

CONSTITUTION  
OF THE  
GRADUATE AND PROFESSIONAL STUDENTS OF ARIZONA STATE UNIVERSITY

TITLE I  
MEMBERSHIP AND ESTABLISHMENT

Preamble

We, the graduate and professional students of Arizona State University, in order to provide a representative student government, hereby form the Graduate and Professional Students Association ("GPSA"), and establish this Constitution. GPSA exists to represent and advocate for graduate and professional student interests to student governments, university administration, community organizations, and local, state, and national governing bodies; support programs and services benefitting the graduate and professional student body and university; and unify the student body through collaboration with internal and external student directed organizations. GPSA is mandated to provide a unified forum for inter-university dialogue, to organize student involvement, and to administer services, resources, and programs that benefit the greater graduate and professional student population.

We recognize the Arizona State University Graduate and Professional Students Association (GPSA) as the official student government and governing body of ASU graduate and professional students.

Furthermore, we affirm that The Undergraduate Student Government ("USG") and GPSA together constitute the Associated Students of Arizona State University, or ASASU.

Article 1 - Establishment

The Graduate and Professional Student Association of Arizona State University is hereby established under this Constitution.

Article 2 – Membership

All registered, post-baccalaureate students with graduate, professional, or non-degree seeking status, who are enrolled in at least one (1) credit hour through any campus of Arizona State University, and only such persons, are members of the GPSA. All members are entitled to vote, to hold office in the GPSA, if qualifications for candidacy are met, and to exercise the various rights of membership.

Article 3 - Rights of Membership

All students who meet the above definition of membership shall be guaranteed the following rights, which shall be further delineated within the Bylaws:

- A. The right to petition GPSA to address issues of concern
- B. The right to representation and advocacy
- C. The right to active engagement
- D. The right to open GPSA meetings, documents, and procedures

TITLE II  
GRADUATE AND PROFESSIONAL STUDENT ASSOCIATION

Article 1 - Executive Branch

Section 1.     Executive Committee of the GPSA

- A.             The Executive Officers of the GPSA shall be a President, Vice President of External Affairs, Vice President of Internal Affairs, and a Vice President of Professional Development. The Executive Officers shall exercise the executive functions of the GPSA. Duties of said Officers shall be set forth in this Constitution and in the Bylaws.
- B.             The President and Vice Presidents shall be elected by the general membership as defined in Title I, Article 2.
- C.             The President-elect of GPSA and the President-elect of the Assembly shall not be of the same Graduate or Professional Program at the time of election.
- D.             The members of the Executive Committee shall consist of the Executive Officers of the GPSA as voting members. Also, the Assembly President, Assembly President pro tempore and all hired directors serve as non- voting ex-officio members.

Section 2.     Term of Office

The Executive Officers shall take office beginning at noon on the Monday following the May graduation ceremony and shall serve for one year.

Section 3.     Succession

- A.             In the event the President resigns or is removed from office the President shall be succeeded by the (1) Vice President of Internal Affairs, (2) the President of the Graduate Assembly, (3) the Vice President of External Affairs, and (4) the Vice President of Professional Development. An Officer may decline to assume the duties of the Presidency and continue in her/his elected position. Any succession to the Office of the President shall be ratified by a vote of 2/3 of the members of the Assembly within thirty (30) days. If ratification fails, the Assembly will vote to elect a President from among the sitting GPSA Vice Presidents or Assembly President and ratify by a majority vote.
- B.             If the office of a Vice President becomes vacant, the GPSA President shall call for and consider applications, and must appoint to the office a member of the GPSA who is eligible for the position, the VP will assume office immediately upon a two-thirds (2/3) vote of present and voting Assembly Members.
- C.             In the event all positions become vacant, the Assembly shall appoint interim officers until a special election can be held.
- D.             In the event that the Presidency is vacant because no Executive Officer is willing to succeed to the office, the Assembly shall appoint an interim President until a special election can be held.

