



**THE ASSOCIATED STUDENTS OF COLORADO STATE
UNIVERSITY**

**ASSOCIATED STUDENTS OF COLORADO STATE UNIVERSITY
FIFTY-SECOND SENATE
SESSION - 13th Session
DATE - November 09, 2022**

**LEX #5202
VOTE OF CONFIDENCE CLARIFICATION**

NOTICE: A signature to sponsor means that you only wish for the legislation to be heard, a signature to endorse means that you support the contents and/or actions of this legislation.

WRITTEN BY: Sammy Trout, Chair, University Affairs Committee; Senator, College of Liberal Arts; Ariadne Athey, Chair, Internal Affairs Committee, Senator, Student Disability Center.

COLLABORATED WITH:

SPONSORED BY: Evan Welch, Director, Governmental Affairs.

ENDORSED BY: Rory Low, Senator, Student Disability Center; Elijah Sandoval, ASCSU, Vice President; Jasen Wahler-Hohenzollern, ASCSU, Secretary of State; Charlie Williamson, Director, Diversity and Inclusion; Alex Silverhart, Director, Health and Wellness.

Abstract: A Lex dedicated to clarifying the process of the vote of confidence for the Speaker of the Senate candidates to prevent future confusion.

WHEREAS

The Associated Students of Colorado State University's Constitution is an ever-evolving document requiring subsequent edits when issues arise to ensure clarity for the future; and,

WHEREAS

At the end of the 51st Senate, one of these issues was found in the process of the Vote of Confidence for the elections of the Speaker of the Senate. One member initially failed their vote of confidence, but after multiple issues were found, that vote was overturned; and,

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WHEREAS

The current explanation of the Vote of Confidence for any Speaker Candidate is a single point:
“All candidates for Speaker of the Senate must be presented by the elections manager at the Senate session during the first week of campaigning, in chamber, to the Senate and receive individual vote of confidence for their candidacy by a one-third (1/3) vote.”; and,

WHEREAS

This clause lacks clarity, and therefore does not explain the importance or the impact of the Speaker’s Vote of Confidence and therefore is unable to ensure an accurate and qualified list of candidates for Speaker of the Senate to the ASCSU elections; and,

WHEREAS

The Speaker’s Vote of Confidence was created to ensure that a competent student should hold the role of the Speaker of the Senate. This is the only position requiring this because to run a Senate effectively, one must have an intimate knowledge of the procedure and rules laid out by both the rules of order and the governing documents. This knowledge is most often only acquired through years of first-hand experience and is difficult to replicate without extreme due diligence on the incoming Speaker’s part; and,

WHEREAS

Without such clarity, candidates that are unqualified, incompetent, and all around gravely lacking can – and will – be elected to the position of the Speaker of the Senate which, even with a highly qualified support team, will prevent the Senate and ASCSU from making good, and impactful change around Colorado State University and its communities, further crumbling the organization to one that isn’t respected or trusted; so,

THEREFORE, BE IT HEREBY ENACTED

That a new subsection, subsection VIII be added to Section 802 Candidates that states:

“VIII. All Candidates for Speaker of the Senate must be presented by the Elections Manager for the Vote of Confidence to the Senate in an official and regularly scheduled Senate Session up to three weeks before the start of campaigning. All write in candidates must receive the Vote of Confidence by the next regularly scheduled Senate Session, even if that session is after the voting period closes.

A. A vote of confidence shall be passed if each individual candidate receives, at a minimum, a one-third (1/3) vote.

I. Abstentions shall not be counted in the vote of confidence and the candidates shall not vote, even for other candidates, even if they otherwise are a voting member.

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B. The Vote of Confidence for the Speaker of the Senate is a separate vote of each individual candidate that the Senate has confidence in their ability to run the Senate. Failing the Vote of Confidence indicates that the Senate does not believe in the candidate's ability to run the Senate. In the elections, the student body shall be the sole determinant of which candidate becomes Speaker of the Senate.

C. The Speaker's vote of confidence is to determine the Senate's confidence in the Speaker's ability to run the Senate effectively.

I. Each candidate for the Speaker of the Senate shall have an equal presentation time delineated by the Senate Bylaws followed by the typical "Question and Answer" period and a "Discussion and Debate" period.

II. During the "Discussion and Debate" period, all discussion shall be relevant to the discussions of the individual candidate's presentation and "Question and Answer" times. This shall include discussions of the candidate's relevant competencies such as effectiveness, knowledge, impartiality, or ability to be so, knowledge or intent to gain knowledge, relevant experience, previously demonstrated ability to follow the governing documents including but not limited to the use of Ad Hominem attacks, or responsibilities related to the position of the Speaker of the Senate.

- a. This cannot include things such as voting history, political affiliation, and all around the individual's personal voting choices in the official election ballots.
- b. Ad Hominem attacks can only be discussed if the candidate's speaking rights have ever been revoked due to Ad Hominem attacks.

D. Should a candidate fail the Vote of Confidence, they shall be ineligible to be on the ballot or to win the election for the Speaker of the Senate. They can, however, win any other ticket should they choose to run and fairly win after the scheduled vote has been put to the entire Colorado State University student body.

E. Only the Supreme Court shall have the ability to overturn the Vote of Confidence through their rules of appeal in the Supreme Court Bylaws.

F. All votes for the Speaker's Vote of Confidence shall be held through a secret ballot vote. All hard copies of the ballots, including a written account of the virtual votes, shall be kept anonymously for the duration of the elections period and for one (1) month following the closing of the voting period, and permanently in a virtual format in the ASCSU archive; and;

THEREFORE, BE IT HEREBY FURTHER ENACTED

That subsection V (A and B) of Section 802 Candidates be removed for redundancy from the ASCSU Constitution and all formatting will be edited to ensure congruency with the current ASCSU constitution: and,

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THEREFORE, BE IT HEREBY FURTHER ENACTED


That the current change to the Vote of Confidence be applied to the 2022-2023 school year's election period; and,

THAT THIS LEGISLATION SHALL BE FORWARDED TO

Rick Miranda, Interim President of Colorado State University; Tony Frank, Chancellor of the Colostate System; Marcus Zacharias, ASCSU Chief Justice; The incoming ASCSU Elections Manager; Blanche Hughes, Vice President of Student Affairs.

PASSAGE

November 09, 2022
DATE



PRESIDENT ROBERT LONG

11/30/2022
DATE

RESOURCES

Use this section to place any relevant citations and/or resources used in the producing of this legislation.