs Finance Committee, the EMU Board, the Athletic Department Finance Committee, or the Student Senate, will be allowed to present testimony and arguments in support of the proposed rule, policy, or resolution.

9.2.4.2 The Court shall allow a party opposing the proposed rule, policy, or resolution to present testimony and arguments at that time.

9.2.4.3 Any such session shall conform to Court Rule 7.

9.3 If the panel recommends approval of the rule, policy, or resolution and the Chief Justice was not a member of the panel and concurs in the panel's recommendation, then the rule, policy, or resolution shall be considered as approved by the Court upon publication of the decision.

9.4 If the panel recommends approval of the rule, policy, or resolution and the Chief Justice was a member of the panel, then the Chief Justice shall refer the rule, policy, or resolution to another member of the Court, upon whose concurrence, the rule, policy, or resolution shall be considered as approved by the Court upon publication of the decision.

9.5 Approval of a rule, policy, or resolution under this Rule shall be in the following form:  
"The attached rule, policy, or resolution was reviewed pursuant to Article 10 § 15 of the ASUO Constitution. By a ruling of the Constitution Court, said rule, policy, or resolution is approved for publication and implementation. This ruling shall neither limit nor prejudice the Court in any future proceeding in which this rule, policy, or resolution is contested in a case or controversy before the Court."

9.6 The ASUO Executive, the Programs Finance Committee, the EMU Board, the Athletic Department Finance Committee, or the Student Senate, may appeal an adverse ruling of the Court under Rule 9. Such appeal shall conform with the requirements of Rule 10 and shall be submitted to the Court not more than seven (7) days following publication of the Court's decision.

## 10. CASES OR CONTROVERSIES BROUGHT BEFORE THE COURT

10.1 To bring a matter properly before the Court pursuant to Article 10, a party shall:

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10.1.1 Submit a written petition to the Court for consideration of the matter. Such petition shall contain:

10.1.1.1 A completed Petition for Review form (see Appendix A to these Rules) which contains:

- The name of the petitioning party
- The petitioning party's standing as a member of the ASUO under Article 2, § 1
- Certification that the petition conforms to the Court Rules
- Proof that the opposing parties have been served with a copy of said petition (if there are multiple opposing parties, a separate petition shall be signed for each party and submitted on separate pages;

10.1.1.2 The question presented for review, expressed in the terms and circumstances of the case, but without unnecessary detail;

10.1.1.3 A list of all parties to the proceeding;

10.1.1.4 The constitutional provisions, rules, policies, or resolutions involved in the case, setting them out verbatim, and giving the appropriate citation therefore. If the provisions involved are lengthy, their citation alone will suffice and their pertinent text must be set forth in an appendix;

10.1.1.5 A concise statement of the case containing the facts material to the consideration of the questions presented;

10.1.1.6 A statement describing the specific relief sought from the Court; and

10.1.1.7 A brief statement explaining any exigent circumstances requiring the Court to act with dispatch.

10.1.2 Petitioner shall submit five (5) copies to the Court.

10.2 The non-petitioning party, hereinafter Respondent, may submit a written response to the Petitioners' presentation.

10.2.1 The Respondent shall have seven (7) days to submit a reply to the Court.

10.2.1.1 The Chief Justice can modify the amount of time respondents have to reply if he or she feels there are exigent circumstances which warrant such a measure, such as elections. The Chief Justice shall be responsible for notifying all parties in a case and his or her fellow Justices in the event the response time allotted is modified.

10.2.2 The Respondent's reply shall state in clear and concise terms:

10.2.2.1 The reasons why the Court should deny the request of the Petitioner;

10.2.2.2 A statement attesting that the Respondent has served a copy of said reply on the Petitioner; and

10.2.2.3 The name and signature of the Respondent.

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10.2.3 The Respondent shall submit five (5) copies to the Court.

10.3 Motion for Reconsideration. A party seeking to obtain reconsideration by the Court for a decision of the Court shall file a "Motion for Reconsideration" with the Court.

10.3.1 A Motion for Reconsideration shall not be based on a contention that the Court erred in construing or applying the law, but shall only be based on one or more of these contentions:

10.3.1.1 A claim of factual error in the order or opinion;

10.3.1.2 A claim of error in the procedural disposition of the case requiring correction or clarification to make the disposition consistent with the holding or rationale of the opinion;

10.3.1.3 A claim of error in the designation of the prevailing party; and

10.3.1.4 A claim that there has been a change in the Constitution, rules, statutes, or case law since the Court's decision.

10.3.2 A Motion for Reconsideration shall be filed within seven (7) days of the Constitution Court's decision. The motion shall be accompanied by five (5) copies. The original shall show proof of service of copies to every other party.

10.3.3 No party shall file a response to a Motion for Reconsideration unless requested to do so by the Court.

10.3.4 The Court shall either deny or allow reconsideration. If the Court allows reconsideration, the Court may reconsider with or without further briefing or oral argument. Reconsideration shall result in affirmance, modification, or reversal of the decision that has been reconsidered.

## 11. STAYS AND INJUNCTIONS

11.1 Any member of the Court may stay the enforcement of any order of a Hearings Officer issued pursuant to Article 10, § 4 pending review by the Court.

11.2 Any member of the Court may upon a request of any member of the ASUO, exclusive of members of the Court, enjoin the enforcement of any rule, policy, or resolution of any ASUO program or group pending review by the Court. Such request shall include either a petition for review under Rule 10, or a statement of intent to file such petition within seven (7) days of said request.

11.2.1 Should a majority of the members of the Court, upon receipt of a petition for review, determine that a stay or injunction is appropriate for just adjudication of the issue before the Court, such action may be taken, although not specifically requested by the language of the petition.

11.3 A stay or injunction must be in writing, must dated by the issuing member, and must state the reasons for the stay or injunction. A copy of the stay or injunction shall be delivered to the other members of the Court, to the requesting party, and to an officer or representative of the ASUO program or group to whom the stay or injunction is directed.

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11.4 Any stay or injunction, unless issued under Rule 11.7, may be removed by a vote of the majority of the Court.

11.5 Any stay or injunction is effective for a period of ten (10) days unless a majority of the Court votes to grant an extension while the matter is under review of the Court.

11.5.1 However, if the Court contains less than a quorum of members, the stay or injunction shall remain in effect until such time as there exists a quorum of members of the Court, where upon Rule 11.5 shall become effective.

11.6 The Chief Justice shall convene the Court within four (4) days of the issuance of a stay or injunction, excepting under Rule 11.7, and determine whether to consider the matter.

