

# ASUO Green Tape Notebook

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#### **Please Note:**

This Green Tape Notebook reprints the rules, regulations and policies of the student groups created by the ASUO Constitution. Included here are the rules that were in effect as of April 22, 1999. Each of these groups may revise their rules at any time subject to the express review and approval of the Constitution Court (see also ASUO 10.15). You should consult with the respective group to obtain the current rules before relying on the rules contained in the Green Tape Notebook.

The Green Tape Notebook is available in accessible formats upon request. Please contact the ASUO, Suite 4 EMU (346-3724) for more information.

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## ASUO Green Tape Notebook

### INTRODUCTION

The Green Tape Notebook is a reference manual of current rules and procedures for ASUO program management. The *Notebook* is designed to make program operation easier by providing basic information, ASUO and Student Senate rules (and selected others), governing programs and names of people to contact for information.

The *Notebook* is divided into sections for easy use. The notes that precede sections reference sources of rules quoted in the section. Codes used translate as follows:

ASUO 1.1 ASUO Constitution, Article 1, Section 1.

Exec. R. 82.1 ASUO Executive Rule #1, established in 1981-82.

UO Rule Rule established by the EMU administration or other University of Oregon agency.

OUS Rule Rule established by the Oregon University System.

In addition to the Green Tape Notebook and the ASUO Programs Manual each program should be familiar with the UO Activity Reference Guide (available on the Controller's website) which contains detailed information on travel, scheduling and purchasing. You may check out a copy from the ASUO Executive Office in EMU Suite 4.

Most of the questions and problems you may have can be resolved using these guides and the UO Activity Reference Guide. If, after checking these sources, you still have a question, call or visit the ASUO Executive Office. In the event of monetary difficulty, discuss the problem with the Executive before asking the Student Senate for help. Most problems can be handled without taking the time to convene the Student Senate. The Student Senate will generally not act on a request which has not been brought to the attention of the Executive.

**THE ASUO EXECUTIVE, THE STUDENT SENATE AND THE CONSTITUTION COURT RESERVE THE RIGHT TO REVISE ANY OF THE RULES INCLUDED IN THIS GUIDE. PROGRAMS WILL RECEIVE WRITTEN NOTICE OF ANY CHANGES MADE. ANY CHANGES IN THE ASUO EXECUTIVE RULES MUST BE REVIEWED BY THE PROGRAMS COUNCIL, WHICH CONSISTS OF ALL ASUO PROGRAM DIRECTIONS, THE ASUO PROGRAMS ADMINISTRATOR AND THE ASUO PRESIDENT.**

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## ASUO Green Tape Notebook

### STUDENT GOVERNMENT AT THE UNIVERSITY OF OREGON

The incidental fee charged each term to each student produces the revenue to pay for the operations of the ASUO programs. All students who have paid the current term or semester student incidental fee are members of the Associated Students of the University of Oregon (ASUO) and generally have access to all ASUO programs and services. People who are not enrolled as full time students may not be eligible for all services. For more information, contact the ASUO Executive (346-3724).

The ASUO consists of seven branches of student government: the ASUO Executive, the Student Senate, ASUO Programs Finance Committee, ASUO Athletic Department Finance Committee, Erb Memorial Union Board (EMU Board), the Associated Students Presidential Advisory Council (ASPAC) and the Constitution Court. All members of the Senate and certain members of the Programs Finance Committee, the Athletic Department Finance Committee (ADFC), the EMU Board and ASPAC are elected. The balance of the members of these bodies, plus the Constitution Court, are appointed. Together, these bodies provide governance, leadership and representation for student concerns. Because most programs are housed in the Erb Memorial Union, EMU rules often affect programs. Programs also fall under general University administration jurisdiction. Because the State of Oregon collects incidental fees, programs must operate within the same framework of rules as state agencies do. Most of these everyday rules will appear in the UO Activity Reference Guide.

**ASUO EXECUTIVE:** Suite 4, EMU, 346-3724

The ASUO Constitution (see appendix) describes the legal and procedural functioning and the general makeup of the ASUO Executive, yet the goals and emphasis are open to change with the ASUO administration from year to year. The Executive is the recognized voice of University of Oregon students and administers over 90 funded ASUO programs.

Section 5.1 of the ASUO Constitution grants authority to manage ASUO programs to the ASUO President. The ASUO Programs Administrator facilitates Programs Council meetings and program management workshops to assist programs in meeting their goals. The ASUO Finance Coordinator works with the Student Senate on the allocation of over \$6.5 million in student incidental fees to the ASUO programs, the EMU and the Athletic Department.

**STUDENT SENATE:** Room 319, EMU, 346-3749

The 18 members of the ASUO Student Senate represent the constituent interests of students and act on all matters related to the allocation and appropriation of incidental fees. The incidental fee is a self-imposed tax by which students finance activities and programs. Section 6.2 of the ASUO Constitution grants the Student Senate authority to allocate the incidental fee dollars. The Student

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Senate is the only fee allocation body in the Oregon University System composed entirely of students.

Reflecting its dual functions, nine members of the Student Senate are elected by major to represent academic departments and are known as "Academic Senators," while nine are elected to serve on Finance Committees and are known as "Finance Senators." The ASUO Vice President is an ex-officio member of the Senate and may only vote in the case of a tie.

The ASUO Programs Finance Committee (PFC), the Athletic Department Finance Committee (ADFC) and the Erb Memorial Union Board (see below) each develop budget recommendations for submission to the Student Senate spring term of every year. The Student Senate then votes to approve or deny these budget recommendations. While individual student programs submit individual budgets to their respective Finance Committees, the entire Student Senate hears all special requests throughout the year.

Five student senators are full voting members of the University Senate and all 18 senators serve on the University Assembly and may initiate legislation. The Senate also appoints students to Student/Faculty University Committees and confirms ASUO Executive appointments. The Student Senate meets weekly from fall term to spring term and as needed in the summer.

### ASUO PROGRAMS FINANCE COMMITTEE: Room 319, EMU, 346-3749

The ASUO Programs Finance Committee acts on all matters relating to the allocation of incidental fees to ASUO Programs for the purpose of recommending a budget to the Student Senate. The Committee is composed of three Finance Senators, two members elected at-large by the student body, one appointed by the ASUO President, and one appointed by the ASUO Programs Council. This budgeting process begins in the fall and ends with submission of an ASUO Programs recommended budget to the Student Senate in the spring.

The ASUO Programs Finance Committee recommends funding for each program that submits a proposal for the following year. Groups wishing to be funded may submit a budget proposal according to the ASUO Programs Finance Committee's budgeting schedule, but such groups are not guaranteed funding. (See Student Senate for more information.)

### ASUO ATHLETIC DEPARTMENT FINANCE COMMITTEE: Room 319, EMU, 346-3749

This body consists of three Finance Senators, one member appointed by the ASUO and one appointed by the Athletic Department Team Council. It acts on all matters relating to the allocation and appropriation of incidental fees for the UO Athletic Department for the purpose of recommending a budget to the Student Senate. (See Student Senate for more information.)

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### ERB MEMORIAL UNION BOARD: Mezzanine Level, EMU, 346-3720

The EMUB is a 15 member committee consisting of students, faculty and EMU staff. It is responsible for allocating a five million dollar budget to programs and service areas and allocating space in the 200,000 square foot EMU facility. Most of this work is delegated to the House and Budget committees. Any matter dealing with renovations of the building, reassignment of space or changes in EMU program budgets must be approved by the EMUB.

The Erb Memorial Union is composed of services and programs which serve students. In addition, the EMU contains space for offices, facilities for meetings and activities, the Campus Copy Center, the US Postal Service and food catering services. The Student Activities Resource Office (SARO) provides direct consultation and assistance to University groups interested in planning and presenting educational activities.

### ASSOCIATED STUDENTS' PRESIDENTIAL ADVISORY COUNCIL (ASPAC): Suite 4, EMU, 346-3724

The Associated Students' Presidential Advisory Council is a 16 member committee whose objective is to advise the University President on matters affecting the student population. It is comprised of the University President, ASUO Vice President, ASUO University Affairs Coordinator, two ASUO Program representatives, an EMU Board member, a Student Senate member, a member of the Residence Hall Association and a representative from each major student newspaper (Oregon Daily Emerald, Oregon Commentator, and the Student Insurgent). Two Student-at-Large positions are elected to two-year terms. Also included on the council are representatives of Greek, International, graduate/law, non-traditional, and lesbian/gay/bisexual/transgender student populations.

### ASUO CONSTITUTION COURT: Suite 4, EMU, 346-3724

The Constitution Court, appointed by the ASUO President and confirmed by the Student Senate, serves as the Court of Appeals for the ASUO. The Court has the authority to rule on any question arising under the ASUO Constitution or any rule promulgated under it. This review power covers almost any action by ASUO government bodies, programs, and in special cases such as elections and actions by individual students. The Court has broad powers to impose sanctions to compel compliance with its rulings. The Court has five members who serve as long as they remain students at the University.

All rules, regulations and policies established by the ASUO Executive, the EMU Board and the Student Senate must be reviewed and approved by the Court as complying with the ASUO Constitution.

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### STUDENT HEALTH ADVISORY COMMITTEE (SHAC): 346-3702

The Student Health Advisory Committee is responsible for: recommending the student health service fee and an annual budget for the Student Health Center, evaluating and recommending changes in Health Center services, setting policy for the student health insurance program, recommending criteria for determining policy for financing health care services for students through the Health Center, serving as liaison between the student body and the Health Center, and generally promoting good health throughout the University community. The voting membership of SHAC consists of nine students appointed by the ASUO President plus four faculty members appointed by the University President. SHAC works closely with the Student Health Center and its administrators.

## DEFINITIONS

### ASUO Program:

An ASUO program is a group recognized by the ASUO, as opposed to one recognized by a UO Department, although some programs are *jointly* recognized by the ASUO and UO Departments. ASUO programs must act in compliance with ASUO Executive Guidelines for Registration and Recognition of Student Organizations. These are found in the UO Activity Reference Guide and the ASUO Programs Manual. See also Exec Rule 94.3 in Appendix.

### Incidental Fee Funded Programs:

An incidental fee funded program is any program, group, organization, corporation or other entity which accepts incidental fee funding.

### Student:

For the purposes of participation in or access to student activities, a student is an individual who has paid the current term or semester student incidental fee. To hold elective or appointive office in ASUO governance, programs or committees, a student must be enrolled in and complete (each term) at least the number of credit hours required to maintain half-time status at the University of Oregon as defined in the current general catalog. Note: at the time of this writing, "half-time" means six hours undergraduate or five hours graduate credits per term.

## PROGRAM MANAGEMENT

Program management is the responsibility of the program directors and staff. The ASUO Executive Programs Administrator and/or the Finance Coordinator can provide assistance to program directors. In addition, the Programs Finance Committee assigns "tags" to each program to answer budgetary and managerial questions.

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### PROGRAMS MANUAL

The Programs Manual is a reference manual of rules and regulations that directly affect ASUO recognized and registered programs. The manual is designed to answer questions on the day to day operations of a program.

#### Exec R 80.1 (revised 1995) Grievances

If there is an internal grievance in a program, and the problem cannot be resolved through in-program discussion, bring the problem to the attention of the ASUO Conflict Resolution Services. This impartial agency will attempt to reach a compromise.

If mediation is unsuccessful, or if either or both parties are unwilling to use mediation, bring the problem to the attention of the ASUO Programs Administrator. S/he will meet with the individuals involved to discuss the problem and to develop a plan that will alleviate the problem. If the Programs Administrator concludes that the situation is unresolvable s/he may recommend corrective action if deemed necessary, including the removal from office of any program member, and set a deadline by which the problem must be resolved. If the grievance involves staff members, the ASUO Programs Administrator should refer to the 'Terms of Employment Statement' outlined in Exec R 84.1. The corrective action to be taken by the Programs Administrator is explained in Exec R 84.2. Any action taken by the Programs Administrator may be appealed to the ASUO President. Any Presidential action taken under this rule may be appealed to the ASUO Constitution Court.

If the grievance directly involves actions of the Programs Administrator, the ASUO President or his/her designee will fill the role of the Programs Administrator in the process described above.

It is important for program members, **before** initiating the grievance procedures outlined above, to consult their program's by-laws and/or charter as well as UO Rules or Oregon Administrative Rules to see if a separate grievance procedure is mandated within any of those documents. If the program is in violation of the ASUO Constitution, ASUO Executive Rules, University Rules, or State Law, or if the problem is one other than an internal grievance, refer to Exec R 81.1.

#### Exec R 81.1 (revised 1999) Rule Violations

In the event that any incidental fee funded or ASUO program ceases to manage its affairs in a reasonable and responsible manner, or violates the rules of the ASUO Executive, the ASUO Constitution, the Erb Memorial Union, the University of Oregon, or the State of Oregon, the ASUO Programs Administrator may take corrective action as the designated representative of the ASUO Executive. Any action taken by the ASUO Programs Administrator under these rules may be appealed to the ASUO President. (See Exec R 92.1)

The ASUO President may act directly in response to program actions if s/he deems it necessary. Punitive action taken by the ASUO Executive may include any fiscal controls up to and including indefinite freezing of funds. It may also include removal of program staff, denial of certain privileges to program staff (see Exec Rules about staff selection especially Exec Rule 84.2) and/or



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withdrawal of ASUO recognition or registration. In the event that the corrective actions are unsuccessful, the President may dissolve a program and/or absorb its functions under the ASUO Executive office. In the event of illegal use of program money or University facilities, the ASUO reserves the right to direct violations to the University of Oregon Conduct Code Committee. In the event that the violating individuals are no longer students, the ASUO President may initiate legal action against the responsible individuals. Also, the individuals may be billed directly for any program expenses incurred by the violation. Any Presidential action taken under this rule may be appealed to the ASUO Constitution Court.

### Exec R 88.2 (Revised 1995) Governance Documents

All incidental fee funded and all ASUO Recognized or Registered Programs must submit governance documents and/or by laws to the ASUO Programs Administrator by the first week of fall term. Membership must be defined in these documents. The ASUO Programs Administrator must be notified of any changes in these documents.

### Exec R 92.1 (Revised 1999) Grievance Procedure

When the appeal is filed with the ASUO President under the process outlined in Exec. R 80.1 or 81.1, the ASUO President or designee must convene a committee of three, including the ASUO President or designee, the President of the Student Senate and the ASUO Multicultural Advocate, within ten working days after the complaint is filed. However, if any of these individuals have any conflict of interest in the matter of the investigation, the remaining individuals will appoint a neutral person(s) to fill the vacancy and complete the committee.

This committee shall have thirty days from the time that the committee is formed to complete all the information in the form of interviews, documents, or whatever information is needed to complete the investigation. This committee may request all information that will help them form a comprehensive conclusion. If the committee determines that the investigation cannot be reasonably completed within thirty days, it will inform the complainant of this in writing prior to the initial deadline, and provide justification for the delay and an alternative deadline for completion.

This committee shall have the authority to conduct an objective investigation into wrongdoing. The ASUO President shall recommend appropriate action based on the outcome of the investigation. In the instance that the complaint involves an ASUO recognized program, the ASUO Executive may take action under Exec R 81.1. In the instance that the complaint involves a non-ASUO recognized organization, the organization is responsible for taking reasonable action based on the recommendation made by the ASUO investigation committee.

No information collected in the investigation will be held in confidence unless it complies with the exemptions from disclosure as described in the Oregon Public Records Law or the Buckley Amendment to the federal Freedom of Information Act. Any action may be appealed to the Constitution Court.

## **SPACE ALLOCATION**

The House Committee of the EMU Board is responsible for allocating office space located within the EMU. If you have any questions regarding the amount of space you have been allocated or regarding the actual location of your office, please contact that committee. A program must be registered or recognized to be eligible for a space in the EMU. However, status as a registered/recognized program does not guarantee any right to space, with or without rent, in the EMU. Whether a group receives space and whether or not the group pays rent is exclusively the decision of the EMU Board (based on its rental policy).

The EMU Board uses the following criteria and considerations when determining whether a group is eligible for space in the EMU:

1. The group must provide a service to the University.
2. The service provided by the group should be of complimentary nature to the services already provided within the University and should not duplicate any existing services.
3. Space in the EMU must facilitate the goals of the group.
4. The number of student participating in and affected by the group.
5. The ability and willingness of the group to post and maintain regular office hours.
6. Availability and amount of space that is appropriate for the group's activity and general student interest.
7. The group's willingness to share space if such an arrangement becomes necessary.
8. The date the group applied for space.
9. The adequacy of financial support for the use of space (funding may be from incidental fees or another source).
10. All programs having office space are required to maintain at least 10 posted office hours. Appeals to this policy can be directed to the House Committee of the EMU Board.
11. Misuse of any space already allocated, or previously allocated, to the applicant by the EMU Board or the University. The Board may conclude that space has been misused if:
  - a. the space was used for a purpose other than that for which it was allotted, or
  - b. the facts within a previous application were inaccurate as a result of intentional falsification or negligent preparation, or

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- c. there has been a violation of EMU building policies in the prior use of space within the EMU, or
- d. there has been an abuse of EMU or University services, or
- e. the prior use of space within the EMU resulted in the destruction of University property.

## POLICY ON THE APPROPRIATE USE OF OFFICE SPACE IN THE EMU

### Section I

To insure that office space is used appropriately and safely, the EMU Board has formulated policies for the appropriate use of office space.

### Section II

The EMU Board has the authority to enforce and regulate the following policies in regard to the Erb Memorial Union and office space:

- a. No piles of paper or newspaper on the floor. Stacks of paper need to be placed in appropriate boxes or filing cabinets. Similarly, the floor must be kept clean of loose papers.
- b. Electrical cords are not allowed to run across the floor or be taped to the ceiling or walls. Power strips may be purchased through any office supply vendor. This is the responsibility of the students who occupy the office space.
- c. No furniture with rips or tears in the fabric is permitted. Any such items must be repaired or replaced.
- d. No chemicals or fuels of any kind.
- e. No gasoline engines or gasoline powered equipment is permissible to be stored in student office space.
- f. No cooking apparatus' in office spaces with the exceptions of microwaves, coffeemakers and refrigerators.
- g. Sleeping in the building or in offices is not allowed, however, students may work in their office after hours. Office lights must be on for safety when space is occupied.
- h. No bicycles are permitted in office space or inside the EMU. This is an Oregon Administrative Rule (OAR 571-01-0080). The EMU has signs posted that read no bicycles allowed in the building.
- i. No pets or animals other than registered service animals are allowed in the building.
- j. No painting of signs or banners is allowed inside the EMU building. Such painting needs to be done either outside or offsite.

### Section III

Failure to adhere to these policies and guidelines will be reviewed by the EMU House Committee and may result in punitive measures up to and including revocation of office space.

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### Section IV

The EMU Board and designated sub-committees reserve the right to use discretion in any case.

## STAFF SELECTION OR CHANGE

### EQUAL OPPORTUNITY

#### Exec R 82.1 (revised 1986) Equal Opportunity

The ASUO affirms the right of all individuals to equal opportunity in education, employment, and access to incidental fee funded programs and their funded activities, without regard to race, color, religion, sex, sexual orientation, age, different ability, national origin, marital status, veterans' status, or any other considerations not directly and substantially related to effective participation.

#### Exec R 88.1 Membership

No individual can be excluded from a program on the basis of political ideology, but every individual involved in a program must be sincere to the goals of the program.

#### ASUO 2.3

No agency or program of the ASUO shall make any rule or take any action abridging the privileges and immunities of any person or program under the Constitution and laws of the United States or the State of Oregon, or the rules of the University of Oregon, or the ASUO Constitution.

#### ASUO 2.4

Access to activities supported in whole or in part through mandatory student incidental fees shall not be denied for reasons of sex, race, religion, age, sexual orientation, marital status, handicap, political view, national origin or any other extraneous considerations. Activities limited to living units legally segregated by sex may be limited by sex.

## ELECTION OF STAFF

#### Exec R 83.1 (revised 1995) Elections

Programs may elect their directors and other staff provided the following criteria are met. All candidates must be afforded the same opportunity to disseminate information to the electorate. The electoral process must insure that every constituent has an equal opportunity to vote and that every

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constituent's vote has equal weight in determining the outcome of the election. Only student members of the program may vote in an election for any position having authority in an ASUO program. **Membership in a program may be defined by the program as long as the membership rules allow an equal opportunity for all students to participate in the program and there is no other violation of the rules of the ASUO, the University of Oregon or the State of Oregon.** Membership rules must be filed with the ASUO Programs Administrator prior to any election. The ASUO Programs Administrator must be notified of any elections, and either the Programs Administrator or Elections Coordinator may oversee the elections at the request of the program or as directed by the ASUO President.

### HIRING AND APPOINTMENTS

#### Exec R 80.2 (Revised 1999) Staff Selection Procedures

The following guidelines for staff selection and affirmative action procedures applies to all positions in ASUO recognized programs that are not elected positions unless an exception is granted by the ASUO Programs Administrator. (See Exec Rule 83.1 for elections procedures.) Please direct questions to the Administrator or to the Director of the Office of Student Advocacy.

