

ASSOCIATED STUDENT GOVERNMENT CONSTITUTION & BYLAWS



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ASSOCIATED STUDENT GOVERNMENT *CONSTITUTION*

PREAMBLE

We, the students of Santa Ana College, in order to encourage student responsibility and self-government, do hereby establish this constitution.

MISSION

The Associated Student Government of Santa Ana College is committed to empowering students: by celebrating diversity; by supporting programs and activities that develop mutual understanding; by developing leadership qualities of honesty, advocacy, and integrity; by assisting the student in discovering success and happiness; and by endeavoring to build a future in which students are vitally involved in all academic and decision making processes of the college.

ARTICLE I – NAME

The name of this organization shall be Associated Student Government of Santa Ana College, hereafter referred to as the ASGSAC.

ARTICLE II – MEMBERSHIP

All Associated Students of Santa Ana College who are registered shall be members of this organization and shall be entitled to the rights and privileges as set forth in this Constitution. The latest edition of Robert's Rules of Order, newly revised, will be the parliamentary authority of this organization.

ARTICLE III – EXECUTIVE

Section 1: The Executive power shall be vested in the ASGSAC President, who shall be the official representative of the Associated Students.

Section 2: The President shall present a "State of the Student Address" before a combined body of the Executive Cabinet and the Santa Ana College Senate on/or before the fourth (4th) Senate meeting of the fall semester.

Section 3: The President shall be responsible for assisting in the formulation and direction of ASG programs and activities as set forth in the current ASGSAC Budget. The President shall also be responsible for formulating and directing approved programs and activities outside the established budget.

Section 4: The Executive Cabinet shall be composed of the ASGSAC President, Student Trustee, Vice-President, Treasurer, Secretary, Commissioners, Game-room Manager, and the Inter-Club Council President (who shall be elected by the Inter-Club Council).

Section 5: Appointed members of the Executive Cabinet shall serve no longer than one term. A term

shall begin July 1st and end June 30th.

Section 6: All members of the Executive Cabinet shall be directly responsible to ASGSAC President, excluding Student Trustee and the Inter-Club Council President.

Section 7: The President shall have the power and responsibility to:

- A. Veto any Senate Legislation when deemed necessary and proper.
- B. Appoint Commissioners by the fourth (4th) week of the Fall Semester subject to a majority confirmation vote of the Senate. If the seats are not filled by the end of the fourth (4th) week of the Fall semester, the President must entertain qualified nominations from Senate in order to expedite the appointment process.
- C. Appoint the members of the Judiciary, with 2/3 confirmation vote of the Senate, within a three (3) week vacancy. The President must entertain qualified nomination from the Senate if unable to fill vacant seats within four weeks.
- D. Fill vacancies that occur in the Executive or Judiciary branches within three (3) weeks after the vacancy occurs. The President must entertain qualified nominations from the Senate if unable to fill vacant seats within four weeks. Appointments must be approved by 2/3 vote of the Senate.
- E. Conduct Associated Student business, when called upon to do so.
- F. Preside over the Executive Cabinet.
- G. Provide for the enforcement of judicial decisions and ASGSAC laws and Regulations.
- H. Form a committee to investigate any alleged violations of student rights by any member of the administration, faculty, or staff. The committee, under the President's authority, shall recommend appropriate action to all students and student groups. Upon a student's request, an alleged student grievance will be handled in accordance with the RSCCD Student Complaint procedure.

Section 8: The power of the student member of the RSCCD Board of Trustees shall be vested in the RSCCD Student Trustee who shall be a non-voting member on the RSCCD Board of Trustees and a non-voting member of the ASGSAC Executive Cabinet. The Student Trustee shall be independent of all other members of the ASGSAC and ASBSCC, respectively as a paid employee of the District, and will be appointed per the Student Trustee selection process. (Adopted by the B.O.T. Spring 2016).

