

SENATE BILL #2111

Title: The Removal Procedures Act of 2005

Date: March 22, 2005

Authors: Senator Jordan

Sponsors: Senators Case, Driver and Schabron

1. WHEREAS, the Integrity in Governance Act of 2005 established a new
2. standard of eligibility requirements for officials of the Associated
3. Students of the University of Wyoming (ASUW); and
4. WHEREAS, it has been observed that procedures for automatic removal
5. of ASUW officials under the new provision does not exist; and
6. WHEREAS, there is a need to maintain consistency and clarity in the
7. process of removing ASUW officials from office; and
8. WHEREAS, there is a need to distinguish between the automatic removal of
9. ASUW officials through violations of academic and disciplinary
10. requirements and the removal of ASUW officials by impeachment through
11. violations of the ASUW code of ethics; and
12. WHEREAS, the proposed changes to the automatic removal procedures in
13. the ASUW By-Laws will prevent ambiguity in cases of malfeasance by
14. officials of ASUW.
15. THEREFORE, be it enacted by the Student Senate of the Associated
16. Students of the University of Wyoming that Article VII of the ASUW By-
17. Laws be amended to read as stated in Addendum A.

Referred to: Constitution Committee

Date of Passage: April 12, 2005

Signed:

Mary McGinty
(ASUW Chairperson)

“Being enacted on April 13, 2005, I do hereby sign my name hereto

and approve this Senate action.”

Daniel Williams
ASUW President

ADDENDUM A

ARTICLE VII

Removal from Office

- Section 1.** ASUW Officials from the Legislative, Executive, or Judicial branches shall be removed from office through either automatic disqualification or impeachment
- Section 2.** Any member of the ASUW Legislative, Executive or Judicial branch shall be removed from office through automatic disqualification during an election or term of office if found to be in violation of academic or disciplinary requirements established in the ASUW Constitution or By-Laws
- A. The ASUW Advisor, or designee of the Dean of Students Offices shall have the authority to remove any ASUW official who is ineligible due academic or conduct violations
 - B. The ASUW Advisor, or designee of the Dean of Students Office, shall be responsible for reviewing the eligibility of each member of ASUW at least once during the ASUW election and once during each academic semester
 - C. If a candidate or ASUW official is ineligible for office, the ASUW Advisor, or designee of the Dean of Students Office, shall be responsible for notifying the ASUW Elections Committee of an open seat and the individual in question within (1) one academic week.
 - D. Election candidates who are found to be ineligible for office shall be removed from the ballot upon notification. Elected or appointed officials found to be ineligible shall be removed from their respective office
 - E. Election candidates who are removed from the ballot shall have the privilege of being reinstated on the ballot if the appeals process of the Dean of Students Office clears the individual in question of all charges in cases of disciplinary ineligibility before the election
 - F. In cases when an official in either the Legislative, Executive or Judicial branches is found to be ineligible, their position shall remain vacant until all appeals processes are exhausted or if the appeals process as found in the Student Code of Conduct clears the individual of all charges. If an individual is cleared of charges then that person shall be reinstated to their position. If the appeals processes fails to clear an individual of charges then the appropriate ASUW body shall be instructed by the ASUW Advisor or designee of the Dean of Students Office that a replacement ought to be found to fill the vacant position
- Section 3.** Articles of Impeachment shall be brought against any member of the Executive, Legislative, or Judicial branch of the ASUW if it is suspected that the persons in question violated the ASUW Code of Ethics as found in the ASUW By-Laws or has committed any other acts that would compromise their integrity as a student leader or representative of ASUW
- A. The Student Senate shall have the sole power to try all impeachments
 - B. The impeachment proceeding shall be considered legislative action and carry the same weight as legislation
 - C. A vote of two-thirds (2/3) or more of the current membership of the Student Senate shall be necessary to bring the charge of impeachment
 - D. The trial of impeachment must be commenced at least (2) weeks following the vote of the Student Senate to authorize the charge of impeachment
 - E. The accused must have a fair trial consistent with the concept of due process as provided by the University Procedures in such matters
 - F. Charges of impeachment must be publicized by being published in at least one (1) issue of the official campus newspaper
 - G. In the event that Articles of Impeachment are brought against the Vice President, the President Pro Tempore shall act as Chairperson of the Senate
 - H. A person shall not be convicted without the concurrence of at least three-fourths (3/4) of the voting Student Senate
 - I. Individuals who are being charged with impeachment shall not have the privilege to vote in their own impeachment
 - J. If found guilty of articles of impeachment, there shall be no punishment other than the removal of office