1. Form a selection committee consisting of the program director or committee chair, if possible, and at least one other person with knowledge of the program. Non-students may sit on selection committees, but should not constitute a majority of the committee. The committee must remain consistent throughout the hiring process. A temporary employee may not sit on the selection committee if s/he is applying for a permanent position.
2. The committee should prepare a position description clearly stating the position responsibilities and making no references to gender, ethnicity or other non-job-related criteria. See Exec Rule 82.1 for the ASUO policy on protected classes. The position description must include at least the following affirmative action statement: "An affirmative action/equal opportunity/Americans with Disabilities Act employer " (AA/EOE/ ADA).
3. Programs should use the standard ASUO application form or a form which is approved by the ASUO Programs Administrator. Standard forms are available from the ASUO Receptionist or Administrative Assistant.
4. A copy of the job announcement/position description must be sent to the following programs and agencies:

Asian Pacific American Student Union (APASU)  
ASUO MultiCultural Advocate  
ASUO Programs Administrator  
ASUO Women's Center

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Black Student Union (BSU)  
Career Center  
Chinese Student Association (CSA)  
Hong Kong Students Association (HKSA)  
International Students Association (ISA)  
Jewish Student Union (JSU)  
Lesbian, Gay, Bisexual, Transgender Alliance (LGBTQA)  
MEChA  
MultiCultural Center  
Muslim Students Association (MSA)  
Native American Student Union (NASU)  
Office of MultiCultural Affairs (OMA)  
Services for Students with Disabilities  
Singapore Students Association (SSA)  
YWCA

The ASUO Administrative Assistant will assist you in distributing these announcements.

5. Run an advertisement in the *Oregon Daily Emerald*. This must be a classified ad at minimum. (Selection procedures which do not include ODE advertising will be declared invalid by the ASUO Executive.) The ad may not contain reference to gender, ethnicity, religion, or any other non-job related criteria. The ad must contain at least the following affirmative action statement: "An affirmative action/equal opportunity/Americans with Disabilities Act employer (AA/EOE/ADA)." The ad must include the application deadline which must be no earlier than the day the final ad runs in the ODE. Advertisements must run for at least three (3) days for all positions. Summer term ads must run for at least two (2) days, preferably both a Tuesday and Thursday. Applications must be accepted for at least five (5) days for all positions.
6. The Selection Committee shall determine criteria, based on the position description, for screening applicants. The same committee must participate in all interviews and the basic questions of all applicants shall be the same. The Selection Committee shall choose the best qualified candidate for the position. If two candidates are deemed equally well-qualified, special consideration should be given to a candidate who is a member of a "protected class," as defined by Affirmative Action guidelines. Should none of the candidates be qualified for the position, it may be reopened, and process 4 and 5 repeated (again advertised for three (3) days).
7. All applicants shall be notified that the position has been filled. (This is a matter of common and professional courtesy which is often neglected.)
8. Applications and interview notes should be kept for two years. If this is inconvenient for your organization, you may contact the ASUO Administrative Assistant to help with storage.

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9. Selection procedures which do not include ALL of these provisions may be declared invalid by the ASUO Executive.

### Exec R 82.2 (revised 1999) Temporary Hires and Appointments

For those positions lasting three months or fewer, a temporary director or other temporary staff, may be hired or appointed without going through the usual process, provided that the *Oregon Daily Emerald* is not publishing, or that there is some valid reason why the usual selection process cannot be followed without undue disruption of program activities. People hired under this rule may be chosen by a decision by the group, but are limited to three months in office. The ASUO Programs Administrator should be notified of all such hires and appointments. The position must be formally opened within three months and the formal selection process followed. A temporary employee may not sit on the selection committee if s/he is applying for the permanent job.

### UO Rule

Students who have graduated, and who have not been admitted to a graduate program for the upcoming fall, may not be hired for the summer.

### Exec R 82.3 (revised 1999) Selection Process Exemptions

The staff selection and related practices contained in these sections need not apply to programs which employ professional, GTF, or classified staff, provided that such programs comply with the generally recognized principles of hiring which apply to them under their professional, GTF, or classified status.

Programs hiring work study students may be exempted from the ASUO hiring process for those positions at the discretion of the ASUO Programs Administrator. Any program wishing to have work study exemptions under this provision should contact the Programs Administrator prior to filling the position.

### Exec R 84.1 (revised 1999) Terms of Appointment/Employment Statements

All program personnel (professional and student) receiving ASUO program stipends or salaries must submit to the ASUO Head Controller, an ASUO "Terms of Appointment/Employment Statement" **prior to receiving their stipend or salary**. This statement defines the selection procedure, immediate supervisor, period of appointment/employment, and basic position responsibilities of each individual. This information will help the ASUO Programs Administrator facilitate staff personnel grievances. The "Terms of Appointment/Employment Statement" is not intended to replace but rather supplement the ASUO Program Contract which is also required of all ASUO programs.

Information on the use of Personal Service Contracts may be found in the UO Activity Reference Guide or the ASUO Programs Manual.

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**NOTE:** Any program that is paying someone to provide services (speakers, entertainers, etc.) must complete a Personal Services Contract unless they are already on uo/ous payroll which then necessitates that a terms of employment form be filled out. Please contact the ASUO Administrative Assistant or ASUO Accounting Coordinator(EMU Suite 4) for more information.

### FIRING

#### Exec R 84.2 (revised 1999) Termination

In the event that a personnel problem can not be resolved through intra-group resolution or mediation as described in Exec. R 80.1, the individuals involved should contact the ASUO Programs Administrator. If the Administrator finds that there is just cause for firing the employee or appointee, the Programs Administrator will authorize written notice of termination, with at least a one-week delay between notice and termination. Only written notice approved by the ASUO Programs Administrator and the ASUO President is valid for termination. If the subject of termination is the ASUO Programs Administrator, written notice approved by the ASUO President is valid for termination.

### INCOME

#### INCIDENTAL FEE FUNDS

Incidental fees, collected from each student on a per term basis, are allocated by the Student Senate upon recommendation from the three Major Program Finance Committees (ASUO Programs Finance Committee, Athletic Department Finance Committee and the EMU Board Finance Committee). These allocations are appropriated to finance student activities and programs. A program must be an ASUO recognized program to request incidental fee funding but this does not guarantee funding. Whether a group receives funding is the decision of its respective Major Program Finance Committee and the Student Senate.

The fiscal year is from July 1 to June 30. The Student Senate determines program funding based on recommendations from the three Major Program Committees and the ASUO Executive. The budget approval process begins Fall Term and continues until April. These funds are released to programs according to the line items of their approved budgets. Budget packets, available around October of each year, should be obtained from the ASUO Program Finance Committee at the Programs Council Meeting, or the ASUO Controller's Office to explain the process in detail.

The Student Senate and the Finance Committees generally meet once a week during the year. Any requests for funds not included in the regular budgeting process are considered "Special Requests." Special Requests are heard by the full Student Senate and instructions are available on the door of the Student Senate office, Room 319, EMU, outside the ASUO Executive Office (Suite 4, EMU) on the Senate board, and at the ASUO Controller's Office. (See also "Additional Funds" and "Reserve Accounts.")



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## ASUO Green Tape Notebook

For more information about the fee allocation process, see the ASUO Constitution, the Incidental Fee Guidelines, the Student Senate Bylaws and/or the ASUO Programs Finance Committee Bylaws or contact the ASUO Controllers.

### FUNDRAISING

Rules and procedures about fundraising on campus and information about various fundraising techniques are described in detail in the UO Activity Reference Guide and the ASUO Programs Manual. Additional information can be obtained from the University Scheduling Office in the EMU.

### ADDITIONAL FUNDS

The Student Senate has access to the following two kinds of emergency or special funds:

1. **Contingency Fund:** Also referred to as the "Appropriated Reserve Fund," this includes two sources of funds: a small unallocated reserve set aside by the Senate/PFC each year (as required by the ASUO Constitution) plus funds from ASUO Programs budgets that were appropriated but not spent during the prior fiscal year. (This fund is often referred to as the "ASUO Surplus.") The Contingency Fund is used to meet unexpected needs of programs (usually presented to the Senate as "Special Requests") as well as other minor emergencies. Approval for use of this fund is made through the usual budget procedures of the Student Senate and ASUO Executive. Instructions for making a Special Request are available on the door of the Student Senate office, Room 319, EMU, outside the ASUO Executive Office (Suite 4, EMU) on the Senate board, and at the ASUO Controller's Office.
2. **Reserve Fund:** This fund includes incidental fee income resulting from student enrollment higher than projected, and any other incidental fee income. Any funds in this account over a reserve equal to 5% of the current fee budget are identified as the Over Realized Fund. Allocations from this Over Realized Fund must, as specified in the Incidental Fee Guidelines, "only be used to address one-time, non-recurring expenses for which other funding sources are not available or are inappropriate; benefit large groups of students or support projects with a broad base of student support; address issues of an emergency nature that impact students; or respond to special or unique targets of opportunity, where investment results in substantial savings of student fees." Requests for allocations must include certification of the unusual nature of the proposed expenditure and must have the recommendation of the Student Senate. This recommendation must then be approved by both the ASUO President and the University President.
3. **Minor Equipment Reserve:** Neither the Executive nor the Student Senate is obligated to release reserve accounts if, in their sole judgment, the criteria for release and for proper use of incidental fees have not been met. See Section 11 of the Student Senate Bylaws in the

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## ASUO Green Tape Notebook

Appendix and the Special Request form available from the Student Senate for more information.

### EXPENDITURES

#### INCIDENTAL FEE ACCOUNTS

In general, to spend money from an incidental fee account, program staff needs to do the following prior to the start of the year.

1. Complete a program information card.
2. Authorize the program signing sheet.
3. Read and sign the Quick Reference Guide.

The next step is to check out a purchase order (PO) from the ASUO Controller. (The Controllers hold office hours daily and can be found in the ASUO Executive Office, Suite 4, EMU, or reached by phone at 346-0626.) The Controller will record the PO number and program name. You must sign for the PO and are responsible for its proper use from that point on. You then fill out the PO including the item to be purchased, program name, account number, amount of purchase and authorized signature. Return the PO to the Controller who will check your program account to verify that your program's cash balance will cover the proposed expenditure. If so, the Controller will sign and seal the PO which can be taken directly to the vendor. At this point, the vendor can give you your merchandise or service and send an invoice and PO to the ASUO Controller for reimbursement. However, the vendor may instead give you an invoice and require you to take the PO and receipt to ASUO Controllers and receive a check to present to the vendor. The former is the more common procedure.

For additional information, see Exec Rule 94.1.

#### BANK ACCOUNTS

##### UO Rule

The University generally prohibits ASUO incidental fee-funded programs from having EMU Trust Funds. However, ASUO registered programs are strongly encouraged to have EMU Trust Funds. All ASUO programs, registered or recognized, are **prohibited** from depositing money in off-campus accounts if they raise these funds on campus or use University resources in any way to raise these funds including paying for related expenditures from a University account. Ask the ASUO Administrative Assistant for details.

#### FOOD

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## ASUO Green Tape Notebook

Before spending any incidental fee funds for food, including money allocated specifically for that purpose in a program's budget, the program must obtain approval from the Student Senate by submitting a "Food Special Request Form" (available on the door of the Student Senate office, Room 319, EMU, outside the ASUO Executive Office (Suite 4, EMU) on the Senate board, and at the ASUO Controller's Office.) to the Senate 48 hours before the meeting at which it will be considered. The event or purpose for which the food will be purchased must be described on this form and a representative of the program should attend the Senate meeting when the request is considered. The Senate will approve or disapprove these requests on a case-by-case basis. See also Senate Rule 9.13 (b).

### FUNDRAISED MONEY

Generally, money raised by a program may be used for any purpose that is in line with the program's statement of purpose as well as for donation to a legitimate charitable organization. The purchasing of alcohol, however, is **absolutely prohibited**. Fundraising accounts can be set up by the ASUO Controllers and this income can be used to augment any of your regular line items. In addition, you may ask the Controller to set up special new expenditure line items from which to spend your money.

### PAYROLL

In order to be placed on payroll, you must contact the ASUO Controllers in Suite 4, EMU. You will need to obtain a payroll packet and submit the forms from this packet along with two pieces of identification (which **must** include your Social Security card plus a photo ID) to the ASUO Controller or to the ASUO Administrative Assistant in Suite 4, EMU. If the position is paid by a stipend (flat rate per month), the above are the only steps that need to be taken. Pay periods for stipends go from the 16th of each month to the 15th of the following month. If the position is paid by a per-hour rate of any kind, including work-study, a monthly time sheet must be turned in to the ASUO Controller's Office by the 10th of each month. Time sheets may be obtained from the ASUO Controller. Pay periods for hourly positions go from the 11th of each month to the 10th of the following month.

Checks are available on the last business day of the month and must be picked up at the Payroll counter on the main floor of Oregon Hall. Direct deposit is also available. Direct deposit slips are placed in groups' mailboxes.

**Under no circumstances will any pay be issued for work done before the payroll forms are completed. NO BACK PAY!**

### OUS Rule

Non-students, students carrying fewer than 8 credit hours and invited guest speakers, entertainers and the like may not be paid through the usual payroll process. In most cases, these people must be paid using a Personal/Professional Services Contract (PSC). PSC's must be processed prior to the event for which the person is being paid. This may take from a few days to a number of weeks, depending on the circumstances. The ASUO and EMU assume no obligation to pay anyone

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## ASUO Green Tape Notebook

contracted outside these conditions. Program directors may be held personally liable for violating this rule. Contact the ASUO Controllers for details.

### UO Rule

Generally, students may not be paid using Personal/Professional Service Contracts. Exceptions may be made under certain circumstances. Contact an ASUO Controllers for details.

### OUS Rule

If your program wishes to purchase more than \$5000 worth of professional services, the University may require that the job be put out to bid. This does not apply to entertainers or speakers, but it does to other forms of professional employment. Contact the ASUO Administrative Assistant (Suite 4, EMU) for details.

## PRINTING AND COPYING

In order to conduct day-to-day copying at the Campus Copy Center (Quick Copy) in the EMU, obtain a Campus Copy Purchase Order form from the ASUO Controllers. These are used instead of general purchase orders and must be approved by an ASUO Controller. Costs incurred at the Copy Center will be deducted from your accounts by the Controllers. You must obtain a written estimate from Campus Copy before the Controller will approve the order/P.O. form.

In order to have printing done at UO Printing, an ASUO General Purchase Order must be used in conjunction with a Printing Order Form. First, obtain a cost estimate from UO Printing, then present the estimate and obtain your purchase order from the ASUO Controllers. Take the P.O. to the ASUO Receptionist or the ASUO Administrative Assistant in Suite 4, EMU who will complete a printing order form. Then take your printing order and P.O. back to the controller's for approval. **Do Not Order Online!!**

### UO Rule

No printing or copying by ASUO programs may be done by any print shop other than the Campus Copy Center or UO Printing without prior approval by UO Printing. Any costs incurred in violation of this rule may be borne by the persons responsible. UO Printing is generally willing to authorize off-campus printing if you can show that you can get a better price and/or service off-campus. Approval must be granted prior to incurring off-campus debts.

Thus, if you need printing done off-campus, simply take an ASUO Purchase Order to UO Printing and have an authorized representative "sign off" your PO with an explanation of why the on-campus facilities are inadequate for your job.

## OFFICE SUPPLIES

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## ASUO Green Tape Notebook

The University of Oregon has a state contract with Boise Cascade for purchasing office supplies, therefore all programs are required to use them for all office supply needs. Note: Boise Cascade has next day delivery except for weekends. All ASUO groups receive a 40% discount from the listed price.

Procedures for ordering: Sign out an ASUO Boise Cascade Purchase Order from the ASUO Controllers' office (must be an authorized signature). Look through the catalog in the Controllers' office or on the Administrative Assistant's desk to determine what you want to order. Call the number at the bottom of the form (1-800-472-6473) to submit your order. Bring the completed and signed Boise Cascade Purchase Order back to the Controllers' Office for approval and authorization. If step 4 is not completed, the purchase order is unauthorized.

All copier paper must be purchased through UO Printing.

Incidental fee-funded programs who have an office supply line item in their budget may find out about getting catalogs and how to order office supplies from the ASUO Receptionist or Administrative Assistant in Suite 4, EMU. It will be each individual program's responsibility to plan ahead for office supplies. Orders for office supplies can be phoned in through the vendor's 1-800 numbers and are usually delivered within 48 hours. It is strongly recommended to designate only one person from your program who will be responsible for placing and receiving orders to prevent confusion and overspending.

### OFFICE EQUIPMENT

Contact the EMU Board before purchasing any office equipment. They may have what you need. If you wish to purchase office equipment costing less than \$500, such as a file cabinet, easel, etc., you may purchase it on your own with the usual ASUO Controller's approval. If you wish to purchase equipment costing \$500 or more, contact the ASUO Executive about using the ASUO Minor Equipment Replacement & Reserve account. Periodically, the Administrative Assistant will forward e-mail messages to programs from the UO Property Control Manager regarding available surplus equipment.

#### Exec R 94.2 Equipment Reserve Requests

ASUO Programs wishing to purchase equipment costing over \$500 must file an ASUO Equipment Reserve purchase request with the ASUO Executive. This procedure will insure that the equipment purchased will be placed on the ASUO inventory list and fully insured. It is expected that the program will reimburse the ASUO Equipment Reserve account to the greatest extent possible.

Office equipment should not be moved from one office to another or loaned out without first contacting the ASUO Administrative Assistant or ASUO Receptionist (346-3724).

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## ASUO Green Tape Notebook

### OREGON DAILY EMERALD ADVERTISEMENTS

The *Oregon Daily Emerald* (ODE) does not use the usual purchase orders. Instead, use an ODE Work Order Form available from the ASUO Controller. It requires the same sort of information as the usual PO and also requires Controller's approval. Student programs are entitled to a discount rate on ODE ads, so be certain to tell the ad salesperson that you are representing an ASUO program. An estimate can be obtained by stopping by the ODE offices in Suite 300, EMU or by calling 346-5511.

### REGISTER-GUARD DISPLAY ADS

The University has a contract with the Register-Guard which provides a discount on display advertising. Any display advertising purchased by a program must be marked "U of O Contract" so you can take advantage of this discount.

### EXPENDITURE RESTRICTIONS

#### Exec R 82.4 Expenditure Restrictions on Political Activities

No incidental fees may be spent to support the campaign of any individual, or party, for public office. Fees may be used to promote appearances and discussions between several candidates for public office in order to increase student knowledge of issues and candidates.

#### Exec R 84.3 (revised 1987) Estimates and Purchase Orders

No purchase orders will be honored if the amount billed is greater than 10% above the amount of the estimate. (Estimates are discussed in the paragraph below.) In the event that additional services which were **not** included in the original estimate increase charges, a new estimate will be given. The new charges shall be approved by the involved program through the ASUO Controllers **before** the additional services are rendered. Additional purchase orders will not be honored to cover original estimates which reflect vendor error or negligence.

Estimates can be given over the phone. In the case of a phone estimate, clear records of the exact services to be rendered should be kept by both parties. When a service is being provided, for example in the cases of the Facilities Services, the ODE, and University Press, written estimates must be obtained. They must include both the signatures of the person making the estimate and an authorized program representative.

#### Senate Rule 9.13.(b) Fee Allocation Restrictions

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## ASUO Green Tape Notebook

- (b). Incidental fees shall not be allocated for:
- (A). Food, except as provided in Rule 9.13(b)(E).
  - (B). Fundraising, the purpose of which is to generate funds for a purpose that could not otherwise be funded with incidental fees.
  - (C). Any use that fails to conform to the requirements of ORS 351.070(1)(d).
  - (D). Any use that requires an expenditure beyond the current fiscal year. (The fiscal year begins on July 1 and ends on June 30).
  - (E). A representative of a recognized ASUO Program may receive a per-diem of \$75 per day for all expenses related to traveling more than 150 miles from Eugene while acting on behalf of that Program.
    - (i). Covered expenses include, but are not limited to, lodging, food and transportation other than airfare.
    - (ii). Nothing in this section shall be construed as preventing a recognized Program from submitting a special request for money to cover those expenses in excess of those covered by the per-diem.

### MAILING

All registered and recognized programs may send mail to UO campus addresses and to Oregon University System campuses in the Willamette Valley at no charge. Only incidental fee-funded programs or programs with trust fund accounts are entitled to use University Mailing Services for mailing U.S. mail. To post U.S. mail, simply attach a Postage Billing Record form (available from University Mailing Services by calling 346-3130) bearing the laser scanning sticker with your program's postal account number or fill out the Postage Billing Record with the appropriate ASUO account number obtained from the ASUO Controller. If your group doesn't have a Postage Billing Record with a bar code, contact University Mailing Services at 346-3130. You will find an outgoing U.S. and campus mail drop box in the ASUO Executive Office (EMU Suite 4) and the EMU Administrative Office (EMU Mezzanine 101). If you have a large number of items, but less than 200, it is best to see the ASUO Receptionist (EMU Suite 4) or contact University Mailing Services (346-3130) for the proper procedure when attaching your Postage Billing Record.

### Bulk Mailing

If you are an incidental fee-funded program or have a trust fund account and are mailing 200 or more identical pieces at one time, you may choose one of two options to complete a bulk mailing.

The first is to have UO Printing/Distribution (in the former Register-Guard Building downtown) perform all aspects of the bulk mailing. Take your original to UO Printing and ask for a quick copy estimate as well as an estimate for a bulk mailing. Take the estimates to the ASUO Controller (EMU Suite 4) and ask for assistance in processing one purchase order (PO) made to UO Printing for the amount of the estimates. Take the PO and estimates to the ASUO Receptionist or Administrative Assistant (EMU Suite 4) who will help you fill out the appropriate form. You

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## ASUO Green Tape Notebook

are now ready to turn in the form, a copy of the PO, and the original of your item being mailed to UO Printing to be copied and prepared for bulk mailing, and mailed.

