
ASUH CONSTITUTION

FALL 2000

PREAMBLE

We, the undergraduate students of the University of Hawai'i at Mānoa, by the authority of the Board of Regent, in order to:

- (1) create a body responsive to the needs and desires of its constituents;
- (2) provide for administrative continuity; and
- (3) develop a responsible as well as critical awareness of prevalent attitudes and actions through participation in co-curricular activities,

do hereby ordain and establish this Constitution for the Associated Students of the University of Hawai'i at Mānoa.

ARTICLE I NAME

The name of this association shall be "Associated Students of the University of Hawai'i at Mānoa." The official abbreviation of the name shall be "ASUH."

ARTICLE II MEMBERSHIP

SECTION A. REGULAR MEMBERSHIP

1. Every regular full-time classified undergraduate of the University of Hawai'i at Mānoa shall become a

member of the ASUH upon payment of the ASUH fee.

2. Membership shall be renewable each semester.
3. Membership shall automatically cease upon termination of enrollment at the University of Hawai'i at Mānoa.

SECTION B. HONORARY MEMBERSHIP

1. All former presidents of the ASUH shall be honorary members.
2. Persons may be elected honorary members in any plebiscite of the ASUH called by the Senate for that purpose, provided at least two-thirds (2/3) of those voting approve and provided ten percent (10%) of the ASUH members cast their votes.
3. Such membership shall be lifelong.

SECTION C. ASSOCIATE MEMBERSHIP

1. All students paying the ASUH fees who are not regular members of the ASUH at the University of Hawai'i at Mānoa will be associate members of the ASUH.

ARTICLE III EXECUTIVE OFFICERS

SECTION A. ORGANIZATION

1. The Executive Officers of the ASUH shall be President, Vice-President, Secretary, and Treasurer who shall be full-time classified

students maintaining a minimum cumulative grade point average of 2.0 during their term of office.

SECTION B. QUALIFICATIONS

1. Only full-time classified undergraduate students who are regular ASUH members shall be eligible for nomination to the offices of President, Vice-President, and Secretary.
2. Only full-time classified undergraduate students who are regular ASUH members and who have satisfactorily completed at least two semesters of accounting courses or their equivalent shall be eligible for nomination to the office of Treasurer.
3. Each nominee shall have a minimum cumulative grade point average of 2.0 at the time of nomination.

SECTION C. PRESIDENT

1. The President shall be chief executive officer of the ASUH.
2. The President shall preside over all bodies and meetings of which he/she is president or chairperson.
3. The President shall vote in the Senate only in case of a tie.
4. The President shall make and may revoke all appointments with the approval of the Senate, unless otherwise provided for in the Constitution and By-Laws.
5. The President may appoint executive assistants with the approval of the Senate.
6. The President shall represent ASUH in all official dealings with the University administration, the faculty, and other organizations, firms, and persons, unless otherwise provided for in the Constitution and

By-Laws, or by specific Senate appointment.

7. The President shall be responsible for the general welfare of the ASUH and for the enforcement of the Constitution and By-Laws.

SECTION D. VICE-PRESIDENT

1. The Vice-President shall assist the President in the Presidential duties.
2. In case of vacancy in the office of President, and whenever the President is absent or incapacitated, the Presidential powers and duties shall be exercised by the Vice-President for the duration of such vacancy, absence, or incapacity.
3. The Vice-President shall be in charge of coordinating the activities of all ASUH standing committees and shall act as liaison between the Senate and the standing committees unless otherwise provided for by specific Senate appointment.

SECTION E. SECRETARY

1. The Secretary shall maintain accurate and complete files of the minutes of all meetings of the Senate and all committees thereof.
2. The Secretary shall keep safely and open to the inspection of all ASUH members, all records and documents of the ASUH and of its officers, agents, and the Senate.
3. The Secretary shall perform such other duties as may be assigned by the President or the Senate.

SECTION F. TREASURER

1. The Treasurer shall be a member of the Finance Committee of the Senate.
2. The Treasurer shall have custody of any cash funds which may be

established and designated by the Senate.

3. The Treasurer shall perform such other duties as may be assigned by the President or the Senate.
4. The Treasurer shall submit to the Senate and the student publication, the semester financial reports which will be open to inspection by any ASUH member.