11.7 All matters reviewable under Article 10 § 15 are automatically stayed and enjoined from implementation and enforcement pending completion of review and issuance of a decision or opinion of the Court.

### **12. HEARINGS OFFICER**

12.1 The Chief Justice may assign a Hearings Officer pursuant to Article 10 §§ 3 and 4, who shall serve as a special master to the Court for the purpose of fact-finding and presentation of a recommendation to the Court. Said Hearings Officer shall not be a member of the Court.

12.1.1 Within four (4) days of the completion of the hearing, the Hearings Officer shall present five (5) copies of his/her recommendation to the Court and to the parties.

12.1.2 The Court may then, by a majority vote, concur or reject the recommendation.

12.1.3 If a majority of the Court rejects the recommendation of the Hearings Officer, the Court will then order a hearing on the matter and allow the parties to submit written arguments to the Court.

12.2 The Chief Justice may assign a Hearing Officer pursuant to Article 10, § 5 for the purpose of hearing complaints arising under the ASUO Elections Rules. Said Hearings Officer shall be a member of the Court.

12.2.1 Within two (2) days of the completion of the hearing, the Hearings Officer shall present five (5) copies of his/her ruling to the Court and to the parties.

12.2.2 Within three (3) days of receipt of the ruling of the Hearings Officer, the Court may then, by a majority vote, overturn the ruling.

12.2.3 If the Court overturns the ruling, the Court may then order a hearing on the matter and allow the parties to submit written arguments to the Court. If the Court does not order a hearing, the decision overturning the ruling of the Hearings Officer shall be final.

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12.3 Hearings Officers shall abide by the Rules of the Court and shall compile a written record of all evidence set forth in the hearing, including a brief summary of oral arguments not addressed in the written submissions of the parties.

### 13. BALLOT MEASURE PROPOSALS

13.1 All ballot measures required to be submitted to the Constitution Court by Section 8.2 of the ASUO Elections Rules and Section 14.5 of the ASUO Constitution must be submitted to the Court no later than five (5) school days prior to the filing deadline established by the ASUO

13.2 All ballot measure proposals required to be submitted by the ASUO Elections Rules or the ASUO Constitution to this Court, but which are submitted later than five (5) school days prior to the filing deadline established by the ASUO Elections Board will not be reviewed by the court except:

13.2.1 If, upon petition to this Court, the Court finds that circumstances exist which would either cause irreparable economic harm to petitioner or substantially interfere with petitioner's legal rights.

### 14. TERM OF COURT

14.1 The Term of the Constitution Court shall begin on the second Monday in September and continue until the day before the second Monday in September of the following year.

14.2 The Term is divided between Sittings, in which the Court holds meetings and delivers opinions, and Recesses.

14.3 There are two set periods of Recess during each Term.

14.3.1 Winter Recess begins on the first Monday in December and goes until the second Monday in January.

14.3.2 Summer Recess begins on the second Monday in June and continues for the rest of the Term.

14.4 The Chief Justice can Recesses the Court for up to 14 days at any time. The total amount of time that the Court is Recessed in this manor can not exceed 56 days.

*Appendix A: The Petition for Review Form is available in the office of the Associated Students of the University of Oregon, Suite 4 of the EMU.*

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## ERB MEMORIAL UNION GOVERNANCE DOCUMENT

### ARTICLE 1. NAME

The name of this organization shall be the Erb Memorial Union of the University of Oregon (hereinafter EMU).

### ARTICLE 2. PURPOSE & MISSION

#### Section 2.1. MISSION

The EMU with a commitment to the involvement and development of students, shall serve its diverse campus community by providing high quality programs, services, and facilities that complement the mission of the University of Oregon.

#### Section 2.2. PURPOSE

The EMU, through full and complete utilization of its personnel, both students and staff, facilities and services, shall provide such programs as shall (1) complement and supplement the academic program of the University; (2) provide relevance and unity to the student's educational experience; (3) encourage a commitment to effective participation in the community at large; (4) offer opportunities for the development of creative talents and encourage an appreciation for the arts; (5) aid in the development of recreational and physical skills which have carry-over value into later years; (6) provide opportunities for the development of democratic principles, ideals, and organizational skills; and (7) define and maintain basic business and service functions which complement campus life.

### ARTICLE 3. BOARD OF DIRECTORS

The EMU Board (hereinafter Board) shall have the responsibility for making general policy decisions and long-range plans for the EMU. The Board shall also advise the staff of the EMU in the day-to-day management and administration of the EMU.

#### Section 3.1. MEMBERSHIP

The membership of the Board will consist of:

- 3.1a Four student members elected at-large from the student body for two-year terms in the ASUO spring term election; two elected in odd-numbered years, and two elected in even-numbered years. Two of the four members elected at large will be selected as the Board Chair and the Board Vice Chair.
- 3.1b Three Finance Senators elected at-large from the student body to seats 4, 5, 6; seat 4 shall serve a term of one year; seat 5 shall serve a term of two years and be elected in even-numbered years; seat 6 shall serve a term of two years and be elected in odd-numbered years.
- 3.1c Two student members representing EMU areas, appointed by the Board for one-year terms, appointed during spring term for the following year.

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- 3.1d Two student member representing ASUO programs, appointed by the Board for a one-year term appointed during spring term for the following year.
- 3.1e Three non-EMU faculty or staff members appointed by the President of the University for one-year terms, appointed during fall term to a maximum of three consecutive terms.
- 3.1f One member appointed by the ASUO Executive for a one- year term appointed in the spring term following the change of the ASUO Executive. For voting purposes, the individual in attendance may be the appointee, the ASUO President, or the ASUO Vice President.
- 3.1g One member from the EMU staff, elected by the eligible staff in odd-numbered years to serve a two-year term. For purposes of this section, staff eligible to vote shall be defined as any permanent employee. Staff eligibility defined in EMU Board bylaws.
- 3.1h The Director of the EMU, the EMU Business Manager and the Director of Student Activities will serve as ex officio, nonvoting members of the Board. Their duties defined in the EMU Board bylaws.
- 3.1i To be consistent with the ASUO Constitution, all Board members shall serve a term of office commencing on May 25 and ending on May 24 including elected EMU staff\_member. Faculty members begin fall term.

