

**BYLAWS OF THE  
ASSOCIATED STUDENTS OF HELENA COLLEGE  
UNIVERSITY OF MONTANA**

**ARTICLE 1.**  
**ASHC STUDENT GOVERNMENT**

**Preface:** The principles of these rules are: first, the majority must prevail; second, the rights of the members with a minority opinion must be protected; third, respect for dignity of members must be assured; fourth, logical order of business must be provided.

**SECTION 1. QUALIFICATIONS FOR THE ASHC PRESIDENT, VICE PRESIDENT,  
BUSINESS MANAGER and SECRETARY.**

- A. The officers must, at the time of election and throughout term of office, be fee paying members of ASHC and have a minimum cumulative GPA of 2.50.
  
- B.
  - 1. A candidate running for the position of ASHC President or Vice President must have, at the time of his/her election, accumulated a minimum of eighteen (18) semester hour credits.
  
  - 2. In addition to the requirements contained in section 1. B.1. above, candidates for the office of ASHC President or Vice President must have served in the ASHC Student Senate at least one semester prior to taking office unless there are no applicants meeting this requirement, in which case subsection 3, below will apply.
  
  - 3. In the event there are no applicants who meet the criteria contained in SECTION 1.B.2. by the deadline for applications, the time for application shall be reopened and re-advertised for a period of 10 business days and anyone who otherwise meets the qualifications for an officer may apply.
  
- C. A candidate for the positions of ASHC Business Manager or Secretary, must have at the time of his/her application, accumulated a minimum of twelve (12) semester hour credits.
  
- D. An officer must have been a student of Helena College one (1) semester preceding election of office.
  
- E. Each officer shall receive a stipend as passed by the ASHC Student Senate. Stipends will be in two (2) disbursements: at midterms and conclusion of semesters.
  
- F. The officers must, at the time of election and throughout the term of office, maintain enrollment of three (3) or more Helena College semester hour credits on Summer Session may be an exception.
  
- G. A student holding the position of ASHC President, Vice President, Business Manager and Secretary, may not be one of the following:
  - ASHC Senator
  - Helena College Administrative member
  - Helena College Contract Faculty member
  - Helena College Classified Staff member

- H. Officers may not be a club representative at ASHC meetings.

**SECTION 2. THE POWERS AND RESPONSIBILITIES OF THE ASHC PRESIDENT.**

- A. The President shall act as the official representative of ASHC at all times during his/her term of office.
- B. The President shall be the liaison between the Helena College students and the institution of Helena College.
- C. The President shall have the authority to request and receive reports as necessary from any facet of ASHC operations.
- D. The President shall serve as Chairperson of the Executive Council.
- E. The President, along with the ASHC Business Manager, must sign all requests for the expenditure of funds provided by ASHC.
- F. The President shall, with the advice and consent of the Senate, appoint student membership as required to fulfill campus and ASHC needs.
- G. Although the President is not an officer of the Senate, he/she holds veto powers, including line-item veto, over all Senate passed financial bills and legislation. An explanation to the Senate must accompany any veto. A President may only veto legislation that is passed while he/she is in office.
- H. The President must sign all passed or vetoed legislation. If the President does not wish to sign the legislation, he/she must veto the legislation within two (2) business days. If the President vetoes the legislation or funding bill, it is sent back to the Senate for an override vote under Unfinished Business at the next meeting. The Senate may override the veto by a two-thirds (2/3) vote of senators present at the meeting.
- I. The President shall act as the official ASHC representative in all statewide student organizations.
- J. The President shall uphold and enforce the ASHC Constitution and its Bylaws.
- K. The President shall, a minimum of two (2) weeks before entering office, at a senate meeting, take the following oath of office and administer the following oath to the executive council and senators at the beginning of their term:
  - “I (name), do solemnly swear that I will faithfully and honorably execute the Office of the President of the Associated Students of Helena College, and will, to the best of my ability, preserve, protect, and defend the rights and privileges of the students of Helena College, and will responsibly undertake all duties necessary to improve the quality of education.”

- L. The President may issue proclamations and executive orders so long as said orders do not infringe on the legislative authority of the Senate.
- M. The President will receive a stipend according to the bylaws passed by the ASHC Senate as outlined in Section 1.E.

**SECTION 3. THE DUTIES AND RESPONSIBILITIES OF THE ASHC VICE PRESIDENT.**

- A. The Vice President shall assume the President's duties in his/her absence, if said absence impairs the functioning ability of ASHC, as determined by a consensus vote of the following:
  - ASHC Business Manager
  - ASHC Senators
- B. The Vice President shall develop weekly Senate agendas and call all meetings, regular or special. He/she must notify senators, via email, of Senate meetings two (2) days prior to the meeting.
- C. The Vice President shall preside over the Senate. In his/her absence, the gavel may be passed to an Executive Council member of the Vice-President's choice. If the Vice President does not select an Executive Council member, the decision shall be made by the President.
- D. The Vice President shall act as a coordinator among the Committee Chairs, the Senate, and the Executive Council.
- E. The Vice President shall remove from the Senate, with the majority consent of the Senate, any individual present creating a disturbance which is detrimental to the Senate functionality.
- F. The Vice President shall refer legislation to the proper committee except when a motion is made to change the referral, and the motion is passed by a majority vote of the present Senate.
- G. The Vice President shall call special meetings of the Senate when action items require immediate attention and notice shall be given as soon as possible.
- H. The Vice President shall work with the President on formulating and passing legislation.
- I. The Vice President shall vote in the event of all ties.
- J. The Vice President shall collect all proxy and absentee ballots from senators unable to attend meetings.

- K. The Vice President shall work along with the President, as a representative in all state-wide student organizations.
- L. The Vice President will receive a stipend according to the bylaws passed by the ASHC Senate with approval by the President in accordance with the EC contract.
- M. The Vice President shall fulfill other duties as assigned by the ASHC President.
- N. The Vice President shall act as the Election Administrator and perform all duties required.

**SECTION 4. THE DUTIES AND RESPONSIBILITIES OF THE ASHC BUSINESS MANAGER.**

- A. The ASHC Business Manager shall advise the Executive Council and the Senate on all financial matters concerning ASHC.
- B. The Business Manager shall be selected by the President with recommendation of the senate, and will serve for the upcoming academic year.
- C. The Business Manager, along with the ASHC President, must sign all requests for the expenditure of funds provided by ASHC.
- D. The Business Manager shall provide financial leadership relating to ASHC business and financial matters, and serve as financial advisor to the Executive Council and the Student Senate.
- E. The Business Manager shall be the Chairperson of the Financial Review Committee, voting only in case of a tie.
- F. The Business Manager shall assume other duties and responsibilities as assigned by the Executive Council and/or Senate.
- G. The Business Manager shall assume other duties and responsibilities as assigned by the President.
- H. The Business Manager will receive a stipend according to the bylaws passed by the ASHC Senate with approval by the President in accordance with the EC contract.

