



Request for Interpretation: ASUW Constitution Article IV § 6

Opinion of the ASUW Judicial Council joined and delivered by Chief Justice Thompson, Secretary Borlet, and Justices Bennett, Graham, Jansen, and Schlagel.

BACKGROUND

On September 29, 2025, ASUW Chief of Legislative Affairs (COLA) Ray Heffley submitted a Request For Interpretation (RFI) seeking clarification regarding the eligibility and rights of a Student-at-Large serving on an ASUW standing committee.

The RFI noted that, after committee assignments for the current session had already been approved, a Student-at-Large approached the Vice President to request placement on the Safety, Wellness, and Advocacy Committee (SWAC). The Student-at-Large was not filling a vacancy, and there is no maximum cap on committee membership. This RFI raised questions about whether such a student may be appointed to a standing committee after the committee assignments have been formally approved, and if so, what rights and privileges would accompany such an appointment.

ISSUES ON INTERPRETATION

COLA Heffley submitted three questions on interpretation which we rephrase as follows:

- I. What constitutes committee membership?
- II. Do Students-at-Large have voting rights on committees or do they serve in an ex-officio capacity?
- III. Is committee appointment up to the discretion of the Vice President or can a Student-at-Large ask to be put on a committee?

DISCUSSION

I. Committee membership is defined by the ASUW By-Laws.

Each committee's membership is determined by its composition and purpose requirements as outlined in the ASUW By-Laws. The composition of the SWAC committee is defined as, "[t]he committee shall consist of a minimum of six (6) ASUW Senators, one (1) of whom shall serve as chairperson, and a minimum one (1) being a First-Year Senator after their committee assignments."¹ The committee's purpose is described as:

[t]he Committee shall serve as a medium for individual students, student organizations, and communities to voice opinions and concerns regarding

¹ ASUW By-Laws, § 2.02(10)(1)(c).



university policy, administration, or other issues associated with student life. The Committee shall work to promote the safety and wellness for all students on campus. The committee shall serve as a means by which ASUW shall seek to provide the community with education and resources to promote wellness practices that enhance health and safety. The Committee shall have the responsibility to investigate said issues and will represent students when student safety and wellness issues are being devised around campus.²

In the present case, the committee composition provision does not establish a maximum number of members, but only a minimum threshold. The language of the provision is permissive rather than restrictive, specifying only that each standing committee must include at least a certain number of members. There is no limiting language that caps total membership or restricts participation exclusively to Senators once the minimum has been met. Therefore, adding an additional committee member, including a Student-at-Large, would not conflict with any compositional requirements outlined by the By-Laws.

Furthermore, the purpose of the committee emphasizes inclusivity and representation of the student body's concerns related to safety and wellness. Allowing a Student-at-Large to participate aligns with this intent. More broadly, this interpretation is consistent with the guiding principles established in the Preamble to the ASUW Constitution, which declares that:

[i]n the belief that students have the right, as well as the obligation, to play a significant role in guiding their University, we, the student body of the University of Wyoming, seeking to provide an effective organization to promote the general welfare of all students at the University, to represent the concerns for the student body, and to provide for and regulate such other matters as are hereinafter set forth, do ordain and establish this Constitution.³

The spirit of this language makes clear that ASUW exists not only to regulate its internal affairs but also to promote student involvement and advance the general welfare of all students. To exclude a student who voluntarily seeks to contribute to ASUW's mission would run contrary to these foundational principles.

II. The plain language of the ASUW Constitution establishes that Students-at-Large possess voting rights when serving on committees.

The ASUW Constitution's plain language provides clear guidance on this question. "Students-at-Large who are appointed to ASUW standing or special committees have *all rights* and duties of committee membership" (emphasis added).⁴ By granting Students-at-Large *all*

² *Id.* at § 2.02(10)(1)(a).

³ ASUW Constitution, Preamble.

⁴ ASUW Constitution, Article IV § 6.



rights and duties of committee membership, the Constitution necessarily includes the right to vote among those rights.

Further support for this interpretation is found in the Constitution's distinction between Students-at-Large and ex-officio members. An ex-officio member is specifically defined as an individual *without* the right to vote.⁵ The Constitution's use of different terminology demonstrates intentional drafting. Clearly, if it was intended for a voting right, or any other right, to have been exempted, altered, or otherwise abridged, then it would not have granted Students-at-Large *all rights*. Therefore, the Constitution's plain language should be interpreted to give Students-at-Large all voting rights on committees.

III. Committee appointments are made at the Vice President's discretion, but nothing in the governing documents prevents a Student-at-Large from requesting an appointment.