### Section 3.2 CRITERIA FOR SELECTION OF PROGRAM REPRESENTATIVES TO BOARD

- 3.2a Persons wishing to apply for the EMU representative positions on the Board must have at least two terms experience in one of the programs or service areas of the EMU. The Board is strongly encouraged to appoint one EMU Representative from program areas and one from service areas in order to have equal representation.
- 3.2b Persons wishing to apply for the ASUO Program Representative positions on the Board must have at least two terms experience in one of the ASUO registered or recognized program. For the purposes of this section, ASUO programs do not include the ASUO Executive, the Student Senate, The EMU Board, or the Constitution Court.
- 3.2c The Board, in an attempt to vary the representation may consider which programs or service areas have been represented in a prior year.

### Section 3.3. VACANCIES

- 3.3a Vacancies in student-elected positions to the Board shall be filled by the ASUO President per ASUO Constitutional guidelines.

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- 3.3 b Vacancies in EMU Representative or ASUO Program positions to the Board shall be filled by the Board per their bylaws.
- 3.3c Persons filling vacancies shall serve out the balance of the term vacated, except for an elected position, in which case the second year of an elected term shall be filled in the ASUO elections.
- 3.3d Vacancies in positions appointed by the ASUO President or the President of the University shall be filled by those individuals, respectively, to fill out the vacated term.
- 3.3e A vacancy in the EMU elected staff position shall be filled by election among the eligible staff of the EMU for the remainder of the term.

### Section 3.4. RECALL/REMOVE

- 3.4a Any EMU Representative or ASUO Program Representative of the Board and/or committees of the Board may be recalled upon a two-thirds vote of the voting membership of the Board.
- 3.4b Recall of elected members of the Board shall be as indicated in the ASUO Constitution, Section 13.
- 3.4c. A Board member who misses three EMU Board or Board Committee meetings, without excuse and notification to the chair-person, may be removed from the Board by a two-thirds (2/3) vote of the Board. An appointed committee member who is not a member of the Board, who misses three meetings of the committee without excuse and notification to the chairperson, may be removed from the committee by a two-thirds (2/3) vote of the Board.
- 3.4d In case of non-performance of duties by a faculty member, the Board shall by a two-thirds vote ask the President of the University to appoint a replacement.

### Section 3.5. MEETINGS

- 3.5a The Board of Directors will meet regularly, at least once per month, or more often at the discretion of the Board. All regular or special meetings shall be publicly announced at a minimum by posting the information on the EMUB voice mail and in any student newspaper per Oregon Public Meeting Law.
- 3.5b Special meetings may be called by 1) the EMUB Chair, or 2) a written petition to the Director of the EMU and the EMUB Chair signed by five members. The petition or call shall state the time, place, and exact purpose and must be given to all members of the board at least 72 hours prior to the meeting. If, at a special meeting, it becomes urgent to take action for which no notice was given, that action, to become legal, must be ratified by the EMUB at a regular meeting (or, if ratification also cannot wait, at another special meeting properly called for that purpose.)

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- 3.5c All EMU program/departments must receive approval from the Board, per the bylaws, to make a request to the Student Senate.

### Section 3.6. QUORUM AND VOTING

- 3.6a A quorum for the Board or its Committees shall be a majority of the voting members. Voting by proxy shall not be allowed.
- 3.6b Any substantive action voted upon by the Board in one election year may not be overridden in the next year except by a 2/3 vote of the new Board.

### Section 3.7. OFFICERS OF THE BOARD

- 3.7a Chair.  
The Board, at its first meeting in Fall term, shall elect a chair from the at-large student membership of the Board. The Chair shall serve for one year and may be reelected.

The Chair of the Board shall:

- 3.7a (I) Preside at all meetings of the Board; which will be announced per Oregon Public Meetings Law.
  - 3.7a (II) Prepare and distribute agendas to all board members at least 24 hours before each scheduled meeting. These agendas shall consist of items suggested to the Chair from University students, community members, Board members, and the Director and his/her staff.
  - 3.7a (III) Be responsible in seeing that the business of the Board is carried out.
  - 3.7a (IV) Be a member of the Personnel Committee.
  - 3.7a (V) Represent the Board to the wider campus community including serving as the EMUB representative to ASPAC.
  - 3.7a (VI) Hold two additional office hours.
  - 3.7a (VII) Be responsible for the orientation of new members.
  - 3.7a (VIII) Meet regularly with the EMU Director.
- 3.7b Vice Chair  
The Board, at its first meeting in Fall Term, shall elect a vice chair from the at-large membership of the Board, to assist the Chair, serve in the absence of the Chair, and conduct such other business as requested by the Chair.

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The Vice Chair of the Board shall:

- 3.7b (I) Chair the Planning Committee
- 3.7b (II) Maintain a working relationship with a specified staff member of the Oregon Daily Emerald and any other campus media as might be required.
- 3.7b (III) Submit press releases concerning EMU Board events as requested.
- 3.7b (IV) Submit an overview of the EMU Board for publication in the ASUO Programs Guide and ASUO Election packet.
- 3.7b (V) Maintain a record of unexcused absences from Board or Board Committee meetings. Monitors office hours. Notifies Board Chair of member unexcused absences and delinquent office hours.
- 3.7b (VI) Bring non-fulfillment of duty charges to the Board pursuant to this Governance Document.
- 3.7b (VII) Hold one additional office hour.

### Section 3.8. DUTIES OF BOARD MEMBERS

- 3.8a Must attend full Board meetings.
- 3.8b Must serve on either the Budget or House Committee.
- 3.8c Must attend committee meetings of committees of which individual is a member.
- 3.8d Must perform other duties as requested by Board Chair.
- 3.8e Student members of Board are required to hold at least three office hours a week. The ASUO Executive Representative and EMUB Finance Senators must hold at least one of these office hours in the EMU Board office and post all office hours and their location in the board office.
- 3.8f. Attend Board orientation and training sessions.

### Section 3.9. SUMMER BOARD

A quorum of those members of the Board who are on campus during the summer shall conduct the business of the Board during the summer.

- 3.9a A review and approval of the minutes of summer meetings and ratification of any substantive decisions will take place at the Board's first Fall term meeting unless at least eight (8) members were present at a summer meeting and at least eight (8) voted in support of a motion.

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- 3.9b A Summer Board Chair shall be elected at the Board's June meeting. It is preferable that the Summer Board Chair be one of the elected at-large members.

### ARTICLE 4. DIRECTOR OF EMU

#### Section 4.1. GENERAL DUTIES

The EMU Director (hereinafter Director) shall administer the facilities, business operations, personnel, and program of the EMU consistent with respective Oregon Administrative Rules and University of Oregon Policy Statements.

#### Section 4.2. COORDINATION OF STAFF EFFORTS TOWARD GOALS

The Director shall guide and coordinate student and staff effort to effectively realize the goals of the EMU in relationship to the total educational enterprise of the University.

