

---

# CONSTITUTION OF THE ASSOCIATED STUDENTS OF COLORADO STATE UNIVERSITY

*Written by S. Connor Cheadle in the year two-thousand and seventeen Enacted in the year two-thousand and eighteen.*

## Preamble:

We the Students of Colorado State University hereby establish a government by the students for the students, based upon the principles of equality and inclusivity for all, to participate fully in both its formal and informal activities; as our right to the liberty of our own education, our right to liberty of our college years, and our right to govern our own lives in the pursuit of becoming better educated peoples of the world; do establish this constitution of the Associated Students of Colorado State University.



---

<b>PREAMBLE</b>	1
<b>ARTICLE I. THE ASSOCIATED STUDENTS OF COLORADO STATE UNIVERSITY</b>	3
<b>ARTICLE II. SENATE</b>	6
<b>ARTICLE III. EXECUTIVE BRANCH</b>	12
<b>ARTICLE IV. JUDICIAL</b>	15
<b>ARTICLE V. COLLEGE COUNCILS</b>	18
<b>ARTICLE VI. SPECIAL COMMITTEES</b>	19
<b>ARTICLE VII. IMPEACHMENT</b>	21
<b>ARTICLE VIII. ELECTIONS AND REFERENDA</b>	21
<b>ARTICLE IX. FISCAL MANAGEMENT</b>	25
<b>ARTICLE X. RECORDS KEEPING &amp; THE STATUTES OF ASCSU</b>	28
<b>ARTICLE XI. AMENDMENTS</b>	31
<b>ARTICLE XII. RATIFICATION OF THIS CONSTITUTION</b>	32
<b>DECLARATION OF RIGHTS</b>	34

---

## Article I. The Associated Students of Colorado State University

### Section 101 Establishment Clause

- I. The name of this organization shall be the Associated Students of Colorado State University, hereinafter referred to as ASCSU.

### Section 102 Bylaws Clause

- I. This Constitution shall be supplemented by the bylaws of the ASCSU Executive, Legislative, and Judicial branches, and the additional constitutions and bylaws of other ASCSU associated clubs and organizations; each of these shall have the authority to adopt such bylaws.
  - A. None of these documents shall supersede the provisions of this Constitution.

### Section 103 Membership Clause

- I. Each individual taking at least one credit or is a candidate for a doctoral degree at Colorado State University shall be considered a member of ASCSU, provided that all fees have been paid that are required by their level of enrollment.
- II. Every member of ASCSU is entitled to all the rights and privileges outlined by this Constitution as per their role in the organization.
- III. No member of ASCSU shall hold a position in more than one of the three branches (Executive, Judicial and Legislative) of ASCSU except those serving in ex officio status.
  - A. Senators or Associate Senators may serve as a Chair of a Committee or in an additional leadership role within Senate, excluding Speaker of the Senate, Speaker Pro Tempore, and Parliamentarian, but cannot serve in more than one of these capacities.

### Section 104 Officials' Clause

- I. Any member of the three branches or Special Committees of ASCSU shall be considered officials of ASCSU.
  - A. College Council officers and officials are not considered

---

officials of ASCSU.

- II. All officials of ASCSU shall be responsible for the duties specified in the job description for their office.
  - A. No office shall exist without an accompanying job description
- III. Intra-branch and inter-branch unpaid officers, such as vice-chairs, do not require a job description.
- IV. Job descriptions shall be created or changed only by the action of a bill passed by the Senate.
  - A. If a job description does not exist for an office, that office holder shall make all due effort to produce a job description bill to be submitted to Senate within a reasonable amount of time.
- V. A job description must be in effect in order for salary to be accrued.
- VI. All officials of ASCSU shall be ultimately accountable to the Constitution of ASCSU and the students of Colorado State University.

### Section 105 Graduate Clause

- I. All references to Graduate School shall apply to all students who are not enrolled in an undergraduate degree or certificate program.

### Section 106 Diversity and Inclusion

- I. The Land Acknowledgement will be read at the beginning of every official ASCSU meeting.
  - A. The speaker of the Land Acknowledgement will be designated within 48 hours in advance by the Chair of the meeting.
  - B. ASCSU must be accessible to all students.
  - C. For official meetings of ASCSU the following accessibility measures must be followed:
    - 1. All agendas for meetings must be sent out 48 hours in advance.
    - 2. All additional documents from all three branches and

---

their constituents, including legislation, and presentations, must be sent out with the agenda 48 hours in advance.

- a) If the documents are not sent out 48 hours in advance, the Chair shall open five minutes of discussion and debate in regard to hearing the document, legislation, and/or presentation.
- b) All documentation, legislation, and/or presentations, and their edits, must be read out in their entirety if not sent out 48 hours in advance
- c) Edits made during the meeting will be read out in their entirety

D. When presenting, the font must be big enough for all meeting participants to read.

E. Accommodation requests from students can be sent to the Student Disability Center any time during the year and for employees, guests, and community members can be sent to the Office of Equal Opportunity. Accommodation requests that have been filed through this process and have been deemed reasonable by the Student Disability Center and/or Office of Equal Opportunity must be observed during any official ASCSU meeting. Accommodation requests cannot be taken away once granted but must be renewed at the beginning of the year.

F. There shall be mandated inclusivity trainings and conferences which shall include Sexual Harassment training and Diversity and Inclusion training, as well as any other trainings the Speaker of the Senate, Chief Justice, or President deem necessary for their branch.

~~1. All members with speaking rights, including ex officio members as defined by Article II Section 209(c) of this document, must take all training deemed necessary for the legislative branch in order to~~

---

~~maintain their speaking rights.~~

## Section 107 Ratification Clause

- I. All appointments to ASCSU Executive and Judicial positions shall be required to go through the Senate Ratification Process as defined by Article II, Section 202 (a) (iii) of this constitution.
- II. With the exception of Administrative support positions such as the ASCSU Administrative Assistant and Front Desk Staff, which shall be considered non-ratified position.

## Section 108 Oath of Office and Oath of Truth

- I. All officials of the Senate branch, Executive branch, Judicial branch, and Special Committees, before entering their respective offices, take and subscribe to the following affirmation as administered by a Justice of the Supreme Court or by the speaker, if during an ASCSU Senate meeting; "I, (state your name), do solemnly swear to defend and uphold the rules and regulations set forth by the Constitution of the Associated Students of Colorado State University and will rightfully perform the duties of my office to the best of my ability."
- II. All people testifying as a witness, complainant, or respondent, or standing for questioning during a hearing, shall subscribe to the following affirmation as administered by a Justice of the Supreme Court or by the speaker during an ASCSU Senate meeting; "I, (state your name), swear by the almighty Constitution, the Senate, and students of Colorado State University, that I shall tell the truth, the whole truth, and nothing but the truth."