The second procedure basically involves doing most of the preparation yourself and then having UO Printing check it over and mail it. This procedure is usually less costly, but will require more of your time. Take your original to UO Printing and ask for a quick copy estimate as well as an estimate for a bulk mailing. Take the estimates to the ASUO Controller and have one PO processed for the estimated amount and made out to UO Printing. Take the PO and estimates to the ASUO Receptionist or Administrative Assistant who will complete the appropriate forms (both a "Printing and Supply Order Data Sheet" and a "Quick Copy Order Form"). Take the forms, PO, and original to UO Printing to have the original stamped with the bulk mail permit and copied. Talk to the Distribution Center Manager at UO Printing either before or after copies are made to receive the necessary materials/instructions to complete preparation of the mailing. When this preparation is complete, take the bundled materials to UO Printing who will check it over and mail it.

For further questions, call the Distribution Center Manager at UO Printing (346-2438) or the ASUO Receptionist (346-3724).

### STUDENT MEDIA CENTER

The Student Media Center houses three Macintosh computers, a laser printer, and a scanner that are available for use by ASUO incidental fee-funded programs and EMU programs only. The Center is located within EMU Room 20. All users must be trained by the ASUO Computer Support Specialist or Bruce Eveland of EMU Technical Support before use. This equipment is for business-related use only. You can check out the Student Media Center key from the ASUO Administrative Assistant.

### TRAVEL

The UO Activity Reference Guide and the ASUO Programs Manual contains much of the information necessary to plan program travel. The Student Senate and ASUO Executive have adopted certain rules, restrictions, and guidelines regarding the use of student fees for travel. Contact the ASUO Controllers or the ASUO Administrative Assistant (346-0618) for information regarding these guidelines.

For information regarding the use of State Motor Pool Vehicles, contact the ASUO Administrative Assistant and also see Exec Rules 93.1 and 93.2 in the Appendix.



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## ASUO Green Tape Notebook

### TELEPHONE USE

#### UO Rule

Use of program telephones to place personal calls is prohibited by Oregon University System and State of Oregon Rules. This applies to calls within the Oregon University System as well as any other long distance calls.

#### Exec R 81.2 (revised 1995) Telephone Use

Members of programs that receive incidental fee money for long distance calls may receive phone authorization codes. This process is initiated by a request from a program director or co-director to the ASUO Administrative Assistant. It is advisable for programs to keep records of long distance calls as they are made. Incidental fee funded programs receive a monthly printout of income/expense, which includes phone expenses. A more in-depth report, available from the EMU Accounting Office, provides a list of phone calls made, cost of call, length of call, who made the call, and total charges. It is the responsibility of each program to monitor long distance expenses to insure that they do not exceed the budgeted amount. The ASUO Executive has the right to terminate a phone authorization code if a program exceeds its budgeted amount for long distance expenses.

### APPEALS/GRIEVANCES

Many students and the programs they work with are not aware of the options they have in the event they feel ill-treated or aggrieved by the action or decision of any ASUO agency or program. The following key shows the basic steps to take in appealing the action of ASUO agencies and programs.

The appeals process may generally be used in the case of any action except a "policy" action, such as a Student Senate decision on a funding level. There are three general types of complaints as follows:

- A. An internal grievance within an ASUO program involving program performance or in-program decisions.
- B. A complaint about an action taken by a member of the ASUO Executive, an ASUO agency, or a supervisory agency of the ASUO.
- C. A complaint that an agency or program is acting contrary to the rules of the ASUO Executive and its agencies, the ASUO Constitution, the policies of the University, or the rules of the State Board of Higher Education and the State of Oregon.

## ASUO Green Tape Notebook

**ACTION BY:**

Any ASUO Program

Any program, in hiring process

Any program, in denying access for impermissible reasons

Any program, in violating its own rules, the rules of the ASUO Executive, the ASUO Constitution or the rules of the University to and State of Oregon

Any ASUO staff member or ASUO agency

ASUO Controller

ASUO Executive or Student Senate

**APPEAL TO:**

Contact the ASUO Conflict Resolution Services. If mediation is unsuccessful, appeal to the ASUO Programs Administrator. For further clarification, refer to Exec R 80.1 and 92.1.

Appeal to the ASUO Programs Administrator who has supervisory authority over all programs' hiring. The only exceptions are noted in Exec R 82.3 which relates to hiring professional staff. For further clarification, refer to Exec R 80.2, 82.2, 84.1 and 84.2.

If you have been denied equal access to ASUO programming for any of the reasons listed under Exec R 82.1, concerning Equal Opportunity, appeal to ASUO Programs Administrator. For further clarification, refer to Exec R 81.1 and 92.1.

Appeal to the ASUO Programs Administrator. If possible, consult the program's bylaws and charter before proceeding. For further clarification, refer

Exec R 80.1, 81.1 and 92.1.

Appeal to the ASUO President. Any decision by any member of the Executive staff should be appealed to the President before going to the Constitution Court.

Appeal to the ASUO Programs Administrator if the question involves interpreting the Executive Rules. Appeal to the Senate if the question involves interpreting a rule or decision made by the current Senate. If the rule or decision (including budget notes) was made by a previous Senate, appeal to the ASUO President.

In cases where you wish to appeal a decision of the ASUO Executive or the Student Senate, and the decision involves a rule interpretation or

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## ASUO Green Tape Notebook

<p>ASUO Programs Finance Committee, Athletic Dept. Finance Committee or EMU Some Board (and its committees)</p>	<p>constitutional question, appeal directly to the Constitution Court (see process in Appendix). Policy decisions (if not unconstitutional) or spending decisions of the Senate (provided it followed its own rules) are usually not subject to appeal.</p> <p>Appeals of specific budget line items may be made to the appropriate finance committees.</p> <p>budget recommendations of these committees may be appealed to the Student Senate as described in the ASUO Constitution Section 6.10. Policy decisions (if not unconstitutional) are usually not subject to appeal. Action by any EMU Board Committee member may be appealed directly to the full EMU Board.</p>
<p>Constitution Court</p>	<p>Action by the ASUO Constitution Court which is believed to be in violation of public laws (local, Oregon, or federal) may be appealed to the President of the University of Oregon or his/her designated representative. The ASUO Constitution Court has final authority in any action arising solely out of the ASUO Constitution or rules promulgated under it.</p>

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**THE ASUO EXECUTIVE, STUDENT SENATE, ASUO PROGRAMS FINANCE COMMITTEE, ATHLETIC DEPARTMENT FINANCE COMMITTEE AND THE CONSTITUTION COURT RESERVE THE RIGHT TO REVISE ANY OF THE RULES INCLUDED IN THIS GUIDE. PROGRAMS WILL RECEIVE WRITTEN NOTICE OF ANY CHANGES THAT MAY BE MADE.**

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**ASUO Green Tape Notebook****APPENDIX****ASUO CONSTITUTION****Amended 4/22/99****1. NAME AND PURPOSE**

- 1.1 This organization shall be known as the Associated Students of the University of Oregon (ASUO).
- 1.2 The purpose of the ASUO is to provide for the social, cultural, educational and physical development of its members, and for the advancement of their individual and collective interests both within and without the University.

**2. MEMBERSHIP AND RIGHTS**

- 2.1 The membership of this Association shall consist of all students at the University of Oregon, Eugene, Oregon, who have paid the current term or semester student incidental fee. Payment of summer term incidental fees is not necessary to maintain membership status for the purpose of holding office.
- 2.2 Student membership of any of the particular classes shall be determined by the academic rules of the University of Oregon.
- 2.3 No agency or program of the ASUO shall make any rule or take any action abridging the privileges and immunities of any person or program under the Constitution and laws of the United States or the State of Oregon, or the rules of the University of Oregon, or the ASUO Constitution.
- 2.4 Access to activities supported in whole or in part through mandatory student incidental fees shall not be denied for reasons of sex, race, religion, age, sexual orientation, marital status, handicap, political view, national origin or any other extraneous considerations. Activities limited to living units legally segregated by sex may be limited by sex.

**3. OFFICERS**

- 3.1 The elected executive officer of this Association shall be the ASUO President (hereinafter "President").
- 3.2 There shall be an ASUO Student Senate (hereinafter "Student Senate") composed of eighteen (18) members of this Association as defined in Sec. 6.1.
- 3.3 There shall be an ASUO Programs Finance Committee composed of seven (7) members of this Association as defined in Sec. 7.1.

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## ASUO Green Tape Notebook

- 3.4 There shall be an ASUO Athletic Department Finance Committee (hereinafter "Athletic Department Finance Committee") composed of five (5) members of this Association as defined in Sec. 8.1.
- 3.5 There shall be an Erb Memorial Union Board (hereinafter "EMUB") composed of at least seven (7) members of this Association as defined in Sec. 9.1 and in the EMU Governance Document .
- 3.6 There shall be a Constitution Court composed of five (5) members of this Association as defined in Sec. 10.1.

### 4. QUALIFICATIONS FOR OFFICE

- 4.1 All students of this Association shall be eligible to hold elective or appointive office under this Constitution. All students elected or appointed, serving in ASUO governance, programs or committees, shall be required to enroll in and complete each term at least the number of credit hours required by the University to maintain half-time status, except as provided under Section 2.1 of this Constitution, during their term of office.
- 4.2 No member of this Association shall simultaneously hold more than one elected office under this Constitution. A person may simultaneously hold an elected and appointed position or more than one appointed position unless the Constitution Court determines, upon petition, that a potential conflict of interest exists between the two positions.
- 4.3 Candidates for the nine Academic Student Senate seats shall either have declared a major with the University Registrar or shall at the time of filing declare which constituent group they seek to represent, based on the major they expect to be enrolled in by the following fall term.
- 4.4 If a member elected or appointed pursuant to Sec. 5.4 to an Academic Student Senate seat changes majors to one outside of the constituent group s/he was elected or appointed to represent, that member is no longer eligible to serve on the Student Senate and his or her position shall be declared vacant.
- 4.5 Notwithstanding Section 4.4, a member elected or appointed pursuant to Sec. 5.4 to an Academic Student Senate seat who is a pre-major (undeclared) student may adopt a major and continue to serve on the Student Senate until his or her term of office expires.
- 4.6 Conflict of interest prohibited. No member holding an elected position on the Student Senate, the ASUO Programs Finance Committee, the Athletic Department Finance Committee, or the EMU Board may vote on the budget of any ASUO or EMU program in which they hold a paid position during their term of office. This section shall be construed so as to prohibit conduct that creates the appearance of a conflict of interest, as well as an actual conflict of interest.

### 5. DUTIES OF THE PRESIDENT AND VICE PRESIDENT

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- 5.1 The President is the chief executive officer of the ASUO, is responsible for the administration of ASUO programs, and acts as the official spokesperson for students as a whole, within and without the University.
- 5.2 The President shall nominate to the President of the University, upon recommendation from the ASUO Committee on Committees, members to the student-faculty committees, appoint members to executive, administrative and ASUO student committees, and make all other appointments to positions deemed necessary.
- 5.3 The President shall appoint a member of the ASUO to serve as Vice President. Such appointment need not be made through formal hiring and affirmative action process provided that the Vice President has been publicly announced as the President's running mate and included on the ballot as such. The President must name one person to perform the duties required of the Vice President by the Constitution. Any non-elected Vice Presidents shall not be in the line of succession to the Presidency.
- 5.4 The ASUO President shall appoint persons to vacant positions of the Constitution Court and the Student Senate. These appointments shall be made within a period of thirty (30) calendar days of the vacancy and shall be subject to confirmation by a majority of the Student Senate within seven (7) calendar days of the appointment.
- 5.5 The President shall submit to the Student Senate a recommendation for the next fiscal year's incidental fee allocation by November 21st to assist the Student Senate in establishing budgeting benchmarks for each of the three Major Programs Committees: the EMU Board, the ASUO Programs Finance Committee, and the Athletic Department Finance Committee.
- 5.6 The President or designee shall submit budget recommendations to the Student Senate for each of the three Major Programs: the EMU, ASUO Programs, and the Athletic Department. The President or designee shall submit budget recommendations to the ASUO Programs Finance Committee for each of the ASUO program budgets.
- 5.7 The President shall submit an accounting of expenditures of all ASUO programs from the previous fiscal year.
- 5.8 The President and the Student Senate shall agree by January 15 on a deadline by which the total incidental fee budget shall be submitted to the University President. If they fail to agree, the Constitution Court shall set the deadline. In the event that the Student Senate fails to meet the deadline, the President shall, following consent of the Constitution Court, be responsible for preparing the ASUO budget and submitting it to the University President.
- 5.9 The President shall hold veto powers over all of the allocations of the Student Senate and over all budget recommendations of the ASUO Programs Finance Committee. The President shall take such action regarding a Major Program budget within 3 school days of receiving written notice of final Senate approval of said budget.
- 5.10 There shall be an ASUO Program Directors' Council established with a representative from each program chosen by the Program director, and a representative of the ASUO Executive chosen by the ASUO President. The President shall submit all proposed administrative or program rules, or changes

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- therein, to the Council for comment. This Council will be chaired by the Executive representative, and shall meet at least twice per term. The President shall make a report of the plans and activities of the ASUO Executive during Fall, Winter, and Spring terms. This Council may also be used as a channel through which procedures such as budget writing may be presented to the program representatives.
- 5.11 The President may make such rules as are necessary to insure the fair and efficient operation of ASUO agencies and programs, and to insure compliance with such budget notes and resolutions as may be approved by the Student Senate. Any such rule, once properly established shall continue in effect indefinitely unless repealed or superseded by subsequent action of a President or Student Senate. The President must provide reasonable notice and an opportunity to comment prior to adoption of any rule to all agencies and programs, including the Program Directors' Council, likely to be affected by the rule.
- 5.12 The President shall publish an annual compilation of rules, resolutions and other policies established by the Executive Office, the Student Senate, ASUO Programs Finance Committee, Athletic Department Finance Committee, ASUO Constitution Court, EMU Board, and other agencies which may from time to time issue rules, resolutions or policies affecting the student body and its programs. This publication shall be provided to all funded programs, to the members of governance bodies and to appropriate University officials, and shall be made available upon request to any member of the University community. Rules published in this manner shall have effect until replaced or eliminated following procedures under Sections 5.10 and 5.11 of this Constitution and other appropriate sources.
- 5.13 The President shall establish a written agreement for each salaried, appointive position in the ASUO Executive Office prior to hiring for the position, setting forth its duties and responsibilities.
- 5.14 Except as otherwise provided in this Constitution, the President shall abide by the ASUO Affirmative Action plan in making appointments to all non-elective salaried ASUO positions.
- 5.15 The President and Elected Vice President shall serve a term in office of one year commencing on May 25 and ending on May 24 of the following year.
- 5.16 The President, with the approval of a majority of those present and voting at a regular meeting of the Student Senate, shall appoint the official student representative(s) or agent(s) to any faculty-administration (Oregon State Board of Higher Education) negotiations in the advent of faculty collective bargaining.
- 5.17 The President shall establish and publish his or her own criteria for fulfillment of duties within one month of taking office. The President shall also perform all duties as required by this Constitution. Articles of impeachment may be brought against the President by a 3/4 vote of the Student Senate. Upon such vote, the Constitution Court shall try the case and reach a decision by majority vote. Articles of impeachment brought before the Constitution Court shall clearly set forth the grounds for removal from office.
- 5.18 Rulings of the ASUO Constitution Court shall be enforced by the President. Failure to enforce such a ruling shall constitute non-fulfillment of duties.
- 5.19 The President shall announce prior to November 1 each year the general guidelines to be used in preparing the Executive budget recommendation.

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- 5.20 The ASUO Vice President shall assume all duties pertaining to the office of the President in the President's absence and all other duties as delegated by the President.
- 5.21 The ASUO Vice President shall serve as an ex-officio member of the ASUO Student Senate.
6. THE ASUO STUDENT SENATE
- 6.1 The Student Senate shall be composed of eighteen members, fifteen (15) of whom shall each serve for a two year term and three (3) of whom shall each serve for a one year term, pursuant to Sec. 12.10 and 12.11. Three (3) Senators shall be elected to serve as members of the ASUO Programs Finance Committee. Three (3) Senators shall be elected to serve as members of the EMU Board and will all serve on the EMU Budget Committee. Three (3) Senators shall be elected to serve as members of the Athletic Department Finance Committee. These nine (9) Senators shall be known as the "Finance Senators". The remaining nine (9) Senators shall be elected by major to represent academic departments and shall be known as "Academic Senators".
- 6.2 The Student Senate shall act on matters relating to the allocation and appropriation of incidental fees, represent the collective and constituent interests of students in all matters considered and/or acted upon by the present General Assembly and University Senate, and/or any matters coming before a shared-governance body or University or departmental administrative channels relating to: student personnel services, University administered housing, campus design, and University budgeting, except as otherwise provided for in this Constitution.
- 6.3 The Student Senate, in order to vote on a Major Program Budget, is required to muster a quorum of two-thirds (2/3) of the filled Student Senate seats, and in order for such a motion to pass it must receive an absolute majority of those filled Student Senate seats.
- 6.4 Notwithstanding Sec. 6.3, the Student Senate shall determine the quorum for all Senate actions other than a vote on a Major Program Budget.
- 6.5 The Student Senate shall take no action impinging upon the duties, responsibilities or authority of the ASUO Executive or EMU Board.
- 6.6 The Student Senate shall establish budgeting benchmarks by November 30th for each Major Program. These benchmarks will serve as a guideline to assist each Major Program committee in developing its budget recommendation for submission to the Student Senate.
- 6.7 The Student Senate shall vote to approve or deny the budgets recommended by the ASUO Programs Finance Committee, the EMU Board, and the AD Budget Committee. The Senate may deny any part of the ASUO Programs Finance Committee recommendation by a vote of 4/5 of the filled seats.
- 6.8 The Student Senate may override any presidential veto of a Senate allocation by a vote of 2/3 of its filled seats. If a Major Program budget is vetoed, the vote to override must take place within five school days of receiving written notification from the President of said veto.



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- 6.9 In the event that a veto from the President is not overridden, the Student Senate shall submit a revised budget recommendation to the President within two school days after receiving a new recommendation from the affected Major Program Committee pursuant to Section 7.10, 8.8, or 9.9.
- 6.10 The Student Senate shall hear appeals of Finance Committee or EMUB budget recommendations for any budget within a Major Program if the recommended budget in question is below the amount necessary to fund the current service level, and following a vote of two-thirds (2/3) of the filled seats of the Student Senate to hear the appeal. Appropriations or allocations granted through the appeal process will be incorporated into the budget recommendations of the affected Major Program. Program budgets that are determined by the Student Senate in this appeal process may not be altered in any way by the respective finance committees.
- 6.11 The ASUO Vice-President shall vote in cases of a tie.
- 6.12 The Student Senate shall elect from its own membership a President, who shall preside over meetings of the Student Senate, and a Vice President, who shall preside in the absence of the President.
- 6.13 All meetings of the Student Senate shall be in accordance with the Oregon Public Meetings Law. Times and places of such meetings shall be submitted to the Oregon Daily Emerald or announced at least 24 hours in advance of the meeting.
- 6.14 The Student Senate shall budget for an unallocated reserve of not more than 1.5% of the total incidental fee budget, using funds other than surplus from carry over and over realized enrollment.
- 6.15 The ASUO recommended incidental fee assessment for each of the following Major Programs:  
1) ASUO programs,  
2) the Athletic Department, and  
3) the incidental fee portion of the EMU budget;  
shall not exceed a 7% increase over the previous year's student incidental fee assessment, unless individually approved by an initiative or referendum held under Section 14 of this Constitution. If placed on the ballot, the measure shall specify the exact amount in both percentage and dollars by which the 7% limitation will be exceeded.
- 6.16 [Repealed 4/28/95].
- 6.17 The terms of all Senators shall begin on May 25 and end on May 24. They shall be elected as set forth in section 12.10 and 12.11 of this constitution.
- 6.18 The ASUO Committee on Committees shall consist of: the Student Senate President as chair of the Committee, two (2) other members selected according to Student Senate rules of procedure, the ASUO Vice President, and one other member of the staff of the ASUO President.
- 6.19 Academic Senators shall serve on at least two Student/Faculty Committee during their term of office.
- 6.20 The ASUO President shall submit appointments requiring Student Senate confirmation to the Chair of the Student Senate. The Student Senate shall confirm or deny appointments within no more than 15 school days of receipt of the applications from the ASUO President, except as provided in section 5.4.

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- 6.21 A quorum of the Student Senate shall meet at least once during any three week period, exclusive of dead weeks, final weeks, and weeks when the full University is not in session. Failure to do so will be subject to disciplinary action under section 10.14.
- 6.22 The Student Senate in conjunction with the President, ASUO Programs Finance Committee, Athletic Department Finance Committee and EMU Board, shall establish and publish the budget process schedule by January 15, including the deadlines for the budgets to be submitted to the Student Senate and then to the ASUO President.
- 6.23 The Student Senate shall establish and publish, by November 1, its own rules of procedure, criteria for fulfillment of duties and guidelines for allocation and appropriation of incidental fees. It shall clearly set forth the conditions which must be met for the release of such fees and, once allocated, there shall be no attempt to attach any further conditions or policies concerning the use of such accounts. Once the programs have fulfilled the conditions for release, they are entitled to the full use of such funds for the established purposes.
- 6.24 For purposes of section 6.15 only, no allocation that is a component part of any Major Program and has been funded via a direct vote of the students shall be considered in determining whether a Major Program budget exceeds a 7% increase of the previous year's student incidental fee assessment.