ARTICLE IV – LEGISLATIVE

Section 1: The legislative power shall be vested in the Senate of Santa Ana College presided over by the ASGSAC Vice-President, who shall be President of the Senate.

Section 2: The term of an elected Senator shall be one Senate year or from the time they are elected to the conclusion for the Senate Year. A Senate year shall begin at the time Senators take office on July first (1st) and run for twelve months ending June (30th). The Summer Senate, Fall Senate, and Spring Senate shall constitute a Senate year

Section 3: The office of Freshmen Senator shall be defined as the completion of less than one (1) semester in ASGSAC or the completion of less than twenty-four (24) units of college course work at the time of election.

Section 4: The Senate shall be composed of an adequate number of Senators to serve the needs of the AS, with the election of Senators executed in the following manner:

- A. An equal number of freshmen and Elected Senators.
- B. Equal representation for each instructional division and/or program.

Section 5: When a vacancy occurs in the Senate at any time, the Vice-President shall make an appointment to fill the vacancy. Confirmation of appointments to the Senate shall be by 2/3 vote of the of the appropriate Senate quorum. Quorum is defined as anything over a majority. The appointee shall hold the position for the remainder of the Senate year.

Section 6: The Senate shall meet in open session at least once per week throughout the regular semester, except periods of vacation or legally established holidays.

Section 7: The Senate shall have the power to:

- A. Approve or disapprove the ASGSAC Budget.
- B. Approve or disapprove all expenditures outside the established budget. This shall include the transfer of funds between ASGSAC accounts.
- C. Request, by 2/3 of the appropriate Senate, the resignation of any officer for neglect of duty or conduct unbecoming of an officer of the ASGSAC.
- D. Impeach, by 2/3 vote of the appropriate Senate, any officer of the ASGSAC for the neglect of duty or conduct unbecoming an officer of the ASGSAC after a disciplinary hearing.
- E. Approve of all appointments made by the President shall be by a 2/3 vote of the appropriate Senate.
- F. Elect a President Pro-Tempore by the fourth (4th) week of the Fall Senate, who shall be the presiding officer of the Senate in the absence of the Vice- President.
- G. Consider any legislation not signed or vetoed by the President within five (5) days of his/her receipt of said legislation as law (Saturdays, Sundays, legal holidays, and vacations excluded).
- H. Pass laws, which shall be referenced in accordance with the By-laws of the ASGSAC Constitution.
- I. Make laws, which are necessary and proper for executing the foregoing powers vested by this Constitution.
- J. To dismiss any member of Student Government when the member does not meet the qualifications or fails to attend meetings.

Section 8: The President may veto any measure passed by the Senate. The Senate may then, by a 3/4 vote, override the veto.

ARTICLE V – TREASURER REPRESENTATIVE

Section 1: The Treasurer Representative shall be responsible for monitoring all ASGSAC Finances.

Section 2: The Treasurer Representative shall chair the ASGSAC Finance Committee.

Section 3: In the event of a vacancy in the office of Treasurer Representative, the Co-Chair of the Finance Committee shall become the Treasurer Representative until a suitable replacement is appointed.

Section 4: The Treasurer Representative shall have the responsibility to:

- A. Prepare, with the AD HOC committee, the Annual ASGSAC established budget.
- B. Ensure the presentation, to the Senate, of a monthly financial report.
- C. Initiate ASGSAC purchase orders as appropriate.
- D. Obtain approval, by 2/3 vote of the Senate, of all disbursements over three hundred dollars (\$300).
- E. The Treasurer Representative may make emergency disbursements of less than three hundred dollars (\$300) with the approval of the ASGSAC President or the Vice-President, and Student Activities Coordinator.
- F. Advise the President concerning ASGSAC finances.
- G. Maintain accurate files of purchase orders, financial statements, and all other materials related to ASGSAC finances.
- H. Coordinate the purchase of ASGSAC supplies and equipment.
- I. Work closely with those college administrators who oversee the accounts of ASGSAC.