## Article II. Senate

### Section 201 Establishment and Meetings Clause

- I. There shall be an ASCSU Senate, which shall facilitate student activities both financial and communal at Colorado State University within the limits placed upon it by this Constitution.
- II. The Senate shall further act as a liaison to any faculty or administrative bodies of Colorado State University and to any

---

other organized bodies whose actions have a bearing upon the members of ASCSU, thus the students of Colorado State University.

- III. The Senate shall meet weekly, unless a week of emergency is declared by vote of the Senate Magistrates as outlined in the Senate Legislative Cabinet Bylaws, during fall and spring semester except during the weeks of final examinations and University vacation periods.
- IV. Special meetings shall be called with at least 48 hours' notice by the President of ASCSU, the Speaker of the Senate, or upon majority vote of the members of the Senate.
- V. All weekly meetings of the full Senate shall be open to the public.

### Section 202 Powers Clause

- I. The Senate has powers including, but not limited to:
  - A. To initiate and enact any legislation necessary and proper under this Constitution.
  - B. To delegate its authority as it deems fit.
  - C. To examine, approve, and deny all appointments to anybody of which it has delegated authority as well as the standing officials in the Executive, and Supreme Court Justices; known as the Senate Ratification Process.
  - D. To affiliate ASCSU with any inter-collegiate or intra-collegiate organizations.
  - E. To call for special elections subject to veto.
  - F. To oversee and manage Senate affairs as they deem proper.
  - G. To recommend for removal any advisor to ASCSU or recommend the reinstatement of an advisor.
  - H. To pass general orders binding on the executive branch but subject to veto.

### Section 203 The Body of the Senate

- I. Senators shall be elected by a plurality vote of the members voting for that college or school at the general election, with one

---

Senator from each academic college for every 750 members of ASCSU, or major portion (375) thereof in that college. Every college and school will be guaranteed a minimum of two Senate seats.

- II. The Graduate School shall be represented in the same manner.
- III. The Student Diversity Programs and Services Offices, the Adult Learner and Veteran Service Office, the Office of International Programs, the AAC First-Generation Student Collective Board, and the Multi-Faith and Belief Student Council shall be represented with two (2) Senators and four (4) Associate Senators per office or council that will be appointed at the discretion of that office.
- IV. Senators shall only hold one Senate seat per term.
  - A. Senators may be able to change their constituency during the course of the academic year, provided they get approval from the college council, office, or council that they will represent.
  - B. If a Senator switches constituencies during their term, they may be able to finish out their term with their previous constituency.
- V. These Senators must be members of the respective body that they represent by the first Senate session of the fall semester.
- VI. The term of office for Senators shall begin with their being sworn in at a Senate session and will last until the new Senate is seated.
  - A. If a Senator switches college in the middle of their term, they may finish out their term with their previous college.

### Section 204 Associate Senators

- I. Associate Senators shall be elected by their respective College Council Student Diversity Programs and Services Offices, the Adult Learner and Veteran Service Office, the Office of International Programs, the AAC First-Generation Student Collective Board, and the Multi-Faith and Belief Student Council.

- 
- II. There shall be no more than two Associate Senators for each college Senator.
  - III. Associate Senators must be a member of the college that they represent.
  - IV. The SDPS, ALVS, International Programs offices, the Multi-Faith and Belief Student Council, and the AAC First-Generation Student Collective Board will be provided with no more than two Associate Senators.

### Section 205 Vacancy

- I. If a Senate seat becomes or remains vacant following the general election for a College or School, that entity's council will have the power to appoint a member of their College or School to fill the vacancy.
- II. If a Senate seat becomes or remains vacant for an SDPS Office, Adult Learners and Veterans Services Office, the Office of International Programs, the AAC First-Generation Student Collective Board, or the Multi-Faith and Belief Student Council the office or council shall appoint members to those seats as they see fit.

### Section 206 Legislative Cabinet

- I. The Senate shall be presided over by the ASCSU Speaker of the Senate.
- II. The other members of the Legislative Cabinet shall be the Speaker Pro Tempore, Parliamentarian, Recruitment and Retention Officer, and Chairs of the ASCSU Committees and Caucuses.
- III. The Senate shall elect a Speaker Pro Tempore, Parliamentarian, a Senate Recruitment and Retention Officer and all ASCSU Committee Chairs; all officers shall be inaugurated at the first session of the new Senate.
- IV. The Magistrates shall be ultimately held accountable to the Senate.
- V. The Speaker Pro Tempore shall preside over the Senate in the

---

absence of the Speaker. In the absence of both the Speaker and the Speaker Pro Tempore, the Parliamentarian shall preside over the Senate. Further presiding officers shall be codified in the Senate bylaws.

### Section 207 Rules of the Senate

- I. The Senate shall establish its own rules of procedure.
- II. Two-thirds of the voting membership of the Senate shall constitute a quorum.
  - A. While the Senate can meet without quorum, no action made by the Senate shall be binding without quorum.
  - B. Special sessions of the ASCSU Senate shall not require quorum.
- III. Any vote of the ASCSU Senate shall be considered with present voting membership excluding abstentions, so long as quorum is present.
  - A. A tie in the vote of the Senate shall only be broken by the presiding Speaker.
- IV. Bylaws of the Senate shall contain job descriptions of Senators, Associate Senators, and Senate Magistrates.
  - A. The incoming Speaker of the Senate shall write the job descriptions of Senators, Associate Senators, and Senate Magistrates.
- V. The Senate bylaws shall be approved at the first session of the Senate and shall be the first resolution of the new Senate.

### Section 208 Special Legislation of the Senate

- I. Legislative Resignation of an Magistrate
  - A. A bill may be brought to the floor to remove the Speaker of the Senate, Speaker Pro Tempore, Parliamentarian, Senate Recruitment and Retention Officer, or Committee chairs. If the bill involves the Speaker Pro Tempore, the Parliamentarian shall preside. Legislative Resignation from office shall be by a

---

two-thirds (2/3) vote of the ASCSU Senate.