ARTICLE IV ASUH SENATE

SECTION A. MEMBERSHIP

1. Executive Officers
 - a. ASUH President, presiding officer
 - b. ASUH Vice-President
 - c. ASUH Secretary
 - d. ASUH Treasurer
2. College Senators
 - a. They shall represent the existing academic colleges.
 - b. The ASUH College Senators shall be elected by and from each college according to an apportionment system based upon the number of regular ASUH members within each college. The apportionment shall be determined every three (3) years by the ASUH President and approved by the ASUH Senate at least thirty (30) school days before the election. The total number of College Senators shall not exceed thirty (30) members. There shall be at least one (1) representative from each college.
 - c. The ASUH College Senators shall maintain a 2.0 cumulative grade point average and full-time status throughout their term of office.
3. At-Large Senators
 - a. They shall represent the ASUH student body.
 - b. The ASUH At-Large Senators shall be elected by and from the regular ASUH membership. The total number of At-

Large Senators shall not exceed four (4) members.

- c. The ASUH At-Large Senators shall maintain a 2.0 cumulative grade point average and full-time status throughout their term of office
4. ASUH Faculty Advisor, non voting.

SECTION B. POWERS AND DUTIES

1. The powers and duties of the Senate shall be:
 - a. To be directly responsible for the general welfare of the ASUH and for enforcement of the Constitution and the By-Laws, and to promote participation by the students in campus affairs.
 - b. To be the administrative and legislative body of the ASUH.
 - c. To transact all business for the ASUH.
 - d. To have complete authority over all ASUH funds, property, and other assets.
 - e. To determine and fix ASUH fees, subject to authorization by the Board of Regents.
 - f. To adopt an annual budget of income and expenditures.
 - g. To make all necessary appropriations from ASUH funds.
 - h. To levy special assessments with the approval of the ASUH, subject to authorization by the Board of Regents.
 - i. To conduct all ASUH elections, including plebiscites, and to ratify the results thereof.
 - j. To give recognition for outstanding services to the University community.
 - k. To make nominations for ASUH officers and senators, and for positions which by the decision of the University and its officers are to be held by undergraduate students.
 - l. To establish and conduct relations with the organized students of other colleges and universities.

- m. To approve or reject all appointments made by the President of the ASUH.
- n. To make all laws and establish standing committees necessary and proper for the conduct of student government, consistent with the Constitution and By-Laws. The decisions of the Senate shall be binding upon the ASUH.
- o. To exercise the powers of any organ of the ASUH which is unable to perform its duties, until such time as that organ shall be able to function. In such cases, the Senate shall exhaust every means to remedy that situation before assuming the powers.

SECTION C. TERMS OF OFFICE

1. The terms of office of the elected members of the Senate shall be for a period of one year and when a majority of the Senate has been elected, but not sooner than May 1. They shall expire when the next regularly elected Senate takes office, or when members are recalled as provided for in Article XI.

ARTICLE V STUDENT COURT

SECTION A. MEMBERSHIP

1. The composition of the Court shall be:
 - a. Seven regular ASUH members.
 - b. Two non-voting faculty advisors, of which one must be present during meetings of the Court.
2. Student members shall be appointed by the President of the ASUH with the approval of the Senate.
3. No member of the Court may concurrently hold any other elective office provided for in the ASUH Constitution or By-Laws.
4. Members of the Court shall maintain a minimum grade point average of 2.0.

5. Two faculty advisors shall be appointed by the President of the University of Hawai'i at Mānoa subject to Senate approval.

SECTION B. POWERS AND DUTIES

1. The Court shall have final jurisdiction in all matters pertaining to the ASUH Constitution and By-Laws and in all cases resulting from ASUH Senate legislation.
2. The Court shall prescribe its own rules and procedures.
3. Before the Court accepts jurisdiction, the Court shall consider whether other channels of remedy have been exhausted.
4. The Court shall maintain an accurate and complete record of all its proceedings and an adequate appropriation shall be made by the Senate.

SECTION C. TERM OF OFFICE

1. Term of office shall be for the duration of the student's full-time undergraduate status at the University of Hawai'i at Mānoa.
2. Appointments shall be made for positions which may become vacant.
3. The term of office of the court members shall begin on the last Friday in April.

SECTION D. REMOVAL

1. Removal of court members may be instituted only by a majority of the eligible voting members of the ASUH Senate and effected only by a three-fourth (3/4) vote of the eligible voting members of the Senate.
2. Removal shall be only for gross misconduct.

ARTICLE VI APPOINTIVE OFFICERS

SECTION A. OFFICE MANAGER

1. There shall be an Office Manager of the ASUH Office whose duties and responsibilities shall be prescribed by the ASUH Senate.
2. The Office Manager shall be appointed by the Senate upon recommendation by the Executive Committee.
3. The Office Manager's salary and conditions of employment shall be determined by the Senate.

