

**SENATE BILL#2069**

**Title: The Fairness in Representation Act of 2004**

**Date: February 19, 2004**

**Authors: Senators Carothers and Owens**

**Sponsors: Senators Carothers, Owens, Rising, and Shah**

1. WHEREAS, the Constitution of the Associated Students of the University of
2. Wyoming states in Article IV, Section 1, "In the case of conduct issues, acts
3. which result in the establishment of a citizenship file in the Office of Student
4. Life will result in automatic disqualification" for ASUW appointed or elected
5. officials; and
6. WHEREAS, this provision excludes from ASUW offices students who may
7. have violated a University of Wyoming regulation at any time in the previous
8. seven years, in effect excluding a student from ASUW for the entirety of his
9. college career for what could be a single youthful indiscretion; and
10. WHEREAS, a student can have a citizenship file established even if he is
11. found not guilty of violating a University of Wyoming regulation, in effect
12. excluding a student from ASUW for the entirety of his college career for
13. merely being charged with what could be a youthful indiscretion; and
14. WHEREAS, the ASUW Constitution provides no clear mechanism for
15. removing from office those who have committed acts "which compromise
16. (their) integrity" as student leaders; and
17. WHEREAS, the ASUW Senate should decide if the gravity of any act is great
18. enough to disqualify one of its own members.

19. THEREFORE, be it enacted by the Student Senate of the Associated Students  
20. of the University of Wyoming that Article IV, Section 1 of the ASUW  
21. Constitution be amended to read as stated in Addendum B; and  
22. THEREFORE, be it enacted by the Student Senate of the Associated Students  
23. of the University of Wyoming that Article IV of the ASUW By-Laws be  
24. amended to read as stated in Addendum C; and  
25. THEREFORE, be it further enacted that pursuant to the ASUW Constitution,  
26. this amendment be placed on the ballot of the next ASUW election for its  
27. ratification by a majority of the voting student body; and  
28. THEREFORE, be it further enacted that upon ratification of this amendment  
29. by the student body and approval of this amendment by the University of  
30. Wyoming Board of Trustees, this change shall become part of the official  
31. Constitution of the Associated Students of the University of Wyoming.

**Referred to:** Constitution Committee

**Date of Passage:** March 2, 2004

**Signed:**

*Sabrina T. Baig*  
(Senate Chairperson)

“Being enacted on 3-10-04 I do hereby sign my name hereto and  
approve this Senate action.”

*[Signature]*  
ASUW President

## **ADDENDUM A**

### **From the current ASUW Constitution:**

#### **ARTICLE IV**

##### **Appointed or Elected Officers**

The privilege of holding an elected or appointed position as an ASUW representative shall be in accordance with the following provisions.

**Section 1.** A member of the ASUW shall not be eligible to serve as a representative of the ASUW Executive, Legislative, or Judicial branches if he has been found within the previous two (2) years prior to election to be guilty of academic dishonesty, forgery, providing false information or other acts which compromise his integrity as a student leader and representative of the ASUW. This standard must be maintained throughout the term of office.

Failure to fulfill any of the foregoing requirements shall mean the person will be automatically disqualified from his position. In the case of conduct issues, acts which result in the establishment of a citizenship file in the Office of Student Life will result in automatic disqualification. That position shall remain vacant until any appropriate appeals procedures have been exhausted.

## **ADDENDUM B**

### **The new wording of the ASUW Constitution:**

#### **ARTICLE IV**

##### **Appointed or Elected Officers**

The privilege of holding an elected or appointed position as an ASUW representative shall be in accordance with the following provisions.

**Section 1.** A member of the ASUW may be removed from office in the ASUW Executive, Legislative, or Judicial branches if he has been found guilty of acts which compromise his integrity as a student leader and representative of the ASUW.

No person shall be removed from office under this provision except through the impeachment process established by the ASUW Senate.

## **ADDENDUM C**

### **Addition to ASUW By-Laws, Article IV, Elections:**

**Section 7:** Any person who is a candidate in an election for ASUW office shall have the opportunity to file a voluntary disclosure form. This form will ask if the candidate has ever pleaded guilty to or been convicted of violating a university regulation or a local county, state or federal law and will ask the candidate to describe any of the aforementioned incidents.

Submission of the form will require a signature from the candidate acknowledging that all information contained therein is true to the best of his knowledge, and that falsification of any information could result in ASUW Senate action to remove the candidate from any office won in the election. No person shall be required to submit this form for any reason.