B. If someone or an official of ASCSU is deemed incapable of performing their duties, they may be removed from duty from the duration of the meeting at most; by a majority vote of the body.

## II. Veto

A. When a bill is to be returned to the Senate with the President's veto, the bill shall appear on the next regularly scheduled session of the Senate's agenda under old business with the word "vetoed" next to the bill number.

B. The Senate may override the stated veto with a two-thirds majority vote.

C. Any bills passed in the final session of the Senate must be signed or vetoed by the President within one week of passage. This will allow sufficient time for the Senate to call a special session to consider a veto override.

D. All legislation pending before the Senate not acted upon prior to the inauguration of the next Senate is defeated.

## III. Legislation at Large

A. Members of ASCSU may call for a special bill to be brought to the floor of the Senate by presentation of the Speaker of the Senate of a petition containing the signatures of not less than 1% of the total membership.

B. This bill shall not call for referendum or Constitutional amendment.

## IV. Leges (Lex) (Bills and Resolutions)

A. In cases where the subject of legislation would require both a bill and resolution, that subject may be presented in the form of a 'Lex'.

B. Leges shall be subject to the procedural rules most appropriate to that of the subject.

## Section 209 Rights and Duties Clause of the Senate

I. Senators have the rights of debate and voting.

- 
- II. Associate Senators and Senate Officer positions only have the rights of debate.
  - III. Officials of the Cabinet and the Supreme Court shall sit as ex officio members of the Senate. They shall be granted rights of debate, but shall hold no voting rights.
  - IV. All members with speaking rights, including ex officio members, must take training on how to abide by parliamentary procedure before they are granted speaking rights or ex officio status. The training is up to the discretion of the Speaker of the Senate or by the request of at least two ASCSU Senate Committee Chairs. (
  - V. Senators shall be responsible to their constituents and shall seek advisement on a regular basis from the appropriate representative body of the college from which the Senator is elected
  - VI. Senators, however, are not bound by the advisement of their respective councils. Senators retain the authority to cast all votes, as they deem fit and proper in accordance with the knowledge they have and the dictates of their conscience.
  - VII. Senators shall report to the Senate the subsequent proceedings of their respective College Council. If no College Council exists, the Senator shall attempt to develop one.
  - VIII. All Senators and Magistrates have the right to all public documents of ASCSU.

### Section 210 Emergency Budget Session

- I. In an emergency budget situation during winter or summer breaks the Senate will conduct an emergency Senate session consisting of all available senators.
- II. This will be a Senate session consisting of at least five members including a chair as indicated within the Senate bylaws.
- III. This Senate session does not require quorum.
- IV. The Senate session shall review and vote on any emergency budget redistributions between departments occurring while the

---

Senate is not in session.

- V. The Senate session shall hold the same power over the budget as any regularly convening Senate.
- VI. This Senate session will also be held to all of the responsibilities of any regularly convening Senate session including, but not limited to, utilizing a clerk who takes attendance and keeps minutes, communication about the emergency session to all members of Senate, and the distribution of minutes to all members of Senate.
- VII. The Senate session shall meet within ten business days of receiving the President's written request for a budget adjustment.
- VIII. The date of the emergency Senate meeting shall be given to all members of the Senate seventy-two (72) hours in advance.
- IX. A decision over whether to accept the proposed budget adjustment or not shall be made and relayed to the President within seven business days of the initial Senate session meeting.
- X. If a decision is not reached, the change may not go through as proposed.

## Article III. Executive Branch

### Section 301 Establishment Clause

- I. The Executive power of ASCSU shall be vested in the Executive, which shall consist of the President, Vice President, Chiefs of Staff, and the Cabinet of standing Directors.
- II. The President and Vice President shall be sworn in during the last session of the Senate, which precedes the term of office they are to serve; actual term of office shall begin the first business day in June, running through the last business day of May.

### Section 302 Powers Clause

- 
- I. The Executive Branch shall have the power
    - A. To direct the affairs of the Executive branch and such duties.
    - B. To put on events for the student body as they see fit.
    - C. To launch negotiations over matters within the University as they see fit.
    - D. To direct the Student Fee Review Board.
  - II. The President and Vice-President shall have the power;
    - A. To bring legislation to the Senate without the need of standard requirements, given that the legislation has been in collaboration with at least one of the Chiefs of Staff or at least one Director.
    - B. To create or nullify departments at the beginning of their term, excluding those written in this Constitution.
  - III. The Executive Branch shall determine its rules of procedure and bylaws on an annual basis and shall make such rules open to the public.
    - A. These rules shall be completed and presented to the Senate.
    - B. The Executive branch shall legislate its own internal policy.

### Section 303 The President

- I. The President of ASCSU shall be the Chief Executive of the Associated Students and shall be responsible for carrying out the duties and responsibilities of that office as determined by this Constitution.
- II. The President shall sign all bills enacted by the Senate or shall return them to the Senate with the President's veto within two regularly scheduled sessions of Senate of the passage of the bill.
  - A. If the President does not sign or veto a bill enacted by the Senate within the previously stated period of time, then the bill shall be considered vetoed.
- III. The President shall act as the official ASCSU representative to the Board of Governors of the Colorado State University System.
- IV. The President shall act as liaison to the Colorado State faculty and administration, the state legislature, the governor's office, and the

---

Congress of the United States.

- V. The President shall prepare an Executive budget, which shall be submitted to the Senate for deliberation and apportionment, with no more than 22% of the total budgeted expenditures allocated for salaries, excluding the ASCSU Administrative Assistant and any non-ratified positions, as defined by Article I, Section 106 (b).
- VI. The President shall negotiate and act as signatory for all contractual agreements relating to ASCSU.
  - A. Throughout negotiations, the President will keep the Senate updated on progress and will receive input from the Senate.
  - B. The President will present to the Senate, for the purpose of discussion, any contract that they sign.
- VII. The President shall coordinate and supervise the work of the Executive.
- VIII. The incoming ASCSU President shall present the ASCSU Budget to the Board for Student Organization Funding prior to its presentation to the Senate.

### Section 304 The Vice-President

- I. The Vice President shall chair the Student Fee Review Board.
- II. The Vice President shall be responsible for maintaining the ASCSU office complex and coordinating ASCSU services.
- III. The Vice President shall report to and be supervised by the President.