ARTICLE VI – JUDICIARY

Section 1: The judicial power of the ASGSAC shall be vested in the Supreme Court.

Section 2: The Supreme Court shall consist of no less than three members and no greater than seven, always maintaining an odd number of members.

Section 3: At no time will the Supreme Court have a majority of freshmen justices.

Section 4: At no time will the Supreme Court have a member holding any other ASGSAC office.

Section 5: The Supreme Court shall have the power to:

- A. Restrict the rights and privileges of an ASGSAC member, with the knowledge and consent of the Director of Student Services and/or Student Activities Coordinator.
- B. Interpret and review those laws which are enacted upon petition by any member of ASGSAC and review all cases brought to its attention concerning student regulations and activities.
- C. Try all impeachments made by the Senate; a 2/3 Justice Vote is required for conviction.
- D. Declare null and void any and all legislation, which is brought to its attention and found unconstitutional.

Section 6: The Legislative Committee shall be consist of two (2) members each of the Supreme Court, the Senate, and the Executive cabinet (Legislative Commissioner & one other).

Section 7: Justices shall hold office for no longer than the term of the President at the time of appointment.

Section 8: The Executive Cabinet must originate any Justice impeachment. Upon a vote of 2/3 of the Executive Cabinet, the impeachment shall be referred to the Senate or a hearing. Justices may be impeached by a 2/3 vote of the Senate.

Section 9: The President of the Executive Cabinet may appoint an executive member to represent ASGSAC at Supreme Court meetings. The Director of Student Services or Student Activities Coordinator

shall be present at Supreme Court meetings.

ARTICLE VII – QUALIFICATIONS

Section 1: All candidates and write-in candidates for an ASGSAC position must:

- A. Be enrolled in at least five units and maintain a cumulative 2.0 GPA each semester.
- B. Be involved in ASGSAC Student Government for no more than six (6) semesters, excluding summer sessions. Semesters will be tallied to include offices held as ASGSAC President, Vice-President, Treasurer Representative, President Pro-Tempore, Executive Cabinet Member, and Supreme Court Justices.

Section 2: The ASGSAC President, Vice-President, and Treasurer Representative shall be elected for one (1) term. No person may hold office for more than one (1) term. The exception being the following: that a person who successfully completes a full year in office (Spring elected), with no interruptions, and who receives a vote of confidence (simple majority) from both the Senate and the Executive branches, then that person may run for a second term. (The Continuity Rule)

Section 3: Upon vacancy of the office of ASGSAC President, the ASGSAC Vice-President shall assume the duties and responsibilities of the ASGSAC President until a suitable candidate is found to replace the former President. At which time all qualified applicants will be accepted. For a mid-term replacement, for the office of president, a candidate must come from within the auspices of the ASGSAC. This shall include anyone from within the three major branches (Executive, Legislative & Judicial), ICC Officers, Shared governance, and the Club officers. The ASGSAC President Pro-Tempore shall assume the duties and responsibilities of the ASGSAC Vice-President, where upon the Senate shall elect a President Pro-Tempore to serve during the interim.

Section 4: All officers of ASGSAC may be subject to impeachment.

Section 5: No member of the ASGSAC may hold more than one (1) constitutionally established office at the same time.

ARTICLE VIII – ENTITLEMENT TO ASSOCIATED STUDENTS

Section 1: Member of the Associated Students may initiate proposals to amend the ASGSAC Constitution. Such proposals, with a petition signed by five (5) percent of the members of the Associated Students, shall be submitted to the Senate for verification of signatures. Upon verification a general election shall be held within ten (10) days (Saturdays, Sundays, legal holidays, and vacations excluded.) Amendments to this constitution must be approved by 2/3 of all votes cast in the general election.