#### Section 4.3 SERVICE IN OTHER CAPACITIES

The Director shall serve in other administrative capacities as may be assigned by the Vice President for Administration or the President of the University.

#### Section 4.4. IMPLEMENTATION OF POLICIES AND PLANS

The Director and his/her staff shall implement policy and long-range plans established by the Board.

#### Section 4.5. ADMINISTRATIVE RESPONSIBILITY AND EVALUATION

- 4.5a The Director shall be administratively responsible to the Vice President of Student Affairs.
- 4.5b Yearly evaluations of Director's performance shall be made by the Vice President of Student Affairs after consultation with the Personnel Committee of the Board, as set forth in Section 5.4.

#### Section 4.6. APPEAL BY DIRECTOR

The Director may appeal any policy decision of the Board to the President of the University or his/her designee.

#### Section 4.7. DIRECTOR'S REPORT

- 4.7a At each meeting of the full Board, the Director shall report on the following items:
- 4.7a (I) Financial condition of the EMU.
  - 4.7a (II) Anticipated problems in the Department.
  - 4.7a (III) Significant management actions taken since last meeting.
  - 4.7a (IV) Items which require Board action.
  - 4.7a (V) Expenditures from all EMU reserves.

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- 4.7b At the Board's first Fall term meeting, the Director's report shall include an update on the year-end balance from the previous fiscal year (also known as the "period 14" report), outlining the year-end balances of each department.

### Section 4.8. VACANCY IN DIRECTOR'S POSITION

In the event of a vacancy in the position of Director, the Board will be represented on the search committee created by the University. The entire Board will be invited to interview all final candidates and provide the search committee with a rank order of the final candidates per University guidelines.

## ARTICLE 5. COMMITTEES

### Section 5.1. COMMITTEES

There shall be two permanent committees, the House Committee (Section 5.2) the Budget Committee (Section 5.3).

- 5.1a (I) No Board member may serve on more than one permanent committee, with the exception of the chair.
- 5.1a (II) Each permanent committee shall meet at a regular time, at least once per month, or more often at the discretion of the committee.
- 5.1b Special committees may be established (Section 5.6).

### Section 5.2. HOUSE COMMITTEE

The House Committee is responsible for developing, on its own initiative and upon the request of the Director, recommendations in the development, maintenance, upkeep, utilization, and assignment of spaces in the EMU. The House Committee has the specific responsibility of reviewing student organization office assignments and making adjustments in those assignments when necessary. There shall be a minimum of seven members of the House Committee. The advisor of the House Committee shall serve as an ex-officio, non-voting member of the House Committee.

#### 5.2a. House Committee Chair

At the first meeting of the Fall Term, the full Board shall elect the House Committee Chair from the at-large student membership of the Board. In the event that an at-large person does not choose to serve as a chair, EMU and ASUO Program Representatives are eligible to serve as House Committee Chair.

The Chair of the House Committee shall:

- 5.2a (I) Shall preside at all meetings of House Committee; which will be announced per Oregon Public Meetings Law.

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- 5.2a (II) Shall prepare and distribute agendas or, at a minimum, notify all members ahead of time of the issues to be discussed by the Committee. Shall insure that notices of all meetings appear in appropriate campus publications.
- 5.2a (III) Shall be responsible for seeing that minutes of each Committee meeting are prepared for distribution to the full board.
- 5.2a (IV) Shall be a member of the Personnel Committee.
- 5.2a (V) May be a member of Search Committees created to fill non-classified positions on EMU staff.
- 5.2a (VI) Shall hold one additional office hour.
- 5.2a (VII) Meet with the advisor to the House Committee regularly.

### Section 5.3. BUDGET COMMITTEE

The Budget Committee assists the Director and his/her staff in the development of the budget for the EMU, including priorities for funding. The Budget Committee shall be involved in the initial goal setting and review of the Budget, and shall recommend the budget to the full Board for action prior to submission to the Student Senate. The Budget Committee may advise the managers of the Food Service, and Recreation Center as to the type and variety of services, pricing, and method of operation and goals. The Committee shall recommend policy and long-range plans to the full Board for action. There shall be a minimum of eight members of the Budget Committee, including three Finance Senators, the member appointed by the ASUO Executive, two at-large members of the Board. The advisor of the Budget Committee shall serve as an ex-officio, non-voting member of the Budget Committee.

#### 5.3a. Budget Committee Chair

At the first meeting of the Fall Term, the full Board shall elect the Budget Committee Chair from the at-large student membership of the Board. In the event that an at-large person does not choose to serve as a chair, Finance Senators are eligible to serve as Budget Committee Chair.

The Chair of the Budget Committee shall:

- 5.3a (I) Shall preside at all meetings of Budget Committee, which will be announced per Oregon Public Meetings Law.
- 5.3a (II) Shall prepare and distribute agendas and/or schedule of hearings or, at a minimum, notify all members ahead of time of the issues to be discussed by the Committee. Shall insure that notices of all meetings appear in appropriate campus publications.
- 5.3a (III) Shall be responsible for seeing that minutes of each Committee meeting are prepared for distribution to the full board.
- 5.3a (IV) Shall be a member of the Personnel Committee.

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5.3a (V) May be a member of Search Committees created to fill non-classified positions on EMU staff.

5.3a (VI) Hold one additional office hour.

5.3a (VII) Meet with the advisor to the Budget Committee regularly.

### Section 5.4 PLANNING COMMITTEE

The planning committee, at the direction of the EMU Director, Board and on its own initiative, facilitates all long-term planning for the EMU. The committee gathers information about new or changing conditions at the University, identifies future trends in both retail and programs, researches changing student demographics, and assesses student needs and interest. It shall evaluate and make recommendations to the Board on how the EMU should respond to these changes. The Planning Committee meets at least once per term.

#### 5.4a. Membership

Membership of the committee is composed of Board members and invited members of the EMU Staff. There shall a minimum of three student Board members and any Board member interested and willing may be on the committee. The Director will nominate staff for appointment by a majority vote of the Board. The following ideals should be considered in the composition of the committee:

- 5.4a (I) Majority of the students
- 5.4a (II) Majority of the Board members
- 5.4a (III) Involvement of both budget and house committee members
- 5.4a (IV) Involvement of both programs and operations staff

5.4b. The Vice Chair of the Board will act as chair of the committee

### Section 5.5 PERSONNEL COMMITTEE

Each year the Board shall establish a Personnel Committee consisting of the Board Chair, the Budget Committee Chair, the House Committee Chair, one Finance Senator, one faculty member from the Board, and one EMU Representative or ASUO program representative from the Board for the purpose of meeting with the Vice President of Student Affairs to evaluate the performance of the Director in the spring term. A student shall serve as the Chair of the Personnel Committee. The EMU Personnel Committee shall consult and gain input from EMU Staff and student before the final evaluation of the Director is rendered.