### Section 305 The Cabinet

- I. There shall be a Department of Finance.
- II. The President shall appoint an Executive Cabinet including a Director of Finance who will oversee the financial workings of ASCSU and chair the Board for Student Organization Funding and one Controller who will oversee and maintain the ASCSU Executive budget.
- III. All other departments or offices shall be subject to the Presidential power to create or destroy such departments or

---

offices.

## Section 306 Vacancy & Succession

- I. In the case of the President's inability to continue in office or temporary absences, the Vice President shall serve as President.
  - A. If the Vice-President declines the ascension the Presidency shall defer to the Speaker of the Senate.
- II. The Vice President, acting as President, shall appoint a new Vice President who shall be ratified by the Senate.
- III. If both the President and the Vice President cannot fulfill their term, the Speaker of the Senate shall become President and shall appoint a new Vice President to be ratified by the Senate, and the Speaker Pro Tempore shall become the Speaker of the Senate and thus direct the election of a new Speaker Pro Tempore.
  - A. If the Speaker of the Senate declines the ascension the Presidency shall defer to the Director of Finance.
- IV. If the President and Vice President cannot serve and there is no Speaker of the Senate, the Director of Finance shall become President and they shall appoint a Vice President to be ratified by the Senate.
  - A. If the Director of Finance declines the ascension the Presidency shall be filled by an election in the Senate.
- V. If the Vice President cannot serve, the President shall appoint a new Vice President to be ratified by the Senate.
- VI. An individual shall have the sole power to determine inability to serve, except in the case of negligence.
  - A. In the event of temporary absences extending beyond five working days, the President or Vice President shall notify both the Director of Finance and the Speaker of the Senate prior to departure and subsequent to return
  - B. Salary shall not be accrued during such absences.
  - C. This does not apply to University vacation periods, illness, emergency, or absence due to normal carrying out of Executive

---

duties.

## Article IV. Judicial

### Section 401 Establishment Clause

- I. The Judicial power of ASCSU shall be vested in the Supreme Court.

### Section 402 Powers Clause

- I. The Supreme Court shall have the power;
  - A. To interpret, uphold, and enforce the ASCSU Constitution.
  - B. To defend, uphold, and enforce CSU Principles of Community, especially in relation to diversity and inclusion.
  - C. To interpret, uphold, and enforce the acts of the Senate and of all ASCSU administrative boards, and actions of students by virtue of all offices held under this Constitution.
  - D. To recommend for removal any advisor to ASCSU or recommend the reinstatement of an advisor.
  - E. To maintain and amend the ASCSU Code of Ethics in accordance with this Constitution.
- II. The Court shall have, but not be limited to, the power to hear disputes between student organizations and recognized clubs, including the ASCSU governmental bodies.
- III. ASCSU Supreme Court Justices shall serve as members of the All University Hearing Board in accordance with Supreme Court bylaw and the Student Conduct Code, and the procedures of the All University Hearing Board.
- IV. The Supreme Court shall determine its rules of procedure and bylaws on an annual basis and shall make such rules open to the public.
  - A. These rules shall be completed and presented to the Senate. The Court shall legislate its own internal policy.

### Section 403 The Court

- I. The ASCSU Supreme Court shall be composed of seven (7) members of ASCSU, which include one (1) Chief Justice, one (1) Deputy Chief Justice, and five (5) Associate Justices.

- 
- II. The Chief Justice shall be nominated by the outgoing ASCSU President within the two weeks following the ASCSU elections and approved with a majority vote of the ASCSU Senate during the preceding academic year for which they will serve.
  - III. The Chief Justice shall serve a one-year term beginning on June 1st of the year of their appointment until May 31st one year later.
  - IV. The Chief Justice shall be responsible for the supervision of court business. The ASCSU Supreme Court shall also be assisted by additional Judicial Officers as defined in this Constitution, or as defined in its bylaws and approved by the ASCSU Senate.
  - V. The Deputy Chief Justice shall be nominated by the ASCSU President with the advice of the Chief Justice within the first two weeks of the Fall Semester and shall be approved with a majority vote of the ASCSU Senate.
  - VI. The Deputy Chief Justice shall serve a one-year term beginning on the day of their approval until May 31st of the spring semester for the academic year they are appointed.
  - VII. The Deputy Chief Justice shall be responsible for assisting the Chief Justice with the supervision of court business.
  - VIII. Upon ASCSU Presidential nomination the Associate Justice(s) shall be approved with a majority vote of the ASCSU Senate.
  - IX. Associate Justices shall serve a two-year term in the form of four semesters (Fall or Spring) beginning on the day of their approval until the end of the fourth semester serving.
  - X. Other Judicial Officers shall serve a one-year term beginning on the day of their approval until the end of the spring semester of the academic year they are appointed.
  - XI. Upon vacancy, an applicant for a Justice position shall be nominated by the ASCSU President, applicants for a Judicial Officer position shall be nominated by the Chief Justice, and all applicants must be approved with a majority vote of the ASCSU Senate to fill the position.

## Section 404 Jurisdiction

- 
- I. Appellate jurisdiction will be retained by the ASCSU Supreme Court when they are the original hearing body of a case.
  - II. Members of the ASCSU Supreme Court that participate in the original case shall not be included in the appeals hearing.
  - III. All decisions of the Court shall be binding on all affected parties, elected officials, and appointees.
  - IV. The Court shall actively pursue the compliance of its rulings by all parties.
  - V. Failure of any party to comply with the Court's decisions shall result in the initiation of disciplinary actions on behalf of the Supreme Court..
  - VI. The Court shall work closely with the proper administrative officers of the University if necessary.
  - VII. There shall be open records of all internal sessions of the ASCSU Supreme Court.
  - VIII. The Supreme Court shall not accept a case with the same individual or organization representing both sides of a case (i.e., acting as both plaintiff and defendant).
  - IX. An organization may not file a case against itself, although an individual or individuals within an organization may file against the organization as a whole.
  - X. In cases involving the branches of ASCSU, the top official of that branch, if they choose to do so, may represent that branch.

### Section 405 Code of Ethics

- I. The Associated Students of Colorado State University Code of Ethics shall be the governing ethics code of the organization.
- II. The Code of Ethics may be amended by a bill submitted to the Senate and passed by a three-fourths (3/4) majority vote.
- III. A justice of the Supreme Court shall have the power to submit legislation to change the Code of Ethics without any sponsorship requirement to get to the floor.