Section 2: All elected officers of the ASGSAC are subject to recall by the members of the Associated Students. A written petition signed by five (5) percent of the members of Associated Students will constitute a request for recall. The petition must be submitted to the Senate for validation of the signatures. Upon validation the petition will be forwarded to the ASGSAC President. A recall vote will be taken within ten (10) days (Saturdays, Sundays, legal holidays, and vacations excluded). A 2/3 majority vote is necessary to recall an elected officer.

ARTICLE IX – LEGISLATIVE DOCUMENTAL BODIES

Section 1: There shall be three main collections of legislative and administrative documents kept by the ASGSAC. First and foremost, the Constitution of the ASGSAC, which shall have primacy over all other documents. Second are the By-Laws of ASGSAC, which shall help in the effective running of ASGSAC and help to enhance the Constitution. The third body of documents shall be a compilation of various documents known as ASGSAC Policy. Herein, shall be placed all the rules, regulations, recommendations and rulings by the various groups within student government. ASGSAC Policy is the least binding of the above mentioned documents. In the event of a conflict between the various documents the superior one takes precedent.

ARTICLE X – AMENDMENT PROCEDURES

Section 1: Amendments and revisions must be ratified by a 2/3 vote of the total votes cast in general election.

Section 2: Amendments and revisions to the ASGSAC By-Laws must be approved by 2/3 vote of the appropriate Senate quorum.

Section 3: Amendments to the ASGSAC Policies may be passed with majority vote of the Senate.

Section 4: Corrections of grammar, spelling or punctuation may be changed by the Supreme Court in consultation with, and the aid of, an English instructor at SAC, endeavoring to keep the intent and meaning of the document clear and concise.



ASSOCIATED STUDENT GOVERNMENT BYLAWS

ARTICLE I – GENERAL BYLAWS CODE

Section 1: The requirements for bylaws shall be known as the General Bylaws and shall determine the procedures governing the ASGSAC.

Section 2: A bylaw shall be considered as a definite part of the ASGSAC framework and carry the full weight of legal and regulatory power.

Section 3: The Bylaws of the ASGSAC shall be included in various sections, each bearing the title of a Code. Bylaws shall be organized into a pertinent code section.

Section 4: Code section shall be numbered and titled in the following manner:

- I General Bylaws Code
- II Executive Code
- III Legislative Code
- IV Judicial Code
- V ASGSAC Committees Code
- VI Rules Code
- VII Elections Code
- VIII Publicity Code
- IX Activities Code
- X Finance Code
- XI Club/Organizations Code
- XII Inter-Club Council Code
- XIII RSCCD Student Trustee Code

Section 5: Creation of By-laws shall be created and put into effect when legislation is approved by the ASGSAC Senate by a two-thirds (2/3) majority of the votes cast.

Section 6: Any reference to the Rancho Santiago Community College District shall hereafter be referred to as RSCCD.

ARTICLE II – EXECUTIVE CODE

Section 1: The bylaws for the ASGSAC Executive Cabinet, hereafter referred to as the Cabinet, shall be known as the Executive Code and shall govern the Cabinet's governmental business and operational procedures.

Section 2: Cabinet Legislative Procedures. Cabinet Legislative Procedures are those procedures that structure Cabinet transactions.

Section 3: Types of Cabinet Legislation

- A. There are three (3) types of Cabinet Legislation: Bills, Resolutions and Recommendations.
- B. Legislation directed to the ASGSAC Senate from the Cabinet Shall be brought to the floor as a Joint Bill or Recommendation.
 1. **Bills.** Bills deal with the ASGSAC Constitution and Bylaws.
 - a. Cabinet approval of a bill must be by a two-thirds (2/3) majority of the votes cast.
 - b. Bills wait one (1) business week from the time they are presented, until the Cabinet may vote upon them.
 2. **Resolutions.** Resolutions deal with legislation for the general welfare of the Cabinet and/or ASGSAC. Resolutions include Executive Orders (i.e. temporary policies created by the cabinet until formal policies can be created).
 - a. No motion shall be entertained if it is in conflict with the ASGSAC Constitution, Bylaws, