

**The Constitution of the  
Associated Students  
Of  
Great Falls College  
Montana State University**

**Preamble**

*We, the Associated Students of Great Falls College Montana State University (ASGFC MSU), in order to encourage constructive relationships among the students, the faculty, staff, and the administration; to supplement and complement formal education on the Great Falls College Montana State University campus; to represent student interests, needs and welfare within the campus; to provide for the expression of student opinion and interests to the community at large on issues affecting student life; and to protect the privileges and rights of students herein stated, do hereby establish and affirm this Constitution for the Associated Students of Great Falls College Montana State University (ASGFC MSU)*

## **ARTICLE 1. – Name**

Sec. 1. - The name of this Association shall be the Associated Students of Great Falls College Montana State University hereinafter called (ASGFC MSU)

## **ARTICLE 2. – Membership**

Sec. 1 – All registered students of one credit or more will be a member of the Associated Students and will be allowed to vote in annual elections.

Sec. 2 - All Registered Senators and Executives of Great Falls College Montana State University enrolled for six (6) or more credits, and only such persons, shall be members of the Student Government. As members, they shall be entitled to vote, to hold office in the government if qualifications for candidacy are met, and to exercise the various rights and privileges of membership.

Sec. 3 - For the purposes of this constitution, student shall be defined as anyone who is currently enrolled for one credit or more in Great Falls College Montana State University.

Sec. 4 - For the purposes of this constitution, The Association shall refer to the student body as a whole

## **ARTICLE 3. – Management and Structure**

Sec. 1 - The management of ASGFC MSU Great Falls College Montana State University shall be vested in the Executive Branch, which shall employ necessary student staff and shall maintain student administration as provided in the ASGFC MSU By-Laws.

Sec. 2 – ASGFC MSU shall function through the Executive Branch, the Legislative Branch, and the Judiciary Branch.

Sec. 3 - All officers and branches shall have the primary duties of determining and representing student opinion and executing appropriate action.

Sec.4 - The ASGFC MSU government and their activities must comply with Montana state law, policies of the Montana Board of Regents of higher education, and GFC MSU policies.

Sec.5 – The meetings of the ASGFC MSU senate will be conducted according to Roberts Rules of Order.

## **ARTICLE 4. – Executive Branch**

Sec. 1 the Executive Branch shall administer the affairs of ASGFC MSU and shall recommend legislation to the Senate. It shall establish committees to take action on any matter within the jurisdiction of ASGFC MSU that may not be covered by statute or ASGFC MSU Senate By-Laws. It shall enforce and put into effect all statutes duly passed by the Legislative Branch. The Executive Branch shall consist of, but not be limited to, the following:

### **Executive Cabinet**

The ASGFC MSU President, who shall uphold and enforce the ASGFC MSU Constitution and its By-Laws. The President may only vote on senate matters in the event of a tie but, holds veto power.

1. The ASGFC MSU Vice President shall assume the President’s duties in his/her absence, if said absence impairs the functioning ability of ASGFC MSU. The Vice President is the Chairperson of the Student referral program (SRP) and all members of the executive cabinet are considered members of the committee.
2. The ASGFC MSU Treasurer, who shall be the liaison to fiscal authority of the senate.
  - This position shall be an appointment by the President. Said appointment must be made in cooperation with the Vice President, Student Activities Coordinator (if presently employed), the Associate Dean of Student Services (or designated proxy), and at least 1 Student Government Advisor.
3. The ASGFC MSU Secretary, who shall maintain written record of all ASGFC MSU proceedings.
  - This position shall be an appointment by the President. Said appointment must be made in cooperation with the Vice President, Student Activities Coordinator (if presently employed), the Associate Dean of Student Services (or designated proxy), and at least 1 Student Government Advisor.

## **ARTICLE 5. – Legislative Branch**

Sec. 1 The Legislative Branch shall consist of the Senate, in which only ASGFC MSU Senators may vote.

Sec. 2 The legislative and budgetary power of ASGFC MSU shall be vested in the ASGFC MSU Senate. The function of the ASGFC MSU Senate shall be:

Sec. 3 To conduct hearings for and approve the annual ASGFC MSU budget. The final approval of the budget will come from the CEO/Dean or his/her designee.

Sec. 4 To adopt by-laws for ASGFC MSU and make revisions to them.