### Article V. College Councils

---

## Section 501 Establishment Clause

- I. Each college of Colorado State University, including the Graduate School and Intra-University Program, shall have a College Council or similar organization to represent the particular interests and concerns of students within each college.
- II. Each College Council shall consist of selected representatives who shall be students within that college.
- III. The official College Councils shall be considered bodies of ASCSU and subject in all matters to ASCSU constitutional, legislative and Judicial oversight.

## Section 502 Powers Clause

- I. College Councils shall hold the power to conduct independent programming.
  - A. ASCSU shall not interfere with the internal finances of College Councils other than ASCSU allocated funding per Board for student funding rules.
- II. College Councils shall hold the right to apply for funding from ASCSU.
- III. College Councils shall hold the right to appoint Senators and Associate Senators as pertained by their bylaws and in adherence with the clauses of this Constitution.

## Section 503 College Councils

- I. Each College Council shall be headed by the ‘President’ of their respective college.
- II. Each College Council shall have the right to bylaws in compliance of self-governance.

## Article VI. Special Committees

### Section 601 Establishment Clause

- I. Special Committees shall be bodies not a part of any ASCSU branch.
- II. The goal of Special Committees shall be to bind branches of ASCSU or act as uniting bodies that would bring together aspects of ASCSU

---

that would not otherwise be brought together.

### Section 602 Caucus Clause

- I. A caucus shall be a special committee as defined in Article VI section 601.
- II. The purpose of a caucus shall be to address pertinent issues on campus in an open forum format to encourage cooperation between ASCSU and the student population
- III. A caucus shall write their own bylaws.
  - A. The legislative and judicial branch shall have the right to review these bylaws to ensure that they are in accordance with superseding governing documents.
- IV. A new caucus shall be formed through a bill passed in the Senate
  - A. It must be co-authored by at least one member of ASCSU
- V. Once ratified by the Senate, a caucus becomes a permanent entity
  - A. A caucus end date can be stipulated by the legislation which created the caucus originally.
- VI. If the time in the bill is indefinite, a caucus must be renewed every academic year with the Senate.
  - A. Renewal of a caucus requires three people, one of which must be a member of ASCSU, and must be ratified by the Senate with a simple majority vote.

### Section 603 Legislative Strategy Advisory Board (LSAB)

- I. The Legislative Strategy Advisory Board shall be an inter-branch committee with the purpose of setting a cohesive governmental policy stance on the behalf of ASCSU.
- II. The chair(s) of the Legislative Strategy Advisory Board shall be the Executive director(s) and/or officer(s) of the department within ASCSU that directly works with the local, state, and federal governments (i.e. the “State and Local Policy Department”).
  - A. In the case that there are more than one director or officer in

---

said department, the directors and officers shall co-chair this board.

B. The chief legislative officer as stated above shall have the power of refusal defined by the Legislative Strategy Advisory Boards bylaws.

- III. Voting members shall consist of the ASCSU President or their designee, the ASCSU Speaker of the Senate or their designee, three members of the ASCSU Executive Branch via appointment, and three members of ASCSU Legislative Branch via appointment.
- IV. Executive Branch appointments shall be made by the ASCSU President and shall be ratified by the ASCSU Senate.
- V. Senate appointments shall be elected from the ASCSU Senate.
- VI. Both branches must have their representatives nominated and ratified by the third week of the semester.
- VII. The Legislative Strategy Advisory Board shall define their own bylaws to be ratified by the Senate through a bill no more than four weeks after the first meeting of the committee.
  - A. Any change to the previous Legislative Strategy Advisory Board bylaws must be presented to and passed by the Senate by a two-thirds (2/3) vote.
  - B. If such a vote fails, then the Legislative Strategy Advisory Board is dissolved until the conclusion of the current sitting administration.

## Section 604 Special Finance Committees

- I. The Board of Student Organizational Funding shall be considered a Special Committee and defined in Article IX.
- II. The Student Fee Review Board shall be considered a Special Committee and defined in Article IX.

## Article VII. Impeachment

### Section 701 Grounds for Impeachment; Investigation; Interim Measures

- I. An ASCSU Official will be impeached and removed from office

---

for the following reasons:

- A. A serious violation of the Student Conduct Code, as determined by the Student Resolution Center.
  - B. A serious violation of University policy, as determined by the Office of Equal Opportunity.
- II. The Student Resolution Center or the Office of Equal Opportunity, as the case may be, will give priority to and expedite an investigation into whether an ASCSU Official has committed a violation of the Student Conduct Code or University policy.
- III. During an investigation, either the Student Resolution Center or the Office of Equal Opportunity may implement interim measures, as needed, on a case-by-case basis in accordance with University policy. Interim measures may be implemented for various reasons, such as minimizing the impact on the parties involved, and the measures to be taken depend upon the pertinent facts.

### Section 702 Consequence

- I. An Official who is removed in accordance with the Impeachment process of Section 701 may not hold any ASCSU office for a period of at least one year following such impeachment removal.

## Article VIII. Elections and Referenda

### Section 801 Establishment Clause

- I. ASCSU shall conduct the general election of its President, Vice President, Speaker of the Senate, and Senators during the first three days of the third week after Spring Break.
- II. All elections shall be administered by the Judicial Branch of ASCSU.

### Section 802 Candidates

- I. The President, and Vice President shall be elected on a single ticket. The Speaker of the Senate shall run their own separate ticket.

- 
- II. The President, Vice President, Speaker of the Senate, and all members of the Executive Cabinet shall serve their term of office in accordance with this Constitution.
  - III. The number of Senators to be elected from each college shall be determined in accordance with Article II of this Constitution, using the average of the official enrollment count for the spring semester as provided by the Registrar's Office.
  - IV. Senators shall be elected individually, using the Coombs Rule in accordance with the number of their respective College's seats, and shall take office in accordance with Article II of this Constitution.
  - V. All candidates for the office of President, Vice-President, and Speaker of the Senate shall be members of ASCSU, with a minimum Colorado State University cumulative grade point average of 2.25.
    - A. One is only eligible for candidacy of the Speaker of the Senate if they have been a member of an organization that uses parliamentary procedure as their official meeting format and/or can prove beyond reasonable doubt they possess adequate knowledge of parliamentary procedure to manage the Senate.
    - B. All candidates for Speaker of the Senate must be presented by the elections manager at the Senate session during the first week of campaigning, in chamber, to the Senate and receive individual vote of confidence for their candidacy by a one-third (1/3) vote.
  - VI. All candidates for the office of Senator shall be members of ASCSU, with a minimum Colorado State University cumulative grade point average of 2.00.
  - VII. Any student without a Colorado State University grade point average, such as a new student or a recent transfer student, need not meet the grade point average threshold.