Section 4.     Responsibilities of the Executive Branch

The Executive Branch shall exercise all responsibilities of their office as laid out in this Constitution and all duties defined in the Bylaws, including but not limited to serving as the Graduate and Professional student voice, administering programs and informing the GPSA Assembly about all activities, disbursing funds of the GPSA according to applicable GPSA and University policies, and creating committees, in accordance with Assembly direction and consultation. The Executive Branch shall promote communication and collaboration between graduate and professional students on all Arizona State University campuses.

## Section 5. Scope and Purpose

The Assembly may enact Bylaws that establish and define the purpose, scope and powers of any Executive Office consistent with this Constitution.

## Section 6. Recall of Officers

A. Petition - A petition for recall of any Executive Officer shall require the signatures and student identification numbers of at least ten percent (10%) of the current membership of the GPSA. The Registrar must certify the names, graduate status, and student identification numbers of these petitioners.

B. Recall Elections – It shall be the duty of the Elections Department to hold a special election upon notice by the Assembly President that a certified petition for recall has been received.

C. Recall – A recall election is valid only if the number of total votes cast in that election is equal to at least three-fourths ( $3/4$ ) of the number of votes cast at the general election for the office in question. If the recall measure receives a majority vote, the Officer shall be officially recalled. The vacancy thus created shall be filled immediately as provided in Section 3 of this Article.

## Section 7. Impeachment of Officers

The Impeachment and removal of an Executive Officer may be initiated by a written presentation of charges signed by 25% of all seated Assembly Members and approved by a two-thirds ( $2/3$ ) vote of all seated Assembly Members.

# Article 2 - The Legislative Branch - The Assembly

## Section 1. Powers and Duties

A. The legislative and fiscal power of the GPSA shall be vested in the Assembly subject to a veto by the GPSA President within seven (7) days, which may be overridden by a two-thirds ( $2/3$ ) vote of present and voting Assembly Members.

B. Additionally, the powers and duties of the Assembly include the authority:

1. To approve and revise the GPSA budget by majority vote of all seated Assembly Members subject to a line item veto by the GPSA President, which may be overridden by a two-thirds ( $2/3$ ) vote of present and voting Assembly Members.
2. To adopt and revise GPSA Bylaws and other Assembly Rules by a two-thirds ( $2/3$ ) vote of present and voting Assembly Members.
3. To assume whatever additional responsibilities it deems necessary to fulfill its obligation to students under the Bylaws of the GPSA.
4. To provide a communication network between the students of each graduate and professional program, the Executive Officers, and the administration of the University.
5. To encourage participation and discussion by the students in the individual graduate and professional programs.
6. To undertake such business as it deems necessary to fulfill the purposes of the GPSA.
7. To review the actions of the Executive Committee.

## Section 2. Graduate Assembly Members

- A. The voting membership of the Assembly shall consist of a proportional number of Assembly Members from each discipline of graduate or professional program as further defined under the Bylaws of the GPSA.
- B. Assembly Members shall be elected by GPSA members in their respective programs and serve a term of one year. These elections shall meet the requirements as set forth in the GPSA Bylaws.
- C. No Assembly Member shall simultaneously hold an Executive Office.
- D. An Assembly Member may be removed from the Assembly by a majority vote of the students whom he or she represents or by a written presentation of charges signed by 25% of all seated Assembly Members and approved by a two-thirds (2/3) vote of all seated Assembly Members.
- E. The non-voting members of the Assembly shall consist of a representative from: the Division of Graduate Studies, the Administrative Office in which ASASU is housed, the Academic Senate, and the Undergraduate Student Government.
- F. Former Executive Officers and committee chairs may be granted ex officio status in accordance with the Bylaws.
- G. If an Assembly seat is vacant after the annual elections, or becomes vacant during the legislative year, the Assembly President will publicly call for and accept nominations for a period no less than one calendar week. The Assembly Operations Committee will then review the applicants and present a nominee for each seat at the following Assembly meeting, who must then be confirmed by a two-thirds (2/3) vote of present and voting Assembly Members. Graduate programs with established governance structures may submit a nomination, however the Assembly Operations Committee is not bound to accept only such nominations.