### Section 5.6. SPECIAL COMMITTEES

Special committees may be designed to deal with special issues arising in the EMU. The Chair nominates membership to special committees and the Board must approve all nominations by a majority vote of sitting members. The committees will be designed to research problems and make recommendations to the Board for future long-range and planning goals.

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### Section 5.7. SEARCH COMMITTEES

The Board and the EMU Director (or Vice President for Student Affairs for EMU Director searches) will be involved in establishing the composition and membership for search committees to fill all non-classified positions in the EMU staff. Search committees for these positions must always strive to be a combination of Board members, EMU staff, affected students and related university entities.

- 5.7a (I) The selection process for the Search Committee shall follow all currently adopted Affirmative Action guidelines.
- 5.7a (II) The EMU Director will appoint a chair who will assist in the selection of the rest of the search committee. The Vice President for Student Affairs will appoint a chair for EMU Director searches.
- 5.7a (III) The EMU will provide whatever clerical assistance needed to assist the committee in its function.
- 5.7a (IV) The search committee shall give the designated appointing authority a list of two to five candidates from which to choose a person to fill the position.

### Section 5.7b. ADDITIONAL GUIDELINES FOR SEARCH COMMITTEES CREATED TO OVERSEE THE SEARCH PROCESS FOR EMU UNIT HEADS & EMU DIRECTOR

- 5.7b (I). Search committees for unit coordinators and the Director of the EMU must have two student members of the Board named to search committees.
- 5.7b (II). Campus interviews for unit coordinators must provide the opportunity for student involvement in that specific area (either the unit's student employees or student advisory group) to meet each candidate in a dedicated interview. These groups shall provide a prioritized list of candidates to the appropriate naming authority.
- 5.7b (III). Searches for the Director require the Board of Directors be provided the opportunity to have a dedicated interview with each candidate invited for a campus interview. This group shall provide a prioritized list of candidates to the appropriate naming authority.

### **ARTICLE 6. MINUTES**

Minutes shall be kept of all Board meetings. Official copies shall be filed in the Board office, the Office of the Director, and the Office of the Vice President of Student Affairs.

### **ARTICLE 7. PARLIAMENTARY AUTHORITY**

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the EMU Board of Directors in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Board may adopt.

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### ARTICLE 8. AMENDMENTS

8.1. This document should be reviewed at the end of each year.

8.2 This Governance Document may be amended by a two-thirds vote of the voting membership of the Board and the approval of the Vice President of Student Affairs acting on behalf of the President of the University.

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Amendment History: Approved in Fall 1976.

Amended Spring 1995.

Amended Spring 1996.

Amended Spring 1997.

Amended Spring 1998.

Amended Spring 1999. This document has been forwarded to the Constitution Court and Vice President for Administration for their approval.

Amended Winter 2004.

Accepted by Constitution Court 4/9/04

Amended Spring 2004.

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## ASUO Programs Finance Committee Bylaws

(Footnote – The PFC Bylaws will be amended in 2008 to reflect the change in responsibility moving Contracts and Departments to the ACFC and to the DFC respectively).

### 1. Membership

1. Members shall be elected in accordance with sections 7 and 12 of the ASUO Constitution.
2. Vacant seats shall be filled in accordance with Article 5 section 4 of the ASUO Constitution.
3. The terms of members shall run in accordance with Article 7 section 1 of the ASUO Constitution.
4. No member who, during his or her term is guilty of non-fulfillment of duties by the ASUO Constitution Court, pursuant to Article 10, section 13 of the ASUO Constitution, may serve on the committee.
5. At the beginning of each term, members shall prepare a statement listing all ASUO organizations that they are in any way involved with or with which they may have a conflict of interest. That list shall be made available to the public by the Vice-Chair by the second week of the term.
  - (a). Within two weeks of confirmation to the PFC position.

### 2. Meetings

1. The committee shall meet at least once during any three week period, and as necessary to complete the budget hearings, exclusive of dead week, finals week, and any period the University is not in regular session. Notice of all meetings shall be submitted to the Oregon Daily Emerald at least 24 hours before the meeting.
2. Meetings must be called by the Chair or 4 members of the committee.
3. Unless otherwise set forth in these rules, the committee shall use as a guideline "Robert's Rules of Order" during all meetings with the following exception:
  - (a). The chair of the Programs Finance Committee may depart from the normal procedure of meetings rules for circumstances of order, so long as it does not violate the current Oregon Public Meeting Laws.
4. A quorum shall be 2/3 of the filled seats but not less than 4 sitting members.
5. A quorum of 4 is necessary to elect officers. A temporary Chair may be selected until a permanent Chair is elected.
6. All meetings shall be subject to the Oregon Public Meetings Law.

### 3. Officers

1. The Chair shall:
  - (a). Be selected by the committee.
  - (b). Preside over meetings.
  - (c). Be responsible for the payment of stipends.
  - (d). Be responsible for the orientation of new members.

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- (e). Maintain at least 5 office hours where 3 are spent in the Programs Finance Committee office or ASUO Executive.
  - (f). These shall be in addition to any Committee office hours one may hold.
  - (g). Assume all responsibilities that are necessary for the operation of the committee.
  - (h). Be responsible for updating or delegating the responsibility for updating the Programs Finance Committee web page with the current years members, contact information, minutes, programs budgets, and hearings schedules.
2. The Vice Chair shall:
- (a). Preside over the committee in the event that the Chair is absent.
  - (b). Be responsible for the minutes.
  - (c). Be responsible for the compilation of the minutes at the end of the year.
  - (d). Be required to keep track of all computer, e-mail, and other passwords used by the Programs Finance Committee.
  - (e). Check and respond to the Programs Finance Committee e-mail unless this duty is assigned by the chair to another member.
  - (f). Be responsible for the hiring of an Administrative Assistant.
  - (g). Assume responsibilities delegated by the Chair.