The ASUW By-Laws provide an express appointment power to the Vice President, setting forth the process and limitations under which members may be appointed to ASUW Standing and Special Committees. The Powers of Appointment section states:

[t]he Vice President, with the advice of the President and the consent of the ASUW Senate, shall appoint and may remove for cause, all members of ASUW Standing and Special Committees. Except in extenuating circumstances, all senatorial positions on ASUW Standing committees shall be presented for approval to the ASUW Senate for no later than twenty-one (21) days after the first day of class of the Fall semester of the term. Committee vacancies occurring after the initial approval may be filled by the Vice President without Senate approval. Other positions shall be filled as time permits.⁶

This provision establishes a clear framework of discretionary authority vested in the Vice President, subject to two safeguards: the advice of the President and consent of the Senate for non-vacancy appointments. Vacancies are the only appointments under the By-Laws which may be filled by the Vice President without Senate approval. In addition, the language "other positions shall be filled as time permits" indicates an ongoing authority vested in the Vice President to make appointments throughout the academic term, contingent upon time and necessity.⁷

Importantly, the ASUW governing documents do not provide express language that prohibits a Student-at-Large from requesting appointment to an ASUW Standing or Special Committee. Likewise, none of the governing documents establish a numerical limit on committee membership. Accordingly, the Vice President's authority to appoint additional

⁵ *Id.* at § 4.

⁶ ASUW By-Laws, § 2.01(3)(A).

⁷ *Id.*



members, such as Students-at-Large, remains intact, provided that the proper procedural steps are followed.

In this case, the SWAC is not at capacity. Because its composition clause is permissive rather than restrictive, appointing a Student-at-Large would not violate the By-Laws. Moreover, SWAC's purpose to promote student safety, wellness, and advocacy, aligns with ASUW's constitutional mission of representing and engaging students in campus affairs. Allowing a Student-at-Large to serve on the committee furthers that purpose by broadening student participation and perspective.

Consequently, while the Vice President retains clear discretion to make committee appointments, that discretion operates within a framework requiring consultation and consent. A Student-at-Large may request appointment, but the decision to appoint ultimately rests with the Vice President, exercised in compliance with the procedures outlined in the By-Laws.

CONCLUSION

COLA Heffley's Request for Interpretation is hereby answered as follows:

First, committee membership is defined by the ASUW By-Laws and includes all individuals properly appointed under its composition provisions. Because the Safety, Wellness, and Advocacy Committee's membership clause establishes only a minimum threshold, additional appointments, such as a Student-at-Large, do not violate the By-Laws.

Second, under the plain language of the ASUW Constitution, Students-at-Large who are appointed to standing or special committees possess all rights and duties of committee membership, which necessarily includes the right to vote.

Third, committee appointments are made at the discretion of the Vice President, exercised with the advice of the President and the consent of the Senate for non-vacancy appointments. While a Student-at-Large may request appointment, the power to appoint remains solely within the Vice President's authority.

Accordingly, a Student-at-Large may request and, if approved, be appointed to a standing committee with full voting rights, provided the Vice President complies with the procedures established in the ASUW By-Laws and Constitution.



ADDENDUM A

Request for Interpretation Form

Please submit to asuwjic@uwyo.edu. Following the submission of your request for interpretation, the ASUW Judicial Council will convene and release a decision with ten (10) academic days. The Council intends to release a decision quicker, but the decision is still binding if the timeline is met.

Details

Name: _____ Date: _____

Document(s)
being

Interpreted: ASUW Constitution

Ex: Article 4, Section 6: "A Student-at-Large is any ASUW fee paying member of the student body who is not a member of the ASUW Executive, Legislative, or Judicial branch. Students-at-Large who are appointed to

Clause(s) being ASUW standing or special committees have all rights and duties of
Interpreted: committee membership."

Questions

Question #1: What constitutes committee membership?

Question #2: Do students-at-large have voting rights on committees or do they serve in an ex-officio capacity?

Question #3: Is committee appointment up to the discretion of the Vice President or can students-at-large just ask to be put on a committee?

Context

A student-at-large approached the Vice President to be placed on a committee after committee assignments were approved. The student-at-large is seeking appointment to the Safety, Wellness, and Advocacy committee, a standing committee. I've attached the most up-to-date By-Laws and in the 111th administration, the requirement for students-at-large to sit on standing committees was removed. Due to this, the student-at-large isn't filling a vacancy nor is the committee at capacity since we have no number of students-at-large that need to be on committees, nor do we have a general cap on the number of committee members for any given committee. The student-at-large is simply seeking to be put on the committee as a member.



ADDENDUM B

Written Response From COLA Heffley to Clarification of Information

Hello,

The student-at-large is seeking appointment to the Safety, Wellness, and Advocacy committee, a standing committee. I've attached the most up-to-date By-Laws and in the 111th administration, the requirement for students-at-large to sit on standing committees was removed. Due to this, the student-at-large isn't filling a vacancy nor is the committee at capacity since we have no number of students-at-large that need to be on committees, nor do we have a general cap on the number of committee members for any given committee. The student-at-large is simply seeking to be put on the committee as a member.

My first question was getting at what rights are outlined in the "duties of committee membership." Would the student-at-large act like an executive position on the committee with only speaking and parliamentary rights or would the student have all the same rights as Senators on the committee, including the right to vote?

As for the By-Law amendment mentioned, the By-Laws are attached. I have also attached the piece of legislation that removed the student-at-large requirement for further context.

If there's anything else you need from us in this process, we are more than happy to help!

Sincerely,

Ray Heffley
ASUW Chief of Legislative Affairs - 113th Administration