**SECTION 5. THE DUTIES AND RESPONSIBILITIES OF THE ASHC SECRETARY.**

- A. The ASHC Secretary shall be responsible for recording and compiling all pertinent data relative to ASHC.
- B. The Secretary shall be selected by the President, with recommendation from senate, and

- will serve for the upcoming academic year.
- C. The Secretary shall be selected from the membership of the ASHC Student Senate.
  - D. It shall be at the discretion of the ASHC President as to whether the Secretary shall attend the Executive Council meetings.
  - E. The Secretary's term of office begins on the day following the conclusion of spring semester of the year in which he/she is selected. The term of office shall end the last day of the next spring semester.
  - F. The Secretary will receive a stipend according to the bylaws passed by the ASHC Senate with approval by the President, and if designated as an officer, in accordance with the EC contract.
  - G. The Secretary shall attend Senate meetings and take minutes. The minutes shall be typed by the Secretary following a standard approved by the Executive Council. The minutes shall be typed, approved by majority of the Executive Officers, and disbursed by the end of the fourth (4th) day after the completion of the Senate meeting.
  - H. The Secretary shall receive compile all Senate committee meeting minutes. Each respective committee chairperson shall send typed minutes within four (4) business days of a committee meeting.
  - I. The Secretary shall compile a monthly report of all actions taken by ASHC by the last Thursday of the month. The report shall be presented to the Executive Council by the first Thursday of the new month. The Executive Council shall, within two (2) weeks of the Secretary's assumption of office, establish a protocol for recordkeeping and document dispersion that the Secretary is to follow.
  - J. The Secretary shall maintain list of active senators and provide list of members to the Dean of Student Affairs.
  - K. The Secretary shall keep a printed record containing, but not limited to, newspaper articles, pictures of events, any said information pertinent to ASHC.
  - L. The Secretary shall fulfill other duties as assigned by the ASHC President.

**SECTION 6. THE DUTIES AND RESPONSIBILITIES OF THE ASHC  
FACULTY/STAFF ADVISOR(S):**

- A. The Advisor(s) to ASHC shall be a full-time employee of Helena College.
- B. The Advisor(s) shall possess advisory responsibility and serve with voice only.
- C. The Advisor(s) shall assist with the planning and coordination of ASHC retreats, meetings, and all other programs offered by ASHC.

- D. The Advisor(s) shall counsel ASHC on institutional policies and procedures while simultaneously relaying the activities and actions of ASHC to Helena College Administration (e.g. Dean, Assistant Deans, Directors).
- E. The Advisor(s) shall be recommended from a pool provided by the Senate for appointment by the Executive Council and will be an appointed position by 2/3 vote of the following: ASHC President, ASHC Vice President, and ASHC Business Manager.
- F. The Advisor(s) shall be removed by 2/3 Senate Vote with appropriate cause.
- G. The Advisor(s) may receive compensation, if deemed appropriate by the senate, within the terms of the budget passed by the ASHC Senate, with approval by the President.

### **SECTION 7. EXECUTIVE BRANCH**

- A. The Executive Branch consists of the Executive Board and Executive Council. Management of the ASHC shall be vested in these groups as determined in the following bylaws.
- B. The Executive Board which consists of:
  - ASHC President
  - ASHC Vice President
  - ASHC Business Manager
  - ASHC Secretary
- C. The ASHC Executive Council shall be composed of the following:
  - ASHC President
  - ASHC Vice President
  - ASHC Business Manager
  - ASHC Secretary
  - ASHC Advisor(s)
- D. All members of the Executive Board shall serve with voice and vote when appropriate as defined in the ASHC Bylaws.
- E. The Executive Board members shall attend all Senate meeting unless absence is directly related to other Executive Council position requirements or excused by the President.

### **SECTION 8. POWERS AND RESPONSIBILITIES OF THE EXECUTIVE COUNCIL.**

- A. The Executive Council may recommend legislation to the ASHC Senate.
- B. The Executive Council shall meet bi-weekly. The President shall determine if there is a need to meet more frequently.
- C. The Executive Council shall establish committees, boards, or bureaus to act on any

matter within the jurisdiction of ASHC that may not be covered by statute or ASHC Senate Bylaws. Such action shall be reported to the Senate at the next Senate meeting.

- D. The Executive Board members shall attend all Senate meetings and retreats unless absence is directly related to other Executive duties or excused by the President.
- E. The Executive Board shall maintain regular hours, to make themselves available to students. Unless otherwise approved by the Executive Board, the minimum hours per week for each officer will be five (5), between 8 a.m. and 9 p.m. Each officer shall remain in the ASHC office located in the Donaldson building during designated office hours unless away performing the official duties of his/her office. An absence from the offices shall be reported to the ASHC Advisor(s).
- F. The members of the Executive Council must sign the Executive Contract. (Appendix I)
- G. The Executive Council members shall be responsible for representing all Helena College Students and avoid conflicts of interest and remain nonpartisan at all times.
- H. The ASHC President shall convene a meeting of the Executive Council no later than the third (3rd) week of Summer Semester.
- I. The ASHC President shall be responsible for establishing meeting schedules and notifying the Executive Council members of such.
- J. The ASHC Vice President shall be the Co-Chairperson of the Executive Council. The Co-Chairperson shall conduct Council meetings in the absence of the ASHC President.

### **SECTION 9. ASHC LEGISLATIVE BRANCH.**

- A. The Legislative Branch shall consist of the Senate in which only ASHC Senators, or the presiding officer, may vote. Its membership as follows:
  - 1. The ASHC Vice President
  - 2. Each ASHC recognized club shall be represented by one (1) senator. The senator selected must be in good academic standing as defined with a minimum cumulative GPA of 2.0 and enrolled in a minimum of least three (3) credits during semester of service.
  - 3. Up to ten (10) Senators-at-Large from Helena College, elected during spring semester for the following year. The students elected must be in good academic standing as defined with a minimum cumulative GPA of 2.0 and must be enrolled for at least three (3) credits.
  - 4. Senators positions may continually be filled throughout a semester.

5. If there is no Senate to vote a candidate in, the Executive Board shall assume responsibility of voting motions.
- B. The Vice-President of the Senate shall be the presiding officer who will not vote unless the membership is equally divided.
- C. Qualifications of ASHC Senators:
1. At the time of election/selection and throughout term of office, senators must be in good academic standing as defined with a minimum cumulative GPA of 2.0; determined by the student's cumulative grade point average in the Registrar's Office at the time the student applies for a position and during the term of office.
  2. A senator presenting a funding bill, shall not have the privilege to vote on the items presented.
  3. The Assistant Dean of Student Affairs shall notify the Executive Council in writing if any member is not in good academic standing as defined with a minimum cumulative GPA of 2.0. Upon verification that no error has been made, the Senate shall be notified that the position is vacant.
- D. Duties of ASHC Senators:
1. Senators shall attend all Senate meetings in person or via remote presence unless excused by the Vice President.
  2. Senators departing a meeting prior to its conclusion shall be marked absent unless excused by the Vice President or President.
  3. Senators shall attend ASHC Senate Standing Committee meetings as required, unless excused by the Standing Committee Chair.
  4. Senators shall attend ASHC Senate retreats unless exceptions are granted by the ASHC President.
  5. Senators may work office hours in the ASHC Office upon approval by the Executive Council.
  6. Senators may vote via absentee ballot or proxy when absent from meetings in accordance with Article 1.14.
  7. Senators shall be marked absent if arriving fifteen (15) minutes or later to a meeting without prior notification to the ASHC Vice President. A Senator shall be excluded from voting if an absence is marked unexcused.

8. Senators must sign the Senator Contract (Appendix “H”).
9. Senators shall fulfill other duties as assigned.
10. Senator who is unable to fulfill their duties shall submit a written resignation to the ASHC Vice President.
11. All Senators shall act as official representative of their elected or appropriate club.
12. Senators must have a general understanding of the Constitution and Bylaws.
13. Senators shall be expected to actively participate in program development, production and evaluation. Commitments may be in the form of membership of the Student Life Committee or volunteering for events/activities.

### **Section 10. Leadership Training.**

- A. Within one (1) month after assuming the elected position, the outgoing and incoming Executive Councils shall meet under the rules of committee and conduct Leadership Training. At which time roles, duties and responsibilities of the Executive Branch shall be presented and discussed with respect to each position (President, Vice-President, Business Manager, Secretary and Advisor).
- B. Leadership Training shall be conducted following the election of a single Executive Council member.
- C. Be conducted following the election of two or more (2) Executive Committee members.
- D. Each Leadership Training shall consist of (at minimum):
  1. Reading of the Bylaws and Constitution.
  2. Review of Roberts Rules of Order.
  3. Review of previous year(s) meeting minutes.
  4. Signing Executive Council Contract.

### **SECTION 11. THE LEGISLATIVE AND BUDGETARY POWER OF ASHC SHALL BE VESTED IN THE ASHC SENATE, WHICH HAS THE POWER AND RESPONSIBILITY TO:**

- A. Conduct hearings for and approve the annual ASHC budget.
- B. Adopt and revise ASHC Bylaws.
- C. Act as it deems necessary and appropriate to fulfill its obligations to Helena College

- students.
- D. To investigate, adopt resolutions and to perform all normal legislative and budgetary functions on matters within the jurisdiction of ASHC.
  - E. Strive to ensure that student fees are being spent in a manner consistent with student needs or desires.
  - F. Conduct Weekly Senate Meetings.
    - 1. The ASHC Vice President shall establish the meeting schedule for the Senate meetings.
    - 2. The ASHC Senate shall meet weekly during the fall and spring semesters, with the exception for holidays.
    - 3. Special meetings may be called by the ASHC Vice President or by a petition signed by a majority of the membership of the Senate.
  - G. **Override Power:** The Senate shall have the power to override the ASHC President's veto by a two-thirds (2/3) vote cast at the following regularly-scheduled meeting of Senate.

## **SECTION 12. SENATE STANDING COMMITTEES**

- A. General Provisions:
  - 1. All meetings shall be held in accordance with Montana's Open Meeting Law.
  - 2. Senate standing committees shall have the power to propose amendments to any referred legislation.
  - 3. Senate standing committees shall have the authority to propose to table any referred legislation.
  - 4. Senate standing committees shall make a committee report regarding referred legislation.
  - 5. Senate standing committees shall conduct forums, surveys, and other actions as means to collect the opinion of the Helena College student body, and to recommend action to the Senate as it relates to those concerns.
  - 6. Senate standing committees shall establish a regularly scheduled time and place as determined by each committee chairperson.
  - 7. Only members of each respective committee shall have a vote in that committee.

8. The Executive Council may alter the membership of the standing committees, but not the minimum number of two (2).
- B. Membership of Standing Committees:
1. Recommendations for membership of standing committees shall be made by the Senate and submitted to the Executive Council for final review and prior to final approval by two-thirds (2/3) vote from present senators.
  2. Standing Committees include:
    - a. Student Life Committee
    - b. Financial Review Committee
    - c. Other Committees as developed
- C. Financial Review Committee:
1. The Financial Review Committee shall review and make recommendations to the Senate on all facets pertaining to fiscal matters regarding ASHC and related accounts.
  2. The Financial Review Committee shall investigate any discrepancies in budgeted areas or Contingency allocations pertaining to ASHC.
  3. The Financial Review Committee shall, at its discretion, audit the records of any student-funded areas.
  4. The Financial Review Committee can recommend freezing any approved/budgeted ASHC account. This recommendation shall be referred to the ASHC President for action.
- D. Student Life Committee:
1. The Student Life Committee shall make recommendations that are apply to the coordination of academic services, recreational services, campus resources, sustainability events, Senate public relations, community activity, campus physical improvements or enhancements and student life in general.
  2. The Student Life Committee shall maintain Senate programs that are currently sponsored or operated by the ASHC Senate.
- E. Standing Committee Chairs:
1. Duties of the Chairperson of a Standing Committee
    - a) Conduct proper hearings on all legislation referred to the committee by the ASHC Vice President.

- b) Ensure that minutes are taken of all committee meetings and post two (2) class days following the meeting.
- c) Grant speaking privileges to guests of the committee.
- d) Set the agenda of the committee.
- e) Schedule and post all committee meeting times and places, both regular and special.
- f) Create any sub-committee or taskforce and to appoint the chair of that sub-committee or taskforce.
- g) Grant time to the sponsor of legislation and to the proponents and opponents of the legislation.
- h) Report all committee activities to the Senate.
- i) Request the presence of a witness, Senator or expert at the committee hearing.
- j) Record attendance at all meetings and forward to the ASHC Secretary of the name of any member missing two or more committee meetings.
- k) Vote in case of a tie.

### **SECTION 13. SENATE AD HOC COMMITTEES**

- A. Ad Hoc Committees shall be established at the discretion of the ASHC President.
- B. Ad Hoc Committee members shall be Senators as determined by the ASHC Vice President.
- C. Senate Ad Hoc Committees shall hold all meetings in accordance with Montana's Open Meeting Law.
- D. Senate Ad Hoc Committees shall have the power to propose amendments to any referred legislation.
- E. Senate Ad Hoc Committees shall have the authority to propose to table any referred legislation.
- F. Senate Ad Hoc Committees shall make committee reports regarding any referred legislation.

- G. Senate Ad Hoc Committees shall conduct forums, surveys, and other actions as means to gather the opinion of the Helena College student body and to recommend action to the Senate as it relates to those concerns.
- H. Senate Ad Hoc Committees shall establish at a regularly scheduled time and place as determined by each committee chair person.
- I. Only Senate Ad Hoc Committee shall have a vote in that committee.

#### **SECTION 14. SENATE FLOOR RULES**

- A. Robert's Rules of Order shall govern the Senate in all cases not covered by the Senate rules. In the event of a conflict, Senate rules, in all cases, will supersede Robert's Rules of Order.
- B. The agenda for Student Senate meetings should include, but not be limited to, the items listed in Appendix "G".
- C. Any guest to the Senate must be recognized by a Senator prior speaking.
- D. Members of the Executive Council must be recognized by the Vice President prior to speaking.
- E. Advisor(s) to the Senate shall be recognized by a Senator prior to speaking.
- F. If a Senator objects to a guest being recognized, the guest shall not be recognized unless a majority of those senator's present vote to allow the guest to speak.
- G. The Vice President has the command of the floor always.

#### **SECTION 15. VOTING RULES --- THE FOLLOWING RULES CONCERNING VOTING ARE ADOPTED FOR USE BY THE ASHC SENATE.**

- A. To vote and conduct official Senate business, at least two-thirds (2/3) of the current members of Senate must be present at that meeting (does not include vacant Senate positions).
- B. In cases of extreme urgency, the Chair may conduct a meeting without two-thirds (2/3) of the members present. Any actions taken must be ratified at the next legal meeting. An action undertaken, however, which breaks the faith or inflicts injury by repealing or rescinding is illegal.
- C. Should a meeting start with two-thirds (2/3) of the members present and then drop below two-thirds (2/3), discussion may continue but no vote can be taken.
- D. Voting in Abstention:

1. A senator may cast his/her vote on any upcoming issue or item of legislation by voting in absentia. The vote must be presented to the ASHC Vice President ahead of the time of the meeting.
2. If the issue or item of legislation is amended or altered in any way, the vote in abstention becomes invalid.
3. A senator shall use the formal absentee ballot form at the end of this Bylaw (Appendix F) to vote in abstention.
4. Voting in Absentia does not count as being present at the meeting.

E. Voting by Proxy:

1. A senator may authorize another senator to vote in his or her place on any matter before the Senate. Proxies may be designated as follows:
  - a) Physical presentation of the proxy form to the ASHC Vice President prior to the meeting.
  - b) By email, letter, or phone communication in the instance that the designator is not personally present to submit the proxy.
  - c) By signing a proxy form during a meeting in the event a senator must depart the meeting but still wishes the privilege of a vote.
2. A proxy does not count as being “present” for the absent senator.
3. A proxy shall be submitted during the roll call of the Senate.
4. If the designation of a proxy takes place during the Senate meeting, the senator with whom the proxy rests shall announce that fact at his/her first opportunity. This shall take precedence over other Senate business.
5. Proxy votes shall not be considered in the determination of the two-thirds (2/3) senators needed present at a Senate meeting.
6. No senator shall hold more than one proxy.
7. The official proxy form shall be used (Appendix E) except in the case of 1-c above.