SECTION B. FACULTY ADVISORS OF THE ASUH

1. Faculty advisors shall be appointed by the President of the University of Hawai'i at Mānoa or his/her designee after consultation with the executive officers of the ASUH Senate, subject to Senate approval.
2. They shall serve in an advisory capacity.
3. They shall not have the power to vote.

ARTICLE VII INCOMPATIBLE OFFICERS

1. No executive officer of the ASUH may hold more than one (1) elective or appointed executive office of a Board of Regents chartered organization at any given time.
2. No member of the ASUH shall hold more than one (1) elective or appointed executive office in the Senate.

ARTICLE VIII ELECTIONS AND VACANCIES

SECTION A. NOMINATIONS

1. Nominations for ASUH Executive Officers and At-Large Senators shall be made by petition on which the signatures, printed names, colleges, and U.H. identification numbers of at least twenty-five (25) regular ASUH members shall be listed or by nomination on the floor of the Senate.
2. Nominations of ASUH College Senators shall be made by petition on which the

signatures, printed names, colleges, and U.H. identification numbers of at least twenty-five (25) regular members of their respective colleges shall be listed or by nomination on the floor of the Senate.

3. The list of nominees shall be published in the Ka Leo O Hawai'i or posted on a bulletin board or in some other conspicuous place not less than ten (10) school days before the election.

SECTION B. ELECTIONS

1. There shall be an Election Committee consisting of regular members of the ASUH who shall be appointed by the President of the ASUH with the approval of the Senate. The President shall designate one of the appointed members as Chairperson of the Committee.
2. This Committee shall conduct all ASUH elections and plebiscites and shall submit the returns to the Senate, which body shall officially announce and ratify the results thereof.
3. The Senate shall annually adopt and proclaim rules governing the conduct of the elections at least thirty (30) days prior to the elections.
4. All ASUH elections shall be held by the plurality vote method. The rules governing this method shall be made easily available to the students.
5. The records of all elections shall be filed with the Secretary of the ASUH Senate.

SECTION C. ASUH OFFICERS

The election for the President, Vice-President, Secretary, Treasurer, and Senators of the ASUH shall take place on or about the first Friday in April and before the fifteenth of April.

SECTION D. SENATE

1. Nominees for the At-Large seats shall be full-time classified regular members of the ASUH.

2. Nominees for the College Senate seats shall be full-time classified regular ASUH members of the college represented in the ensuing semester.
3. At the time of nomination, nominees for At-Large and College Senate seats shall have a minimum cumulative grade point average of 2.0.
4. The candidate running for the Senate who receive the highest number of votes, shall be declared elected by the Senate, provided a new election is not necessary.
5. Remaining candidates from each At-Large or College seat shall be named first alternate, second alternate, third alternate, etc., according to their standing in the election results. The first alternate shall automatically fill the first vacancy that occurs among the representatives of the college in the Senate, the second alternate shall fill the second such vacancy, and so on until the list is exhausted, after which a new election shall be held to fill any vacancies.
6. Should a vacancy occur after January 1 of the Senate term, the Senate shall call for a special election unless deemed otherwise by a two-thirds (2/3)-senate vote.

SECTION E. BALLOTING

1. Only regular members of the ASUH shall be allowed to vote in ASUH elections.
2. In elections for ASUH executives and At-Large Senators, all regular members of the ASUH may cast votes.
3. In elections for ASUH College Senators, only regular members of that respective college may cast votes.
4. Voting shall be by secret ballot.

SECTION F. VACANCIES

1. Special elections to fill vacancies in ASUH office shall be held within thirty (30) school days after the vacancy is declared, and in the manner prescribed for elections.

ARTICLE IX

FINANCES

SECTION A. FEES AND OTHER REVENUE

1. ASUH fees for each school year or a portion thereof shall be determined and fixed by the ASUH Senate, subject to authorization by the Board of Regents.
2. Special assessments may be made by two-thirds (2/3) vote in any ASUH plebiscite held for such purposes, provided ten percent (10%) or more of the regular ASUH membership cast ballots, and provided proper notice of such a plebiscite is given via any media, such as by publication in Ka Leo O Hawai'i or by posting on a bulletin board or in some other conspicuous place at least ten (10) school days before the date of the Plebiscite, subject to authorization by the Board of Regents.
3. Other revenues shall be all incomes derived from any activity carried on by the ASUH or its agents, and from gifts, grants, endowments, and the like.

SECTION B. CONTROL OF FINANCES

The power to authorize the expenditure of ASUH funds shall be invested solely in the ASUH Senate.