### 7. THE ASUO PROGRAMS FINANCE COMMITTEE

- 7.1 The ASUO Programs Finance Committee shall be composed of seven (7) members selected as follows: two (2) members elected as Finance Senators for two year terms, one (1) member elected as Finance Senator for a one year term, two (2) members elected at large for two year terms, one (1) member appointed by the ASUO President for a one year term, and one (1) appointed by the ASUO Programs Council for a one year term. The Chair shall be chosen from the elected members.
- 7.2 The ASUO Programs Finance Committee shall act on all matters relating to the allocation and appropriation of incidental fees to ASUO Programs for the purpose of recommending a budget to Student Senate.
- 7.3 A quorum of the ASUO Programs Finance Committee shall be four (4).
- 7.4 The ASUO Programs Finance Committee shall establish and publish its own rules of procedure and criteria for non-fulfillment of duties by November 1.
- 7.5 All meetings of the ASUO Programs Finance Committee shall be in accordance with the Oregon Public Meetings Law. Times and places of such meetings shall be submitted to the Oregon Daily Emerald or announced at least 24 hours in advance of the meeting.
- 7.6 The ASUO Programs Finance Committee shall assign a tag to each ASUO Program by October 15.
- 7.7 The ASUO Programs Finance Committee shall submit to the Student Senate a recommendation for allocations and appropriations for ASUO Programs by November 21st for the purpose of assisting the Student Senate in establishing benchmarks.

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- 7.8 The ASUO Programs Finance Committee shall determine and submit a recommended budget for all ASUO Programs to the Student Senate according to the provisions of Sec. 6.22 and 6.23.
- 7.9 By a vote of 2/3 of its seated members, the ASUO Programs Finance Committee may override any Presidential veto of an ASUO Programs Finance Committee budget recommendation at any time before the recommended Major Program budget is submitted to the Student Senate.
- 7.10 In the event that a veto of the ASUO Programs Finance budget from the President is not overridden by the Student Senate, the ASUO Programs Finance Committee shall submit a revised budget recommendation to the Student Senate within five (5) school days of receiving written notification from the Senate of the vote to override.
8. THE ASUO ATHLETIC DEPARTMENT FINANCE COMMITTEE
- 8.1 The ASUO Athletic Department Finance Committee shall be composed of five (5) members selected as follows: two (2) members elected as Finance Senators for two year terms, one (1) member elected as a Finance Senator for a one year term, one (1) member appointed by the ASUO President for a one year term, and one (1) member appointed by the Athletic Department Team Council for a one year term. The ASUO Finance Coordinator will also serve on the Committee as a non-voting member. The Chair shall be chosen from the elected members.
- 8.2 The Athletic Department Finance Committee shall act on all matters relating to the allocation and appropriation of incidental fees for the Athletic Department at the University of Oregon (hereinafter the Athletic Department) for the purpose of recommending a budget to the Student Senate.
- 8.3 A quorum of the Athletic Department Finance Committee shall be three (3).
- 8.4 The Athletic Department Finance Committee shall establish and publish its own rules of procedure and criteria for non-fulfillment of duties by November 1.
- 8.5 All meetings of the Athletic Department Finance Committee shall be in accordance with the Oregon Public Meetings Law. Times and places of such meetings shall be submitted to the Oregon Daily Emerald or announced at least 24 hours in advance of the meeting.
- 8.6 The Athletic Department Finance Committee shall submit to the Student Senate a recommendation for allocations and appropriations for the Athletic Department by November 21st for the purpose of assisting the Student Senate in establishing benchmarks.
- 8.7 The Athletic Department Finance Committee shall submit a recommended budget for appropriations and allocations for the Athletic Department to the Student Senate according to the provisions of Sec. 6.22 and 6.23.
- 8.8 In the event that a veto of the ASUO allocation for the Athletic Department from the President is not overridden by the Student Senate, the Athletic Department Finance Committee shall submit a revised budget recommendation to the Student Senate within five (5) school days of receiving written notification from the Senate of the vote to override.

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### 9. THE ERB MEMORIAL UNION BOARD (EMUB)

- 9.1 The Erb Memorial Union Board shall be composed of two (2) members elected as Finance Senators for two year terms, one (1) member elected as Finance Senator for a one year term, four (4) members elected at large for two year terms, and the remaining membership as defined in the EMU Governance Document. Members shall be elected pursuant to Sec. 12.12. One of the four members elected at large will be selected as the Board Chair.
- 9.2 The EMUB shall have as its central purpose a shared responsibility for the development and maintenance of the Erb Memorial Union.
- 9.3 [Repealed 4/28/95].
- 9.4 The EMUB shall take no actions impinging upon the duties, responsibilities, or authority of the Student Senate, or upon the administration of ASUO Programs.
- 9.5 The EMUB shall establish and publish its own criteria for fulfillment of duties by November 1.
- 9.6 All meetings of the EMUB shall be in accordance with the Oregon Public Meetings Law. Times and places of such meetings shall be submitted to the Oregon Daily Emerald or announced at least 24 hours in advance of the meeting.
- 9.7 The EMUB shall submit to the Student Senate a recommendation for incidental fee allocations and appropriations for the EMU by November 21st for the purpose of assisting the Student Senate in establishing benchmarks.
- 9.8 The EMUB shall submit a recommended budget for incidental fee allocations and appropriations for the EMU to the Student Senate according to the provisions of Sec. 6.22 and 6.23.
- 9.9 In the event that a veto of the EMU budget from the President is not overridden by the Student Senate, the EMUB shall submit a revised budget recommendation to the Student Senate within five (5) school days of receiving written notification from the Senate of the vote to override.

### 10. THE CONSTITUTION COURT

- 10.1 The Constitution Court shall be composed of five (5) members appointed by the ASUO President. at least two of whom shall be a second or third year law student.
- 10.2 The Constitution Court shall have supreme and final authority on all questions of interpretation of this Constitution and any rules promulgated under it, including elections rules and complaints.
- 10.3 The Constitution Court may delegate its authority to act as a fact-finder and to make initial recommendations to a member of the ASUO who shall act as a Hearings Officer.
- 10.4 Upon receiving a complaint, a Hearings Officer shall take testimony and shall make a recommendation on the question to the Constitution Court within four calendar days. The Hearings Officer shall compile a written record of the complaint and its disposition, along with the recommended decision, which shall be filed with the

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- ASUO Administrative Assistant and shall be presented to the Constitution Court in the event of an appeal.
- 10.5 Complaints arising under the ASUO Elections Rules may be delegated to a Hearings Officer for a ruling. Such a ruling is final unless overturned by the Constitution Court. A Hearings Officer sitting as a judge of election rule complaints may be delegated the authority to impose special sanctions, including but not limited to denial of accession to office or the ballot, payment of any cost incurred in handling the complaint, performance of specific duties for the Elections Board or revocation of any rights arising out of status as an ASUO Program or Recognized or Registered Group.
- 10.6 The Constitution Court shall select its own chair.
- 10.7 The Constitution Court shall promulgate its own rules of procedure and rules to be used by Hearings Officers.
- 10.8 Hearings Officers shall be appointed by the Constitution Court on a case-by-case basis, and shall hold no continuing authority to review or make recommendations on other unrelated actions.
- 10.9 Any member or administrative body of the Association may refer any question regarding correct construction or interpretation of any part of this Constitution or any rule promulgated under it to the ASUO Constitution Court. Members of the Court may not make such requests.
- 10.10 The Court shall, when practical, hear questions within seven calendar days after they are presented. The Court shall endeavor to rule on each question within ten calendar days after presentation.
- 10.11 The term of office of members of the Constitution Court shall not expire until leaving or graduating from the University of Oregon. Absence during summer term dates does not constitute leaving the University. Upon re-enrollment at the University of Oregon, continued service as a Court member would require re-appointment.
- 10.12 Members of the Court may be removed from office by the President should the President and at least twelve of the members of the Student Senate voting, after a public hearing, determine that the member is guilty of non fulfillment of duties.
- 10.13 All questions relating to non fulfillment of duties, except as provided in Section 10.12, shall be decided by the Constitution Court.
- 10.14 Upon failure of a quorum of the Student Senate to meet at least once during any three week period, the Constitution Court shall have the authority to remove all members of the Student Senate.
- 10.15 All rules, resolutions, and policies established by the ASUO Executive office, the ASUO Programs Finance Committee, the Athletic Department Finance Committee, the EMU Board, and the Student Senate shall be reviewed and approved by the Constitution Court for compliance with the ASUO Constitution before going into effect. All such rules, resolutions and policies shall take effect as promulgated unless declared unconstitutional by the Constitution Court upon review. The Court shall respond as required in Sec. 10.10.

*{Section 11 repealed by ballot measure, 4/27/94}*

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### 12. REGULAR ELECTIONS

- 12.1 The ASUO Elections shall be conducted in a manner consistent with the best interests of the student body. The elections shall be conducted in a fair, orderly and impartial manner, and the educational atmosphere of the University shall not be compromised, by any member of the ASUO involved in the electoral process.
- 12.2 The regular ASUO election shall be held no earlier than February 15 and no later than April 1 of each year.
- 12.3 All officers elected under this Constitution shall serve a term of office commencing on May 25 and ending on May 24 of the last year of their term of office.
- 12.4 Any member of this Association is eligible to vote for candidates seeking elective office, except in elections of Academic Student Senate seats, in which only members of the appropriate constituent group may vote for their representative.
- 12.5 The ASUO President shall appoint an Elections Board Chair and, no later than February 15 each year, appoint four members to the Elections Board upon recommendation of the Elections Board Chair. The Chair and Board are subject to confirmation by a majority of the Student Senate. The Elections Board shall be responsible for promulgation of election rules and procedures, and for the overall direction of the elections. The Elections Board shall interpret the Election Rules on request and shall have the authority to hear complaints of violations. The Elections Board shall have the authority to act as hearings officers and form a Hearings Committee that must include but is not limited to three Elections Board members. All rule interpretations and Hearings Committee decisions may be appealed to the Constitution Court.
- 12.6 A candidate in the ASUO election may file for only one position contested in that election.
- 12.7 Elections for positions currently filled by appointees or currently vacant shall be held at the earliest regular ASUO election in order to fill the remainder of the term.
- 12.8 A majority of votes cast in the ASUO Executive election shall be necessary to elect. If no candidate receives a majority, a run-off election shall be held within one week between the two candidates receiving the highest number of votes.
- 12.9 If the election is for a multiple position seat, e.g., EMUB, ASPAC, ASUO Programs Finance Committee, Athletic Department Finance Committee or Student Senate, and more candidates than twice the number of seats available file or receive the required number of votes as write-ins, then twice the number of candidates than seats available shall go on to the general election ballot, based on the number of votes received. One-year and two-year seats shall be elected separately.
- 12.10 Candidates for Student Senate shall run for numbered seats. Senators elected to serve as members of the ASUO Programs Finance Committee will hold seats 1, 2 and 3. Senators elected to serve as members of the EMUB will hold seats 4, 5, and 6. Senators elected to serve as members of the Athletic Department Finance Committee will hold seats 7, 8 and 9. Academic Senators will hold seats 10 through 18 which will be based on proportional academic constituencies. The Constitution Court shall review these constituencies every two years and rearrange them if

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necessary to ensure reasonably equal representation. A disparity of 15% or less from the ideal size shall be deemed reasonably equal. Nine of the eighteen members of the Student Senate shall be elected to represent academic constituencies. The remaining nine Senators shall be elected to serve as members of the Major Program Committees, pursuant to Sec. 6.1. A majority of votes cast in the Student Senate elections shall be necessary to elect. If no candidate receives a majority, a run-off election shall be held between the two candidates receiving the highest number of votes for that particular numbered position.

- 12.11 Finance Senate members elected to seats 1, 4, and 7 shall serve a term of one year. Finance Senate members elected to seats 2, 5, and 8 shall serve a term of two years and be elected in even numbered years. Finance Senate members elected to seats 3, 6, and 9 shall serve a term of two years and be elected in odd numbered years. All Academic Senators shall serve a term of two years. Academic Senators elected to even numbered seats (10, 12, 14, 16 and 18) will be elected in even numbered years. Academic Senators elected to odd numbered seats (11, 13, 15, and 17) will be elected in odd numbered years.
- 12.12 Two of four elected EMU Board members will be elected in odd numbered years. In odd numbered years the names of the four candidates receiving the most votes in the primary election will be placed on the ballot for the general election. Similarly, in even numbered years, two board members will be elected in the general election from among the four who received the most votes in the primary election. Each EMU Board member elected in this way shall serve a term of two years.
- 12.13 For the purpose of implementing the amendments in 1994, the members of the Student Senate and EMUB elected to fill two year seats elected in odd numbered years shall serve only one year. These seats will be placed on the ballot for re-election in 1995.
- 12.14 Seat One of the Programs Finance Committee will be elected in odd-numbered years. Seat Two shall be elected in even-numbered years. Each Programs Finance Committee member elected in this way shall serve a term of two years. For the purpose of implementing the amendments in 1995, the member of the Programs Finance Committee elected to Seat One in 1996 shall serve only a one-year term. This seat will be placed on the ballot for re-election in 1997.

### 13. REPLACEMENT, RECALL AND IMPEACHMENT

- 13.1 The vacancy of any office elected under this Constitution shall, with approval of those present and voting at a regular meeting of the Student Senate, be filled by appointment by the ASUO President if the vacancy occurs more than four weeks prior to the next scheduled ASUO election.
- 13.2 Vacancies on the Constitution Court shall be filled in accordance with Section 5.4 of this Constitution.
- 13.3 Non fulfillment of duties for three weeks will be considered a vacancy of any office elected or appointed under this Constitution.

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- 13.4 Impeachment and removal from office of the ASUO President may be under the process set forth in Section 5.17 of this Constitution, in addition to the process of Section 13.3.
- 13.5 Should the offices of ASUO President and Vice President become vacant concurrently, the President of the Student Senate shall become interim President. The Interim President shall hold an election for the office of ASUO President within a reasonable time not to exceed three weeks excluding finals and vacations.
- 13.6 The ASUO President-elect and Vice President-elect shall succeed the President and/or Vice President should either of those officers resign or be recalled after their successor's election but before their terms are completed.
- 13.7 The membership shall have the power to recall any elected ASUO official by a majority vote.
- 13.8 Persons desiring the recall of any officer shall notify the ASUO President and the Elections Board in writing prior to any actions to bring about the recall of said officer(s). The ASUO President and/or the Elections Board shall furnish to persons desiring the recall of any officer(s) an adequate number of ASUO petition forms. The ASUO petition forms shall set forth the name(s) of the officer(s) to be recalled, their positions, the names of all persons initiating the recall petitions and organization on whose behalf those persons are acting and the time and date of initiation of recall petitions.
- 13.9 Persons desiring the recall of any officer(s), having completed the requirements set out in Sec. 13.8, shall obtain the signatures of not less than 10% of the members of the ASUO within a one-month period from the date of initiation of the recall petition.
- 13.10 All recall petitions must be turned over to the Constitution Court within one month of the initiation of the recall petitions. A majority of the members of the Constitution Court shall determine the validity of the signatures on the recall petitions. Upon validation of the signatures and petitions, a special election shall be called by the ASUO President at which time the question of recall shall be submitted to the voters.
- 13.11 Should the Constitution Court validate a petition calling for the recall of the ASUO official constitutionally responsible for calling and holding the elections, the Constitution Court shall, by a 4/5 vote, appoint a person independent of the Executive to administer the elections.
14. INITIATIVE, REFERENDUM AND AMENDMENT
- 14.1 Except as otherwise provided in this Constitution, an initiative may be placed on the ballot by a petition containing the signatures of at least 5% of the members of this Association, as defined in Section 2.1 of this Constitution. The petition shall set forth the precise and exact wording of the initiative as it would appear on the ballot, and the petition must be presented to the ASUO President at least two weeks prior to the election.



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**ASUO Green Tape Notebook**

- 14.2 Proposals to amend this Constitution or to recall an elected official must contain the signatures of 10% of the members.
- 14.3 The ASUO President may place an amendment or other initiative on the ballot without petition.
- 14.4 The Student Senate may by a 2/3 vote of its seated members, place on the ballot proposals, referendums, and amendments without petition.
- 14.5 The wording of all proposals to be placed on the ballot must be reviewed and approved by the Constitution Court. None of the steps outlined in Sections 14.1-14.4, including circulation of petitions, gathering of signatures, or placement on the ballot by the ASUO President or Student Senate, may be taken until the Court has approved the proposed measure. To be approved by the Court, the proposed measure must meet the following standards:
- 14.5.1 The proposed ballot measure must consist of two parts: a brief question and a separate statement. The statement shall provide any pertinent background information and an explanation of the effects of the measure. The statement may be omitted only when there is no pertinent background information and when the effects of the measure are clear from the question alone. Both the question and the statement are subject to all requirements of this review.
- 14.5.2 If a proposed ballot measure requests or otherwise alters incidental fee funding, it must specify an exact figure for the total allocations and an estimate of the per student assessment. Such measures shall, in the explanation, specify the amount of any incidental fees currently being allocated to the program, department, project, or service affected, as well as the total incidental fee allocation to that program, department, project, or service should the measure pass.
- 14.5.3 The proposed ballot measure must be worded in a clear and objective fashion.
- 14.5.4 The proposed ballot measure may contain no language inclined to influence voters.
- 14.5.5 The proposed ballot measure must be consistent with the ASUO Constitution.
- 14.5.6 With the exception of proposed amendments to the ASUO Constitution, the proposed ballot measure must be consistent with all rules promulgated under the ASUO Constitution.
- 14.5.7 The proposed ballot measure must be consistent with the University of Oregon Clark Document.
- 14.5.8 The proposed ballot measure must be consistent with the standard “advantageous to the cultural or physical development of students” prescribed by ORS 351.070(3)(d).
- 14.6 Multiple year funding commitments funded with incidental fees shall be authorized only through the initiative and referendum process and approved by direct vote of the student body. Commitments for multiple year incidental fee funding shall not exceed a period of two consecutive fiscal years. This rule shall not affect approved ballot measures for multi-year funding previously to, or during, the Spring 1998 election.

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## ASUO Green Tape Notebook

### 15. ENABLING CLAUSE

15.1 The Constitution shall go into effect immediately upon the validation by the elections officer of the results of the election, if those results show a majority of the voters favor adoption of the Constitution.

15.2 Constitutional amendments and other ballot measures shall go into effect immediately, or as specified by the measure, and upon the validation by the elections officer of the results of the election, if those results show a majority of the voters favoring adoption of the amendment or measure, except that amendments or measures affecting the elections process shall go into effect upon settlement of all disputes arising under the prior language.

### 16. GRIEVANCES

16.1 Any grievance filed by a member of the ASUO against an ASUO program, excluding the ASUO Executive and ASUO Student Senate, must be filed first with the ASUO Programs Administrator. Any resolution to a grievance filed with the ASUO Programs Administrator may be appealed to the ASUO President within 7 business days. Decisions made by the ASUO President may be appealed to the Constitution Court within 7 business days if the grievance falls under the jurisdiction of the Court pursuant to Section 10.2.

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**ASUO Green Tape Notebook****ASUO EXECUTIVE RULES****Approved 1/12/99**Exec R 80.1 (revised 1995) Grievances

If there is an internal grievance in a program, and the problem cannot be resolved through in-program discussion, bring the problem to the attention of the ASUO Conflict Resolution Services. This impartial agency will attempt to reach a compromise.

If Mediation is unsuccessful, or if either or both parties are unwilling to use mediation, bring the problem to the attention of the ASUO Programs Administrator. S/he will meet with the individuals involved to discuss the problem, and to develop a plan that will alleviate the problem. If the Programs Administrator concludes that the situation is unresolvable s/he may recommend corrective action if deemed necessary, including the removal from office of any program member, and set a deadline by which the problem must be resolved. If the grievance involves staff members, the ASUO Programs Administrator should refer to the 'Terms of Employment Statement' outlined in Exec R 84.1. The corrective action to be taken by the Programs Administrator is explained in Exec R 84.2. Any action taken by the Programs Administrator may be appealed to the ASUO President. Any Presidential action taken under this rule may be appealed to the ASUO Constitution Court.

If the grievance directly involves actions of the Programs Administrator, the ASUO President or his/her designee will fill the role of the Programs Administrator in the process described above.

It is important for program members, before initiating the grievance procedures outlined above, to consult their program's by-laws and/or charter as well as UO Rules or Oregon Administrative Rules to see if a separate grievance procedure is mandated within any of those documents. If the program is in violation of the ASUO Constitution, ASUO Executive Rules, University Rules, or State Law, or if the problem is one other than an internal grievance, refer to Exec R 81.1.

Exec R 80.2 (revised 1999) Staff Selection Procedures

The following guidelines for staff selection and affirmative action procedures applies to all positions in ASUO recognized programs that are not elected positions unless an exception is granted by the ASUO Programs Administrator. (See Exec Rule 83.1 for elections procedures.) Please direct questions to the Administrator or to the Director of the Office of Student Advocacy.