F. Defining the Vote Margin:

1. Financial Bills – all financial bills will require a two-thirds (2/3) majority vote of the senators voting at the meeting. Voting on financial bills must be taken by written ballot.
2. A veto override shall require a two-thirds (2/3) majority vote of those senators present at the time of the meeting. A veto override vote will be done by written ballot.
3. An impeachment vote requires a three-fourths (3/4) majority vote of the duly elected senators and executives.
4. All other issues shall be decided based upon a simple majority vote.

G. Taking the Vote:

1. Voting by Silent Assent – This may be done on issues of which there is little potential for disagreement. The Chairperson says, “If there are no objections, we will consider this matter approved.” If there are objections, a formal vote must take place.
2. Formal votes shall be done by roll call vote unless a majority of the Senate requests a written or voice vote. Each senator’s name will be called, at which time the senator shall respond “aye” or “no” to the motion. If a senator wishes to abstain from voting, he/she may answer “present.”
3. Prior to announcing the outcome of the vote, the Chairperson shall announce, “Has any member not voted? Does any member wish to change his/her vote? The votes will be recorded.”
4. Senators must sign their ballots.

H. After the Vote:

1. After the vote has been recorded, the Chair announces the result.
2. Every senator shall be given the right of explanation of his/her vote after the outcome has been announced. No senator is or can be required to explain his/her vote at any time. Rights of explanation shall not exceed three (3) minutes and any senator shall further be permitted to have his/her written explanation, not to exceed fifty (50) words, included in the official Senate minutes.
3. If the Chairperson or any member questions a vote, he/she may demand a recount. If there is further dispute, a roll call vote may be used, or new ballots distributed.
4. Any member may request that his/her vote be changed if a simple majority of the body yields.

5. In the event of a tie, the Vice President shall cast a tie breaking vote before the meeting is adjourned.
6. The secretary shall keep a written record of the senators' votes. The general student population may view the results of each individual senator's vote on an issue.

#### **SECTION 16. PROCEDURE FOR PASSAGE OF LEGISLATION, FINANCIAL BILLS, RESOLUTIONS OR MEMORIALS**

- A. Senators must submit proposed legislation, in writing, to the President or Vice President. This should be done at least two (2) days before the Senate meeting to allow time for the legislation to be placed on the agenda under New Business.
- B. The sponsoring senator shall read the proposed legislation for the first time at the next Senate meeting and the Vice President will refer the proposed legislation to the proper committee.
- C. The committee shall study, and if necessary, propose amendments to the legislation. If the bill referred to the committee may have a fiscal impact, the committee shall request the presence of the ASHC Executive Council.
- D. The legislation shall come before the Senate under New Business for a final vote unless the committee chooses to table the legislation.
- E. Upon passage by the Senate, all legislation shall be sent to the ASHC President for approval or veto.
- F. All legislation remaining in committee at the close of spring semester shall be referred to the Summer Senate.

#### **SECTION 17. SUMMER SENATE**

- A. The ASHC Senate shall, during spring semester, appoint up to eight (8), but no less than four (4) students to serve as summer senators from the ten (10) senators elected during the spring election. If there are not eight (8) who can serve, students-at-large shall be selected to serve only for the summer. Students-at-large selected to serve shall meet the same qualifications as regular senators.
- B. The ASHC Vice President shall chair the Summer Senate unless he/she chooses to delegate this position to another Executive Council member.
- C. Summer Senate shall have authority to conduct all business occurring during the summer.
- D. Summer Senate shall abide by the ASHC Constitution, Bylaws and policies.

- E. Executive Council – during the summer, all members of the Executive Council will perform their regular duties as set out in the ASHC Bylaws and Constitution.
- F. Summer Senate Advisors – interim advisors shall be appointed at the discretion of the ASHC President.
- G. The term of office for Summer Senate begins the day after spring semester ends and ends on the first day of fall semester.
- H. The meeting time and place will be the responsibility of the Chair.
- I. All unfinished business at the close of Summer Senate shall be referred to the regular year Senate.
- J. All unfinished business at the close of spring semester shall be referred to Summer Senate.

#### **SECTION 18. DEFINITIONS**

- A. Bill – A Senate Bill is a formal draft relating to matters over which the Senate and/or ASHC have primary authority.
- B. Resolution – A Senate Resolution is a formal draft for enactment over matters which the Senate and/or ASHC do not have primary authority. This action does not constitute a statute of law, but rather the opinions of the Senate or its intentions. Examples might be: an opinion, recommendation, a request to alter rules or regulations over which the Senate or ASHC does not have primary authority, or a vote of censure.
- C. Memorial – A Senate Memorial is a document containing a petition or expression of thanks or gratitude over an area which the Senate may or may not have primary authority.
- D. Financial Bill – A bill requesting the expenditure of student fees.
- E. See Appendix A, B, C, D for the format of the above.

#### **SECTION 19. CONSTITUTIONAL REVIEW BOARD**

- A. The judicial power of ASHC shall be vested in the Constitutional Review Board.
- B. Membership of the Constitutional Review Board – There shall be five (5) voting Board members who shall serve one-year terms as follows:
  - 1. The Executive Branch shall appoint students to serve on the Constitutional Review Board. One student shall be appointed to serve as Chief Board member with duties and responsibilities set out in SECTION. 22, Letter D,

Item 1-5 of this Bylaw. The Executive Branch shall appoint students to fill any vacancies that may arise.

2. One (1) faculty member appointed by the Faculty Senate.
  3. One (1) staff member of the Staff Senate.
- C. Terms of office, appointments, vacancies and removal of Board members.
1. All student appointments shall be made by the Executive Branch and confirmed by the Senate by a two-thirds (2/3) majority vote.
  2. Members of the Board must, at the time of their selection and throughout their term of office, be members of the Association (registered for 3 or more credits) and be in good academic standing as defined by 2.5 GPA.
- D. Powers, Responsibilities, and Qualifications of the Chairperson
1. Preference shall be given to an individual who has served one semester on the Court.
  2. The Chair shall convene the Court.
  3. The Chair shall give notice of meetings and issues before the Court to all members.
  4. He/she shall preside at all meetings.
  5. He/she shall report the actions of the Court to the Senate and the parties involved.
- E. Powers and Responsibilities of the Constitutional Review Board
1. To interpret the Constitution or make rulings on any action taken under said Constitution.
  2. To try cases of impeachment excluding those impeachments of Judiciary Council members, in which case the ASHC Senate shall hear the case.
  3. To grant due process to all persons or entities appearing before the Court.
- F. Binding Authority
1. The parties involved shall be bound to accept any ruling by the Constitutional Review Board made in accordance with this article.

2. All rulings shall remain in effect until superseded by Constitutional change or a subsequent ruling by the Constitutional Review Board.

**SECTION 20. GROUNDS FOR IMPEACHMENT AND/OR REMOVAL AND VACANCIES OF EXECUTIVE, LEGISLATIVE OR JUDICIAL MEMBERS**

- A. Failure to fulfill his/her duties or violation of the ASHC Constitution or its Bylaws.
- B. Conduct that reflects unfavorably on Helena College or ASHC as defined by these bylaws and the Student Handbook.
- C. Any Senate member who is in violation of the Student Senator Contract.
- D. Violation of the Executive Council Contract.

**SECTION 21. PROCESS FOR REMOVAL OF THE ASHC BUSINESS MANAGER, ADVISOR(S), OR SECRETARY.**

- A. The individual shall first be given one warning letter by the ASHC President. The letter must be dated and list the reasons for the warning letter.
- B. If the individual does not rectify his/her actions, the ASHC President shall present him/her with a termination letter. The letter will be dated and reaffirm the reasons for the dismissal.
- C. Upon receipt of the termination letter, the individual must vacate his/her office. From the date forward on the termination letter, the individual shall no longer receive his/her stipend.
- D. Upon receipt of the termination letter, the individual shall have five (5) working days to file a letter contesting his/her removal from office. The letter must be dated and filed with the Assistant Dean of Student Affairs. The letter must contain the grounds of his/her defense.
- E. Within three (3) working days of the receipt of the letter by the Assistant Dean of Student Affairs, the ASHC Vice President shall form a committee of five (5) members of the Student Senate to hear the appeal of the dismissed individual.
- F. The five (5) Student Senators shall elect a committee chairperson from among their group to facilitate their meeting. This committee must hear the appeal and make its recommendation to the ASHC President within five (5) working days of the hearing.
- G. Upon receipt of the recommendation from the committee, the ASHC President shall make a final decision whether to reinstate or dismiss the individual. The ASHC President must make his/her decision by the second (2nd) Senate meeting following his/her receipt of the committee recommendations. If the ASHC President chooses not to follow the

committee's recommendations, he/she must make the reasons public at the next Senate meeting.

- H. Any of the above officers who feel they cannot fulfill their duties of office shall submit a written resignation to the ASHC President.

### **SECTION 22. IMPEACHMENT PROCESS**

- A. The Senate may impeach the ASHC President, Vice President, or a Student Senator by a three-fourths (3/4) vote of the Student Senate.
- B. Cases of impeachment shall be heard by the Constitutional Review Board, excluding those cases of impeachment of Board members, which will be heard and decided by the Senate.
- C. If the Constitutional Review Board or Senate sustains the impeachment charges, the member's term of office shall terminate immediately.

### **SECTION 23. VACANCIES.**

- A. Resignation or removal from office shall be placed on the Senate agenda as a discussion.
- B. Should the position of ASHC President become vacant, the ASHC Vice President shall vacate their office and become acting President for the remainder of the academic year.
- C. Should the position of ASHC Vice President become vacant, the position shall be filled by a current Student Senator.
  - 1. All volunteering senators wishing to be considered for this position will be placed on the Senate agenda.
  - 2. One Senator shall be selected by a simple majority of senators casting a vote (including proxies and absentees) to serve as ASHC Vice President for the remainder of the academic year.
  - 3. The Senator selected must meet the requirements for this position.
  - 4. If more than three (3) candidates apply, the President will narrow down the number of candidates to three (3) to be voted on by Senate. If a majority is not reached on the first vote, there will be a vote held for the two (2) candidates who received the most votes. In the event of any tie, the President will serve as the tie breaker.
- D. Should the following positions become vacant, the ASHC President shall appoint a student that meets the requirements for the open position:
  - ASHC Business Manager

### ASHC Secretary

- E. If a vacancy occurs in the Senate during the academic year, the open position shall be advertised before the student body for a period of two (2) weeks, and applications shall be accepted until the deadline date. The applicant applying for a senate position must meet the qualifications for that open position. Final appointment shall be made by a majority vote of the ASHC Senate.
  
- F. The pay associated with a vacant position will be left in the general fund account, a position filled will be pro-rated at a rate determined by the date of appointment.

**ARTICLE 2.**  
**CLUBS AND ORGANIZATIONS**

All Clubs and Organizations must abide to the terms outlined in the ASHC Constitution and Bylaws.

**SECTION 1. CLUBS AND ORGANIZATIONS DEFINED**

- A. Club defined: Any Helena College student group organized for a common purpose, which meets regularly and, whose enrollment and education is not limited by education, training, and ideology.
- B. \*\*\*Were we defining Organizations also? If not remove label "A". Thanks!!!\*\*\*

**SECTION 2. CHARTERING**

- A. Helena College clubs must charter with ASHC. The club must submit a charter to the ASHC President. The President will ensure that all charters meet the appropriate requirements. The Senate must approve the charter with a simple majority. The charter must contain: a statement of structure and purpose; a current list of club officers; an assessable list of goals and objectives; and have a faculty/staff advisor, and have a senator present in ASHC Legislative Branch. Once approved the club or organization will be chartered for the remainder of the academic year.
- B. Membership in clubs and organizations seeking ASHC charter must be limited to current or former ASHC members exclusively. Groups with blended membership (Non-Helena College students) must petition the College, through the Assistant Dean of Student Affairs, for formal recognition.
- C. Once chartered, clubs and organizations will be allowed to advertise events/activities, hold and conduct meetings and conduct business as stated in their charter.
- D. Upon being chartered a club or organization will be required to renew annually. To renew, a club or organization must submit a renewal form to the ASHC President no later than two (2) days prior to the second senate meeting of the fall semester.
- E. Upon chartering a club or organization will be required to host at least two events on campus per academic year open to all students.

**SECTION 3. FUNDING**

- A. Access to ASHC funds in support of club activities will be made available in accordance with the ASHC budgeting process and procedures on a case-by-case basis and is contingent upon availability. ASHC funds will not be provided to support events/activities which are not open to all ASHC members.

- B. All chartered clubs can request funds. All proposals must address the ASHC Proposal Guidelines (appendix J). All clubs requesting funding more than \$750 will require a minimum of two sessions for deliberation before senate approval.
- C. All funds allocated by ASHC (not generated revenue) must be spent before the end of the ASHC fiscal year. Any funds allotted, but not spent by this deadline, are returned to the ASHC general budget. ASHC Summer Senate may vote to extend this deadline in exceptional cases for a period not to exceed six months from the end of the fiscal year.
- D. All funds issued to clubs or organizations must remain in College accounts established with the Business Office.

#### **SECTION 4. CLUB FREEZING AND REMOVAL**

- A. The ASHC Executive Council reserves the right to suspend any chartered club or organization if the ASHC Executive Council determines that the club or organization has violated the terms of the bylaws of ASHC.
- B. Without notice to the club or organization, the ASHC Executive Council also reserves the right to remove and make ineligible to receive future funding if the terms of the bylaws of ASHC are broken.

### **ARTICLE 3. ASHC ELECTIONS**

#### **SECTION 1. DEFINITIONS**

- A. General Elections – The annual fall semester election and the annual spring election.
- B. Special Elections – Any election other than general elections as needed or recommended by the Executive Council.
- C. Campaign – A series of planned actions for seeking office, including any activity which promotes the candidacy of one or more individuals for an office, including, but not limited to: scheduling appearances; lobbying a voter; posting, publication or distribution of advertisements, correspondence, or literature.
- D. Candidate – One seeking an elected office or position in an election conducted by ASHC.
- E. Legal Ballots – Those ballots that are clearly marked and clearly show intention of the voter and are cast for a student of this College who meets the qualifications for candidacy for a position on the ballot.
- F. Simple Majority – More than half of the total number of legal ballots.

- G. Plurality – When a candidate receives more votes than any other candidate but does not receive a simple majority.
- H. Tabulation – The counting of all legal ballots to determine the outcome of an election.
- I. Polling Areas – Clearly designated locations for allowing students to cast their votes in polling booths without distraction.
- J. Campaign Materials – Any materials bearing the name, likeness, or symbols associated with a candidate for office with the purpose of soliciting votes.
- K. Election Administrator – The person responsible for the organization, coordination, and facilitation of an election.
- L. Elections Committee – A committee designated to assist the Elections Administrator execute his or her duties and responsibilities.

## **SECTION 2. ELECTIONS**

- A. General Provisions
  - 1. All elections shall be conducted according to the ASHC Elections Bylaws.
  - 2. All newly elected officers and senators are ex-officio members of their respective bodies.
  - 3. No student shall run for more than one ASHC elected office in any election.
  - 4. A student shall hold only one ASHC elected office at any given time per academic school year.
  - 5. No ASHC club or organization shall be allowed to finance the campaign of any candidate for ASHC office.
  - 6. Voting shall be done via Internet if possible. However, if voting cannot be done via Internet, voting shall be done using paper ballots and ballot boxes.
  - 7. Voting shall be done by secret ballot. Students shall be required to supply his or her I.D. number only for obtaining a ballot. No student ID number shall be recorded on ballots.
  - 8. All candidates for any ASHC office shall be elected based upon a plurality of votes cast.
  - 9. The names of all candidates for elected positions shall appear singularly on the ballots.

10. The application deadline for elected office shall be at least two (2) weeks prior to the scheduled election(s). If there are insufficient applications, the deadline may be extended by the Elections Administrator.
11. All open elected positions for an election must be prominently advertised for at least two (2) weeks prior to the filing deadline.
12. All elections shall be prominently advertised for at least two (2) weeks prior to the election.
13. All elections shall have the following areas designated as official polling locations on the day(s) of the election:
  - a. The Student Center on the Donaldson Campus.
  - b. The main entrance area of the Airport Campus

B. The ASHC Fall General Election.

1. The fall general election shall take place no later than the third (3rd) week of September.
2. Senator-at-Large from the College campus shall be elected in the fall general election for the academic year. The student elected must be in good academic standing as defined with a cumulative GPA of 2.0 and must be enrolled for at least three (3) credits.
3. All vacancies of any ASHC offices produced over the summer shall be filled in the fall general election.

C. The ASHC Spring General Election

1. The spring general election shall be completed at least six (6) weeks prior to the final week of the spring semester.
2. The President of ASHC shall be elected in the spring general election for the following academic year. The student elected must be in good academic standing as defined with a minimum cumulative GPA of 2.50 and must be enrolled for at least six (6) credits for the following fall semester.
3. The Vice President of ASHC shall be elected in the spring general election for the following academic year. The student elected must be in good academic standing as defined with a minimum cumulative GPA of 2.50 and must be enrolled for at least six (6) credits for the following fall semester.
4. Senators-at-Large from the College campus shall be elected in the spring general election for the following academic year. The students elected must be in good

academic standing as defined with a minimum cumulative GPA of 2.50 and must be enrolled for at least six (6) credits.

D. Special Elections and Runoff Elections

1. Any recommendation for a special election must be approved by a two-thirds (2/3) majority vote from the Senate.
2. In the event of a tie in any election, a runoff election can be held. Runoff elections shall continue until a candidate receives at least a plurality of votes.
3. If a runoff election is held, it shall take place within (3) weeks after the original election in manner consistent with these Bylaws. Announcements of the runoff election shall be prominently advertised.

**SECTION 3. ELECTIONS ADMINISTRATION**

A. The Elections Administrator

1. The Vice President shall act as the active Elections Administrator. If the current ASHC Vice President is a candidate in the election, the Senate shall appoint a qualified senator who is not a candidate, and is not associated with a current campaign, to serve in this capacity. If no senator is qualified to serve as the Elections Administrator, the Senate may appoint a qualified student who is not a candidate or associated with a candidate's campaign in the election, to serve as the Elections Administrator.
2. The Elections Administrator shall serve as chair of the Elections Committee.
3. The Elections Administrator shall be responsible for the enforcement of the ASHC Elections Bylaws.
4. The Elections Administrator shall set the dates of all elections in accordance with the ASHC Elections Bylaws.
5. The Elections Administrator shall be responsible for making applications for elected positions available to all students.
6. The Elections Administrator shall be responsible for the promotion and advertising for all ASHC Elections.
7. The Elections Administrator shall be responsible for providing all available campaign information to all candidates in an election.
8. The Elections Administrator shall review and approve all promotion and advertising for elections before they are released.

9. The Elections Administrator shall review and approve all candidates' platforms that will be published by the ASHC without infringement of the rights of the candidates.
  10. The Elections Administrator shall be responsible for bringing all complaints formally submitted in writing to the ASHC Constitutional Review Board.
  11. The Elections Administrator shall be responsible for bringing all potential violations of ASHC Elections Bylaws to the ASHC Constitutional Review Board.
  12. If the ASHC Constitutional Review Board decides to hear any complaints or claims of alleged violations of the ASHC Elections Bylaws, the Elections Administrator shall be the official representative of the ASHC in the hearings.
- B. The Elections Committee
1. The Elections Committee shall consist of at least five (5) members:
    - a. The Elections Administrator (Chairperson)
    - b. Four (4) Helena College Senators shall be selected by the Elections Administrator and approved by the Senate. A student senator may serve on the elections committee only if he or she is not a candidate in the elections.
  2. The Elections Committee shall assist the Elections Administrator in fulfilling his or her duties and responsibilities.

#### **SECTION 4. DECLARATION OF CANDIDACY**

- A. Each candidate seeking an elected office for the ASHC shall file a declaration of candidacy form with the ASHC Business Manager in the ASHC office.
- B. A copy of the ASHC Constitution and ASHC Elections Bylaws shall be given to each candidate at the time he or she files a declaration of candidacy.
- C. Once verification of eligibility has been received from the Office of the Assistant Dean of Student Affairs, the student seeking candidacy shall officially become a candidate in the election.
- D. Write-in candidates must meet all qualifications for candidacy to be considered for an ASHC election. A written statement declaring a write-in campaign must be turned into the ASHC office before 8am of the day of the election.

#### **SECTION 5. CAMPAIGN RULES**

- A. Campaign Materials

1. No posters or political advertising shall be placed in such a way as to endanger the occupants or buildings or disrupt traffic as determined by the building supervisor.
2. No candidate shall be a willing participant in the vandalism or destruction of another candidate's campaign materials.
3. The proper authority for the area in which they are to be posted must approve campaign materials that are to be posted on campus. Appropriate approval for posting must be obtained.

**B. Polling Areas**

1. Prior to the opening of the polls, the Elections Administrator will ensure that no campaign materials are in the polling area.
2. There shall be no campaigning and no campaign materials in the designated polling areas on election days; however, campaigning may be conducted outside the polling areas on election days if such campaigning is at least 25 feet from the polling area. No candidate or person associated with a campaign may staff the polling area.
3. Each candidate is entitled to one witness, who may not interact with voters or display any candidate-related material, and which may not be the candidate him/herself, at each of the following locations:
  - One (1) at the polling place.
  - One (1) at the securing of the ballot box(s) if ballot boxes are used.
  - One (1) at the ballot tabulation.
4. It is the responsibility of the candidates to be aware of the time and place of each of the above and to provide a witness if he/she so desires. These witnesses have the right to request a recount after the ballots have been tabulated. The witnesses will not take part in the election; sit at the polling tables, or in the counting of the ballots.

**SECTION 6. VOTING: BALLOTS AND BALLOTING**

- A. The Elections Administrator shall approve all ballots.
- B. Candidates for positions shall be listed in alphabetical order on the ballot.
- C. All ballots shall include a space for write-in candidates for each office except for run-off election ballots.
- D. The various open positions on the ballots shall be designated as follows:  
The President and Vice President will run jointly on the same ballot.

1. ASHC President and ASHC Vice President  
(Vote for President and Vice President) Spring general election  
List all candidates running for the position of  
ASHC President and ASHC Vice President
  2. Senators-at-Large  
(Vote for no more than 1+) - Fall general election  
(Vote for no more than 1+) - Spring general election  
List all candidates running for the position of  
Senator-at-Large
- E. All students of Helena College shall be entitled to one (1) vote for all Presidential Elections.
- F. If paper ballots are used, they will be kept in a locked ballot box until the Elections Administrator declares the election final, and then they shall be destroyed.
- G. The results of the election shall be determined in the following manner:
1. In all elections, the candidates shall be declared elected by receiving at least a plurality of the ballots cast. If there is a tie for a position, a run-off election can be held. Run-off elections shall continue until a candidate receives at least a plurality of votes.
  2. If a run-off election is held, it shall take place within three (3) weeks after the original election in a manner consistent with these Bylaws. Announcements of the run-off election shall be advertised and displayed.
  3. Ballots shall be counted at the close of the polls on the last day of the election or as soon thereafter as possible.
  4. If paper ballots are used, the ballots from the Airport Campus shall be transported to the Donaldson Campus in the locked ballot box. The Airport Campus ballot box shall be opened on the Donaldson Campus and the ballots shall be counted along with the Donaldson Campus Ballots.
- I. Absentee Balloting
1. If paper ballots are used or a student cannot vote online, students who will be absent from the campus of Helena College during a regular election may cast absentee ballots. To vote by absentee ballot, the student needs to contact the Elections Administrator.