SECTION C. FINANCE COMMITTEE

1. The Committee shall:
 - a. Prepare the annual ASUH Budget and submit it to the ASUH Senate for adoption before the end of the Spring semester.
 - b. Recommend to the ASUH Senate the amount of ASUH fees.
 - c. Establish ASUH Financial Policies and Procedures on proper authorization from the ASUH Senate.
 - d. Consider all money bills and carry out any other duties as prescribed by the ASUH Senate.
2. The Committee shall consist of a minimum of five (5) ASUH Senators.

SECTION D. DISBURSEMENTS

1. All disbursements shall be made through the Fiscal Officer of the Bureau of Student Activities after proper authorization by the ASUH Senate, and all purchasing must be done in accordance with the procedures of the University.
2. The ASUH Senate shall be the final judge in any dispute that may arise.
3. Purchase of small cost items shall be made upon the presentation of a requisition signed by the Treasurer and appropriate requisitioner.

SECTION E. REPORTS

1. Business Managers (or the Equivalents) of ASUH units receiving funds from the ASUH shall file semestrial and annual reports for their units with the ASUH Senate.
2. All organizations receiving funds shall file a detailed itemized report within sixty (60) days after final payment has been made.
3. All deadlines for reports shall be written in the respective bills.

SECTION F. ALLOWANCES AND SUBSIDIARY UNITS

The ASUH Senate shall decide upon the positions within the ASUH shall receive allowances, and shall determine and fix the sum for such allowances, and which shall be used to cover expenses incurred in official ASUH business.

SECTION G. AUDIT

1. The ASUH Senate shall require an annual audit.
2. The ASUH Senate may require an annual audit of the accounts of any organization receiving funds from the ASUH. Such audit shall be at the expense of the organization.

ARTICLE X MEETINGS AND QUORUM

SECTION A. ASUH SENATE

1. Meetings of the Senate shall be held at the discretion of the Executive Committee or upon the written request of at least five (5) voting members of the Senate, or upon the written request, with stated purpose, of twenty-five (25) regular members of the ASUH.
2. A majority of the Senate members shall constitute a quorum.
3. A quorum must be present before a vote to appropriate funds, approve appointments, and pass resolutions may be taken.

SECTION B. RULES OF ORDER

Robert's Rules of Order, Latest Revised Edition shall be the parliamentary authority of the ASUH.

ARTICLE XI INITIATIVE, REFERENDUM, RECALL, REMOVAL, AND PLEBISCITES

SECTION A. INITIATIVE

1. Upon presentation to the ASUH Senate by any regular member of the ASUH of a petition bearing the signatures of five percent (5%) of the regular members of the ASUH, the Senate shall pass such legislation or shall submit the same to vote by secret ballot by the ASUH within five (5) school days from the date of verification of such petition.
2. A majority of all votes cast, provided the total number voting constitutes ten percent (10%) or more of the regular members of the ASUH, shall suffice to pass such acts of legislation.

SECTION B. REFERENDUM

1. Upon presentation to the ASUH Senate by any regular member of the ASUH of a petition bearing the signatures of five percent (5%) of the regular members of the ASUH requesting the repeal of any

legislation, the Senate shall repeal such legislation or submit the same to a vote by secret ballot by the ASUH within five (5) school days from the date of verification of such petition.

2. A majority of all votes cast, provided the total number voting constitutes ten percent (10%) or more of the regular members of the ASUH, shall suffice to repeal such legislation.

SECTION C. RECALL

1. Upon verification to the ASUH Senate of a petition for the recall of any executive officer or senator of the ASUH bearing the signatures of five percent (5%) of the regular ASUH members of the Senator's college and containing a specific statement of the grounds for removal, with no reference to age, sex, face, or color, the Senate shall call for a special election of the ASUH within five (5) school days from the date of verification of the petition for the purpose of balloting thereof.
2. A two-thirds (2/3) vote of all votes cast in favor of recall shall constitute a legal recall, provided five percent (5%) of the total regular ASUH membership votes at the said election.

SECTION D. REMOVAL

1. Removal of a Senator shall be instituted through a written complaint referred to the Executive Committee.
2. Removal of senators may be instituted only be a majority of the eligible voting members of the ASUH Senate and affected only by a three-fourths (3/4) vote of the eligible voting members of the Senate.
3. Removal shall be only for malfeasance, gross misconduct, failure to perform duties or violation of the provisions of the ASUH Constitution.

SECTION E. PLEBISCITE

1. Upon written request of two-fifths (2/5) of the ASUH Senate members, or upon receipt of a petition bearing the signatures of two percent (2%) of the regular members of the ASUH a plebiscite shall be called by the ASUH President to determine the feeling of the student body about any legislation pending before or acted upon by the ASUH Senate.
2. Any plebiscite meeting the above requirements shall be held within fifteen (15) school days after verification of the written request by the President.