### 4. Duties

1. Members shall:
- (a). Hold 3 office hours per week. Office hours shall be between 8am and 6pm Monday through Friday in the Programs Finance Committee office or ASUO Executive.
  - (b). Attend regularly scheduled meetings on time.
  - (c). Check mailbox and phone for messages during each office hour.
  - (d). Assume responsibilities delegated by Chair.
  - (e). Be responsible for reading the PFC by-laws, and other documents substantially related to the fee funded budgetary process.
    - (A). These documents are, but not limited to: ASUO Constitution, ASUO Executive Rules printed in the Green Tape notebook, The University of Oregon Clark Document, Rules of the University of Oregon Student Senate (Sections 8.2, 9.2, 9.3, 9.4, 9.7, 9.10, 9.11, 9.17, 9.20), and the most current budget book available.
  - (f). Accept their Tag assignments and reasonably attempt to contact and assist the student group with the budget process.
    - (A). Contacting is defined as sending e-mail, calling, leaving messages, or physically interacting with the student group representative.
    - (B). Reasonable is defined as using the contact information supplied by the ASUO about the group and making at least 3 attempts to contact.
    - (C). Assisting is defined as but not limited to answering questions, directing the group to the appropriate resources for budgetary information, helping them understand the process of funding, and process of budget submission.
    - (D). These activities should occur during the members regularly scheduled office hours and members are not required but strongly encouraged to allow time outside of office hours to conduct these activities.
2. Non-fulfillment of duties may occur if a Member:
- (a). Misses three consecutive meetings.
  - (b). Misses 1/2 of all regularly scheduled meetings during a 3 week period.
  - (c). Fails to maintain 1/3 of weekly office hours for two consecutive weeks.
  - (d). Fails to perform duties as described above (Section 4.1).

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### 5. Discipline

1. Any Member of the ASUO may bring a complaint before the Constitution Court against any Member for non-fulfillment of duties pursuant to Article 10, section 13 of the ASUO Constitution.
2. Any Member may move to censure any other Member for non-fulfillment of duties.
  - (a). Such motion must be made in writing, copies of which shall be delivered to all members at least 72 hours prior to the meeting at which the motion will be made.
  - (b). The motion shall include:
    - (A). The name of the motion's maker.
    - (B). The name of the member against whom censure is sought.
    - (C). A detailed account of the allegations, including all relevant facts and sections of the ASUO Constitution and/or Committee Rules that were violated.
    - (D). The punishment being sought, in accordance with Rule 6.2(g) of the ASUO Senate Rules.
  - (c). On being seconded, the motion shall be postponed, without discussion, until the second regularly scheduled meeting following the meeting at which the motion was made.
    - (A). If the term of the member against whom censure is sought expires before the second meeting, the motion shall be withdrawn.
  - (d). The Chair shall, within 24 hours of the motion being made, notify in writing the ASUO Executive, the presidents of the University Committee and Assembly, the chairs of any committee upon which that member server, and the Oregon Daily Emerald.
    - (A). The notice shall indicate:
      - (i). Against whom the complaint is being made.
      - (ii). By whom the complaint is being made.
      - (iii). The opportunity for the recipient of the notice (except for the Oregon Daily Emerald) to submit a written response to the motion.
        - (1). Such response may be either in favor of or opposed to the motion, but shall carry no decisive authority.
        - (2). Such response must be received by the Chair not later than the next regularly scheduled meeting.
        - (3). Oral statements may be given upon a majority vote of the filled seats, following a motion by any member.
          - (a). Such a vote is required for each speaker.
      - (iv). The time and place for the censure hearing.
    - (B). The notice shall include a copy of the written motion including a notation of who seconded.
  - (e). The Chair shall, within 24 hours of the motion being made, cause to be delivered, to the member against whom censure is sought formal notice of the pending action. Such notice shall be delivered via personal service (for which a signed receipt must be obtained) or certified mail (with restricted delivery).
    - (A). The notice shall describe the nature of the pending action, including the authority under which the action is being taken, the times and places for all events that are to occur pursuant to the action, a copy of the motion including a notation of who seconded, and a notice of the member's rights, including:
      - (i). The right to counsel.
      - (ii). The right to present and rebut evidence.
      - (iii). The right to take testimony under oath.

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- (iv). The right to depose and/or subpoena witnesses.
  - (v). The right to cross-examine witnesses.
  - (vi). Any other rights required by these rules, the ASUO Constitution, University Rules, and the laws of the State of Oregon and the United States.
- (f). Hearing format
- (A). The committee shall conduct the hearing in executive session pursuant to ORS 192.660(1)(a)(D)(b), unless the member being censured requests an open hearing.
  - (B). The member seeking censure and the member against whom censure is sought, in that order, shall each have 30 minutes to present their case and 15 minutes of rebuttal time.
  - (C). The Chair shall cause to be entered into the record (which shall be written and recorded on either audio or video tape) any written responses received pursuant to Rule 6.2(d)(A)(iii). Copies of these responses shall be given to all members 48 hours prior to the hearing. Copies shall also be made available to all members of the media who request copies.
  - (D). Additional oral statements may be made in accordance with Rule 6.2(d)(A)(iii)(3).
  - (E). Both sides shall then have five minutes to deliver closing arguments, in the same order as before.
  - (F). The committee shall then deliberate on whether there is sufficient evidence to censure the member.
    - (i). Neither party to the action may partake in the deliberations or voting.
  - (G). The final vote shall be held in open session, and that vote shall be by roll-call or, upon majority vote of the Committee, by hand count.
    - (i). Votes shall be recorded and placed in the official record of the hearing.
  - (H). If the committee votes not to censure the member, the motion is killed and may not be reconsidered.
  - (I). If the motion is passed, the Chair shall cause to be entered into the record the exact wording of the motion as passed and the punishment, if any, imposed.
    - (i). Such punishment shall become effective immediately.
- (g). Available forms of discipline are limited to:
- (A). Suspension from the Committee for up to three weeks, with or without pay; and/or
  - (B). Loss of stipends for up to one month; and/or
  - (C). Removal from position as Committee officer; and/or
  - (D). In severe cases, the Committee may forward to the Constitution Court articles of impeachment against the member.
- (h). The decision of the Committee to censure a member may be appealed to the Constitution Court.

### 6. Fee Allocations

1. The committee shall recommend a budgeting benchmark to the Senate by November 21 (ASUO Constitution Article 7, section 7).
2. The committee shall publish the deadlines for program budgets and benchmark memos by October 21.
3. The committee in conjunction with the ASUO Finance Department shall publish the budget book by March 30.
4. The committee shall publish the budget process schedule by January 15.