## Section 803 Elections Manager

- 
- I. All ASCSU elections shall be organized and executed by the Elections Manager.
  - II. The Judicial Branch shall select an impartial and unbiased member of ASCSU to serve as the Elections Manager.
  - III. The Elections Manager shall not be eligible to hold a position in the Executive or Judicial branches the following school year, with the exception of the Elections Manager position.
  - IV. The Chief Justice shall present this nominee to the Senate for ratification no later than the week immediately prior to Fall Break, and the candidate shall be ratified by a majority vote of the ASCSU Senate.
  - V. If the Chief Justice and the Judicial Branch cannot find a willing Elections Manager by Fall Break, he or she must go before Senate to ask permission to extend the time period to winter break and/ or extend eligibility requirements.
  - VI. In doing so, the Chief Justice must demonstrate by written record a thorough attempt to find a willing and eligible Elections Manager.
  - VII. Whoever nominates the Elections Manager is ineligible to be an elected official the following school year, with the exception of the Elections Manager position.
  - VIII. The Elections Manager, once ratified, shall be a member of the Judicial Branch and shall serve as an ex officio member of Senate and the Cabinet.
  - IX. The Elections Manager shall not be eligible to run for any elected office.

### Section 804 Election Committee

- I. All ASCSU elections shall be overseen by the Elections Manager and the Elections Committee.
- II. The Elections Committee shall consist of at least eight (8) members and no more than twelve (12) members.
- III. The Elections Manager shall select these impartial and unbiased members of ASCSU to serve on the Elections Committee.

- 
- IV. The Elections Manager shall present these nominees to the Senate for ratification prior to Spring Break the candidates shall be ratified by a majority vote of the ASCSU Senate.
  - V. Members of the Elections Committee shall not be eligible to run for any elected office.
  - VI. The Elections Committee may be assisted by additional non-voting officers (Judicial Officials) as ratified by the ASCSU Senate.

### Section 805 Interregnum

- I. If the newly elected President and Vice President resign from their positions prior to being sworn into office, the President and Vice President ticket with the next highest number of votes shall assume the position of President and Vice President.
- II. If no other President and Vice President tickets exist, the Speaker of the Senate ticket with the highest votes shall take on the office of the President.
- III. If the newly elected Speaker of the Senate ticket resigns prior to being sworn into office, the Speaker of the Senate ticket with the next highest votes shall assume the responsibilities and office of the Speaker of the Senate.
- IV. If no other Speaker of the Senate Tickets exist, the Senate shall elect a Speaker of the Senate.

### Section 806 Referenda and Code

- I. Referenda shall not deal with any aspect of student fees.
- II. ASCSU shall conduct all elections and referenda in accordance with the ASCSU Referenda and Elections Code.
- III. The ASCSU Referenda and Elections Code shall govern all aspects of elections and referenda not explicitly covered by this Constitution, including the execution of an election, the operation of the Elections Committee, and the responsibilities of the Elections Manager and Elections Committee members.
- IV. The ASCSU Referenda and Elections Code shall remain in effect at

- 
- all times, and shall not require yearly re-adoption.
- V. The ASCSU Referenda and Elections Code may only be amended by a Senate bill specifically delineating all proposed amendments.
  - VI. The Senate may pass such a bill with a majority vote of the ASCSU Senate until six weeks prior to Spring Break.
  - VII. A two-thirds vote of the ASCSU Senate shall be required to pass such a bill beginning six weeks prior to Spring Break.
  - VIII. A three-quarters vote of the ASCSU Senate shall be required to pass such a bill during the second week prior to Spring Break.
  - IX. No legislation amending the ASCSU Referenda and Elections code shall be voted upon or brought to the Senate the week prior to Spring Break or during the election period.
  - X. At the conclusion of the elections period, such a bill may be passed by a majority vote of the ASCSU Senate.
  - XI. A bill to amend the ASCSU Referenda and Elections Code shall take effect upon signature of the President or veto override.

## Article IX. Fiscal Management

### Section 901 Establishment Clause

- I. Final responsibility to the Board of Governors and authority for student fee policy shall be vested in the President, Student Fee Review Board, Board for Student Organization Funding, and the Senate of ASCSU.

### Section 902 Regulation

- I. Funds may be transferred between ASCSU departments by the President, only with the approval of Senate in the form of a Supplemental Funding Bill that shall be written and presented by the President and/or their designee.
  - A. Multiple transfers may be presented in one Bill.
  - B. The Senate may vote to approve the reallocation of funds with a simple majority vote.
- II. No branch of ASCSU may commit to distribute funds unless proper funding is available at the time of commitment.

- 
- III. All unbudgeted funds from the ASCSU Fee, from either the initial budgeting, roll-over funds, or any other source of unbudgeted revenue, shall be immediately transferred to the Senate Discretionary Fund by the Director of Finance and the Controller.
    - A. Specifically, the “Discretionary” line item.
    - B. This transfer shall be exempt from the Supplemental Funding Bill requirement.
    - C. The entire Senate shall immediately be notified of the transfer.
  - IV. All student fee policies and expenditures shall comply with federal and state laws as well as University policy as set forth by the Board of Governors.

### Section 903 ASCSU Fee

- I. ASCSU shall receive from assessed student fees a specified amount of money each year for the full or partial support of student activities that are permissible under this Constitution (the "ASCSU Fee").
- II. Once approved by the Senate, the money designated for allocation to student organizations shall be neither allocated nor diminished except by an action of the Board for Student Organization Funding and the Senate.
- III. The ASCSU Board for Student Organization Funding shall have responsibility and authority for allocating such funds in a viewpoint neutral manner.

### Section 904 Board of Student Organizational Funding

- I. The Board for Student Organization Funding shall be comprised of the following: The Executive Director of Finance, who shall serve as the Chair, appointed by the President of ASCSU; one Executive representative, appointed by the President from within Cabinet; five ASCSU members drawn from the ranks of Senators, Associate Senators, and Senate officers; The Chief Justice, Deputy Chief Justice, and Associate Justices; and four members who shall not

---

hold other positions in ASCSU (at-large members), appointed by the Executive Director of Finance with Senate approval.