SECTION F. PETITION

All petitions shall follow the forms prescribed by the ASUH Senate.

ARTICLE XII AMENDMENT

SECTION A. METHOD

1. This Constitution may be amended by one of the following methods:
 - a. A committee may be appointed by the President of the ASUH with the approval of the ASUH Senate for the amendment of the Constitution. This committee shall report its recommendation to the Senate which shall consider and approve it before presenting it to the regular membership of ASUH for a vote.
 - b. A proposed amendment signed by at least ten percent (10%) of the regular members of the ASUH shall be automatically adopted by the ASUH Senate and shall be presented to the regular ASUH membership for a vote.
 - c. A proposed amendment signed by at least five percent (5%) of the regular ASUH membership and adopted by the ASUH Senate shall be presented to the regular ASUH membership for a vote.
 - d. In any procedure, the ASUH Senate shall have the right to alter the form or

wording of the proposed amendment, provided its meaning is not changed.

SECTION B. VOTING

1. The President of the ASUH shall call for an ASUH plebiscite within thirty (30) school days after the adoption of the proposed amendment.
2. A complete statement of the proposed amendment together with an explanation of the change its adoption would make in the Constitution shall be published in Ka Leo O Hawaii or posted on a bulletin board or in some other conspicuous place at least ten (10) school days before the vote is taken.
3. Voting shall be by secret ballot.
4. A two-thirds (2/3) vote of all votes cast, provided the total number voting constitutes ten percent (10%) or more of the regular members of the ASUH, shall be sufficient for adoption. The amendment adopted by the required vote and after approval by the Board of Regents shall take effect immediately unless specifically provided for otherwise.

ASUH BY-LAWS

ARTICLE I DEFINITIONS, ELIGIBILITY, PRIVILEGES, AND RIGHTS

SECTION A. DEFINITIONS

1. A “regular” student shall be the one who has been accepted as a degree candidate by one of the established colleges of the University of Hawai‘i at Mānoa.
2. A “full-time undergraduate” shall be one who is taking at least twelve (12) credit hours per semester.
3. An honorary member shall be one who has been designated by the Constitution, Article II, Section B., and who is not a full-time undergraduate student.

SECTION B. ELIGIBILITY

1. Members of the ASUH shall be eligible to participate in activities representing, sponsored by, or receiving financial support from the ASUH.

SECTION C. PRIVILEGES AND RIGHTS

1. Privileges and rights of regular members of the ASUH shall be :
 - a. Participation in any activity of the ASUH.
 - b. Reimbursement of student fees to any member withdrawing within two (2) weeks after registration whereupon the student will receive a one hundred percent (100%) refund.
2. Associate and honorary members shall have the privileges of regular membership except nomination to office and voting in ASUH elections.

ARTICLE II RECOGNITION

The ASUH Senate may give recognition for outstanding achievement and/or services to the University community.

ARTICLE III LEGAL ACTION CLAUSE

Any legislative action approved by the ASUH Senate shall constitute legal action until such time as such action may be amended or rescinded.

ARTICLE IV AMENDMENT

SECTION A. METHOD

1. These By-Laws may be amended by either of the following methods:
 - a. A committee may be appointed by the President of the ASUH with the approval of the ASUH Senate for the amendment of the By-Laws. This

committee shall report its recommendation to the Senate which consider and approve it before presenting it to the ASUH for a vote.

- b. A proposed amendment signed by at least five percent (5%) of the regulars of

SECTION B. VOTING

1. The President of the ASUH shall call for an ASUH plebiscite within fifteen (15) school days after the adoption by the ASUH Senate of the proposed amendment by the By-Laws Committee, or after the submission of the proposed amendment bearing the signatures of five percent (5%) of the regular members of the ASUH.
2. A complete statement of the proposed amendment together with an explanation of the change its adoption would make in the By-Laws shall be

the ASUH shall be submitted to a vote of the ASUH.

- c. In either procedure, the ASUH Senate shall have the right to alter the form or wording of the proposed amendment, provided the meaning is not changed.

published in the Ka Leo O Hawai'i or posted on a bulletin board or in some other conspicuous place at least ten (10) school days before the vote taken.

3. Voting shall be by secret ballot.
4. A two-thirds (2/3) vote of all votes cast, provided the total number of voting constitutes ten percent (10%) or more of the regular members of the ASUH, shall be sufficient for adoption. The amendment adopted by the required vote and after approval by the Board or Regents shall take effect immediately unless specifically provided for otherwise.