Sec. 5 The legislative branch is obligated to fulfill the needs of students however possible in accordance with the ASGFC MSU Constitution and By-Laws

Sec. 6 To investigate, adopt resolutions and to perform all normal legislative and budgetary functions on matters within the jurisdiction of ASGFC MSU.

Sec. 7 Ensure that student fees are being spent in a manner consistent with student needs or desires and within College policy and procedures.

Sec. 8 The Senate shall have the power to override the ASGFC MSU President's veto with two-thirds (2/3) of the votes cast at the next regularly scheduled meeting of Senate during the academic year. Senators who fail to vote either for or against the issue abstain shall not be counted in the two-thirds (2/3) vote.

## **ARTICLE 6. – Judiciary Branch**

Sec. 1 The Wage Addendum Committee (W.A.C.) shall be disbanded and the Supreme Court will assume all of the former duties of the Wage Addendum Committee.

Sec. 2 The judicial power of ASGFC MSU shall be vested in the Supreme Court. The Supreme Court shall consist of at least five (5) senators 1 of whom is the Chief Justice, and one (1) institutional representative either from the faculty or staff. The Chief Justice will be appointed by the senate and will vote *ONLY* in the instance of a tie vote. The institutional representative may be an advisor to student government or another member of the institution. Being a member of the Supreme Court does not count toward the committee requirements of a senator. Therefore, all members of the Supreme Court (with exception to Chief Justice) shall be required to sit on a second committee. In all instances where the Supreme Court is required to vote, Justices will vote objectively and without bias.

Sec. 3 Powers and Responsibilities of the Supreme Court

To interpret the Constitution or make rulings on any action taken under said Constitution.

To try cases of impeachment excluding those cases of impeachment of Supreme Court members, in which case the ASGFC MSU Executive Branch shall hear the case.

The Supreme Court shall oversee all matters regarding payment of senators and executives.

Sec. 4 Binding Authority

All rulings will remain in effect until superseded by Constitutional change or a subsequent ruling by the Supreme Court.

Note: The Legislative body has the power of Initiative Referendum and the Executive body has Presidential Veto power in all cases.

Sec. 5 The affairs of the Supreme Court shall be conducted according to the policies of GFC MSU, ASGFC MSU Student Government, and the ASGFC MSU Student Government Constitution and By-Laws.

Sec. 6 Due to the sensitive nature of matters involving the Supreme Court, when personnel matters are being discussed, the Supreme Court will go into an executive session.

Sec. 7 Process of Reprimand:

Accusations of misconduct of any official in ASGFC MSU must be submitted in writing to the Supreme Court.

Investigations will mirror Great Falls College Montana State University policy 300.83.

Notice:

In the event of a formal investigation, the accused official/officials shall be notified with three (3) business days that a formal investigation is being conducted. Such notice shall be in writing and include the following:

- A. The specific complaint(s) citing the Senate policies or regulation(s) allegedly violated.
- B. A description of the alleged violation(s), including the time and place of the alleged act(s) (insofar as may reasonably be known) and a summary of the information upon which the complaints are based.
- C. The timeline expected for the conduct and conclusion of the investigation, and decision to be made as a result of the investigation.
- D. The procedures to be followed in communication with both parties of the complaint (complainant and respondent).
- E. All Campus policies or regulations violated must be referred to the Chief Student Affairs Officer.

Investigation:

- A. The formal investigation will be conducted by the members of the Supreme Court. The investigation will be concluded within thirty (30) days of receipt of the written request, unless there is sufficient cause for delay.

- B. The Supreme Court will identify all policies that apply to the situation, identify all witnesses and other persons to be interviewed in order to understand the matter fully.
- C. Interview- Both the complainant and respondent will be interviewed as part of the investigation, and given the opportunity to review the notes from their own interviews for accuracy.
- D. The Supreme Court will present their findings regarding any violation of constitution or by-laws to the senate during a senate meeting. Both parties (complainant and respondent) shall be informed of the results from the investigation.
- E. All parties involved in investigation will be placed under an informal confidentiality agreement for the length of the proceedings. Violation of the confidentiality agreement will be grounds for IMMEDIATE REMOVAL from Supreme Court. Those who violate the confidentiality cannot be considered for membership of the Supreme Court in the future.
- F. In the event that an investigation includes a member of the Supreme Court, then investigation will be conducted by the Executive branch and Advisor/Associate Dean of Student Services or his/her designee in the same manner stated in steps A-E of Article 6 Sec 7 under investigations.