- A. Upon a vacancy in membership of a Senate member the Senate shall appoint a new member.
- B. Upon a vacancy in the membership of an Executive or at-large member the Chair shall appoint a new member.
- II. Senate shall have the ability to call for legislative resignation of any Board for Student Organization Funding member following the procedures set forth in this constitution.
- III. The Executive Director of Finance shall have the responsibility of carrying out the decisions of the Board for Student Organization Funding and shall monitor all aspects of the President's budget.
- IV. The incoming ASCSU President shall present the ASCSU Budget to the Board for Student Organization Funding prior to its presentation to the Senate as defined by Article III.

### Section 905 BSOF Powers

- I. The Board for Student Organization Funding shall have the power to establish its own bylaws, rules of order, rules of procedure, and fiscal rules as the members deem necessary, provided that all allocations of the ASCSU Fee shall be done in a viewpoint neutral manner.
  - A. Senate must approve any bylaws and fiscal rules passed by the Board for Student Organization Funding through a bill.
- II. The Board for Student Organization Funding may approve allocations, not to exceed \$14,000 for any one eligible organization.
  - A. If a specific request exceeds \$14,000, it must be ratified by the Senate through a Bill following the Board's recommendation.
  - B. Funding requests presented to the Senate must be accompanied by an itemized budget.
  - C. Any request brought forth in the form of a Bill to ratify the

---

Board for student funding allocations must be approved by the Senate in a viewpoint neutral manner.

- III. Any decision made by the Board for Student Organization Funding may be appealed to the Senate in the form of a Bill in compliance with Senate Bylaws.
  - A. Appeals may be made only in the event that rules of procedure were not followed. The Board for Student Organization Funding shall be bound to implement the Senate's decision.

### Section 906 Student Fee Review Board

- I. The ASCSU Vice President shall chair the Student Fee Review Board.
- II. All additional members shall be appointed in accordance with the Student Fee Review Board Bylaws.
- III. All members of the Student Fee Review Board shall be confirmed by a plurality vote of the Senate.
- IV. Senate shall have the ability to call for legislative resignation of any Student Fee Review Board member.

### Section 907 SFRB Powers

- I. The Student Fee Review Board shall have the power to establish its own Bylaws, rules of order, plan of procedure and fiscal rules as its members deem necessary.
  - A. The Senate must vote to approve the Bylaws and plan of procedure of the Student Fee Review Board through a bill.
  - B. If new Bylaws or plan of procedure cannot be passed the Student Fee Review Board will operate under the last approved Bylaws and plan of procedure approved by the ASCSU Senate.
  - C. All changes to the Bylaws must be clearly presented to the ASCSU Senate.
- II. The Student Fee Review Board shall review and make recommendations as to all student fees and increases thereto within

---

inflation.

- III. The Student Fee Review Board may also recommend new fees to be pledged as revenue to repay bond financing and, fee increases above inflation, fee decreases, and the elimination of fees.
- IV. At the end of the spring semester the Student Fee Review Board shall present the final approved recommended fee package to the ASCSU Senate.
  - A. The ASCSU Senate shall hold a vote of confidence that the SFRB Bylaws approved by the Senate in the fall were substantially followed.
  - B. A Senate majority no-confidence vote may be appealed by the Chair of the SFRB to the Supreme Court, and the Court's decision shall be final.
  - C. If the no-confidence vote is upheld, then the fee package shall go to the Senate for the fee package to be determined by legislation.

## Article X. Records Keeping & The Statutes of ASCSU

### Section 1001 Meetings Clause

- I. All meetings of Senate, Cabinet, Supreme Court, and all ASCSU committees shall be open to the public.

### Section 1002 Documents Clause

- I. All Documents of ASCSU shall have a header stating the date that the document became active and shall state the appropriate branch via seal or written language.
  - A. Documents shall state in the header if they are not to be removed from the Active Statutes of ASCSU.
  - B. Trans branch or Special Committee documents shall not list a branch and instead shall have the official ASCSU logo in the header.
  - C. Senate legislation shall follow the template released by the Legislative Cabinet.
  - D. This Constitution shall not require a header.

- 
- II. All documents submitted for action from all branches including but not limited to, Bills, Resolutions, Leges, Financial Documents, Controller Book, E-mail records, shall be open and accessible by all members of ASCSU.
  - III. All documents shall be accessible through the front desk or the department or branch relevant to the document at hand.
  - IV. An individual shall not be required to reveal the purpose of their document request.

### Section 1003 Legal Tender

- I. Only documents defined within this constitution or its subsidiary documents, and in active effect, shall be legal tender of ASCSU.
  - A. All other documents not legally valid through this constitution or its subsidiary documents shall not be of active effect or of legal tender for the governance of this organization.

### Section 1004 Statues of ASCSU

- I. All documents of any active effect on ASCSU, excluding the Constitution Itself, shall be part of the governing ‘Statutes of ASCSU’.
- II. The ‘Statutes of ASCSU’ shall be actively maintained by the Parliamentarian, another member of Senate leadership as designated by the Legislative Cabinet, a member from the Judicial branch as designated by the Chief Justice, and a member from the Executive branch as designated by the President.
  - A. The Chief Justice and President may designate themselves.
- III. The entire active ‘Statutes of ASCSU’ shall be accessible through the ASCSU Records website.
- IV. The entire active ‘Statutes of ASCSU’ shall be accessible through the ASCSU Records website.
- V. The umbrella of the ‘Statutes of ASCSU’ is devised into 4 subdivisions; ‘Statutes of the Senate’, ‘Statutes of the Executive’,

---

‘Statues of the Judicial’, and ‘Statutes of the Special Bodies’.

VI. Statutes of the Senate

A. The Statutes of the Senate shall be all bills, resolutions, leges, general orders, and job descriptions in effect; and the bylaws of the Senate.

B. All bills, resolutions, leges, and general orders passed by the current seated Senate, not amending a higher tiered document or a Statue of the Special Bodies, shall only be legal tender for the current ASCSU administration; unless specified by special circumstances by the Senate in the document at passage.

VII. Statutes of the Executive

A. The Statutes of the Executive shall be all bylaws, orders, job descriptions, and governing documents of the Executive Branch.

B. The Statutes of the Executive shall only be legal tender for the current sitting Executive administration.

VIII. Statues of the Judicial

A. The Statutes of the Judicial shall be all rulings, opinions, job descriptions, and bylaws of the Judicial Branch.

B. Court rulings or opinions regarding wordage, procedure, or clarification on the Constitution or any set of active governing document are considered permanent legal tender for two (2) whole ASCSU administrative years.