1. Form a selection committee consisting of the program director or committee chair, if possible, and at least one other person with knowledge of the program. Non-students may sit on selection committees, but should not constitute a majority of the committee. The committee must remain consistent throughout the hiring process. A temporary employee may not sit on the selection committee if s/he is applying for a permanent position.

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2. The committee should prepare a position description clearly stating the position responsibilities and making no references to gender, ethnicity or other non-job-related criteria. See Exec Rule 82.1 for the ASUO policy on protected classes. The position description must include at least the following affirmative action statement: "An affirmative action/equal opportunity/Americans with Disabilities Act employer" (AA/EOE/ADA).
3. Programs should use the standard ASUO application form or a form which is approved by the ASUO Programs Administrator. Standard forms are available from the ASUO Receptionist or Administrative Assistant.
4. A copy of the job announcement/position description must be sent to the following programs and agencies:

Asian Pacific American Student Union (APASU)  
 ASUO MultiCultural Advocate  
 ASUO Programs Administrator  
 ASUO Women's Center  
 Black Student Union (BSU)  
 Career Center  
 Chinese Student Association (CSA)  
 Hong Kong Students Association (HKSA)  
 International Students Association (ISA)  
 Jewish Student Union (JSU)  
 Lesbian, Gay, Bisexual, Transgender Alliance (LGBTQA)  
 MEChA  
 MultiCultural Center  
 Muslim Students Association (MSA)  
 Native American Student Union (NASU)  
 Office of MultiCultural Affairs (OMA)  
 Services for Students with Disabilities  
 Singapore Students Association (SSA)  
 YWCA

The ASUO Administrative Assistant will assist you in distributing these announcements.

5. Run an advertisement in the *Oregon Daily Emerald*. This must be a classified ad at minimum. (Selection procedures which do not include ODE advertising will be declared invalid by the ASUO Executive.) The ad may not contain reference to gender, ethnicity, religion, or any other non-job related criteria. The ad must contain at least the following affirmative action statement: "An affirmative action/equal opportunity/Americans with Disabilities Act employer (AA/EOE/ADA)." The ad must include the application deadline which must be no earlier than the day the final ad runs in the ODE. Advertisements must run for at least three (3) days for all positions. Summer term ads must run for at least two (2) days, preferably both a Tuesday and Thursday. Applications must be accepted for at least five (5) days for all positions.

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## ASUO Green Tape Notebook

6. The Selection Committee shall determine criteria, based on the position description, for screening applicants. The same committee must participate in all interviews and the basic questions of all applicants shall be the same. The Selection Committee shall choose the best qualified candidate for the position. If two candidates are deemed equally well-qualified, special consideration should be given to a candidate who is a member of a "protected class," as defined by Affirmative Action guidelines. Should none of the candidates be qualified for the position, it may be reopened, and process 4 and 5 repeated (again advertised for three (3) days).
7. All applicants shall be notified that the position has been filled. (This is a matter of common and professional courtesy which is often neglected.)
8. Applications and interview notes should be kept for two years. If this is inconvenient for your organization, you may contact University Archives to help with storage.
9. Selection procedures which do not include ALL of these provisions may be declared invalid by the ASUO Executive.

### Exec R 81.1 (revised 1999) Rule Violations

In the event that any incidental fee funded or ASUO program ceases to manage its affairs in a reasonable and responsible manner, or violates the rules of the ASUO Executive, the ASUO Constitution, the Erb Memorial Union, the University of Oregon, or the State of Oregon, the ASUO Programs Administrator may take corrective action as the designated representative of the ASUO Executive. Any action taken by the ASUO Programs Administrator under these rules may be appealed to the ASUO President. (See Exec R 92.1)

The ASUO President may act directly in response to program actions if s/he deems it necessary. Punitive action taken by the ASUO Executive may include any fiscal controls up to and including indefinite freezing of funds. It may also include removal of program staff, denial of certain privileges to program staff (see Exec Rules about staff selection especially Exec Rule 84.2) and/or withdrawal of ASUO recognition or registration. In the event that the corrective actions are unsuccessful, the President may dissolve a program and/or absorb its functions under the ASUO Executive office. In the event of illegal use of program money or University facilities, the ASUO reserves the right to direct violations to the University of Oregon Conduct Code Committee. In the event that the violating individuals are no longer students, the ASUO President may initiate legal action against the responsible individuals. Also, the individuals may be billed directly for any program expenses incurred by the violation. Any Presidential action taken under this rule may be appealed to the ASUO Constitution Court.

### Exec R 81.2 (revised 1995) Telephone Use

Members of programs that receive incidental fee money for long distance calls may receive phone authorization codes. This process is initiated by a request from a program director or co-director to

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## ASUO Green Tape Notebook

the ASUO Administrative Assistant. It is advisable for programs to keep records of long distance calls as they are made. Incidental fee funded programs receive a monthly printout of income/expense, which includes phone expenses. A more in-depth report, available from the EMU Accounting Office, provides a list of phone calls made, cost of call, length of call, who made the call, and total charges. It is the responsibility of each program to monitor long distance expenses to insure that they do not exceed the budgeted amount. The ASUO Executive has the right to terminate a phone authorization code if a program exceeds its budgeted amount for long distance expenses.

### Exec R 82.1 (revised 1986) Equal Opportunity

The ASUO affirms the right of all individuals to equal opportunity in education, employment and access to incidental fee funded programs and their funded activities, without regard to race, color, religion, sex, sexual orientation, age, different ability, national origin, marital status, veterans' status, or any other considerations not directly and substantially related to effective participation.

### Exec R 82.2 (revised 1999) Temporary Hires and Appointments

For those positions lasting three months or fewer, a temporary director or other temporary staff, may be hired or appointed without going through the usual process, provided that the *Oregon Daily Emerald* is not publishing, or that there is some valid reason why the usual selection process cannot be followed without undue disruption of program activities. People hired under this rule may be chosen by a decision by the group, but are limited to three months in office. The ASUO Programs Administrator should be notified of all such hires and appointments. The position must be formally opened within three months and the formal selection process followed. A temporary employee may not sit on the selection committee if s/he is applying for the permanent job.

### Exec R 82.3 (revised 1999) Selection Process Exemptions

The staff selection and related practices contained in these sections need not apply to programs which employ professional, GTF, or classified staff, provided that such programs comply with the generally recognized principles of hiring which apply to them under their professional, GTF, or classified status.

Programs hiring work study students may be exempted from the ASUO hiring process for those positions at the discretion of the ASUO Programs Administrator. Any program wishing to have work study exemptions under this provision should contact the Programs Administrator prior to filling the position.

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## ASUO Green Tape Notebook

### Exec R 82.4 Expenditure Restrictions on Political Activities

No incidental fees may be spent to support the campaign of any individual, or party, for public office. Fees may be used to promote appearances and discussions between several candidates for public office, in order to increase student knowledge of issues and candidates.

### Exec R 83.1 (revised 1995) Elections

Programs may elect their directors and other staff provided the following criteria are met. All candidates must be afforded the same opportunity to disseminate information to the electorate. The electoral process must insure that every constituent has an equal opportunity to vote and that every constituent's vote has equal weight in determining the outcome of the election. Only student members of the program may vote in an election for any position having authority in an ASUO program. **Membership in a program may be defined by the program as long as the membership rules allow an equal opportunity for all students to participate in the program and there is no other violation of the rules of the ASUO, the University of Oregon or the State of Oregon.** Membership rules must be filed with the ASUO Programs Administrator prior to any election. The ASUO Programs Administrator must be notified of any elections, and either the Programs Administrator or Elections Coordinator may oversee the elections at the request of the program or as directed by the ASUO President.

### Exec R 84.1 (revised 1999) Terms of Appointment/Employment Statements

All program personnel (professional and student) receiving ASUO program stipends or salaries must submit to the ASUO Head Controller, an ASUO "Terms of Appointment/Employment Statement" **prior to receiving their stipend or salary.** This statement defines the selection procedure, immediate supervisor, period of appointment/employment, and basic position responsibilities of each individual. This information will help the ASUO Programs Administrator facilitate staff personnel grievances. The "Terms of Appointment/Employment Statement" is not intended to replace but rather supplement the ASUO Program Contract which is also required of all ASUO programs.

Information on the use of Personal Service Contracts may be found in the UO Activity Reference Guide.

### Exec R 84.2 (revised 1999) Termination

In the event that a personnel problem can not be resolved through intra-group resolution or mediation as described in Exec. R 80.1, the individuals involved should contact the ASUO Programs Administrator. If the Administrator finds that there is just cause for firing the employee or appointee, the Programs Administrator will authorize written notice of termination, with at least a one-week delay between notice and termination. Only written notice approved by the ASUO Programs Administrator and the ASUO President is valid for termination. If the subject of

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## ASUO Green Tape Notebook

termination is the ASUO Programs Administrator, written notice approved by the ASUO President is valid for termination.

### Exec R 84.3 (revised 1987) Estimates and Purchase Orders

No purchase orders will be honored if the amount billed is greater than 10% above the amount of the estimate. (Estimates are discussed in the paragraph below.) In the event that additional services which were **not** included in the original estimate increase charges, a new estimate will be given. The new charges shall be approved by the involved program through the ASUO Controllers **before** the additional services are rendered. Additional purchase orders will not be honored to cover original estimates which reflect vendor error or negligence.

Estimates can be given over the phone. In the case of a phone estimate, clear records of the exact services to be rendered should be kept by both parties. When a service is being provided, for example in the cases of the Facilities Services, the ODE and University Press, written estimates must be obtained. They must include both the signatures of the person making the estimate and an authorized program representative.

### Exec R 88.1 Membership

No individual can be excluded from a program on the basis of political ideology, but every individual involved in a program must be sincere to the goals of the program.

### Exec R 88.2 (Revised 1995) Governance Documents

All incidental fee funded and all ASUO Recognized or Registered Programs must submit governance documents and/or by laws to the ASUO Programs Administrator by the first week of fall term. Membership must be defined in these documents. The ASUO Programs Administrator must be notified of any changes in these documents.

### Exec R 92.1 (Revised 1999) Grievance Procedure

When the appeal is filed with the ASUO President under the process outlined in Exec. R 80.1 or 81.1, the ASUO President or designee must convene a committee of three, including the ASUO President or designee, the President of the Student Senate and the ASUO MultiCultural Advocate, within ten working days after the complaint is filed. However, if any of these individuals have any conflict of interest in the matter of the investigation, the remaining individuals will appoint a neutral person(s) to fill the vacancy and complete the committee.

This committee shall have thirty days from the time that the committee is formed to complete all the information in the form of interviews, documents, or whatever information is needed to complete the investigation. This committee may request all information that will help them form a comprehensive conclusion. If the committee determines that the investigation cannot be



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## ASUO Green Tape Notebook

reasonably completed within thirty days, it will inform the complainant of this in writing prior to the initial deadline, and provide justification for the delay and an alternative deadline for completion.

This committee shall have the authority to conduct an objective investigation into wrongdoing. The ASUO President shall recommend appropriate action based on the outcome of the investigation. In the instance that the complaint involves an ASUO recognized program, the ASUO Executive may take action under Exec R 81.1. In the instance that the complaint involves a non-ASUO recognized organization, the organization is responsible for taking reasonable action based on the recommendation made by the ASUO investigation committee.

No information collected in the investigation will be held in confidence unless it complies with the exemptions from disclosure as described in the Oregon Public Records Law or the Buckley Amendment to the federal Freedom of Information Act. Any action may be appealed to the Constitution Court.

### Exec R 93.1 (revised 1995) Motor Pool Usage by Fee Funded Programs

The ASUO Executive shall have the authority to enforce rules of the ASUO, University of Oregon, or the State of Oregon regulating State Motor Pool usage by any ASUO or incidental fee funded program by invoking sanctions against the program. These rules include ASUO "Instructions for State Motor Pool Drivers" and "Van Safety Rules" as well as OAR 571-10-100 to 571-10-120. Copies of these rules are available in the ASUO Executive office.

When a violation occurs, sanctions shall be invoked by the ASUO President and may include but not be limited to loss of motor pool usage for the program for a specified period of time, freezing of program funds, referral to the Student Conduct Code Coordinator, and a requirement to complete an educational project related to state vehicle usage and safety.

### Exec R 93.2 (Revised 1999) Accidents Involving State-Owned Vehicles

Any accident involving state-owned vehicles being used on official ASUO business shall be reported within 24 hours to the ASUO Programs Administrator or his/her designee. A full description of the accident including a copy of the State Department of Motor Vehicles Traffic Accident and Insurance Report shall be provided to the Programs Administrator. He or she will review the accident and determine any actions to be taken to address violation of rules, payment for damages, or other steps necessary to resolve the situation. All actions required by the State Motor Pool in the event of an accident, as described in the accident packet in the state vehicle, must also be completed by representatives from the ASUO program involved.

*(Note: For general information regarding university insurance procedures, etc. contact Hazel Edwards, Risk Coordinator, 346-3166. Sandi Godsil, 346-6067, files ASUO insurance claims.)*

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## ASUO Green Tape Notebook

### Exec R 94.1 Program Financial Obligations

Programs are expected to determine that funding is available prior to entering into any contract with financial obligations. If an incidental fee funded program runs a deficit in any line item, the program's budget may be frozen until line item reimbursement has been made. If an incidental fee funded program ever has an overall budget deficit, funds will be extracted from that program's fundraising account to cover the deficit.

### Exec R 94.2 Equipment Reserve Requests

ASUO Programs wishing to purchase equipment costing over \$500 must file an ASUO Equipment Reserve purchase request with the ASUO Executive. This procedure will insure that the equipment purchased will be placed on the ASUO inventory list and fully insured. It is expected that the program will reimburse the ASUO Equipment Reserve account to the greatest extent possible.

### Exec R 94.3 ASUO Recognition Status

The ASUO Executive will only grant the status of "Recognition" to programs that add to the "cultural and/or physical development of the University Community." That status is a privilege and may be revoked if the program does not conduct itself in a manner consistent with ASUO rules, UO rules, and State law.

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**ASUO Green Tape Notebook****Incidental Fee Guidelines  
University of Oregon  
Clark Document**

Revised 5/24/02

**A. Introduction**

The student incidental fee has been authorized by the Oregon Legislature to provide for the “cultural and physical development” of students. In authorizing the Incidental Fee, the Legislature recognized that students have a legitimate interest in participating in the determination of the level and allocation of the fee, and the Legislature also provided recognized student governments the right to recommend fee levels and allocation to the Oregon State Board of Higher Education (OSBHE). The provisions outlined herein follow from ORS and from the Board’s delegation of authority, and assignment of responsibility to the institutional executive administering the affairs of the institution in accordance with the Board’s policies, plans, budgets, and standards; and the Board’s rule (OAR 580-10-090) that representatives of duly organized and recognized student governments shall (1) participate with the institutional executive in the formulation of guidelines and procedures for budgeting, allocation, and amount of incidental fee income, to be derived at the institution, and (2) shall participate in the decisions on budgetary allocations, and determination of incidental fee income based upon said guidelines. The procedures set forth in this document are based on student government rights and responsibilities under ORS, OAR, policies of the OSBHE and the University of Oregon, relevant opinions of the Oregon Attorney General, and the ASUO Constitution.

The University of Oregon President (hereinafter President) and the ASUO, acting through its President and Student Senate, have agreed to these guidelines and procedures in order to achieve clarity and fairness in the fee recommendation process. This document is based on the principles that the responsibility for allocating student incidental fees is an essential interest of a recognized student government and that incidental fee allocation decisions must comply with legal obligations and must not interfere with the University’s ability to carry out its educational mission.

**B. Recognition and Delegation**

The University of Oregon acknowledges the right of recognized student government, in exercise of its delegated power and through its constitution, to elect a body to make fee recommendations to the OSBHE. That body is now the ASUO Student Senate. Anyone serving on a fee recommending body must be chosen in a fair and equitable manner. There shall also be three Finance Committees each of which shall recommend a lump sum budgets to the Student Senate for fee allocations to one of the three Major Programs (ASUO Programs and Services, Erb Memorial Union, Intercollegiate Athletics) as follows: the ASUO Programs Finance Committee for ASUO Programs, EMU Board for the Erb Memorial Union, and the Athletic Department Finance

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## ASUO Green Tape Notebook

Committee for Intercollegiate Athletics. Election, appointment, and replacement processes for the Student Senate representatives shall be set forth in the ASUO Constitution.

Responsibility for the administrative structure, personnel administration, and reporting relationships of major programs funded by student incidental fees resided within the University Administration. Any recommendations for realignment of major programs or other considerations of what constitutes optimal reporting relationships should be the outcome of proper consultation and wide support between student government and the University President. Such modification requires approval of the President.

The ASUO recognizes the legitimate interest of both the OSBHE and the University administration in maintaining an efficient fee recommendation and establishment process. The administration and the ASUO, therefore, agree that unless disagreements arise, the normal transmittal process will be for fee recommendations to be provided to the University President in writing for the President's approval and transmittal to the Chancellor for compilation and to the OSBHE for approval. The ASUO retains its statutory right (OAR 580.10.090) to make recommendations directly to the OSBHE. Applicable provisions of state law and OSBHE regulations will be followed in the development, transmittal, and expenditure of incidental fees.

### **C. Procedures: Meetings and Student Membership**

All meetings of incidental fee committees and subcommittees thereof shall be conducted in accordance with the Oregon Public Meetings Law. For purposes of determining application of public meetings law, a subcommittee of the Student Senate is defined as one of the three Finance Committees (ASUO Programs Finance Committee, EMU Board, and the Athletic Department Finance Committee), or any two or more members of the Student Senate, or the Finance Committees meeting to deliberate on an issue before or intended to come before the Student Senate for decision. Notice of all meetings must be provided at least 24 hours in advance to the Oregon Daily Emerald and any other media requesting notice. Public notice of hearings to determine budget recommendations shall be published in the Emerald.

All members of the Student Senate and all student members of the finance committees, or subcommittees thereof, shall be students enrolled in eight undergraduate or the equivalent graduate credit hours (except summer).

### **D. Timelines and Schedules**

No later than November 7 of each year, the President (or designee) of the University will meet with the ASUO President and Vice President, the Student Senate, and members of finance committees to review responsibilities and standards, as required by the Board rule (OAR 580-10-090), relevant opinions of the Attorney General, and University policies for participating in establishment of recommended Incidental Fee levels. By November 15 of each year, the President (of designee) of the University will notify the Student Senate and the ASUO President of: 1) the date by which he or she needs to have fee recommendations to the University President for transmittal to the Chancellor and the OSBHE, and 2) the enrollment and fee revenue estimates to be used in determining the recommended Incidental Fee required for budgeted programs.

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## ASUO Green Tape Notebook

The finance committees shall each establish and publish a schedule of hearings affording at least one public hearing on the budget request of each program under its jurisdiction seeking funding. The Student Senate shall also establish and publish a schedule of hearings affording at least one public hearing on each lump sum budget recommended by the three Finance Committees. Copies of the hearings schedule and notification of any changes shall be provided to the ASUO Executive, the affected program, the Oregon Daily Emerald and any other media requesting notification, the President, the Director of the EMU, and the Athletic Director where affected.

Scheduling of hearings shall be at the discretion of the Student Senate and Finance Committees, except that hearings on allocation requests from the EMU and the Department of Intercollegiate Athletics shall be held at a time mutually convenient to those departments and the Finance Committee.

### **E. Hearing Format**

Within the context of the ASUO Programs Finance Committee, the Athletic Department Finance Committee, and the EMU Board hearings process, each program within a Major Program must submit a goal statement which allows each Finance Committee to determine for itself whether the program or activity meets the statutory standard of ORS 351.070(3)(d) which authorizes the OSBHE to collect fees to fund programs for the cultural or physical development of students. Any request for one-time or limited-duration funding for programs or projects must also be accompanied by a statement of goals which allows each finance committee to consider the appropriateness of that request under ORS 351.070(3)(d). The Student Senate and all finance committees will only consider funding programs or projects they believe meet the statutory standard.

Other hearings procedures shall be at the discretion of the Student Senate and finance committees, and shall be made available in writing to all hearing participants prior to the beginning of the annual budget hearing process. The Student Senate and finance committees may each, at its own discretion, hold preliminary hearings for, among other things, seeking information or clarifying goals.

Documents submitted to the Student Senate and finance committees and their decisions regarding approval of both programs goals and levels of funding shall be forwarded to the ASUO President and then to the University President (or his or her designee).

### **F. Ballot Measures**

There shall be no direct allocation or introduction of fees through use of the referendum process. However, in some cases, it may be appropriate for the ASUO to use ballot measures to assess the level of student support for a program. In execution of authority delegated to the ASUO to recommend Incidental Fee levels, the appropriate branch of the ASUO will review initiative language before it is presented to the student body for direct vote. This review shall determine compliance with the ASUO Constitution and rules promulgated under it, the Clark Document, and compliance with the statutory standard “advantageous to the cultural or physical development of students” prescribed in ORS 51.070 (3)(d).

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## ASUO Green Tape Notebook

The referendum process may not be used to establish incidental fee funding for new or continuing programs or services. Ballot measure questions may serve to provide supplemental, non-binding guidance to the appropriate branch of student government, but in doing so may not establish or take measure of support for any specific funding level.

### G. Reserve Funds

To help insure sound fiscal management, the Student Senate, ASUO Executive, and University administration shall adopt and maintain sound fiscal practices for Incidental Fee monies. The following appropriated and unappropriated reserve funds shall be maintained.

Contingency or Surplus Fund. An appropriated contingency or surplus fund shall include an unallocated reserve budgeted by the Student Senate. This unallocated reserve shall be augmented each fiscal year with ASUO Programs funds which have been appropriated but unexpended during the prior fiscal year or carried over from the prior fiscal year. The Contingency or Surplus fund shall be allocated in accordance with the usual budget procedures of the Student Senate and ASUO Executive.

Building and Equipment Reserves. Allocation of Incidental fees must regularly cover full funding of all ASUO and EMU building and equipment reserves as required by Oregon Law, Chapter 351 and Oregon Board of Higher Education Rules (351.070 ORS/OAR 580-010-0090) and Internal Management Directives, section 6. Such appropriated reserve funds have the status of allocated monies that have been approved by student chancellor and OSBHE and may be spent by the EMU director without further approval or authorization by the EMU Board or student government.

5% Prudent Reserve Fund. An unappropriated Reserve fund shall be maintained with Incidental Fee income. The unappropriated Reserve fund shall be created at the beginning of the fiscal year at a level equal to at least 5% of the current fiscal year's total Incidental Fee budget to insure against shortfalls due to under-realized enrollment and/or other unforeseen contingencies. This fund may be used only to address emergency budgetary shortfalls, or other compelling prudent fiscal actions. In all cases, requests for use of the 5% Prudent Reserve Fund should be identified in specific written transmittals to the University President.

Over-realized Fund (ORF). Funds accruing in the unappropriated Reserve Fund in excess of the mandated 5% Prudent Reserve due to over-realized enrollment income shall be identified as "over-realized funds" (ORF). Allocation of ORF must only be used in accordance with the following criteria: (1) to address one-time, non-recurring expenses for which other funding sources are not available or are inappropriate; (2) to benefit large groups of students or to support projects with a broad base of student support; (3) to address issues of an emergency nature that have an impact on students; (4) to respond to special or unique target of opportunity, where investment of resources will result in substantial savings of student fees; (5) reduction of fee collections. Currently enrolled students, ASUO recognized student groups, and any programs or departments funded as a supplement to the following year's fee collections or as a source for by student-recommended fees are eligible to request and receive an allocation of over-realized funds.

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## ASUO Green Tape Notebook

An emergency allocation from the 5% Prudent Reserve fund or allocation of ORF funds must include certification of the unusual nature of the proposed expenditure (s) and have the recommendation of the Student Senate and the written approval of the ASUO President as well as the formal approval of the University President or his/her designee.

### H. Recommendation Format and Criteria

Incidental fee allocation recommendations shall be aggregated by three major categories: (1) EMU; (2) ASUO programs and services; and (3) Intercollegiate Athletics. Each of these categories is considered a Major Program. For the purpose of this document, EMU shall include EMU activities and services; the ASUO Major Program educational, shall be comprised of educational, cultural, and student government activities, registered and recognized student organizations, and all other non-EMU or non-Athletic department programs and services funded in whole or in part with incidental fees; and Intercollegiate Athletics shall be known as the Athletic Department Program.

A distinct activity within a Major Program that has been funded for six consecutive years is considered a Traditionally Funded Program (TFP).

Funding recommendations for major programs and any sub-component of a major program is limited to one fiscal year, and all budget recommendations will be for fixed sum amounts only. For fee allocation purposes, programs and services previously funded through indefinite or multiple year referendums will become a part of the Major Program titled ASUO. Such programs and services will be established as Traditionally Funded Programs (TFP) after completion of six consecutive years funding.

A proposed decrease in the level of fee support for any Major Program shall not exceed 10% of the preceding year's allocation unless the Program voluntarily requests such a reduction. A recommendation to reduce a major program by more than 10% requires a unanimous vote of the Student Senate, and must be approved. The same process shall be applied to recommendations concerning TFP's, except that the allowable reduction shall be 25%. A recommendation to reduce by more than 25%, and a unanimous vote of the appropriate Finance Committee is required.

The ASUO and the University President recognize that fiscal stability is essential to long-term planning. These offices agree that in any situation involving substantial budget decreases in Major Programs or TFP's, both the ASUO and the University President shall assist the affected program in attempting to find or develop additional sources of funding. This agreement does constitute any legally enforceable commitment to provide such funding at any level, nor shall it interfere with the Student Senate's or any incidental fee finance committee's right or the President's inherent right to recommend a budget reduction for reasons of policy. Any reductions in Major Programs or TFP's shall be consistent with the fulfillment of contractual obligations of an affected University department or program. Current service level budgets will serve as a basis for consideration by the finance committees.

The Student Senate, in making its recommendation regarding the appropriate fee level to provide for the budgeted level of services, shall use enrollment and fee revenue estimates provided by the

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## ASUO Green Tape Notebook

University. The Student Senate shall transmit its fee recommendations in writing to the University President (or his/her designee). At a minimum, the fee recommendation must include: 1) the recommended Incidental Fee with detail of the fee calculation by fee category; 2) a summary of approved Incidental Fee budgets by Major Program; 3) line item budgets for each program recommended for funding; and 4) program goal statements for each program recommended for funding.

These procedures and criteria are not intended to limit the right of the student body to require other procedures, or to limit the power of the Student Senate, Finance Committees and ASUO Executive, provided those requirements or limits are not inconsistent with this document and statute.

### I. Appeals

The President shall notify the ASUO in writing within seven working days of receipt of the complete incidental fee budget allocation, or any recommendation for allocation from the incidental fee unappropriated reserve or over-realized fund. The President's written notification will indicate approval or denial, disagreement with any portion, or whether he or she wishes to suggest changes to the recommended allocation(s). In the event that the President suggests changes or denies a budget recommendation, the ASUO President shall respond in writing to the suggestions or denial either affirmatively or negatively within seven working days of receiving them. If the ASUO President does not respond, the President's suggested changes or denial are accepted by the ASUO and become part of its recommendation. If the ASUO President does not agree with the President's suggested changes or denial, the President and representatives of the Student Senate and ASUO Executive shall meet and attempt to resolve the conflict. If agreement cannot be reached within ten working days, a Hearing Board then may be requested by either the ASUO President or the President. It shall be constituted pursuant to OAR 580-10-090(3)(h), and its recommendations considered by both the ASUO and the President prior to final fee recommendations being transmitted by the President to the OSBHE and the Chancellor.

Members of the Hearings Board shall not be members of the Student Senate or its staff, members of the Finance Committees or their staff, the ASUO Executive or its staff, the staff or management of the affected program or the immediate staff of the University President, but shall be constituted as required by 580-10-090(3)(h)(A). The Hearings Board shall select its own presiding officer and establish its own rules of procedure subject to the requirements of OAR 580-10-090(3)(h). The ASUO and the President agree that one ASUO representative and one Presidential representative shall be subject (after his or her nomination) to the approval of the non-nominating entity. Both parties shall notify the Hearings Board and each other within five working days and in writing whether they accept or reject the recommendations of the Hearings Board.

### J. State Board Action

The President shall confer with the ASUO President and Student Senate in making any necessary adjustments in the allocations, and communicate the final action on the proposed fees by the State



**ASUO Green Tape Notebook**

Board of Higher Education to the ASUO President and Student Senate in writing within ten working days after the final action is taken.

**K. Amendment**

This document and the delegation herein may be withdrawn or revised at annual intervals by the President after consultation between the parties or following a request by the ASUO. If the parties fail to agree, appeals may be made in accordance with the applicable provisions of OAR 580-10-090.

Revisions shall not be made during the annual budget development process in such a way as to affect the process, except that agreement deadlines may be extended for mutual convenience. In order to insure fairness and equal application of standards during the budgeting process, revisions affecting the process shall be made prior to November 1 of the fiscal year in which the revisions are to have effect.

ASUO

University of Oregon

\_\_\_\_\_  
President

\_\_\_\_\_  
Date

\_\_\_\_\_  
President

\_\_\_\_\_  
Date

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**ASUO Green Tape Notebook**

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**Rules of the University of Oregon  
Student Senate****Preamble**

The ASUO Student Senate is committed to the belief that student government is an integral part of the educational experience at the University of Oregon. Because the Associated Students have an inherent interest in the operation and affairs of their University, the Senate has a duty to represent the interests of the ASUO before the staff, faculty, administration and State Board of Higher Education. To that end, the Senate shall endeavor to represent the students professionally, ethically and in a manner deserving of the respect of the ASUO and the staff, faculty, administration and State Board of Higher Education.

**Purpose**

The ASUO Student Senate shall act on matters relating to the allocation and appropriation of incidental fees, represent the collective and constituent interests of students in all matters considered and/or acted upon by the present General Assembly and the University Senate, and/or any matters coming before a shared-governance body or University or departmental administrative channels relating to: student personnel services, University administered housing, campus design, and University budgeting, except as otherwise provided for in the ASUO Constitution.

**Rules approved 9/29/94 (amended 5/20/98)****1. Membership**

1. Senators shall be elected in accordance with Article 12, sections 10 and 11 of the ASUO Constitution.
2. Vacant seats shall be filled in accordance with Article 5, section 4 of the ASUO Constitution.
  - (a). Seats filled by appointees shall become open at the earliest regular ASUO election (ASUO Const., Art. 12, section 7.)
3. The terms of all Senators shall run in accordance with Article 6, section 17 of the ASUO Constitution.
4. Ex-officio Senate members may not vote, nor hold any Senate office but the ASUO Vice President may vote in cases of a tie.
  - (a). Such members are:
    - (A). The ASUO Vice President.
      - (i). The ASUO Vice President may send a designee to a Student Senate meeting, provided that the Senate President or Vice President is given written notice of the designee's attendance at least 24 hours before the meeting.

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- (B). Student Senators-Elect
  - (b). Such members may make announcements and proposals.
  - (c). Such members may participate in discussion of all motions.
- 5. No Senator who, during his or her current term of office, has been found guilty of non-fulfillment of duties by the ASUO Constitution Court, pursuant to Article 10, section 13 of the ASUO Constitution, may serve on the Student Senate.
- 6. No additional membership requirements may be placed on any current or prospective member of the Senate.
- 7. The rights and privileges of any member of the Senate may not be restricted nor revoked, except under Rule 1.5 for any violation of Rule 5.3(a)-(e) or under the procedures set forth in Rule 6.
- 8. At the beginning of each term, Senators shall prepare a statement listing all ASUO organizations that they are in any way involved with or with which they may have a conflict of interest. That list shall be made available to the public by the second week of the term by the Vice President.

### 2. Meetings

1. The Senate shall meet at least once per calendar week during Fall, Winter and Spring Terms, excluding dead week, finals week, and any period the University is not in regular session. Notice of all meetings shall be submitted to the Oregon Daily Emerald at least 48 hours before the meeting.
  - (a). Special meetings of the Senate may be called by the President of the Senate, or at the written request of 1/3 of the Senate. Notice of special meetings shall be submitted to the Oregon Daily Emerald and placed in each Senator's mailbox in the ASUO office at least 48 hours before the meeting.
2. Unless otherwise set forth in these rules, the Senate shall follow "Robert's Rules of Order" during all meetings. The President shall rule on all questions of parliamentary procedure, and the Senate may, by a majority vote, select a parliamentarian to advise the President on parliamentary decisions.
3. Unless otherwise set forth in these rules, a quorum shall be 2/3 of the filled seats.
  - (a). The Senate shall make no decision without a quorum present.
4. **All meetings of the Senate shall be subject to the Oregon Public Meetings Law (ORS 192.610-192.690 (1995)).**
5. Executive sessions may be held under the following provisions:
  - (a). The executive session must be announced in open session. When a meeting is executive session only, public notice shall be given to the media and actual notice to affected parties.
  - (b). The presiding officer shall announce the statutory authority for the executive session.
  - (c). No final decision may be made in executive session.
  - (d). The Senate may go into executive session to consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff

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member or individual agent, unless such public officer, employee, staff member or individual agent requests an open hearing.

6. The following rules shall be applied to discussion before the Senate:
  - (a). Discussion of questions before the Senate shall be limited to members of the Senate, and non-members recognized by the chair, or as otherwise set forth in this Rule.
  - (b). The Senate may, at its discretion, set aside a period for testimony.
    - (A). During such testimony, no member of the Senate shall speak to or debate with those testifying.
  - (c). Non-senators may address the Senate in response to direct questions asked them by a member of the Senate. Such response shall be limited to the specific question(s) put forth.
  - (d). Official representatives of programs with business before the Senate shall be given 10 minutes of non-interruptible time to make any presentation they see fit to the Senate. This time shall be allotted regardless of Rule 2.6(b)-(c).
7. The Senate or the President may refer questions of interpretation of Senate Rules, Resolutions and the ASUO Constitution to the Senate Rules Committee.

### 3. Officers

1. The Senate President shall:
  - (a). Be selected by the Senate in accordance with Rule 4.2 .
  - (b). Preside over Senate meetings.
  - (c). With the Vice President, be responsible for the payment of stipends to Senators.
  - (d). Notify the President of the University Senate of Student Senate appointees to the University Senate Rules Committee and any University Senate ad hoc committees.
    - (A). Whenever a vacancy exists for reasons other than expiration of term, notification must be given of any potential appointee 48 hours before the appointment is made.
  - (e). Be responsible for the orientation of new members.
    - (A). Arrange for the orientation of Student Senators-Elect prior to May 25.
  - (f). Maintain office hours in accordance with Rule 5.2.
  - (g). Assume all other responsibilities that are necessary for the operation of the Senate.
  - (h). Remain for the first two meetings of the new Senate in the spring to facilitate a smooth transition of power.
  - (i). Chair the ASUO Committee on Committees.
  - (j). Assume the duties of the ASUO President in the event that the offices of both the ASUO President and the ASUO Vice President become vacant concurrently.
  - (k). Serve on the Senate Rules Committee.
2. The Senate Vice President shall:
  - (a). Assume the President's responsibilities in the absence of the President.
  - (b). Serve on the Senate Finance Committee, unless the Vice President is an ASUO Finance Senator.
  - (c). Assume responsibilities delegated by the President.
  - (d). Maintain a working relationship with the Student Affairs editor of the Oregon Daily Emerald and any other campus media as may be required.
  - (e). Submit press releases concerning all events of the Senate.

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- (f). Submit an overview of the Senate for publication in the ASUO Programs Guide.
  - (g). Maintain a Student Senate World Wide Web page, which should contain Senate minutes, membership list, meeting notices, etc.
  - (h). Notify the President if a Senator has missed a regularly scheduled meeting, failed to hold office hours, or failed in any other duties required of the Senator and notify said Senator.
  - (i). Be responsible for the maintenance of meeting minutes and audio tape records.
  - (j). Bring non-fulfillment of duties charges pursuant to Rule 6.2 for any violations of Rule 5.3(a) and 5.3(d) by the Senate Ombudsman.
  - (k). Supervise all Senate personnel.
  - (l). Serve on the Senate Personnel Committee.
3. The Senate Ombudsman shall:
- (a). Organize and supervise the operation of the Senate Information and Grievance table by:
    - (A). Arranging for table space with the EMU scheduling office.
    - (B). Ensuring Senators sign-up for and fulfill their designated times to work at the table in accordance with Rule 5.2(c).
    - (C). Periodically inspect the table to ensure it is staffed as scheduled.
    - (D). Report to the President any Senators who fail to fulfill their duties at the table.
  - (b). The Senate Ombudsman shall compile a weekly report of complaints and other communications received at the Information and Grievance table and forward that report to the full Senate at its weekly meeting.
    - (A). The Senate Ombudsman shall work with Senators to assist them in following-up grievances filed by their constituents.
    - (B). The Senate Ombudsman shall submit a weekly update of the progress of any ongoing investigations, including any results obtained.
  - (c). With the President, review each term the outreach strategies employed by the Senators to reach and inform their departments of Senate action.
  - (d). Act as a liaison between students and their respective academic Senators.
  - (e). Organize fund-raising activities and collect all moneys raised.
    - (A). Moneys raised through fund-raising shall be turned over to the Senate Finance Committee.
  - (f). Bring non-fulfillment of duties charges pursuant to Rule 6.2 for any violations of Rules 5.3(a) and 5.3(d) by any Senator except the Senate Ombudsman.

#### 4. Nominations and Elections

1. Nominations and elections of Senate representatives to the University Senate Rules, Nominations and Executive Committees shall be made at the first meeting of Fall term.
  - (a). Unless the University Senate's membership includes nine Academic Senators who enjoy all rights and privileges of membership to the same extent as prior to May 17, 1995, the Senate shall make no nominations and appoint no Senators to the University Senate nor any committee of that body.
2. All officers of the Senate shall be selected from and elected by the Senate at its second meeting of Fall term. Officers shall serve one year term.

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- (a). Nominations shall be made at the first meeting of the Senate and elections held at the second meeting immediately following the May 25 transition.
    - (A). Senators may nominate themselves.
    - (B). Nominations do not require a second.
  - (b). Candidates for each officer position shall provide a candidate's statement to each Senator at least 72 hours prior to the election.
  - (c). Candidates shall be allowed to speak about and answer questions regarding their candidacies at the Senate election meeting.
    - (A). Presentations shall be limited to ten minutes, including the question and answer period.
  - (d). A quorum for the election of officers shall be 14 Senators.
  - (e). The Senate shall select summer officers at its earliest opportunity after May 25.
    - (A). Nominations and elections of summer officers shall conform to Rule 4.2(a)-(d), with the exception of section (b), which shall not apply.
3. The appointment of Senators to Student/Faculty committees shall occur as necessary.
- (a). Senators may submit applications to the Chair of the Committee on Committees for any student/faculty committees they wish to serve on.
  - (b). Appointees shall meet the requirements, if any, of the committee to which they are appointed. Appointees may remain on their student/faculty committees as long as they remain students or until they resign or are removed.
4. Senators shall be nominated and elected to Student Senate internal committees as necessary.

### 5. Duties

1. Senators shall:
- (a). Attend all regularly scheduled meetings of the Student Senate.
  - (b). Check mailboxes and bulletin board for messages.
  - (c). Serve on at least two student/faculty committees per term of office (Academic Senators only) (ASUO Const., Art. 6, section 19).
    - (A). Senators shall inform the Committee on Committees of any action pending or decided by any student/faculty committee upon which they serve.
  - (d). Maintain office hours in accordance with Rule 5.2.
    - (A). Senators need not remain in Eugene during the summer to retain office, but will not be paid if not holding office hours in Eugene.
  - (e). Provide a verbal report of activities and projects currently being worked on at every other regularly scheduled meeting.
  - (f). Perform other duties as may be required, including those duties delegated by the President, Vice President or Ombudsman.
  - (g). Academic Senators shall serve on the ASUO Academic Council.
  - (h). Attend one meeting of the ASUO Programs Finance Committee and one meeting of the EMU Board Budget Committee during winter term, and attend one meeting of the ASUO Academic Council during Fall Term.
2. Office hours:
- (a). Academic and AD Finance Senators shall hold one office hour per week, and ASUO and EMU Finance Senators shall hold two office hours per week.

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- (1). The Senate President shall serve four office hours per week and the Vice President and Ombudsman shall serve three office hours per week.
  - (b). Office hours shall be scheduled between 8 a.m. and 6 p.m., Monday through Friday.
  - (c). Academic and AD Finance Senators shall serve two hours and ASUO and EMU Finance Senators one hour at the designated Information and Grievance Table each week.
    - (1). The President and Vice President shall serve one hour at the designated Information and Grievance Table each week.
  - (d). At least one of each Senator's office hours shall be kept in the Senate office.
  - (e). Each Senator's office hours shall be posted in the departments, programs, schools and colleges that he or she represents.
3. Non-fulfillment of duties may occur if a Senator:
- (a). Misses two regularly scheduled meetings of the Student Senate in a single term.
    - (1). Missing a scheduled meeting with failed quorum counts as a missed meeting.
    - (2). Arriving tardy, after the meeting has been called to order, or leaving before the meeting has been adjourned, three times in a single term will be considered as absent from one meeting. This technical absence shall be considered as a true absence in regards to Senate rule 3.(a.)
  - (b). Fails to maintain 2/3 of weekly office hours for two consecutive weeks.
  - (c). Failure to perform any other duty required under the ASUO Constitution or these rules.
  - (d). In the case of a Senator is found guilty of non-fulfillment of duties by his or her respective finance committee or Academic Council.
  - (e). Failure to actively participate on any student/faculty committee pursuant to Rule 5.1(c) shall not be considered as non-fulfillment of duties.
4. Finance Senators shall report activities of their respective committees at each meeting of the Senate or Council.

### 6. Discipline

1. Any member of the ASUO may bring a complaint before the Constitution Court against any Senator for non-fulfillment of duties pursuant to Article 10, section 13 of the ASUO Constitution.
  
2. Any Senator may move to censure any other Senator for non-fulfillment of duties.
  - (a). Such motion must be made in writing, copies of which shall be delivered to all members at least 72 hours prior to the meeting at which the motion will be made.
  - (b). The motion shall include:
    - (A). The name of the motion's maker.
    - (B). The name of the member against whom censure is sought.
    - (C). A detailed account of the allegations, including all relevant facts and sections of the ASUO Constitution and/or Senate Rules that were violated.
    - (D). The punishment being sought, in accordance with Rule 6.2(g).

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- (c). On being seconded, the motion shall be postponed, without discussion, until the second regularly scheduled meeting following the meeting at which the motion was made and is not subject to amendment.
  - (A). If the term of the member against whom censure is sought expires before the second meeting, the motion shall be withdrawn.
- (d). The President shall, within 24 hours of the motion being made, notify in writing the ASUO Executive, the presidents of the University Senate and Assembly, the Chair of any committee upon which that member serves, and the Oregon Daily Emerald.
  - (A). The notice shall indicate:
    - (i). Against whom the complaint is being made.
    - (ii). By whom the complaint is being made.
    - (iii). The opportunity for the recipient of the notice (except for the Oregon Daily Emerald) to submit a written response to the motion.
      - (1). Such response may be either in favor of or opposed to the motion, but shall carry no decisive authority.
      - (2). Such response must be received by the President not later than the next regularly scheduled meeting.
      - (3). Oral statements may be given upon a majority vote of the filled seats, following a motion by any member.
        - (a). Such a vote is required for each speaker.
    - (iv). The time and place for the censure hearing.
  - (B). The notice shall include a copy of the written motion including a notation of who seconded.
- (e). The President shall, within 24 hours of the motion being made, cause to be delivered to the member against whom censure is sought, formal notice of the pending action. Such notice shall be delivered via personal service (for which a signed receipt must be obtained) or certified mail (with restricted delivery).
  - (A). The notice shall describe the nature of the pending action, including the authority under which the action is being taken, the times and places for all events that are to occur pursuant to the action, a copy of the motion including a notation of who seconded, and a notice of the member's rights, including:
    - (i). The right to counsel.
    - (ii). The right to present and rebut evidence.
    - (iii). The right to take testimony under oath.
    - (iv). The right to depose and/or subpoena witnesses.
    - (v). The right to cross-examine witnesses.
    - (vi). Any other rights required by these rules, the ASUO Constitution, University Rules, and the laws of the State of Oregon and the United States.
- (f). Hearing format
  - (A). The Senate shall conduct the hearing in executive session pursuant to ORS 192.660(1)(a)(D)(b), unless the member being censured requests an open hearing.
  - (B). The member seeking censure and the member against whom censure is sought, in that order, shall each have 30 minutes to present their case and 15 minutes of rebuttal time.



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- (C). The President shall cause to be entered into the record (which shall be written and recorded on either audio or video tape) any written responses received pursuant to Rule 6.2(d)(A)(iii). Copies of these responses shall be given to all members 48 hours prior to the hearing. Copies shall also be made available to all members of the media who request copies.
  - (D). Additional oral statements may be made in accordance with Rule 6.2(d)(A)(iii)(3).
  - (E). Both sides shall then have five minutes to deliver closing arguments, in the same order as before.
  - (F). The Senate shall then deliberate on whether there is sufficient evidence to censure the member.
    - (i). Neither party to the action may be present during the deliberations in executive session.
    - (ii). Neither party to the action may partake in the deliberations or voting.
    - (iii). The Senate may conduct non-binding polls of its members during deliberations.
    - (iv). No new evidence may be submitted during deliberations following closing statements according to Rule 6.2(f)(E).
    - (v). For the motion to be successful, it must receive the approval of 2/3 of the present senators, excluding the parties to the action.
  - (G). The final and deciding vote shall be held in open session, and that vote shall be by roll-call or, upon majority vote of the Senate, by hand count.
    - (i). Votes shall be recorded and placed in the official record of the hearing.
  - (H). If the Senate votes not to censure the member, the motion is killed and may not be reconsidered.
  - (I). If the motion is passed, the President shall cause to be entered into the record the exact wording of the motion as passed and the punishment, if any, imposed.
    - (i). Such punishment shall become effective immediately.
  - (g). Available forms of discipline are limited to:
    - (A). Suspension from the Senate for up to three weeks, with or without pay; and/or
    - (B). Loss of stipends for up to one month; and/or
    - (C). Removal from position as Senate officer; and/or
    - (D). In severe cases, the Senate may forward to the Constitution Court articles of impeachment against the member.
  - (h). The decision of the Senate to censure a member may be appealed to the Constitution Court.
  - (i). In the event charges of non-fulfillment of duties are brought against the President, the Vice President shall carry out the duties of the President under Rule 6.
3. The Senate may, by a vote of 3/4 of the filled seats direct the President to submit to the ASUO Constitution Court articles of impeachment against the ASUO President.
    - (a). For purposes of that hearing the Senate shall conform to the procedures and format of Rule 6.2, excluding Rules 6.2(b)(D) and 6.2(g).
  4. The Senate may, by a vote of 12 Senators and of the ASUO President, authorize the ASUO President to remove a justice from the Constitution Court.

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- (a). For purposes of that hearing the Senate shall conform to the procedures and format of Rule 6.2, excluding Rules 6.2(b)(D) and 6.2(g).

### 7. Confirmations

1. The Senate shall consider nominees to the Constitution Court, the ASUO Programs Finance Committee, AD Finance Committee, EMU Board and the Senate within seven calendar days of the nomination; all other nominations requiring Senate confirmation shall be considered within 15 school days of the appointment.
  - (a). Nominees shall be given five minutes to make a presentation to the Senate.
  - (b). The Senate shall have the opportunity to question nominees on any subject matter and for any length of time the Senate deems necessary.
    - (A). Any member may move to end the question period for any reason.
      - (i). Such motion does not require a second and is undebatable.
  - (c). The Senate shall then deliberate on the nominee's qualifications and ability to perform the duties of the job to which he or she has been nominated.
  - (d). Then Senate shall then vote, a simple majority being necessary for confirmation.

### 8. Committees

1. The Senate shall create a standing Rules Committee.
  - (a). The Rules Committee shall be comprised of the President and four Senators who shall be elected according to the provisions of Rule 4.4.
  - (b). The Rules Committee shall meet at least once per term and as needed to evaluate Senate Rules, and all rules promulgated under them, for clarity, practicality, conflict with other Rules and laws.
  - (c). The Rules Committee shall be responsible for submitting all rules for approval to the Senate and, within 72 hours of approval, to the Constitution Court for review in accordance with Article 10, section 15 of the ASUO Constitution.
  - (d). The Rules Committee shall review all proposed Senate Resolutions in accordance with Rule 10.2
  - (e). Rules shall be numbered in the following format: x.x(a)(A)(i)(1)(a).
    - (A). The first number shall be the primary Rule number under which the new Rule is placed.
    - (B). Subsequent numbers and letters shall specify the subsections of the Rule.
  - (f). The Rules Committee shall elect its own Chair from among its members, and may create its own rules of procedure that are not inconsistent with these Rules.
  - (g). The Rules Committee shall interpret Senate Rules, Resolutions and the ASUO Constitution for the Senate.
2. The Senate shall create a standing Finance Committee.
  - (a). The Finance Committee shall be comprised of the Vice President and four non-ASUO Finance Senators, who shall be elected according to the provisions of Rule 4.4.
    - (A). If the Vice President is an ASUO Finance Senator, then he or she shall not serve on the Finance Committee and a fifth non-ASUO Finance Senator shall be elected according to the provisions of Rule 4.4.
  - (b). The Finance Committee shall be responsible for the drafting, presentation and implementation of the Senate budget.

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- (c). The Chair of the Finance Committee shall be selected by the committee.
  - (d). No expenditure of Senate funds in excess of \$50 shall be made without the approval of the Finance Committee.
    - (A). Rule 8.2(d) may be waived by the President in case of an emergency. Conditions constituting an emergency shall be determined by the Finance Committee.
  - (e). The Finance Committee may create its own rules of procedure that are not inconsistent with these Rules.
3. The Senate shall create an ASUO Committee on Committees (ASUO Const., Art. 6, section 18).
- (a). The Committee on Committees shall consist of the President, who shall be the Chair of the committee, the ASUO Vice President, one ASUO President staff member and two Senators who shall be elected according to the provisions of Rule 4.4.
  - (b). The Committee on Committees shall compile a list of all current student/faculty committees, and ensure that the list is updated at least once per term.
  - (c). The Committee on Committees shall make Senators aware of available positions, which are to be filled according to the provisions of Rule 4.4.
  - (d). The Committee on Committees shall keep track of Senators' participation on all committees, occasionally verifying attendance with each committee's Chair.
  - (e). The Committee on Committees shall take complaints from Senators regarding their participation on student/faculty committees.
    - (A). The Committee on Committees will endeavor to investigate all complaints, and if it believes the complaints have merit, the Committee on Committees shall instruct the President to bring the matter to the attention of the President of the University Senate for remedial action.
  - (f). The Committee on Committees may create its own rules of procedure that are not inconsistent with these Rules.
4. The Senate shall create a standing Personnel Committee.
- (a). The Personnel Committee shall be comprised of the Vice President and four Senators, who shall all be elected according to the provisions of Rule 4.4.
  - (b). The Personnel Committee shall be responsible for:
    - (A). The hiring of all Senate personnel.
    - (B). Conducting performance evaluations of all Senate officers and employees once a term.
      - (i). Officers, including the Vice President, shall be excluded from any proceedings regarding his or her performance evaluation.
  - (c). The Personnel Committee may create its own rules of procedure that are not inconsistent with these rules.
5. The Senate shall create a Summer Committee.
- (a). The Summer Committee shall be comprised of six Senators who shall be elected according to the provisions of Rule 4.4.
    - (A). Senate officers shall be given precedence in the selection process.
  - (b). Summer Committee shall become active upon the completion of Spring Term and cease to function with the start of Fall Term.

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- (A). The Summer Committee shall meet at least once a month and when deemed necessary by the Summer Chair.
- (c). The Summer Committee shall abide by the Senate Rules unless otherwise specified.
  - (A). The President and Vice President shall assume the roles of Summer Chair and Vice Chair. If the President and/or Vice President are unable to serve on the Summer Committee, the Senate shall select a Summer Chair and/or Vice Chair.
  - (B). The Summer Chair and Vice Chair shall abide by Rules 3.1 and 3.2 respectively.
  - (C). Summer Committee members:
    - (i). Need not remain in Eugene for the Summer session, but will be paid only if he or she is attending 2/3 of the Summer Committee meetings.
  - (D). The Summer Committee shall allocate no more than a total of \$5,000 for special requests.
    - (i). Upon the reasonable and rational judgment of the Summer Committee, any special request for funds that will be spent at a later date and could wait until the full Senate is reconvened shall be deferred until that time. Any program requesting special funds shall justify to the Summer Committee why they are in need of immediate funding.
- (d). The Summer Committee shall make no changes or amendments to the Senate Rules.
- 6. The Senate may create any other committees that it deems necessary to enable it to fully perform its duties.

### 9. Fee Allocation

1. The Senate shall establish budgeting benchmarks by November 30. (ASUO Const. Art. 6, section 6).
2. The Student Senate in conjunction with the ASUO President, ASUO Programs Finance Committee, Athletic Department Finance Committee and EMU Board, shall establish and publish the budget process schedule by January 15, including the deadlines for the budgets to be submitted to the Student Senate and then to the ASUO President. (ASUO Const. Art. 6, section 22).
3. The Senate shall receive completed budgets from the EMU Board, ASUO Athletic Department Finance Committee and the ASUO Programs Finance Committee not later than April 1.
  - (a). Finance committees shall submit 20 copies of their budget to the Senate.
  - (b). If a program finance committee fails to submit a budget by its deadline, as set forth in this Rule, the Senate may submit to the Executive that program finance committee's budget for the current fiscal year, regardless of any action taken by that program finance committee.
    - (A). The Senate may extend the deadline for any Finance Committee. Such an extension requires a 2/3 majority and shall be made only when the failure to meet the deadline is because of circumstances beyond the control of the Finance Committee.
4. A completed budget shall contain all information necessary for the Senate to make an informed decision regarding that budget.

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- (a). Such information includes:
    - (A). A complete breakdown and description of each funded line item.
    - (B). Minutes from all meetings at which line items and/or budgets were discussed.
    - (C). Any supporting documentation submitted to the program finance committee in support of any line item or budget.
    - (D). Any additional information requested by the Senate.
  - (b). Budgets shall be either spiral bound down the left side of the paper or stapled in the upper-left corner of the paper.
5. The Senate may schedule preliminary hearings to seek further information or clarify goals.
  6. The Senate shall vote on all budgets within two weeks of the budgets' submissions to the Senate.
  7. The Student Senate shall vote to approve or deny the budgets recommended by the ASUO Programs Finance Committee, the EMU Board, and the AD Budget Committee. The Senate may deny any part of the ASUO Programs Finance Committee recommendation by a vote of 4/5 of the filled seats. (ASUO Const. Art. 6, section 7).
    - (a). The Senate shall allow at least one public hearing on each of the Major Program budgets, prior to taking a final vote.
    - (b). Scheduling of hearings shall be at the discretion of the Student Senate, except that hearings on allocation requests from the EMU and the Department of Intercollegiate Athletics shall be held at a time mutually convenient after development of their preliminary departmental budgets and at least three weeks prior to the President's fee recommendation deadline.
    - (c). Budget reductions may only be made for reasons of policy.
  8. The Student Senate may override any presidential veto of a Senate allocation by a vote of 2/3 of its filled seats. If a Major Program budget is vetoed, the vote to override must take place within five school days of receiving written notification from the President of said veto. (ASUO Const. Art. 6, section 8).
  9. In the event that a veto from the President is not overridden, the Student Senate shall submit a revised budget recommendation to the President within two school days after receiving a new recommendation from the affected Major Program Committee pursuant to Article 7, section 10, Article 8, section 8, or Article 9, section 9 of the ASUO Constitution. (ASUO Const. Art. 6, section 9).
  10. The Senate shall hear appeals of any ASUO Program whose goal statement is rejected by the Programs Finance Committee. Such appeal must receive the approval of 2/3 of the filled seats of the Senate and is not reviewable (revisable) by the Programs Finance Committee.
    - (a). Following the rejection of a goal statement by the Senate, any new or revised goal statement must be approved by 2/3 of the filled seats of the Senate before the budget may be heard by the Programs Finance Committee.
  11. The Student Senate shall hear appeals of Finance Committee or EMUB budget recommendations for any budget within a Major Program if the recommended budget in question is below the amount necessary to fund the current service level, and following a vote of two-thirds (2/3) of the filled seats of the Student Senate to hear the appeal.

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Appropriations or allocations granted through the appeal process will be incorporated into the budget recommendations of the affected Major Program. Program budgets that are determined by the Student Senate in this appeal process may not be altered in any way by the respective finance committees. (ASUO Const. Art. 6, section 10).

- (a). Appeals shall be submitted to the Senate only after a program has exhausted its appeals before the Program Finance Committee or EMUB.
  - (b). Appeals shall be submitted on an approved Senate appeal form not later than 72 hours after the program has exhausted its appeals before the Programs Finance Committee or EMUB, and not later than 72 hours before the Senate meeting at which the appeal is to be heard.
    - (A). Any appeal to the Senate shall include the original budget packet submitted to the Programs Finance Committee or EMUB, as well as any information submitted on appeal to the Committee or EMUB.
  - (c). For purposes of Rule 9.11, the Senate Rules Committee shall determine whether a program's recommended budget is below the amount necessary to fund the current service level.
    - (A). In determining current service levels, the Rules Committee shall take into consideration cost increases beyond the control of the program.
    - (B). Any reduction in a program made solely in order to compensate for a mandated increase shall constitute funding below the amount necessary to fund the current service level.
  - (d). Such appeal requires the approval of 2/3 of the filled seats of the Senate to be successful.
12. Documents submitted to the Student Senate and their decisions regarding approval of both programs goals and levels of funding shall be forwarded to the ASUO President.
13. Restrictions:
- (a). The Student Senate will only consider funding programs or projects it believes meet the requirements of ORS 351.070(1)(d).
  - (b). Incidental fees shall not be allocated for:
    - (A). Fundraising, the purpose of which is to generate funds for a purpose that could not otherwise be funded with incidental fees.
    - (B). Any use that fails to conform to the requirements of ORS 351.070(1)(d).
    - (C). Any use that requires an expenditure beyond the current fiscal year. (The fiscal year begins on July 1 and ends on June 30).
  - (c). A representative of a recognized ASUO Program may receive a per-diem of \$75 per day for all expenses related to traveling more than 150 miles from Eugene while acting on behalf of that Program.
    - (i). Covered expenses include, but are not limited to, lodging, food and transportation other than airfare.
    - (ii). Nothing in this section shall be construed as preventing a recognized ASUO Program from submitting a special request for money to cover those expenses in excess of those covered by the per-diem.
  - (d). Incidental fees may be used for the purchase of food under the restriction that the food purchase is an integral part of programming. This purchase must be approved by the Student Senate through a Food Special Request pursuant to Rule 11.7 and 11.8.

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14. An unappropriated Reserve Fund shall be maintained with incidental fee income from any over-realized enrollment, interest earned by any student incidental fee account, and any other miscellaneous incidental fee income.
  - (a). The unappropriated Reserve Fund should be maintained at a level equal to a least 5-percent of the current fiscal year's total incidental fee budget to insure against fee shortfalls due to under-realized enrollment and/or other unforeseen contingencies and to be considered as a supplement for the following year's fee collections.
  - (b). An emergency allocation from the Reserve Fund must include certification of the unusual nature of the proposed expenditure(s) and have the recommendation of:
    - (A). The Student Senate when sitting and;
    - (B). Must have the formal approval of both the ASUO President and the University President or his/her designee.
15. Senate approval is required in order to:
  - (a). Move money into or out of reserve accounts,
  - (b). Move money into or out of payroll accounts,
  - (c). Move money into or out of payroll assessment accounts,
  - (d). Move money in excess of 10 percent of an original line allocation or \$500, whichever is smaller, within a one month period,
  - (e). Move money from a line item created by the Student Senate, ASUO Programs Finance Committee of former Incidental Fee Committee to one created by the program,
  - (f). Move money out of telephone accounts
16. For any program to receive incidental fees it must
  - (a). Be recognized by the ASUO Executive and
  - (b). Have its program goal statement approved by the Student Senate
    - (A.) Once a program's goals statement is approved, the group must get all amendments approved by the Student Senate.
17. Any program whose goal statement is approved according to Rule 9.16 during Fall Term may go through the regular fiscal year funding process by submitting a budget to the ASUO Programs Finance Committee in accordance with the rules and resolutions of that committee.
  - (a). Such funding is limited to \$300 for that academic year.
  - (b). Such program may not submit special requests for funding during either the current or subsequent fiscal year.
18. Any program whose goal statement is approved according to Rule 9.16 after Fall Term may not go through the regular fiscal year funding process until the following academic year.
19. Any program whose goal statement is approved according to Rule 9.16 after Fall Term may submit special requests for fiscal year funding to the Senate during the subsequent academic year.
  - (a). Such funding is limited to \$300 for that academic year.
  - (b). Such program may not submit special requests for funding during either the current or subsequent fiscal year.

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20. No incidental fees may be spent to benefit, in any way, any member of the University Faculty, any Officer of Instruction nor the dependents of either.
  - (a). For purposes of this Rule, dependents include any family member of any Faculty or Officer of Instruction who attends the University under any subsidized-tuition program who has not paid, regardless of such subsidy, the full proscribed incidental fee.
  - (b). The Senate shall review all requests for incidental fees made either pursuant to a Special Request under Rule 11 or as part of the regular budget process to ensure that fees are not spent in violation of this Rule.
  - (c). Prohibited expenditures include, but are not limited to, subsidized access to any EMU service whose funding is clearly attributable to incidental fees, subsidized access to any University athletic event whose funding is clearly attributable to incidental fees, or access to any ASUO Program or event that receives incidental fees.

### 10. Resolutions

1. The Student Senate shall have the authority to pass resolutions relating to the allocation and/or expenditure and/or other use of incidental fees.
2. The Rules Committee shall review all proposed Senate Resolutions for:
  - (a). Numbering.
    - (A). Senate Resolutions shall be numbered according to the following guidelines:
      - (i). The format shall be xx.x.xxx(A)(1)(a)(i).
      - (ii). The first number shall be the last two digits of the current year.
      - (iii). The second number shall be the proposed resolution's sequential relation to all rules passed in that calendar year.
      - (iv). The last number shall be three digits that delineate primary paragraphs of the resolution, with sub-paragraphs labeled in the manner shown in Rule 10.2(a)(A)(i).
  - (b). Conformity.
    - (A). The Rules Committee shall evaluate proposed resolutions for conformity to:
      - (i). Senate Rules;
      - (ii). Senate Resolutions;
      - (iii). ASUO Constitution; and
      - (iv). Any other controlling authority that may relate to the proposed resolution.

