

# **CONSTITUTION of the University Student Apartments Resident Association at the University of Utah**

## **PREAMBLE**

We the residents of University Student Apartments (Student Apartments) at the University of Utah, in order to form a community government which represents the interests and concerns of the residents, proposes policies consistent with those interests, and provides programming for residents, do hereby establish this Constitution for the University Student Apartments Resident Association (USARA).

## **ARTICLE I MEMBERSHIP AND ORGANIZATION**

### **Section 1 - Membership**

- 1.1 Membership of USARA shall be limited to eligible residents of Student Apartments at the University of Utah.
- 1.2 Student Apartments policies and procedures shall define resident eligibility.

### **Section 2 - Governing Bodies**

- 2.1 The governing bodies of USARA shall consist of the Resident Council, the Executive Committee, and the Advisory Board.

### **Section 3 - Resident Council**

- 3.1 The Resident Council shall consist of four resident members of USARA holding the positions of Mayor, Facilities Council member, Financial Council member, and Programs Council member.

### **Section 4 - Executive Committee**

- 4.1 The Executive Committee shall consist of the Resident Council, the Student Apartments Director, and appointed members of the Student Apartments Administration. The Director shall appoint a member of the Student Apartments Administration as an advisor to the Resident Council.

### **Section 5 - Advisory Board**

- 5.1 The Advisory Board shall consist of the Resident Council and three appointed representatives of the University of Utah Administration. The Student Apartments Director and appointed members of the Student Apartments Administration serve on the Advisory Board in a non-voting capacity.

(Approved by Board of Trustees, July 10, 1995)

**ARTICLE II**  
**RESIDENTS**

**Section 1 - Resident Responsibilities**

- 1.1 Residents shall abide by the policies and procedures of Student Apartments and the University of Utah.
- 1.2 Residents shall be subject to disciplinary action by the Student Apartments Administration for:
  - (a) violation of the terms and conditions of the rental agreement,
  - (b) violation of Student Apartments or University of Utah policies and procedures; or,
  - (c) failure to maintain resident eligibility.
- 1.3 Residents shall have the right of appeal to the Special Hearings Committee, the Financial Appeals Committee, or the Student Apartments Director.

**Section 2 - Open Access to Meetings**

- 2.1 The Executive Committee and Advisory Board meetings shall be open to residents of Student Apartments in a non-voting capacity.

**ARTICLE III**  
**RESIDENT COUNCIL**

**Section 1 - Resident Council**

- 1.1 The Resident Council members shall:
  - (a) represent interests and concerns of residents,
  - (b) propose policies consistent with resident interests,
  - (c) provide programming for residents,
  - (d) regulate policy governing the resident use of the Community Centers,
  - (e) serve on the Special Hearing and Financial Appeals Committees,
  - (f) serve on the Executive Committee and as voting members of the Advisory Board,
  - (g) serve as directed by the Resident Council,
  - (h) attend Executive Committee and Advisory Board meetings,
  - (i) provide or assign representation at the meetings of other student associations and campus organizations,
  - (j) submit a proposed yearly budget to the Student Apartments Administration as required; and,
  - (k) authorize Resident Council expenditures.

## **Section 2 - Mayor**

- 2.1 The Mayor shall:
- (a) coordinate Resident Council activities,
  - (b) chair Resident Council, Executive Committee, and Advisory Board meetings,
  - (c) establish the meeting agendas,
  - (d) be responsible for the minutes of all the meetings,
  - (e) appoint a member of the Resident Council to act as Chair in the Mayor's absence,
  - (f) have the authority to call special meetings of the Resident Council, the Executive Committee, and the Advisory Board; and,
  - (g) cast the deciding vote, as Chair of the Advisory Board, in the event of a tie.

## **Section 3 - Facilities Council Member**

- 3.1 The Facilities Council member shall:
- (a) review and make recommendations on Student Apartments facilities and environmental issues; and,
  - (b) coordinate projects and tasks with members of the Student Apartments Administration as designated by the Director.

## **Section 4 - Financial Council Member**

- 4.1 The Financial Council member shall:
- (a) ensure that the financial accounts of the Resident Council are managed in accordance with the administrative and fiscal policies of the University of Utah,
  - (b) provide financial advice on Resident Council expenditures,
  - (c) provide financial reports each month; and,
  - (d) prepare the proposed yearly budget.

## **Section 5 - Programs Council Member**

- 5.1 The Programs Council member shall:
- (a) plan and coordinate programs and activities for residents,
  - (b) prepare a proposed yearly programs and activities agenda,
  - (c) coordinate publicity for Resident Council sponsored activities,
  - (d) supervise Resident Council programs,
  - (e) establish and maintain a vendors list; and,
  - (f) keep records of Resident Council programs.

**Section 6 - Compensation**

- 6.1 Resident Council members shall be compensated out of Resident Council's operating budget.
- 6.2 Compensation shall be recommended by the Resident Council and approved by a majority vote of the three members of the University of Utah Administration appointed to the Advisory Board.

**Section 7 - Vacancies**

- 7.1 Should the position of Mayor become vacant, the Advisory Board shall appoint a member of the Resident Council to fulfill the position for the remainder of the current term.
- 7.2 All other Resident Council vacancies shall be filled either by:
  - (a) special elections; or,
  - (b) appointment by a Nominating Committee.
- 7.3 The Nominating Committee shall consist of a minimum of four members of the Advisory Board, at least two of which must be members of the Resident Council.