## Section 3. Meetings

- A. The Assembly shall convene at least once per month during the academic year at a publicly announced time and place.
- B. Special sessions may be called by the GPSA President, Assembly President, or by two-thirds (2/3) vote of present and voting Assembly Members.

## Section 4. Presiding Officer

- A. The President of the Assembly shall be elected from the Assembly membership at the first meeting of each Legislative Session and serve as President for that Legislative Session, subject to the following limitations:
  - 1. No Assembly Member shall be elected President of the Assembly without receiving a majority of votes from the Assembly Members present and voting.
  - 2. Only those who have been elected or appointed to serve as Assembly Members for the upcoming academic year may vote in this election. All Assembly Members who have served at least one full academic semester as an Assembly Member are eligible for election to Assembly President.
  - 3. In the event that no qualified Assembly Members are nominated or self-nominated for the position of Assembly President, Item 2 above shall be waived.

4. The newly elected Assembly President will begin his or her term of office at noon on the Monday following the May graduation ceremony. The outgoing Assembly President shall continue to preside until this time.

5. The impeachment and removal of the Assembly President from his or her office may be initiated by a written presentation of charges signed by 25% of all seated Assembly Members and approved by a two-thirds (2/3) vote of all seated Assembly Members.

B. The President of the Assembly shall preside over Assembly meetings. The President of the Assembly shall select a President pro tempore to preside in the absence of the President of the Assembly.

C. Any vacancy in the Office of President of the Assembly shall be filled according to Subsection A of this Section.

## Section 5. Procedure

A. For purposes of this Title, in vote outcomes described in terms of “present and voting” Assembly Members, absences and abstentions are not to be counted as voting Assembly Members in calculating majority. For vote outcomes described in terms of “seated” Assembly Members, all currently appointed and elected Assembly Members are used to calculate majority. The Bylaws may independently define calculation rules for votes therein.

B. The Assembly shall have the power to determine its rules and procedures, to establish committees and to discipline its members.

C. The President of the Assembly will consult with the Parliamentarian as necessary and appropriate on parliamentary questions.

D. When Robert's Rules of Order and the Bylaws conflict, the Bylaws take precedence.

E. Robert's Rules of Order, latest edition, will be the parliamentary resource of the Assembly and its subsidiary bodies.

## Article 3 - Bylaws

Bylaws shall be established to include the rules of the Assembly and the duties of the GPSA Executive Officers, Assembly Members, Boards, and Committees.

## Article 4 - Academic Standing

Executive Officers or Assembly Members may serve only if registered for at least one (1) semester hour of graduate or professional academic credit at Arizona State University in the current regular semester and in academic good standing as defined by the University for that student’s program of study.

## TITLE IV JUDICIARY

### Article 1 – Supreme Court Judiciary Structure

#### Section 1. Judicial Powers

The judicial powers of the GPSA shall be vested in the GPSA Supreme Court (hereafter referred to as “Supreme Court”) and any lower courts established by the GPSA.

#### Section 2. Jurisdiction

- A. The Supreme Court and any lower courts shall have jurisdiction over all disputes arising under this Constitution or any Bylaws established pursuant to this Constitution. In addition, they shall have any other jurisdiction the GPSA Assembly may provide in the Bylaws.
- B. The decision of the Supreme Court on any disputes arising under the ASASU Constitution shall be final, except in the case of impeachment of a Supreme Court Justice.
- C. The Supreme Court shall retain original jurisdiction over disputes arising between GPSA, and any other organizations or departments created by GPSA.
- D. The Supreme Court shall retain all jurisdiction not delineated by the GPSA to any lower court and appellate jurisdiction over all disputes.

