

University of Montana

## ScholarWorks at University of Montana

---

Senate Resolutions, 2007-Present

ASUM Student Government

---

Winter 1-29-2020

### SB51-19/20: Resolution Amending Referendum Language for Article 4 of the ASUM Constitution

Cierra Anderson

Ethan Hanley

Follow this and additional works at: [https://scholarworks.umt.edu/asum\\_resolutions](https://scholarworks.umt.edu/asum_resolutions)

**Let us know how access to this document benefits you.**

---

#### Recommended Citation

Anderson, Cierra and Hanley, Ethan, "SB51-19/20: Resolution Amending Referendum Language for Article 4 of the ASUM Constitution" (2020). *Senate Resolutions, 2007-Present*. 794.

[https://scholarworks.umt.edu/asum\\_resolutions/794](https://scholarworks.umt.edu/asum_resolutions/794)

This Institutional Document is brought to you for free and open access by the ASUM Student Government at ScholarWorks at University of Montana. It has been accepted for inclusion in Senate Resolutions, 2007-Present by an authorized administrator of ScholarWorks at University of Montana. For more information, please contact [scholarworks@mso.umt.edu](mailto:scholarworks@mso.umt.edu).

1                           **The Associated Students of the University of Montana**  
2                   **Resolution Amending Referendum Language for Article 4 of the ASUM Constitution**  
3   **January 8<sup>th</sup>, 2020**  
4   **SB51 - 19/20**

5           **Authored by: Cierra Anderson, ASUM Senator; Ethan Hanley, ASUM Vice President;**  
6   **Sponsored by:**

7  
8   Whereas, During the summer of 2019, the University of Montana (UM) completely revised the  
9   Student Conduct Code;

10  
11   Whereas, A portion of the revisions included ASUM maintaining their autonomy when  
12   adjudicating Student Group conduct issues;

13  
14   Whereas, The ASUM Board on Member Organizations and the Senate will adjudicate violations  
15   of the Student Conduct Code by ASUM recognized Student Groups;

16  
17   Whereas, In order to properly carry these duties out, ASUM must go into a closed session to  
18   provide privacy protections that are typical for conduct investigations at a higher education  
19   institution;

20  
21   Whereas, To better protect Student Groups privacy as well as their members' privacy, future  
22   ASUM Senators will be required to sign a confidentiality agreement before taking office;

23  
24   Whereas, This new requirement will necessitate a lower threshold for impeachment and removal  
25   due to the severity of violating the confidentiality agreement;

26  
27   Whereas, During the December 4<sup>th</sup>, 2019 senate meeting, ASUM approved referendum language  
28   for Article 4 of the Constitution without this change in place;

29  
30   Therefore, Let It Be Resolved, That the referendum for Article 4 of the ASUM Constitution be  
31   amended to read:

32   "Article 4 of the ASUM Constitution is in need of general revision to reflect the functions of  
33   ASUM as a governing body. The Constitution currently reads:

34  
35           *Article 4: ASUM Senate*

36           ● *Section 1 . The ASUM Senate shall be composed of*

37                   ○ *( a ) the voting members*

38                                   ○ *( 1 ) twenty-six (26) student representatives as provided for in Article 7*  
39                                   ○ *of this Constitution ( 2 ) the Executives of ASUM*

40                   ○ *( b ) the non-voting members*

41                                   ○ *( 1 ) two faculty advisors appointed annually by the ASUM Senate*  
42                                   ○ *( 2 ) other ex-officio positions as needed, requiring a two-thirds (2/3)*  
43                                   ○ *vote by the ASUM Senate for approval. These newly created positions*  
44                                   ○ *shall expire upon the inauguration of new officers.*

45           ● *Section 2 . Any ASUM Senator who is incapacitated, removed from office, or unable to*  
46                   ○ *perform his/her duties on a permanent basis shall be replaced by a presidential*

47 *appointment subject to a two-thirds (2/3) vote of the ASUM Senate. Any ASUM Senator*  
48 *may be removed from office for breaching his/her duties as stated in this Constitution or*  
49 *in the Bylaws. The removal proceedings shall be conducted by the ASUM Senate. A two*  
50 *thirds (2/3) vote of the ASUM Senate and a majority vote (50% plus one) of 12% of the*  
51 *ASUM membership is required for removal. A Senator may also be removed by a two-*  
52 *thirds (2/3) vote of the ASUM Senate only upon unexcused absence from three or more*  
53 *regular meetings per quarter/semester.*

54 • *Section 3 . The duties of the ASUM Senate shall include:*

55 ○ *( a ) The Fiscal Policy recommendation shall be submitted by the Business*  
56 *Manager to ASUM Senate for its approval.*

57 ○ *( b ) The final budget recommendation shall be submitted by the President to*  
58 *ASUM Senate for its approval.*

59 ○ *( c ) All presidential recommendations for appointments shall be subject to*  
60 *ASUM Senate approval.*

61 ○ *( d ) The ASUM Senate may enact Bylaws upon a two-thirds (2/3) vote.*

62 ○ *( e ) The ASUM Senate shall have the right to dissolve any member group as an*  
63 *ASUM entity if that group has breached its responsibilities as defined in Article 6*  
64 *of this Constitution.*