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5. The committee shall present a completed budget to the Senate by February 28.
  - (a). The committee shall submit 20 copies of their budget to the Senate.
6. Benchmark Memos and Current Service Level
  - (a). All programs requesting funding through the regular PFC process are required to submit benchmark memos. Benchmark memos should be a reasonable estimate of projected increases or decreases for individual line items, excluding current service level. If any Program fails to submit an acceptable benchmark memo on time without contracting the Chair, they shall not be eligible to receive increases above current service level. Exceptions will be granted at the discretion of the Chair or a majority of the committee.
  - (b). Current service level shall be defined as outlined in ASUO Student Senate Rules, Section 9.11(c).
7. Budget Hearings and Process:
  - (a). All programs must submit with their budget a goal statement that contains a nondiscrimination clause (Title 9), the Attorney Generals opinion [44 Op. Attorney General 448 (1985)] and have it approved by the Programs Finance Committee by a 2/3 vote before having their budget approved pursuant to University of Oregon Clark Document, Part D: Hearing Format.
    - (A). University of Oregon Clark Document, Part D: Hearing format, defines acceptable goal statements as those that meet the statutory standard of ORS 351.070(3)(d) which authorizes the OSBHE to collect fees to fund programs for the cultural and physical development of students.
    - (B). The Programs Finance Committee will only consider funding programs or projects that meet the statutory standard.
    - (C). Any Program containing subgroups must submit a goal statement for each subgroup if they wish to enter the budgeting process.
  - (b). All line item requests must be in compliance with ASUO Programs Finance Committee By-law 6.7 to be considered in the budget process.
    - (A). Any line item request that does not adhere to these restrictions may be defunded or excluded by a vote of the PFC.
      - (i). This decision may be appealed to the Student Senate pursuant to ASUO Constitution Section 6.10 and Student Senate Rules 9.10.
  - (c). Any budget request that does not meet Programs Finance Committee By-law 6.7 may be tabled or rejected until such time that the budget request and/or goals are in full compliance.
    - (A). This decision may be appealed to the Student Senate pursuant to ASUO Constitution Section 6.10 and Student Senate Rules 9.10.
  - (d). Past and current years fiscal accountability, ASUO Executive budget recommendation, adherence to all rules of the ASUO, State of Oregon, and Federal guidelines, regardless of leadership or member turnover, will be considered as a basis for continued funding levels.
    - (A). Fiscal accountability is defined as how well the group has used the money allocated to them in past and current years. This information is provided by the ASUO Controllers in the Post Close book, prior year ledgers, current year ledgers, and the Budget Book.
  - (e). The committee shall not allocate budget requests to any Program that does not demonstrate full financial disclosure.

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- (A). Programs shall disclose all financial resources, including donations from any source, and any other information which is reasonably required to give an accurate description of the program's resources.
  - (B). Such disclosure shall include, but is not limited to: Off campus bank accounts, EMU Trust Funds, UO Department Accounts, UO Foundation Accounts, Fundraising accounts, charges for services and related income, donations and gifts.
  - (f). All incidental fee funded organizations shall submit a line-item budget and be able to produce records upon request showing appropriate use of funds to the PFC.
  - (g). If any Program fails to submit an acceptable budget on time without contacting the Chair, their budget shall not be heard and they will not receive funding for the following year. Exceptions will be granted at the discretion of the Chair or a majority of the committee.
  - (h). Each Program will be guaranteed ten minutes of presentation time before budget deliberations, unless the Chair and Program director agree to another period of time. Extensions may be granted at the discretion of the Committee and Chair.
  - (A). Any Program may file an appeal of any Programs Finance Committee decision on any line-item amount within their budget. Appellants must follow the published appeals process.
  - (i). Amendments of Budget Proposals
    - (A). Programs shall be allowed to make amendments to their submitted budget proposal at their respective budget hearing, up to five line items.
    - (i). None of the five amendments may be related to payroll.
    - (B). A program may amend more than five line items and payroll related line items as follows:
      - (i). Submit the amendments in writing to the ASUO Controller's office.
      - (ii). An original plus nine copies must be submitted.
      - (iii). Amendments must be submitted no later than 48 hours prior to the hearing.
    - (C). PFC and Executive reserve the right to make any necessary changes, including in the payroll area.
7. Spending and Allocation Restrictions:
- (a). No incidental fees shall be spent on alcohol, tobacco, food, drink, or the appurtenances thereof.
    - (A). Specific Programs that have food holding accounts may use these accounts to purchase food for a pre-approved event.
    - (B). Food and drink may be purchased if for the cultural and physical development of the University, and open to all fee paying students.
  - (b). All budget requests and expenditures must meet ASUO Senate Rule 9.13(b), ASUO Exec R 82.1, 82.4, 84.3 (revised 1987), 88.1, ASUO 2.3, 2.4, statutory standard ORS 351.070(3)(d), which authorizes the OSBHE to collect fees to fund programs for the cultural and physical development of students, the University of Oregon Clark Document, as well as all State and Federal entitlements.
  - (c). Traditionally Funded Programs as defined in the University of Oregon Clark Document Section D: Recommendation Format and Criteria may not be reduced by more than 25% of their total budget without a unanimous vote of the Programs Finance Committee.
  - (d). A unanimous vote of the Programs Finance Committee is required to remove a stipend, which has been funded for six or more consecutive years.

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### 8. Appeals:

- (a). Policy decisions may be appealed.
- (b). The schedule of submitting appeals is as follows:
  - (A). The first appeal must be submitted by the 5th working day (the 1st working day after the decision is day 1) at 5:00pm from the decision of PFC.
  - (B). After the submittal of the original appeal, subsequent appeals may be submitted if they pertain to line items on the 1st appeal.
- (i). The second appeal must be submitted by the 3rd working day after the 1st hearing to grant the appeal or the 1st appeal hearing.
- (ii). The third appeal must be submitted by the 2nd working day after the 2nd hearing to grant an appeal or the 2nd appeal hearing.
- (c). Appeals must be in the following format:
  - (A). Submitted on the PFC approved budget appeal form.
  - (B). A full description of the reason of appeal and line items appealed must be written on or attached to the appeal form.
  - (C). It must be signed or stamped, and dated before the 5 day deadline by either the ASUO controllers office, or a current member of the Programs Finance Committee to be valid.
- (d). Any appeal not filed in the above manner may be rejected without further consideration. Exceptions may be made by a 2/3 vote of sitting PFC members.
- (e). Filing an appeal does not guarantee being heard on said appeal.
- (f). All Programs who are granted appeals shall be given the same consideration of time and meeting format pursuant to PFC bylaw 6.6(h) as in the original budget hearing.
  - (A). Appeal hearings may occur at the same meeting as the decision to hear the appeal.
- (g). A group may file up to 3 appeals on the same budget.
- (h). After these appeals are exhausted the group may appeal to the Student Senate pursuant to the ASUO Constitution Section 6.10 and Student Senate Rule 9.11-9.13.
- (i). Exceptions to appeal filing guidelines may only be made by a 2/3 vote of the sitting PFC members in attendance when the appeal is being considered.
- (j). In the event that a Program cannot be given 5 days to appeal due to budget deadline considerations, the Program must file before the last scheduled appeal meeting, or ask the PFC to convene a special session (see section 2.2) for hearing the appeal.