#### Section 3. Composition

- A. The Supreme Court shall consist of five Justices.
- B. Selection of Justices
  - 1. Following GPSA elections, the sitting President of GPSA shall nominate two Supreme Court Justices. The sitting President of the Assembly shall nominate two Supreme Court Justices. A majority of the Government Operations committee shall nominate one Supreme Court Justice. Application processing and deadlines shall be defined in the bylaws.
  - 2. GPSA nominations shall be confirmed by a two-thirds vote of the sitting GPSA Assembly and shall not be subject to the veto of the GPSA President. Confirmation shall occur no later than the final legislative sessions of sitting Assembly.
  - 3. If any sitting member of the Assembly is nominated for a Supreme Court Justice position, they shall not be permitted to vote for their own Justice confirmation
- C. The Government Operations Committee shall appoint a Supreme Court Clerk to perform all administrative duties outlined in Article 2, Section 3 of this Title.
  - 1. The Government Operations Committee will accept applications for the position of Supreme Court Clerk from qualified candidates from the university faculty, staff and students.
  - 2. A final appointment will be made by a two-thirds vote of the Government Operations Committee. The Clerk shall begin serving his or her term at noon on the Monday following the May commencement ceremony and shall serve for one year.

#### Section 4. Term

The Justices’ terms begin at noon on Monday following the May Commencement Ceremony and shall continue until noon of the Monday following the May Commencement Ceremony of the following year.

#### Section 5. Impeachment

Any Supreme Court Justice may be impeached for malfeasance by a two-thirds vote of the GPSA Assembly.

#### Section 6. Removal

Following completion of impeachment procedures, any Supreme Court Justice may be removed by a three-fourths vote of the GPSA Assembly.

#### Section 7. Replacement

In the event of a vacancy on the Supreme Court, a replacement shall be nominated by the officer from which the preceding justice was nominated for confirmation by the Assembly by a two-thirds vote not subject to the veto of the GPSA President. Application processing and deadlines shall be defined by the Bylaws.

#### Section 8. Right to Bring a Case

A case may be brought before the Supreme Court by any member of the GPSA.

#### Section 9. Decisions

Decisions and opinions shall be written, posted, and placed in a permanent file of the GPSA and remain publicly available for all GPSA students as administered by the Supreme Court Clerk.

#### Section 10. Academic Standing

Only GPSA members in good academic standing, as defined by the University, shall serve on the Supreme Court.

### Article 2 – Supreme Court Rules and Procedures

#### Section 1. Judicial Code

A. Upon appointment, the Supreme Court Justices shall adopt a Judicial Code to govern the internal rules and procedures of the judiciary. This Code shall be recorded and made publicly available by the Supreme Court Clerk.

B. Deadlines for court filing and public filing of court cases shall be established by the Judicial Code.

C. The Judicial Code shall be reviewed and approved by a majority vote of the Government Operations Committee no later than the third regular meeting of the Fall semester.

#### Section 2. Quorum

A. Quorum for the Supreme Court shall be defined as four sitting justices.

B. Quorum shall be required to hear cases and to issue decisions.

#### Section 3 . Duties of the Court Clerk

A. The Court Clerk shall organize and maintain court files for the courts.

B. The Court Clerk is also responsible for getting evidence and court papers to each member of the judiciary for each case brought before the courts as appropriate.

C. The Court Clerk shall make pleadings and court decisions publicly available.

C. The Court Clerk may be removed following the request of the Supreme Court, subject to the approval of the Government Operations Committee.

## TITLE V ELECTIONS

### Article 1 – Elections Department

The Elections Department shall exercise independent authority over GPSA elections, referenda, and initiatives.

#### A. Selection of Elections Director:

1. Notwithstanding an agreement pursuant to Title VI of this Constitution, the Government Operations Committee shall administer the selection process for the Elections Director.
2. Notwithstanding an agreement pursuant to Title VI of this Constitution, the nomination shall be confirmed by a two-thirds vote of the Government Operations Committee. Upon confirmation, the individual shall assume the position of Elections Director.

#### B. Term of Elections Department:

1. The Elections Director shall be confirmed by the Government Operations Committee by October 1 and shall serve until a new Elections Director is confirmed pursuant to this document.
2. The Assistant Elections Director shall be confirmed by the Government Operations Committee following his/her selection by the Elections Director. The Assistant Elections Director shall serve until the new Elections Director is confirmed by Government Operations Committee.