### 11. Special Requests

1. The Senate shall hear requests from recognized organizations for funding in addition to that group's regular funding.
2. Requests shall be due at the following times:
  - (a). Requests less than \$1,000.00 shall be submitted no less than 2 working days prior to the Senate meeting at which the request will be heard.
  - (b). Requests over \$1,000.00 shall be submitted no less than 7 working days prior to the Senate meeting at which the request will be heard.
3. Requests shall include the following information:
  - (a). Name of requesting organization



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- (b). Name(s) and position(s) within the organization of the person(s) submitting the request.
    - (A). Requests may only be submitted by those individuals authorized to submit regular annual funding requests to the organization's respective finance committee.
  - (c). Amount requested and line item to which that amount is to be applied.
  - (d). Reason for the request.
  - (e). An explanation of why the item was not funded via the regular funding process.
  - (f). Any additional information the organization believes may assist the Senate in evaluating the request, and/or any additional information requested by the Senate.
4. Special requests may be only for items that are eligible to be funded via the regular fee allocation process and are subject to all Senate rules pertaining to incidental fees.
  5. Organizations that were zero-funded for the current year may not submit a special request unless and until they are funded via the regular fee allocation process, or until not fewer than 3/4 of the filled seats agree to hear the special request.
    - (a). This provision shall not apply to organizations that are not funded solely due to their status as a new organization.
      - (A). For purposes of Rule 11.5.(a), a "new organization" is one that has been officially recognized by the ASUO but has not been active long enough to qualify for regular incidental fee funding.
  6. Failure to appear for a scheduled special request hearing shall result in denial of the request, unless 24 hours notice is given to the President or Vice President.
    - (a). A second violation of Rule 11.6 shall also result in the forfeiture of the organization's right to submit special requests for the remainder of the fiscal year.
  7. The purchase of food with incidental fees must be integral to the event. Such an event must be:
    - (a). open to all fee paying students.
    - (b). using food to provide unique opportunities for students that without the food would not be possible.
  8. Food cannot be purchased with incidental fees for:
    - (a). staff meetings or events that will benefit only a select group of people.
    - (b). an event where a profit is made.

### 12. Miscellaneous

1. These Rules shall become effective upon approval by 3/4 of the Senate, unless invalidated by the Constitution Court. (ASUO Const., Art. 10, section 15).
2. If any part of these Rules are declared invalid, the remaining portions shall continue in full force and effect.
3. Changes to these Rules must be approved by the Senate Rules Committee prior to being placed before the Senate.
4. These Rules may be modified during Summer session as necessary to conduct Senate business.

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5. These Rules may not be suspended for any reason.

# **ASUO CONSTITUTION COURT RULES AND PROCEDURES**

Enacted in November 1993  
Amended March 1995  
Last Amended February 1998  
Updated March 2002

## **1. THE COURT RULES**

- 1.1 The operating rules and procedures of the Constitution Court contained herein shall be referred to as the Court Rules.
- 1.2 The Court adopts and implements these Rules pursuant to the authority granted by Article 10, § 7 of the ASUO Constitution.
- 1.3 The Court Rules shall govern the operation of the Court and shall apply to the members of the Court and to all persons, parties, organizations, or entities who come before the Court.
- 1.4 The Court may, from time to time, revise said Rules. Any such revision shall take effect upon publication of the Rules as provided in Rule 2, unless otherwise provided by the Court.
- 1.5 The Court Rules shall be approved by a majority of the Court.
- 1.6 The Court Rules shall bear the date of the action of the Court approving the current version of the rules.

## **2. PUBLICATION OF COURT RULES**

- 2.1 The Court Rules shall be made available to any member of the ASUO and copies shall be directed to the ASUO Executive Office, the Programs Finance Committee, the EMU Board, the Athletic Department Finance Committee, and the Student Senate.
- 2.2 It shall be the responsibility of the Chief Justice to ensure that the provisions of this section are met.
- 2.3 Any revision to the Court Rules shall be promptly published as in 2.1 hereinabove.

## **3. HEARINGS BEFORE THE COURT**

- 3.1 Members of the Court shall be referred to as Justice, except the Chair of the Court who shall be referred to as Chief Justice.
- 3.2 A quorum of the Court shall be required in order to vote on any matter or conduct any business of the Court.
- 3.3 A quorum of the Court shall consist of three (3) members.

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### 4. OPERATIONS OF THE COURT

- 4.1 The Chief Justice shall be elected by a majority of the members of the Court and shall serve until the expiration of his/her term on the Court, or until the first meeting of the Court during the Fall academic term, whichever shall occur first.
- 4.2 The Court shall elect a Chief Justice at the first meeting of the Court during the Fall academic term, or as necessary.
- 4.3 The Chief Justice may be removed by a vote of three (3) Justices of the Court.
- 4.4 The Chief Justice shall notify all members of the Court of any meeting of the Court.
- 4.5 The Chief Justice shall notify the ASUO Executive Office of the place and manner of notification to the Court and of delivery of items to the Court.
- 4.6 All correspondence of the Court shall be signed, dated, and numbered sequentially (e.g. ICC 1 (2001/2) would refer to the first piece of correspondence issued by the Court during the 2001-2002 term).

### 5. CONDUCT OF THE COURT

- 5.1 Members of the Court shall at all times conduct themselves with the professional demeanor, respect, and decorum as befits a judicial body.
- 5.2 While in open session, members of the Court shall address fellow members as either Mr./Ms. or Justice, and shall address those appearing before the Court as Mr./Ms. or other title, as appropriate.
- 5.3 There shall be allowed no ex parte contact between a member of the Court and any party in interest who has a matter pending before the Court.
  - 5.3.1 Any person wishing to contact the Court regarding a matter pending before the Court shall do so in writing, with five (5) copies delivered to the Chief Justice, and with copies simultaneously delivered to the opposing parties in interest.
  - 5.3.2 Members of the Court shall immediately report any ex parte contact to the Chief Justice who shall then notify the opposing parties in interest. The Court shall then deliberate and may either proceed with the case after allowing the opposing parties an opportunity to rescind, or may dismiss the case with prejudice to the offending party.
- 5.4 There shall be no extra-judicial comments from members of the Court regarding matters pending before the Court.
- 5.5 Members of the Court shall not accept anything of value from any party before the Court.
- 5.6 Members of the Court shall not serve on, nor be an employee of the ASUO Executive Office, the Programs Finance Committee, the EMU Board, the Athletic Finance Committee, or the Student Senate. This section does not apply to employees of programs that are merely managed or funded by these agencies.
- 5.7 Members of the Court shall not assist parties or potential parties in preparation of their case, except to the extent necessary to ensure compliance with Court procedures.

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- 5.8 Members of the Court shall neither encourage nor discourage any person, group, organization, club, or activity from bringing a case or controversy before the Court.
- 5.9 No members of the Court shall participate in any way in a campaign for or against an ASUO candidate or ballot measure.
- 5.10 No Hearings Officer involved in hearing election complaints pursuant to Article 10, § 4 shall participate in any way in a campaign for or against an ASUO candidate or ballot measure.
- 5.11 Any member of the Court may, by unanimous vote of the other Justices of the Court, be referred to the ASUO President and Student Senate for a hearing pursuant to Article 10, § 12 of the ASUO Constitution.

### 6. RECUSAL OF MEMBERS OF THE COURT

- 6.1 Each member of the Court shall, within ten (10) days of confirmation, deliver to the Chief Justice a letter disclosing membership, interest, employment, or involvement in any group, organization, club, or activity which is governed by the ASUO Constitution or which receives funding from the Programs Finance Committee.
- 6.2 Such letters shall be forwarded by the Chief Justice to the ASUO Executive Office and shall be available for inspection by any member of the ASUO.
- 6.3 No member of the Court should participate in any open session or deliberation where that member because of self-interest, bias or prejudice should recuse himself or herself from the matter, case, or controversy.
- 6.4 No member of the Court shall participate in any open session or deliberation in which his/her employer or employee is a party.
- 6.5 No member of the Court shall participate in any open session or deliberation in which s/he is an officer of an organization, group, club, or activity which is a party before the Court.
- 6.6 The Court may, upon its own motion or upon a motion of a party in a matter before the Court, request that a member recuse himself or herself from participation based exclusively upon Rules 6.4 or 6.6.
  - 6.6.1 If the member refuses to recuse himself or herself, a member of the Court or a party in the matter before the Court may motion for a hearing to decide if the member shall participate in the matter before the Court.
  - 6.6.2 Thereupon, a majority of the Court may exclude the member from participation in that matter.

### 7. MEETINGS OF THE COURT

- 7.1 The Court shall meet either in open session or in closed deliberation, as prescribed herein.
- 7.2 Any open session of the Court shall be open to the public and notice shall be delivered in advance to the Oregon Daily Emerald, to the ASUO Executive Office, and to the parties.

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- 7.3 The Court may, at its discretion, grant upon request or require upon its own motion, oral presentation before the Court, in open session, on any issue before the Court.
- 7.3.1 The Court shall allow each party an opportunity to present their issues to the Court.
- 7.3.2 Members of the Court may pose questions to the parties or may request additional written materials from the parties.
- 7.3.3 The Chief Justice shall determine the amount of time allowed for each party to present their arguments, provided that each party is afforded an equal amount of time.
- 7.3.4 The Chief Justice may allow interested persons to deliver amicus arguments on a matter. However, repetitious arguments shall not be allowed.
- 7.3.5 The Chief Justice shall rule on all motions and objections during oral argument.
- 7.3.6 All parties appearing before the Court shall conduct themselves with appropriate civility, respect, and deference. The Court will not tolerate abusive or derisive displays directed at any person in attendance at a session of the Court.
- 7.3.7 The Court may take appropriate action necessary to ensure the orderly conduct of its processes.
- 7.4 No decision of the Court shall be delivered during open session, but only upon deliberation of the Court and issuance of a written opinion pursuant to Rule 8.
- 7.5 Deliberations of the Court shall be conducted in closed session, limited to the members of the Court and a recorder.
- 7.5.1 The purpose of deliberations is for the Court to (a) discuss the merits of argued cases and to seek to reach a consensus opinion; (b) to review and discuss proposed rules, policies, and resolutions pursuant to Article 10, § 15 of the ASUO Constitution; or (c) to discuss matters related to the internal operation of the Court.
- 7.5.2 No member of the Court shall discuss or reveal matters arising from the deliberations of this Court.
- 7.6 Meetings of the Court shall be held in the time and place determined by the Chief Justice, but should generally be held either in the EMU or Knight Law Center (the Law School).

### **8. OPINIONS OF THE COURT**

- 8.1 The Chief Justice shall issue all decisions where there is no opinion of the Court.
- 8.2 The Chief Justice shall issue all per curium decisions of the Court.
- 8.3 Where the Chief Justice is part of the majority of the Court, s/he shall assign the drafting of an opinion of the majority of the Court to either a member of the Court or to him/herself.
- 8.4 Where the Chief Justice is not party of the majority of the Court, the majority shall select a member to draft the opinion of the Court.
- 8.5 A draft of the majority opinion shall be forwarded to each member of the Court who shall have at least three (3) days for review and comment.

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- 8.6 The Chief Justice may reduce the time for review under 8.5 when exigent circumstances so warrant.
- 8.7 Dissenting or concurring opinions may be issued by any member of the Court and do not require the approval of the Chief Justice.
- 8.8 Drafts of dissenting or concurring opinions shall be forwarded to the other members of the Court for consideration in drafting the majority opinion.
- 8.9 The majority opinion and any dissenting or concurring opinions shall bear the name and signature of the member who authored the opinion.
- 8.10 Decisions and opinions of the Court shall become effective when issued by the Chief Justice to the parties and to the ASUO Executive Office.
- 8.11 All decisions and opinions of the Court shall be numbered sequentially as described herein. For example: 3 C.C. 1 (1997/8). Where "3" refers to the third opinion of the Court during that term; "C.C." refers to the Constitution Court; "1" refers to the first page of the opinion or to the jump cite page when referring to the opinion in a subsequent document; and "(1997/8)" refers to the academic year of the decision.

### **9. REVIEW OF RULES, POLICIES, AND RESOLUTIONS PURSUANT TO ARTICLE 10 § 15**

- 9.1 Proposed rules, policies, or resolutions of the ASUO Executive Office, the Programs Finance Committee, the EMU Board, the Athletic Department Finance Committee, and the Student Senate shall be delivered to the Court in the place and manner provided by the Chief Justice under Rule 4.5.
  - 9.1.1 Those organizations governed by Article 10 § 15 of the ASUO Constitution shall submit a cover letter and five (5) copies of each proposed rule, policy, or resolution to the Court.
- 9.2 The Chief Justice shall assign the initial review and recommendation of a proposed rule, policy, or resolution to a panel of two members of the Court.
  - 9.2.1 The Chief Justice shall determine the members of each panel and may be a member of the panel.
  - 9.2.2 The panel shall review the proposed rule, policy, or resolution consistent with the requirements of Article 10 § 15.
  - 9.2.3 The panel shall forward its recommendation to the Chief Justice not more than five (5) days following the assignment for review. The Chief Justice may allow additional time upon the request of the panel.
  - 9.2.4 Upon the request, notification, or motion of any member of the Court, the Chief Justice shall convene the Court for the purpose of deliberating on a proposed rule, policy, or resolution.
    - 9.2.4.1 Any member of the Court may then request an open session wherein the ASUO Executive Office, the Programs Finance Committee, the EMU Board, the Athletic Department Finance Committee, or the Student Senate,

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will be allowed to present testimony and arguments in support of the proposed rule, policy, or resolution.

9.2.4.2 The Court shall allow a party opposing the proposed rule, policy, or resolution to present testimony and arguments at that time.

9.2.4.3 Any such session shall conform with Court Rule 7.

9.3 If the panel recommends approval of the rule, policy, or resolution and the Chief Justice was not a member of the panel and concurs in the panel's recommendation, then the rule, policy, or resolution shall be considered as approved by the Court upon publication of the decision.

9.4 If the panel recommends approval of the rule, policy, or resolution and the Chief Justice was a member of the panel, then the Chief Justice shall refer the rule, policy, or resolution to another member of the Court, upon whose concurrence, the rule, policy, or resolution shall be considered as approved by the Court upon publication of the decision.

9.5 Approval of a rule, policy, or resolution under this Rule shall be in the following form:

"The attached rule, policy, or resolution was reviewed pursuant to Article 10 § 15 of the ASUO Constitution. By a ruling of the Constitution Court, said rule, policy, or resolution is approved for publication and implementation. This ruling shall neither limit nor prejudice the Court in any future proceeding in which this rule, policy, or resolution is contested in a case or controversy before the Court."

9.6 The ASUO Executive Office, the Programs Finance Committee, the EMU Board, the Athletic Department Finance Committee, or the Student Senate, may appeal an adverse ruling of the Court under Rule 9. Such appeal shall conform with the requirements of Rule 10 and shall be submitted to the Court not more than seven (7) days following publication of the Court's decision.

## 10. CASES OR CONTROVERSIES BROUGHT BEFORE THE COURT

10.1 To bring a matter properly before the Court pursuant to Article 10, a party shall:

10.1.1 Submit a written petition to the Court for consideration of the matter. Such petition shall contain:

10.1.1.1 a completed Petition for Review form (see Appendix A to these Rules) which contains:

- the name of the petitioning party
- the petitioning party's standing as a member of the ASUO under Article 2 § 1
- certification that the petition conforms to the Court Rules
- proof that the opposing parties have been served with a copy of said petition (if there are multiple opposing parties, a separate petition shall be signed for each party and submitted on separate pages;



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- 10.1.1.2 The question presented for review, expressed in the terms and circumstances of the case, but without unnecessary detail;
- 10.1.1.3 A list of all parties to the proceeding;
- 10.1.1.4 The constitutional provisions, rules, policies, or resolutions involved in the case, setting them out verbatim, and giving the appropriate citation therefor. If the provisions involved are lengthy, their citation alone will suffice and their pertinent text must be set forth in an appendix;
- 10.1.1.5 A concise statement of the case containing the facts material to the consideration of the questions presented;
- 10.1.1.6 A statement describing the specific relief sought from the Court;
- 10.1.1.7 A brief statement explaining any exigent circumstances requiring the Court to act with dispatch;
- 10.1.2 Petitioner shall submit five (5) copies to the Court.
- 10.2 The non-petitioning party, hereinafter Respondent, may submit a written response to the Petitioners' presentation.
  - 10.2.1 The Respondent shall have seven (7) days to submit a reply to the Court.
  - 10.2.2 The Respondent's reply shall state in clear and concise terms:
    - 10.2.2.1 The reasons why the Court should deny the request of the Petitioner;
    - 10.2.2.2 A statement attesting that the Respondent has served a copy of said reply on the Petitioner; and
    - 10.2.2.3 The name and signature of the Respondent.
  - 10.2.3 The Respondent shall submit five (5) copies to the Court.
- 10.3 Motion for Reconsideration. A party seeking to obtain reconsideration by the Court for a decision of the Court shall file a "Motion for Reconsideration" with the Court.
  - 10.3.1 A Motion for Reconsideration shall not be based on a contention that the Court erred in construing or applying the law, but shall only be based on one or more of these contentions:
    - 10.3.1.1 A claim of factual error in the order or opinion;
    - 10.3.1.2 A claim of error in the procedural disposition of the case requiring correction or clarification to make the disposition consistent with the holding or rationale of the opinion;
    - 10.3.1.3 A claim of error in the designation of the prevailing party;
    - 10.3.1.4 A claim that there has been a change in the Constitution, rules, statutes, or case law since the Court's decision.
  - 10.3.2 A Motion for Reconsideration shall be filed within seven (7) days of the Constitution Court's decision. The motion shall be accompanied by five (5) copies. The original shall show proof of service of copies to every other party.

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10.3.3 No party shall file a response to a Motion for Reconsideration unless requested to do so by the Court.

10.3.4 The Court shall either deny or allow reconsideration. If the Court allows reconsideration, the Court may reconsider with or without further briefing or oral argument. Reconsideration shall result in affirmance, modification, or reversal of the decision that has been reconsidered.

### 11. STAYS AND INJUNCTIONS

11.1 Any member of the Court may stay the enforcement of any order of a Hearings Officer issued pursuant to Article 10 § 4 pending review by the Court.

11.2 Any member of the Court may upon a request of any member of the ASUO, exclusive of members of the Court, enjoin the enforcement of any rule, policy, or resolution of any ASUO program or group pending review by the Court. Such request shall include either a petition for review under Rule 10, or a statement of intent to file such petition within seven (7) days of said request.

11.2.1 Should a majority of the members of the Court, upon receipt of a petition for review, determine that a stay or injunction is appropriate for just adjudication of the issue before the Court, such action may be taken, although not specifically requested by the language of the petition.

11.3 A stay or injunction must be in writing, must be signed and dated by the issuing member, and must state the reasons for the stay or injunction. A copy of the stay or injunction shall be delivered to the other members of the Court, to the requesting party, and to an officer or representative of the ASUO program or group to whom the stay or injunction is directed.

11.4 Any stay or injunction, unless issued under Rule 11.7, may be removed by a vote of the majority of the Court.

11.5 Any stay or injunction is effective for a period of ten (10) days unless a majority of the Court votes to grant an extension while the matter is under review of the Court.

11.5.1 However, if the Court contains less than a quorum of members, the stay or injunction shall remain in effect until such time as there exists a quorum of members of the Court, where upon Rule 11.5 shall become effective.

11.6 The Chief Justice shall convene the Court within four (4) days of the issuance of a stay or injunction, excepting under Rule 11.7, and determine whether to consider the matter.

11.7 All matters reviewable under Article 10 § 15 are automatically stayed and enjoined from implementation and enforcement pending completion of review and issuance of a decision or opinion of the Court.

### 12. HEARINGS OFFICER

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- 12.1 The Chief Justice may assign a Hearings Officer pursuant to Article 10 §§ 3 and 4, who shall serve as a special master to the Court for the purpose of fact-finding and presentation of a recommendation to the Court. Said Hearings Officer shall not be a member of the Court.
- 12.1.1 Within four (4) days of the completion of the hearing, the Hearings Officer shall present five (5) copies of his/her recommendation to the Court and to the parties.
- 12.1.2 The Court may then, by a majority vote, concur or reject the recommendation.
- 12.1.3 If a majority of the Court rejects the recommendation of the Hearings Officer, the Court will then order a hearing on the matter and allow the parties to submit written arguments to the Court.
- 12.2 The Chief Justice may assign a Hearing Officer pursuant to Article 10 § 5 for the purpose of hearing complaints arising under the ASUO Elections Rules. Said Hearings Officer shall be a member of the Court.
- 12.2.1 Within two (2) days of the completion of the hearing, the Hearings Officer shall present five (5) copies of his/her ruling to the Court and to the parties.
- 12.2.2 Within three (3) days of receipt of the ruling of the Hearings Officer, the Court may then, by a majority vote, overturn the ruling.
- 12.2.3 If the Court overturns the ruling, the Court may then order a hearing on the matter and allow the parties to submit written arguments to the Court. If the Court does not order a hearing, the decision overturning the ruling of the Hearings Officer shall be final.
- 12.3 Hearings Officers shall abide by the Rules of the Court and shall compile a written record of all evidence set forth in the hearing, including a brief summary of oral arguments not addressed in the written submissions of the parties.

### 13. BALLOT MEASURE PROPOSALS

- 13.1 All ballot measures required to be submitted to the Constitution Court by Section 8.2 of the ASUO Elections Rules and Section 14.5 of the ASUO Constitution must be submitted to the Court no later than five (5) school days prior to the filing deadline established by the ASUO
- 13.2 All ballot measure proposals required to be submitted by the ASUO Elections Rules or the ASUO Constitution to this Court, but which are submitted later than five (5) school days prior to the filing deadline established by the ASUO Elections Board will not be reviewed by the court except:
- 13.2.1 If, upon petition to this Court, the Court finds that circumstances exist which would either cause irreparable economic harm to petitioner or substantially interfere with petitioner's legal rights.