C. Such rulings or opinions stated in subsection (e), (ii), may be subject to court revision and new ruling after two (2) whole ASCSU administrative years if such rulings or opinions are used as evidence, argument, or appeal in any Court case.

D. Court disciplinary rulings with action taken against a person(s) are permanent but shall be archived after the person(s) leaves office.

IX. Statues of the Special Bodies

A. The Statues of the Special Bodies shall be the bylaws of SFRB, BSOB, LSAB, the Investigation Committee, and the ASCSU

---

Referenda and Elections Code.

B. These documents and their rules shall remain defined by this Constitution.

- X. Any document no longer of active effect or of legal tender shall be removed from the active set of ‘Statutes of ASCSU’ and appropriately archived.

### Section 1005 Archives Clause

- I. All legislation passed or tabled, meeting agendas, meeting minutes, and other documents produced by the ASCSU Senate shall be submitted to the Archives and Special Collections Department of the Colorado State University Libraries for historical preservation by and through the ASCSU Administrative Assistant yearly on the first business day following the last meeting of the current Senate.
- II. All meeting agendas, meeting minutes, and various documents produced by the ASCSU Executive Branch critical to their operation shall be submitted to the Archives and Special Collections Department of the Colorado State University Libraries for historical preservation by and through the ASCSU Administrative Assistant yearly on the first business day following the last day of the current Administration.
- III. All meeting agendas, meeting minutes, and various documents produced by the ASCSU Judicial Branch critical to their operation, not defined as classified or private, shall be submitted to the Archives and Special Collections Department of the Colorado State University Libraries for historical preservation by and through the ASCSU Administrative Assistant yearly on the first business day following the last day of the current Administration.

## Article XI. Amendments

### Section 1101 Legislative Amendment

- I. A special bill to amend this Constitution may be brought to the floor of the Senate in the form of a standard bill or by the presentation to the Speaker of the Senate of a petition containing

---

the signatures of not less than 5% of the members of ASCSU.

- II. Amendment bills shall be publicized.
- III. All proposed amendments must specifically delineate the exact changes being proposed.
- IV. Passage of this bill requires a two-thirds majority vote, of the ASCSU Senate on two successive Senate sessions.
- V. The first vote shall take place no sooner than one week after the initial presentation of the bill.
- VI. Upon the two successive two-thirds votes of the Senate and Executive approval, this amendment shall become effective.
- VII. A three-fourths vote of the ASCSU Senate is required to override a Presidential veto of a constitutional amendment.

### Section 1102 Referendum

- I. This Constitution may be amended at any time by a majority vote in a referendum with no less than 10% of the members of ASCSU voting.
- II. Such an amendment shall be placed on a referendum by the Elections Manager upon receipt of a petition containing the signatures of not less than 10% of the members of ASCSU to that effect.

## Article XII. Ratification of this Constitution

### Section 1201 Enactment Clause

- I. Upon amendment, this Constitution shall be ratified by the majority vote of not less than 10% of the voting members of the Associated Students of Colorado State University by placement of the question “Do you vote to approve the Constitution of the Associated Students of Colorado State University?” at the end of the general election ballot.

### Section 1202 Supplemental Clause

- I. All amendments to this Constitution made in accordance with Article X, must be approved prior to Spring Break for inclusion on the general election ballot.

---

## Section 1203 Consistency Clause

- I. Upon successful ratification by the student body, the Chief Justice of the ASCSU Supreme Court shall verify that Article XII, Section 1204 is updated with the correct date of ratification, which shall be the date in which voting concludes in the general election, as defined in Article VIII, Section 801.

## Section 1204 Concurrence Clause

- I. This Constitution renders all previous constitutions null and void, and was ratified in the above prescribed manner on MAY 2021.

# DECLARATION OF RIGHTS

## Title I:

The Students of Colorado State University shall have the right to self-governance including the right to recommend student fees and the right to participate in administration of those student fees; the right to fair, functional, accessible and productive representation by student government; the right to have their needs and concerns represented by ASCSU on any level; and the right to easily access student government representation and the right to lobby on the state level.

## Title II:

The Students of Colorado State University shall have the right to quality education, academic excellence, challenging curricula, excellence in teaching, and current, updated technology; the right to evaluate faculty and classes; the right to competent advisors and advising programs leading to efficient progression toward degree requirements; the right to timely access of current class grades; and the right to participate in extracurricular activities and programs which are enriching, entertaining, diverse, and enhance academic development will not be denied students of Colorado State University.

## Title III:

Every Colorado State University student has the right to be recognized as a community, state, and national and an international citizen; the right to be treated with respect and professionalism by all administrators, faculty, staff and fellow students; the right to freedom from discrimination or harassment on the basis of race, age, color, religion, national origin or ancestry, sex, gender, disability,

---

veterans status, political beliefs, handicap, creed, genetic information, or sexual orientation, gender identity and gender expression.

#### Title IV:

Colorado State University students may freely exercise their full rights as citizens without fear of University interference; the right to engage in discussion, to exchange thought and opinion, and to speak, write, or print freely; the right to join associations; the right to peaceful assembly and protest; the right to clearly stated rules, policies, regulations, and appeals processes; and the right to freedom from illegal searches and seizures.

#### Title V:

The Students of Colorado State University shall have the right to a safe and functional physical environment including all buildings, parking areas, bikeways, and walkways; and the right to special needs accessibility shall not be infringed upon.

#### Title VI:

The Students of Colorado State University shall have the right to clearly stated rules, policies, regulations, and appeals processes; and the right to fair and impartial treatment in instances of general and academic discipline, and academic evaluation shall not be denied any student.

#### Title VII:

Colorado State University students shall have the right to appeal decisions affecting students and students' rights, and the right to fair and impartial treatment, and the right to due process in instances of general and academic discipline and academic evaluation.

#### Title VIII:

The Students of Colorado State University shall have the right to quality lifestyle services to include housing, food services, health care, entertainment, and childcare.

#### Title IX:

The right to privacy of student records will not be denied to any Student of Colorado State University.

#### Title X:

All Students of Colorado State University have a right to fully exercise freedom of speech and freedom of press, and should not be subject to prior restraint or any other censorship by any administrator, regent, or governing board of Colorado State University; nor should any student be subject to disciplinary action solely on

---

the basis of conduct that is speech or other communication that, when engaged in outside of campus, is protected from governmental restriction.