2. Students voting by absentee ballot must have their ballot submitted to the Elections Administrator at least 60 hours (3 days) before the election officially begins.
3. The student shall vote on an official absentee ballot and said ballot shall be placed in a locked ballot box until the day the ballots are counted. Absentee ballots shall be tabulated at the same time and in the same manner as are other ballots in all elections.

#### **SECTION 7. TABULATION PROCEDURES**

- A. Ballot boxes shall be uniform in appearance and marked as such.
- B. The Elections Administrator shall designate two (2) impartial parties to witness the tabulation of votes. Impartial parties are designated as follows:
  1. Individuals outside of the Student Senate
  2. Individuals with no clear affiliation to any candidates
- C. Witnesses representing the candidates are permitted to oversee the tabulation of votes. The witnesses may not assist in the tabulation in any way. The witnesses have the right to request a recount after all the ballots have been tabulated.
- D. Once all the votes have been tabulated, the following signatures are required before declaring the results official:
  1. The Elections Administrator
  2. Two (2) impartial witnesses
- E. The election results shall be made public immediately following tabulation of the ballots. It shall be required that the election results be posted on the door of the ASHC office, and appear in the Student Newspaper. However, any other method may be used to make the results public to the students in addition to the already required methods of posting the results.

#### **SECTION 8. SUSPENSION OF CANDIDACY**

Any candidate who violates any of the Election rules may be barred from candidacy and/or denied from taking office, as recommended by the Elections Committee, and approved by two thirds (2/3) majority vote of the Senate.

#### **SECTION 9. PROCEDURE FOR ALLEGED VIOLATIONS OF THE ELECTION BYLAWS**

- A. All complaints for alleged violations of the ASHC Elections Bylaws must be formally submitted in writing to the ASHC President no later than forty-eight (48) hours after the election results have been made public. In the event the results are made public on a Thursday or a Friday, the 48-hour calculation period will end at 5p.m. on Friday and resume at 8 a.m. on Monday.
- B. All properly filed complaints must be heard and decided upon by the Constitutional Review Board at the earliest possible time with an expedient decision being sought in all cases.
- C. The Constitutional Review Board will have original jurisdiction over all alleged election violation cases.
- D. Properly filed complaints will be handled in the following manner:
  - 1. The Chief Board member of the Constitutional Review Board shall schedule a hearing to hear the complaint(s) filed.
  - 2. The ASHC President shall submit copies of the complaint to the following parties at least four (4) business days prior to the scheduled Constitutional Review Board hearing:
    - The members of the Constitutional Review Board
    - The Elections Administrator
    - Any parties implicated or involved in the complaint(s)
  - 3. All parties to the dispute as well as the Constitutional Review Board members shall receive a copy of the ASHC Constitution, the ASHC Bylaws, and any other relevant documents to the dispute prior to the Constitutional Review Board hearing.
  - 4. All parties to the dispute, as well as the Election Administrator and all members of the Constitutional Review Board, shall be required to be present at all Constitutional Review Board hearings regarding the complaint(s) filed. Any absences shall only be permitted by the Chief Board member of the Constitutional Review Board.

#### **SECTION 10. VIOLATIONS OF THE ELECTION BYLAW**

- A. The Constitutional Review Board shall determine if a violation of the Election Bylaws has taken place.
- B. The Constitutional Review Board shall have the authority to impose retributive or restorative sentencing on any party in violation of the Election Bylaws.
- C. The Constitutional Review Board shall have the authority to disqualify a candidate from an election.

- D. The Constitutional Review Board always reserves the right to declare grounds for a second election that may or may not include any or all candidates of the original election in question for worthy cause.
- E. All decisions reached by the Constitutional Review Board are final and binding to all involved parties.

**ARTICLE 4.**  
**ASHC FINANCIAL POLICY**  
**GENERAL FINANCIAL PROVISIONS**

**SECTION 1. ASSOCIATED STUDENT FEE**

The Associated Student Fee is the fee paid by all registered students of Helena College for the financing of student activity areas as approved by the Board of Regents.

**SECTION 2. FINANCIAL REGULATIONS**

- A. All student funds, those allocated, or revenue made from student funds, shall be held in a student-controlled Helena College account.
- B. Any allocation to an academic or administrative department of Helena College must be proposed by a member of ASHC.
- C. All student organizations or clubs requesting funds must be recognized by ASHC Senate.
- D. All funds requested from an ASHC Fund shall be requested twenty (20) business days PRIOR to the activity, project, or travel for which said funds are being requested.
- E. Prepayment for any items, such as conference registration fees or plane tickets, has no bearing on one receiving funds. Purchaser is still responsible for the purchases should Contingency funds not be awarded.
- F. Requests made PRIOR to the event must be approved by a simple majority vote of the ASHC Senate.
- G. Requests for AFTER-THE-FACT FUNDING shall require a two-thirds (2/3) vote of the full Senate. The use of proxies by Senate members shall be allowed in the vote.
- H. There shall be no pre-allocation of student fees for future years, either as a percentage of total dollars or an actual dollar amount except for projects approved by unanimous vote in Senate.
- I. Budgets for upcoming terms must be approved by the second to last meeting of the current term.

- J. All budgeted events through ASHC shall display the following notice in advertisements and programs: “This \_\_\_\_\_ event was made possible in total (or in part) by student fees allocated by the ASHC Senate.”
- K. All financial bills shall be referred to the Financial Review Committee and remain in committee for a period of at least three (3) weeks. Due to time constraints that require a financial bill to be passed in less than three (3) weeks, a motion can be made on the senate floor when the financial bill is read in for approval for a turnaround time of no less than one (1) week. A two-thirds (2/3) majority vote of the senate is required.
- L. Requests to expend student funds must be initiated by the account’s fund controller.
- M. Funding is allocated on a yearly basis through the regular budget hearing process of the ASHC. Funds are not guaranteed and the responsibility rests with the organization requesting funds to meet all deadlines and responsibilities.
- N. All ASHC funds shall be accounted for in the manner prescribed by the ASHC Senate and in accordance with Helena College financial policies.
- O. The Helena College fiscal year ends on June 30th. Every attempt should be made to have academic year expenses paid by this date. Money may be expended from summer budgets until all debts incurred during the summer have been paid.
- P. Each fund controller shall limit his/her expenditures to line item totals and total amounts budgeted or approved by the Senate.
- Q. ASHC shall not assume responsibility for deficits incurred because of deficiencies in self-generated revenues or fiscal irresponsibility of chartered clubs or organizations.
- R. Prior to receiving any funds, fund controllers should receive a copy of the ASHC Financial Policy.
- S. Fund controllers may be reallocated up to ten (10) percent of any line item within their budget to another line item within their budget.
- T. All budgeted money remaining in the accounts at the end of the fiscal year (other than excess revenue) shall be returned to the ASHC Contingency Fund unless sufficient reasoning is provided for an account to retain the monies.

### **SECTION 3. ASHC FISCAL AUTHORITY**

- A. The ASHC will have authority over all student funds to investigate, to oversee and allocate these funds.
- B. The ASHC shall have access to pertinent financial information regarding any funded area.

