

**ASSOCIATED STUDENTS OF COLORADO STATE UNIVERSITY
FORTY-FOURTH SENATE
SIXTEENTH SESSION
January 28th, 2015**

**BILL #4411
CONSTITUTIONAL AMENDMENT: Impeachment Reformation**

SPONSORED BY: Filipp Dedogryuk, Senator, College of Natural Sciences; Spencer Nolan, Senator, College of Liberal Arts; Deanna Olson, Deputy Director of University Affairs; Yunus Ozekin, Senator, CVMBS; Peter James Seel, Senator, College of Engineering; Jason Sydoriak, Senator, College of Liberal Arts; Jessica Teal, Senator, College of Health and Human Sciences

WRITTEN BY: Rioux Jordan, Chief Justice

ENDORSED BY:

WHEREAS

Events in the preceding year have revealed inadequacies in the current impeachment process; and,

WHEREAS

Having a clearly set forward path for impeachments and removals is necessary to reduce confusion and ensure due process is successfully carried out; and,

WHEREAS

Creating a system that can be changed to accommodate future ideas without requiring a full change to the constitution will allow the system to be more easily adapted to current situations without wholesale rewriting; and,

WHEREAS

Formally allowing each branch to create procedures for removal of its own officers will improve self-governance; and,

WHEREAS

Clarifying the possible outcomes for internal complaints will further reduce their stigma and allow minor offenses to be addressed more easily.

THEREFORE BE IT HEREBY ENACTED

That Article VI of the Constitution of the Associated Students of Colorado State University be amended to read as follows:

“Article VI: Impeachments

Section 600: In the event that there are grounds for impeachment of any ASCSU Official, a petition containing the signatures of not less than 1% of all members of ASCSU, 10% of all Officials of ASCSU, 20% of all Senators, or by the President plus 10% of Senators shall be presented to the Speaker of the Senate. If the impeachment is against the Vice President, the petition is to be presented to the Speaker Pro Tempore or the Parliamentarian. Additionally, impeachment of Senators may also be initiated by a recommendation of the College Council; impeachment may also be initiated against any member of the Supreme Court by recommendation of the Chief Justice; impeachment may also be initiated against the Chief Justice by a petition containing the

signatures of at least three (3) Justices; impeachment may also be initiated against any member of the Board for Student Organization Funding by a petition containing the signatures of the Director of Finance and any two (2) Senators; or impeachment may also be initiated against any member of the Student Fee Review Board by a petition containing the signatures of the President and 10% of the Senators, or of 1% of all members of ASCSU. Upon fulfillment of any one of the above conditions, impeachment proceedings shall begin within one week as outlined in the ASCSU Impeachment Procedures.

Section 601: Grounds for impeachment include negligence in the form of not fulfilling duties specified in the Official's job description or in this Constitution, or by violation of aspects of any ASCSU ethics code currently in effect. Ethics violations require a previously filed and acted upon internal complaint to be considered valid grounds for impeachment.

Section 602: At the conclusion of the ASCSU Impeachment Procedures, Senate shall make the final vote whether or not to remove the Official from office. It requires a two-thirds vote of the Senate to remove said Official from office. An Official removed in such a manner may not hold any ASCSU Office for a period of at least one year following such a removal unless it is overturned on an appeal (see section 603). Should said Official resign within two weeks of receiving the act of impeachment, they may not hold ASCSU office for a period of one semester. If the resignation is after two weeks, the official is subject to the same penalties as impeachment.

Section 603: An Official not originating in the Judicial Branch removed from office in the above described manner shall have the right to appeal the decision to the Supreme Court on procedural errors and not on substantive grounds. This appeal must be filed within one (1) month following the removal from Office. Removed Officials originating in the Judicial Branch shall have similar appeal rights to a jury of six members of ASCSU to be randomly chosen by the ASCSU faculty advisor and to be presided over by the President, the Speaker of the Senate, and one member of the Judicial branch who shall serve as *ex officio* members.

Section 604: The individual branches of ASCSU may specify additional procedures to remove officials of those branches within their bylaws.”

THEREFORE BE IT HEREBY FURTHER ENACTED

That Article VIII, Section 803 of the Constitution of the Associated Students of Colorado State University be amended to read as follows:

“Section 803: The Board for Student Organization Funding shall be comprised of the following: The Executive Director of Finance, who shall serve as the Chair, appointed by the President of ASCSU; one Executive representative, appointed by the President from within Cabinet; five ASCSU members drawn from the ranks of Senators, Associate Senators, and Senate officers; and four members who shall not hold other positions in ASCSU (at-large members), appointed by the Executive Director of Finance with Senate approval. Upon a vacancy in membership of a Senate member the Senate shall appoint a new member. Upon a vacancy in the membership of an Executive or at-large member the Chair shall appoint a new member. Senate shall have the ability to call for impeachment of any Board for Student Organization Funding member following the procedures set forth in Section ~~603~~ 600.”

THEREFORE BE IT HEREBY FURTHER ENACTED

That ASCSU shall adopt the attached ASCSU Impeachment Procedures as the Impeachment Procedures specified in the above amended Article VI and place it with the appropriate governing documents.

THEREFORE BE IT HEREBY FURTHER ENACTED

That ASCSU shall adopt the attached ASCSU Code of Ethics and Internal Discipline Process as an Ethics Code specified in the above amended Article VI and place it with the appropriate governing documents.

THEREFORE BE IT HEREBY FURTHER ENACTED

That a copy of this legislation and these job descriptions be forwarded to Sam Guinn, ASCSU President; Lance Li Puma, ASCSU Vice President; Hugo Pasillas, Chief of Staff; Lauren Wester, Deputy Chief of Staff; Brandon Earle, Speaker Pro Tempore; Phoenix Dugger, Parliamentarian; Peter James Seel, Internal Committee Chair; Andrei Gurau, Elections Manager; Clayton King, Senator, College of Liberal Arts; and Rocky Mountain Student Media.

PASSAGE

DATE

PRESIDENT SAM GUINN

DATE