

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

PREAMBLE

We, the student body of Helena College University of Montana, have the right and collective authority of self-governance and the enhancement of our education. In order to preserve and further these aims; to promote understanding and involvement among all members of the College community; to represent, advocate, and promulgate the interest of the student body; to serve as liaisons in the administrative processes of Helena College; to protect our right to govern ourselves and accept responsibility of promoting the quality of student life; to be the official voice of students in academic, institutional and campus affairs; we do hereby establish this Constitution for the Associated Students of Helena College.

ARTICLE 1. – Name and Membership

Section 1. The name of this organization shall be the Associated Students of Helena College University of Montana, hereinafter referred to as ASHC.

Section 2. A member of the Associated Students of Helena College shall be defined as any student government fee-paying student of the Helena College.

Section 3. Members are entitled to participate in the official proceedings of the body and to seek office for any position within the Association in accordance with the established bylaws.

ARTICLE 2. – Purpose

ASHC shall be the representative body of the members of the association, organized exclusively for educational and non-profit purposes. The primary responsibilities of ASHC is to serve as an advocate for the general welfare of Helena College students, serve as a forum for student participation in student clubs and organizations, conduct business on behalf of the student body, and provide official representation for student opinion and action as well as other services regarding the College's internal and external affairs.

ARTICLE 3. – Management and Structure

Section 1. The management of ASHC will be vested in the Executive Branch, which will employ necessary staff and maintain student administration as outlined in the ASHC Bylaws.

Section 2. ASHC will function through the Executive Branch and the Legislative Branch. The duties of each are included in the ASHC Bylaws.

Section 3. All officers and branches will have the primary duties of determining and representing student opinion and executing the appropriate action as defined in the bylaws.

Section 4. The ASHC and related activities must comply with ASHC bylaws, Helena College Student Code of Conduct, the policies of the Montana Board of Regents on Higher Education, and Montana State Code Annotated.

Section 5. ASHC is responsible for ensuring all clubs, activities, and events adhere to the spirit and intent of the ASHC Constitution, ASHC bylaws, and Helena College Student Code of Conduct.

ARTICLE 4. – Executive Branch and Terms of Office

The Executive Branch will oversee the affairs of ASHC and will recommend legislation to the Senate. The Executive Branch will establish councils, 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. The Executive Branch will enforce and put into effect all statutes duly passed by the Legislative Branch. The Executive Branch will consist of but not be limited to the following:

A. Executive Council

1. The ASHC President, who shall uphold and enforce the ASHC Constitution and its Bylaws. The President is not an officer of the Senate but holds veto power according to the ASHC bylaws.
2. The ASHC Vice President, who shall preside over the Senate and who may vote on Senate business in the event of a tie. The Vice President shall assume the President's duties in his/her absence if said absence impairs the functioning ability of ASHC.
3. The ASHC Business Manager
4. The ASHC Secretary
5. Advisor(s)

B. Executive councils, boards, and bureaus appointed by and responsible to the Executive Board.

C. The Executive Council has fiduciary responsibility for all ASHC funds.

D. The Executive Council shall be responsible for ensuring that chartered clubs and their activities are fulfilling their constitutional duties as defined

by the ASHC bylaws.

ARTICLE 5. – Legislative Branch

Section 1. The Legislative Branch will consist of Senate members, in which only ASHC Senators or the presiding officer may vote.

- A. The Senate membership shall be composed of:
 - 1. Representatives from student clubs
 - 2. Representatives from the student body at large
- B. The legislative and budgetary power of ASHC shall be vested in the ASHC Senate. The function of the ASHC Senate shall be:
 - 1. To conduct hearings for and approve the annual ASHC budget.
 - 2. To adopt bylaws for ASHC and revise them.
 - 3. To take whatever action it deems necessary to fulfill its obligations to students, faculty, and/or administration.
 - 4. To investigate, adopt resolutions and to perform all routine legislative and budgetary functions on matters within the jurisdiction of ASHC.
 - 5. Strive to ensure that student fees are being spent in a manner consistent with student needs or desires.
 - 6. The Senate shall have the power to override the ASHC President's veto with two-thirds (2/3) majority of the votes cast at the next regularly scheduled meeting of Senate during the academic year.

Section 2. Summer Senate

The ASHC Senate, during the spring semester, may appoint up to eight (8), but no less than four (4) students to serve as summer senators.

ARTICLE 6. – Financial Policy

Section 1. The Associated Student Fee is the fee paid by all registered students of Helena College University of Montana for the financing of student activity areas as approved by the Board of Regents. All allocations must be supported by a two-thirds (2/3) majority vote of the ASHC Senate.

Section 2. The financial affairs of ASHC must be conducted according to the Bylaws of

ASHC.

ARTICLE 7. – Elections

The ASHC Vice President will administer all elections according to the provision of Article 3 of the ASHC Election Bylaws. All candidates for any ASHC office shall be selected based upon a plurality of votes cast.

ARTICLE 8. – Impeachment and Removal from Office

Section 1. Grounds for Impeachment and/or Removal of Executive Officers and Senators.

- A. Any member who has failed to fulfill his/her duties or has violated this Constitution, its Bylaws, or other governing documents.
- B. Other grounds will only be accepted if they satisfy cause for termination as defined by Montana Code Annotated.

Section 2. Process of Impeachment

- A. The Senate may impeach officers or members of Student Government by a three-fourths (3/4) vote of the duly elected Senators.
- B. Cases of impeachment shall be heard by the Constitutional Review Board.
- C. If the impeachment charges are sustained by the Constitutional Review Board or Senate, the member's term of office shall terminate immediately

ARTICLE 9. - Initiative Referendum

In any general case of issues passed, deleted, or ignored by the ASHC Student Senate, the Associated Students have the right of initiative referendum by petition of twenty percent (20%) of the Associated Students. Within three (3) weeks after receipt of the petition by the Student Senate, the issue shall be submitted to the Associated Students for their approval or disapproval by vote. A two-thirds (2/3) majority of the Associated Students who vote on the issue shall be required for it to pass. Election ballots where students fail to vote either for or against the issue shall not be counted in the two-thirds (2/3) majority vote.

ARTICLE 10. – Amendments

Section 1. This Constitution may be amended during the regular year at either a regular or special election.

- A. Amendments may be proposed by a petition to Student Senate endorsed

with signatures of at least one hundred (100) members of the Associated Students, or by Student Senate through a simple majority of the Senate votes cast.

- B. Student Senate shall submit such proposed amendments to the Associated Students for approval or disapproval.
- C. Approval by two-thirds (2/3) of the members of the Associated Students who vote on the amendment shall be required for it to pass.
- D. Election ballots where students fail to vote either for or against an amendment shall not be counted in the two-thirds (2/3) vote.
- E. Such election shall be held not earlier than two (2) weeks and or later than four (4) weeks after the final version of the amendment has been approved by Student Senate.

Section 2. Copies of any proposed amendment(s) must be made available to members of the ASHC, six (6) class days before the time of voting on said amendment(s).

Section 3. During any academic year, where amendments have been adopted to this Constitution, there shall be a re-publication of the revised Constitution. Copies of the revised Constitution shall be made available to members of the Student Senate and the Associated Students as soon as possible.

ARTICLE 11 – Severability

Section 1. If any section, clause, paragraph, or item of this Constitution is found to be illegal or in conflict with Montana Code Annotated, the validity of the remaining portions or provisions will not be affected, and the remainder of this Constitution will be construed and enforced as if it did not contain the part, term or provision held to be invalid.

Section 2. The ASHC Bylaws will regulate any functions, authorities, or procedures not defined in this Constitution.