65 ○ *( f ) The ASUM Senate shall approve all ASUM policies and shall be*  
66 *responsible for developing Bylaws in accordance with this Constitution.*

67 ○ *( g ) The ASUM Senate must have at least a two-thirds (2/3) majority vote in*  
68 *order to support the increase of any University of Montana or ASUM fee.*

69 • *Section 4 . All recommendations or decisions of any ASUM Committee shall be subject*  
70 *to the approval of the ASUM Senate unless otherwise precluded in this Constitution.*

71 • *Section 5 . ASUM Senate may call a special meeting upon a two-thirds (2/3) petitioning*  
72 *of the Senators. In such a case, the Vice President is obligated to call a special meeting.*

73 • *Section 6 . The ASUM Senate may enter executive session upon recommendation of the*  
74 *ASUM President, Vice President, Business Manager or Senators.*

75 • *Section 7 . Meetings shall be conducted in accordance with Robert's Rules of Order.*

76  
77 ASUM is proposing the following changes be made to Article 4. The changes will be reflected in  
78 bold:

79  
80 *Article 4: ASUM Senate*

81 *Section 1. The ASUM Senate shall be composed of:*

82 *1. The voting members:*

83 *a. A proportional number of Senators per students at the*  
84 *University of Montana. Every five hundred (500) students,*  
85 *considered to be a constituency, shall be represented by one (1)*  
86 *Senator, as provided for in Article 7 of this Constitution.*

87 *i. In the event that a constituency is less than 500 students,*  
88 *a Senator will still be allotted.*

89 *b. The number of Senators shall never be lower than twenty (20),*  
90 *even if this means the number of Senators is disproportionate to*  
91 *the number of students at the University of Montana.*

92 *c. The Executive Officers of ASUM.*

93 2. *The non-voting members:*

94 a. *At least one but no more than two faculty advisors appointed*

95 *annually by the ASUM Senate.*

96 b. *Other ex-officio positions as needed, requiring a two-thirds*

97 *(2/3) vote by the ASUM Senate for approval. These newly created*

98 *positions shall expire upon the inauguration of new officers.*

99 *Section 2. Any ASUM Senator who is incapacitated, removed from office, or*

100 *unable to perform their duties on a permanent basis shall be replaced by a*

101 *presidential appointment subject to a two-thirds (2/3) vote of the ASUM Senate.*

102 *Any ASUM Senator may be removed from office for breaching their duties as*

103 *stated in the ASUM Bylaws. The removal proceedings shall be conducted by the*

104 *ASUM Senate. A two thirds (2/3) vote of the ASUM Senate and a majority vote*

105 *(50% plus one) of 12% of the ASUM membership is required for removal. A*

106 *Senator may also be removed by a two-thirds (2/3) vote of the ASUM Senate only*

107 *upon unexcused absence from three or more regular meetings per*

108 *quarter/semester. A Senator may also be removed by a majority vote (50% plus*

109 *1) of the ASUM Senate only upon violating the confidentiality agreement.*

110 *Section 3. The duties of the ASUM Senate shall include:*

111 *1. The final budget recommendation shall be submitted by the President to*

112 *ASUM Senate for its approval.*

113 *2. All presidential recommendations for appointments shall be submitted*

114 *to the ASUM Senate for its approval.*

115 *3. The ASUM Senate may enact Bylaws upon a two-thirds (2/3) vote.*

116 *4. The ASUM Senate shall have the right to dissolve any member group as*

117 *an ASUM entity upon breaching its responsibilities as defined in Article 6*

118 *of this Constitution.*

119 *5. The ASUM Senate shall approve all ASUM policies and shall be*

120 *responsible for developing Bylaws in accordance with this Constitution.*

121 *6. The ASUM Senate must have at least a two-thirds (2/3) majority vote in*

122 *order to support the increase of any University of Montana or ASUM fee.*

123 *Section 4. All recommendations or decisions of any ASUM Committee shall be*

124 *subject to the approval of the ASUM Senate unless otherwise precluded in this*

125 *Constitution.*

126 *Section 5. The ASUM Senate may call a special meeting upon a two-thirds (2/3)*

127 *petitioning of the Senators. In such a case, the Vice President is obligated to call*

128 *a special meeting.*

129 *Section 6. The ASUM Senate may enter executive session upon recommendation*

130 *of the ASUM President, Vice President, Business Manager or Senators.*

131 *Section 7. ASUM Senate meetings shall be conducted in accordance with Robert's*

132 *Rules of Order.*

133

134

135 Passed by Committee: \_\_\_\_\_, 2020

136

137 Passed by ASUM Senate: January 29 \_\_\_\_\_, 2020

138

139

140

141 \_\_\_\_\_  
142 Noah Durnell,  
143 Chair of the Relations and Affairs Committee

\_\_\_\_\_  
Ethan Hanley,  
Chair of the Senate

143

144

145

146 \_\_\_\_\_  
147 Zoe Nelson,  
148 Chair of the Constitution Revision Ad Hoc Committee

148

149

150 Resolution approved unanimously.