## **ARTICLE 7. – Financial Policy**

Sec. 1 The Associated Student Fee is the fee paid by all registered students of Great Falls College Montana State University for the financing of student activity areas as approved by the Board of Regents. All allocations must be approved by a majority vote of the ASGFC MSU Senate.

Sec. 2 The financial affairs of ASGFC MSU shall be conducted according to the By-Laws of ASGFC MSU.

## **ARTICLE 8. – Elections**

All elections will be administered by the ASGFC MSU Vice-President in accordance with the ASGFC MSU By-Laws.

## **ARTICLE 9. – Impeachment and Removal from Office**

Sec. 1 Grounds for Impeachment and/or Removal of Executive Officers, Justices, or Senators.

Any member who has failed to fulfill his/her duties or has violated this Constitution or its By-Laws.

Sec. 2 Process of Impeachment

The Senate may impeach officers or members of Student Government by a two-thirds (2/3) vote of the duly elected Senators.

Cases of impeachment shall be heard by the Supreme Court, excluding those cases of impeachment of Justices, which shall be heard and decided by the Executives.

If the impeachment charges are sustained by the Supreme Court or the Senate, the member's term of office shall terminate immediately. The senate, however, may vote to retain said member.

### Sec. 3 Recall by Students

The Associated Students have the right to recall any elected Officer by submitting a petition to the Student Senate, signed by at least the number of students equal to fifty percent (50%) of the number of students voting in the election in which that Officer was elected. The Senate shall place the issue before the Associated Students in a recall election within three (3) weeks after receipt of said petition. If the recall is approved by a two-thirds (2/3) majority of the Associated Students who vote on the issue in the recall election, the term of the Officer in question will terminate immediately. If the President is removed from office due to a recall election, the Vice President shall assume the Presidential role and the chair of the Supreme Court shall assume the role of Vice President. If the Treasurer or Secretary is removed by recall election, the President shall appoint a Senator to the position who will be confirmed by a two-thirds (2/3) vote of the current senate.

## **ARTICLE 10 - Initiative Referendum**

In any general case of issues passed, deleted, or ignored by the ASGFC MSU Student Senate, the Associated Students have the right of initiative referendum by petition of ten percent (10%) 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) vote. An initiative referendum vote will be mediated by an appointed member of faculty or staff in order to maintain transparency. The appointment of a faculty or staff member in this case (and only this case) will be decided by a 2/3 vote of the senate.

## **ARTICLE 11 – Amendments**

Sec. 1 This Constitution may be amended during the regular year at either a regular or special election. Any amendments must originate in and be approved by a two thirds (2/3) vote of the Student Senate.

Sec. 2 The CEO/Dean of Great Falls College Montana State University may approve or disapprove of an amendment to the Constitution of the Associated Students. If he/she does not approve an amendment, he/she shall return the amendment to the Senate with his/her objections within seven (7) calendar days after it is submitted to him/her by the President of the Student Senate.

Sec. 3 If any amendment shall not be returned by the CEO/Dean of Great Falls College Montana State University or his/her designee within seven (7) calendar days after it shall have been presented to him/her, the same shall be approved, in like manner as if he/she had signed it.

Sec. 4 Whenever during any academic year 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. The academic year shall be defined as the consecutive fall and spring semesters.

## **ARTICLE 12 – Severability**

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

Sec. 2 Any functions, authorities, or procedures not defined in this Constitution shall be regulated by the ASGFC MSU By-Laws.

## **ARTICLE 13 – By-Laws**

Sec. 1 By-Laws shall be established

Sec. 2 Changes may be made in the By-Laws by a two thirds (2/3) vote of the Student Senate.

## **ARTICLE 14 - Rights of Students**

Sec. 1 - All rights granted to citizens of the United States of America per the Constitution of the United States shall be extended to all Associated Students of GFC MSU.

Sec. 2 – Non-Discrimination of Students -

The Associated Students of College of Great Falls Montana State University, acting in accordance with the Constitution of the United States of America believe that all people are created equal and guaranteed certain unalienable rights. In the best interest of the student



body and in a continuing effort to make the greatest learning environment possible, we are in agreement that students that attend our facility will not be discriminated against based on race, color, national origin, age, disability, sex, religion, sexual preference, veteran status, gender identity, marital status, parental status, political beliefs, genetic information, creed, or veteran status.