**Section 8 - Terms of Office**

- 8.1 All members of the Resident Council shall be elected by eligible members of USARA for a term of one (1) year to begin on the first (1<sup>st</sup>) day of the month of June with a maximum of two (2) elected terms.

**ARTICLE IV  
EXECUTIVE COMMITTEE**

**Section 1 - Responsibilities**

- 1.1 The Executive Committee shall meet no less than twice monthly:
  - (a) to review the interests and concerns of residents; and,
  - (b) to review Resident Council sponsored programs and operations.

**ARTICLE V  
ADVISORY BOARD**

**Section 1 - Responsibilities**

- 1.1 The chief responsibility of the Student Apartments Advisory Board is to review and advise the Student Apartments Administration on:
  - (a) policies and procedures; and,
  - (b) resident concerns.

- 1.2 Additional responsibilities of the Student Apartments Advisory Board shall be:
- (a) to review actions of the Executive Committee and the Resident Council,
  - (b) to appoint an Elections Committee,
  - (c) to validate Resident Council election results; and,
  - (d) to coordinate efforts between USARA and other University of Utah departments and agencies.

**ARTICLE VI**  
**SUSPENSION/REMOVAL FROM OFFICE**

**Section 1 - Suspension/Removal From Office**

- 1.1 Members of the Resident Council may be suspended or removed from office for:
- (a) failure to fulfill duties of office,
  - (b) actions unbecoming of a Resident Council member,
  - (c) violations of by-laws,
  - (d) consecutive unexcused absences from meetings; or,
  - (e) failure to comply with all provisions of the Rental Contract and Handbook of Terms and Conditions of Occupancy for University Student Apartments (the "Rental Contract") as it may be updated and revised from time to time.
- 1.2 A petition for suspension or removal from office of a Resident Council member from office shall be brought by:
- (a) members of the Resident Council; or
  - (b) petition signed by a minimum of 50 USARA members.
- 1.3 Hearings to suspend or remove a Resident Council member from office shall be conducted by the Advisory Board.
- 1.4 The conditions of suspension or removal from office shall be determined by the Advisory Board.
- 1.5 A Resident Council member under suspension shall forfeit all rights and privileges for the period of suspension determined by the Advisory Board.
- 1.6 A Resident Council member who has been suspended or removed from office shall have the right of appeal to the Associated Students of the University of Utah (ASUU) Supreme Court.

**ARTICLE VII**  
**ELECTIONS**

**Section 1 - Eligibility and Registration**

- 1.1 Resident Council members shall be elected in a USARA general election to be held prior to the first (1<sup>st</sup>) day of June in accordance with this Constitution and the Election Rules and Procedures.
- 1.2 All eligible USARA members may vote during Resident Council elections.
- 1.3 Candidates for the Resident Council must register by completing an election packet and submitting any necessary documents prior to the deadline set.

- 1.4 Neither employees of Student Apartments nor Resident Assistants shall serve on the Resident Council.

### **Section 2 - Votes and Election Results**

- 2.1 The candidate receiving the most votes is the winner.
- 2.2 In the event of a tie, a run-off election shall be held.
- 2.3 If one of the two candidates in a run-off election withdraws, the other candidate shall be declared the winner.
- 2.4 The Advisory Board shall confirm the election results.
- 2.5 Election results shall be posted at the Student Apartments Main Office upon confirmation by the Advisory Board.
- 2.6 Candidates serving as members of the Advisory Board shall not participate in the administration of the election.
- 2.7 Newly elected members of the Resident Council shall take office on June 1st of the new calendar year as set forth in Article III, Section 8.

### **Section 3**

- 3.1 An Elections Committee shall be appointed by the Advisory Board to oversee and administer the elections, and shall be comprised of five members as follows:
  - (a) USARA members or retiring Resident Council members; and,
  - (b) one University of Utah Administration member of the Advisory Board to serve as Chair of the Elections Committee.

### **Section 4 - Protests**

- 4.1 Any Election protest(s) not resolved by the Election Grievance Committee must be submitted in writing to the Advisory Board within forty-eight (48) hours after posting the election results.
- 4.2 Written protest(s) submitting within forty-eight (48) hours after posting the election results shall be resolved by the Advisory Board.

## **ARTICLE VIII**

### **RATIFICATION AND AMENDMENTS**

#### **Section 1 - Ratification**

- 1.1 This Constitution shall become effective upon the approval of:
  - (a) the Student Apartments Advisory Board,
  - (b) the Student Apartments Administration,
  - (c) the University of Utah Administration,
  - (d) the Committee on Student Affairs,
  - (e) the Board of Trustees; and,
  - (f) a majority vote of the ballots cast by the USARA members.

## **Section 2 - Amendments**

- 2.1 Amendments may be proposed by:
  - (a) at least five (5) of the seven (7) Advisory Board members; or,
  - (b) a petition signed by at least 100 residents and presented to the Chair of the Advisory Board.
- 2.2 Amendments must be ratified by a majority vote of the USARA members in a general USARA referendum following approval of the Board of Trustees. Board of Trustees approval will be preceded by review and recommendations by such University organizations as the Board of Trustees may require.
- 2.3 Proposed amendments shall become a valid part of this Constitution upon ratification as set forth in Article VIII, Section 2.2.

## **Section 3 - By-Laws**

- 3.1 By-laws not in conflict with this Constitution may be adopted, amended, or repealed by a majority vote of the Advisory Board.