#### C. Duties of the Elections Department:

1. The Elections Director shall have the authority to hire an Assistant Director or Directors, subject to confirmation by two-thirds of the Government Operations Committee.
2. The Elections Director shall interpret and enforce the election and petition provisions developed and codified by GPSA in the Bylaws this Constitution.
3. The Elections Department shall evaluate the mechanisms by which students may vote annually, and shall investigate the efficacy and potential usefulness of new voting technologies.
4. The Elections Department shall advertise and promote the candidacy and election process.
5. The Elections Department shall have the sole authority to administer the GPSA elections and referenda.
6. The Elections Department shall be bound by the duties defined in this Constitution and by any policies or procedures adopted by Government Operations Committee pursuant to this Constitution.
7. Following the end of the election process, the Elections Director shall present an official report to the Government Operations Committee detailing the successes and failures of the Department, any issues that arose with the election, voting methods and any other issues the Elections Director deems pertinent.

#### D. Removal of Elections Director:

1. The Elections Director may be removed from the position for willful neglect of duty, gross incompetence, gross negligence or for any fraudulent actions.
2. Allegations against the Elections Director shall be filed with the Supreme Court.



3. In the event the Supreme Court finds sufficient cause exists, it may remove the Elections Director.

4. In the event the Elections Director resigns or is removed from office, the Assistant Elections Director will automatically advance to the position of Elections Director and may then appoint a new Assistant Elections Director who shall be subject to confirmation by the Government Operations Committee.

5. In the event both the Elections Director and Assistant Elections Director(s) resign or are removed from office, a new Elections Director shall be appointed in the manner prescribed.

## Article 2 – Elections Procedures

A. Elections shall be held in the Spring semester for all executive and legislative offices established under this Constitution.

B. Elections shall be by secret ballot.

C. The GPSA Assembly may enact Bylaws further defining the election process and providing for violations and disputes.

## TITLE VI GENERAL PROVISIONS

### Article 1 - Supremacy Clause

This Constitution supersedes all other GPSA Constitutions, legislative and executive documents, including but not limited to Bylaws and College Council Constitutions.

### Article 2 – Amendment

Proposals to amend this constitution shall originate by a vote of two-thirds (2/3) of present and voting Assembly Members. The proposal shall be scheduled for a vote in the next general election or in a referenda vote of the GPSA membership. Detailed notice of the proposed amendment shall be made public during at least the week prior to the general election. If this proposal receives a majority of the votes cast by the GPSA members in this election, this constitution shall be declared amended.

### Article 3– Enactment

#### Section 1. Effect of Enactment

This Constitution shall have full force and effect following passage by a majority vote of the ASASU Constitutional Convention, by a two-thirds vote of the USG and the GPSA legislative bodies, and by a majority of undergraduate and graduate students voting in a campus-wide election. This Constitution shall supersede and replace all previous ASASU Constitutions and Bylaws.

#### Section 2. Initial Elections

Notwithstanding Section 3 of this article, the Elections Department, established under the outgoing ASASU Constitution and Bylaws, shall conduct a campus-wide election for the Executive and Legislative offices established under this Constitution no later than April 1<sup>st</sup> of the elections year following the enactment of this Constitution.

#### Section 3. Delayed Effective Date

This document will become effective upon ratification of fifty percent plus one of the USG, and fifty percent plus one of the GPSA, at noon on the Monday following May commencement.

### Article 4—Administrative Agreement Clause

In signing this document the President of the Arizona State University recognizes the sovereignty of the GPSA as the representative body for all graduate and professional students at Arizona State University. The University President further recognizes this document as the supreme governing document thereof.

## TITLE VI Joint Governmental Agreements

### Article 1 – Joint Governmental Agreements

Any formal agreement between the Undergraduate Student Government of any ASU campus and the Graduate and Professional Student Association shall be binding to the operations of the Graduate and Professional Student Association as would the bylaws if the agreement is ratified by a majority of the Graduate and Professional Student Association Assembly and the respective Undergraduate Student Government legislative body, is binding on that Undergraduate Student Government, and is not in violation of this constitution.

### Article 2 – The Associated Students of Arizona State University

The GPSA is a member government of the Associated Students of Arizona State University. The GPSA recognizes the Undergraduate Student Government as a part of the Associated Students of Arizona State University.