- C. Budgeted accounts shall be defined as those entities funded by ASHC through their budgeting process, on a regular yearly basis.
- D. Non-budgeted accounts (including individuals, clubs, teams, organizations, and groups) shall be defined as entities that are not included in the regular budgeting process of ASHC. These areas may come to Senate to request special appropriation from the ASHC Contingency Fund.

#### **SECTION 4. THE GENERAL FUND**

The General Fund shall be derived from the total monies collected from the Associated Student fees. The General Fund shall be divided into the Budgeted Fund and the Contingency Fund.

##### A. The Budgeted Fund

1. Term allocations shall normally not exceed the total amount of Associated Student fees collected (as determined by the Helena College Business office) for the previous term.
2. In the event Student Senate determines that they have valid requests for funds exceeding the previous term's collections, they may, by separate resolution, and by a simple majority of the votes cast by Senate, agree to exceed the previous term's collections by an amount not to exceed twenty-five percent (25%) of said previous term's collections, should such monies be available in the Contingency Fund.
3. Final allocation of ASHC funds shall be determined by a two-thirds (2/3) majority vote of the Student Senate after receiving recommendations from its Financial Review Committee.

##### B. Summer Session Budget

1. Summer Session allocations shall normally not exceed the total amount of Associated Student fees collected for the previous summer.
2. In the event ASHC determines that they have valid requests for funds exceeding the previous summer's collections, they may, by separate resolution, approved by a two-thirds (2/3) majority of the votes cast by Senate, agree to exceed the previous summer's collections by an amount not to exceed twenty-five percent (25%) of said previous summer's collections, should such monies be available in the Contingency Fund.

##### C. The Contingency Fund

1. The Contingency Fund shall be derived from one-third (1/3) monies collected into the General Fund for the current semester. Special allocations may be made

directly from the Contingency Fund for projects such as leadership activities, educational programs, conferences, or events that benefit the Helena College student community or items not included in the regular budgeted fund. In no event may the combined total of these special allocations exceed eighteen percent (18%) of the balance of the Contingency Fund as of the 15th business day of the term (as determined by the Helena College Business Office).

- a. For a budgeted or non-budgeted area to receive a special appropriation from the ASHC Contingency Fund, one of the following criteria must be met:
  - 1) Be a service provided directly by ASHC;
  - 2) Be a student registered at Helena College registered in three (3) or more credits;
  - 3) Be a student organization recognized by ASHC
- b. Contingency Funds requesters should demonstrate to the Student Senate that they have made reasonable efforts to finance their project or program from other revenue sources before requesting funds from ASHC. Requesters must demonstrate the value of the project or program to the Senate.
- c. Upon completion of any project funded from the Contingency Fund, a written and oral report regarding the actual expenditure of said funds must be completed and forwarded to the ASHC Senate. This report should be completed no later than two (2) weeks or ten (10) business days after the completion of the project with proof of receipt. Failure to comply will jeopardize future funding.
- d. Allocations from this fund shall be only by special appropriation or in the form ASHC Senate Scholarships.
- e. Each request for Contingency Funds must be through the appropriate forms and include an itemized budget and a narrative justification.
- f. Contingency Fund requests must be submitted to the Senate through the ASHC Business Manager by the posted deadline, unless approved by senate process.
- g. Any unused funds allocated from the Contingency Fund shall revert to the Contingency Fund upon completion of that event or project.

## **SECTION 5. TRAVEL POLICY**

To be funded, the purpose of the travel must first meet the established Helena College process, and then correspond with one of the following prioritized standards:

1. Travel is required for the performance of duties of elected or appointed ASHC office or services.
2. Travel provides the benefit of leadership or organizational training, contacts, or information which shall improve the performance of an individual serving in an elected or appointed position of ASHC or services.
3. Travel allows either the presentation of an academic paper or work by a Helena College student or the information and education of Helena College students concerning matters of importance and access to the general student populace of Helena College.
4. Travel allows the representation of the student body of Helena College, the Helena College campus, or the community through the presentation of an original work or by service on a board or panel.
5. If travel funds are requested, the group, organization, or individual is required to spend approximately 30% of the total budget for the trip out of the club, organization, or personal account.

## **SECTION 6. BUDGET AMENDMENTS**

Internal budget transfers more than ten (10) percent of the originally allocated line item, fund controllers must present amendments to ASHC following the below process:

1. Fund controller prepares a budget amendment and forwards it to the ASHC Business manager, who shall place it on the agenda to be presented to the Student Senate. Senate shall refer the amendment to the Financial Review Committee.
2. The amendment is presented at the next meeting of the Financial Review Committee for discussion. It is recommended that the fund controller be present.
3. A recommendation is prepared for presentation to Senate and must pass Senate by a two-thirds (2/3) majority vote.
4. The ASHC Business manager must forward the decision of the Senate to the fund controller.
5. If approved by the Senate, the amendment must be forwarded to the Helena College Business Office for inclusion in the accounting records.

## **SECTION 7. AUDIT OF CHARTERED CLUBS AND ORGANIZATIONS**

The purpose of a Financial Review Committee audit is to investigate the operations funded partially or fully with ASHC monies.

1. Procedures for Audit
  - a. An audit request must be submitted in writing to the Financial Review Committee from at least two (2) senators, or by a petition of twenty (20) enrolled students. A narrative justification for the audit must accompany all requests.
  - b. The Financial Review Committee will request through the proper channels, that the Helena College Business Office perform an audit of the specified account.
  - c. The Financial Review Committee must submit a report to the Senate no later than two (2) weeks after completion of the audit.

## **SECTION 8. BUDGET PROCEDURES**

All fund controllers are required to maintain a current, detailed, itemized budget of expenditures of purchase or payment.

1. Payment of Invoices
  - a. A Payment Authorization Form must be completed and approved by the appropriate fund controllers for expenditures made from a ASHC account and must include line item name and appropriate account code.
  - b. All fund controllers shall use the coding system established in the UMDW system.
  - c. The following signatures are required on all Payment Authorization Forms
    - (1) Student club fund controller (e.g. Treasurers, Presidents, and/or Secretaries)
    - (2) ASHC Business Manager or ASHC President
    - (3) The appropriate Advisor.
2. Institution Credit Card (Pro Card)

- a. ASHC must receive a copy of the receipt within (3) business days of the purchase. If a receipt is not readily available after purchase, written notice of the purchase must be presented to the Senate within three (3) business days of purchase followed by a copy of the receipt given to ASHC when the receipt is available.
  - b. A PO form must be attached to the receipt with a detailed description of the expense.
3. Requests for reimbursement must include a completed Payment Authorization Form and receipts and must be submitted to the ASHC Business Manager for approval within ten (10) working days after the purchase has been made.
4. Travel
  - a. A “Travel Authorization” form must be completed and submitted to the ASHC Business Manager at least two (2) weeks prior to travel.
  - b. A “Travel Expense Voucher” must be filled out within ten (10) days after the return of the traveler. Receipts must be attached to the Travel Expense Voucher.
  - c. Reimbursement for travel expenses shall be made in accordance with Montana Code Annotated.
5. Campus Entertainment/Hospitality  
If your club or organization expects to incur food, entertainment, or hospitality expenses more than \$30.00, you must fill out an Entertainment Approval Form and obtain the approval signatures of your president or business manager. This form must be attached to the Payment Authorization form when it is submitted to the Business Office. This is a requirement by the Montana Board of Regents of Higher Education policy on campus entertainment.

**SECTION 9. EXECUTIVE COUNCIL PAY PER SEMSTER (Summer excluded)**

- A. President
  - a. \$850 per semester
- B. Vice President
  - b. \$850 per semester
- C. Business Manager
  - c. \$500 per semester
- D. Secretary
  - d. \$500 per semester

- E. Advisor(s) total
  - e. Advisors shall be volunteer positions subject to compensation for a case-by-case basis such as travel/event expenses on behalf of ASHC.