### 9. Recalls

- (a). A motion to recall a program's budget may be made at any scheduled meeting of the PFC.
  - (A). This motion shall be made by one who voted with the prevailing side on the final budget allocation and may be seconded by any member.
    - (i). The motion to recall shall include the name of the organization and the specific budget line items to be recalled.
  - (B). This motion cannot be made while any other question is pending.
  - (C). This motion may be debated and amended.
  - (D). A 2/3 majority of the filled seats is required for the adoption of this motion.
- (c). Upon adoption of the recall motion, the Chair shall notify the affected program 48 hours prior to the recall hearing.
- (d). Recall hearings shall occur pursuant to PFC Bylaws 2.3, 2.4 and 2.6.

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- (e). All programs recalled shall be given the same consideration of time and meeting format pursuant to PFC Bylaw 6.6(h) as in the original budget hearing.
- (f). Appeals of recalls
  - (A). Appeals of the recall hearing must be submitted in accordance with Bylaws 8(a)-8(j).

### **7. Miscellaneous**

1. These Bylaws shall become effective upon approval by 2/3 of the committee, unless invalidated by the Constitution Court.
2. These Bylaws may be changed or suspended by a 2/3 vote of the committee.

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## ASUO Green Tape Notebook

### **Athletic Department Finance Committee Bylaws**

(Footnote – the ADFC Bylaws will be replaced by the new bylaws for the newly reformatted Athletics and Contracts Finance Committee during 2008).

#### I. Statement of Program Purpose, Goals

- A. Athletic Department Finance Committee was established in 1996 when the Incidental Fee Committee was disbanded.
- B. The committee's governing document is the University of Oregon Green Tape Notebook.
- C. The goal of the Athletic Department Finance Committee (ADFC) is to provide students with an opportunity to attend sports games at a reasonable price and to ensure that students are aware of those opportunities. We negotiate with the Department of Intercollegiate Athletics for a reasonable contract. The ADFC also works to provide programs with an affordable opportunity to use MacArthur Court and holds ticket swaps in conjunction with the Pit Crew. The ADFC also works in conjunction with the Athletic Department regarding the Athletic Department and its effect on students.

#### II. Membership

- A. Membership is open to any fee-paying student who wishes to join. 3 paid members are elected through the ASUO elections, and one paid member is appointed through the ASUO exec.
  1. Of the three paid positions elected through student elections, there are two (2) 2-year positions and one (1) 1-year position. The executive appointed position is a one-year term.
- B. Affirmative Action Statement

ADFC affirms the right of all individuals to equal opportunity in education, employment, and access to incidental fee-funded programs and their funded activities, without regard to race, color, religion, sex, sexual orientation, age, ability, national origin, marital status, veteran's status, or any other considerations not directly and substantially related to effective participation.

#### III. Officers and Their Job Descriptions

- A. Chair
  1. The responsibilities of the chair of the ADFC are to organize meetings with the Department of Intercollegiate Athletics, to write the PFC Budget, and to take care of any other paperwork for the committee, along with the other responsibilities of the ADFC members. As well as hold 4 office hours per week.
  2. Term of office: Chair for 4 months paid in accordance with the ASUO stipend model. May last no longer than one year without re-election.

## ASUO Green Tape Notebook

### B. Members

1. The responsibilities of the ADFC members (including the chair) are to attend all ADFC meetings, negotiate with the Department of Intercollegiate Athletics for a reasonable contract for student tickets, to education students about ticket policies and procedures, and to allocate the Mac Court Subsidy.
2. Term of office: 4 months paid in accordance with the ASUO stipend model.
3. All ADFC members with the exception of the exec appointed member also have to abide by all Student Senate by-laws.
4. All members must hold 3 ADFC office hours per week in the ASUO office.
5. All members (including chair) must check their mailboxes once per week.

### IV. Election

- A. All members need to be present for the election of the chair.
- B. All members are able to vote except for the ASUO Finance Coordinator who will serve on the committee as a non-voting member.
- C. Ads for the elections are not required, although all meetings are open to the public.
- D. The elections will happen in fall term.
- E. The committee as a whole is responsible for overseeing the elections.
- F. If the chair were to resign, a re-election would be held in the same manner as the original election.
- G. The Programs Coordinator and Elections Coordinator will be notified before the election.

### V. Hiring of Staff

- A. Hired positions
  1. ADFC Executive Appointee
- B. Search Process
  1. All hiring is to be conducted under the guidelines set out by PROG R80.2 (revised 1999) Staff Selections Procedures.
- C. The ASUO President and a selection committee will interview all applicants and select the executive appointee.
- D. The members of the committee and the ASUO President or Vice President will handle Suspension and Termination on a case by case basis.

### VI. Meetings

- A. Frequency
  1. All members of the ADFC are required to attend all the ADFC meetings unless extenuating circumstances arise. The member unable to attend the meeting must notify the chair.
    - a) Any member may miss one meeting per term. Any more shall be unfulfillment of duties.

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## ASUO Green Tape Notebook

### B. Decision Making Process

1. All members of the ADFC are able to vote except for the ASUO Finance Coordinator who will serve on the committee as a non-voting member.

### C. Quorum

1. 3 members of the committee must be present to hold a meeting.

## VII. Grievances

### A. Process for resolving grievances against/between officers, staff, members, etc.

1. All grievances will be referred to the ASUO Programs Coordinator. The grievances will be resolved between the committee, the Programs Coordinator, and the party who filed the grievance.

### B. The Programs Coordinator will interpret the rules and bylaws. If needed, the ASUO President and/or Vice President will also interpret the rules and bylaws.

### C. The ASUO Programs Coordinator will also serve as the mediator during discussions concerning grievances.

## VIII. Amending the By-laws.

### A. Process for amendments

1. In the event that members desire to amend these by-laws, a meeting of all staff members shall convene to discuss the changes desired, announced at least one week prior.

### B. Quorum Requirements.

1. The chair and two-thirds majority of the committee is required to amend these by-laws.
2. Each member must be present to have their vote count.
3. Amendments shall be taken into effect by the time stated in the amendment wording at the time of the voting.

These By-laws last updated on February 6, 2004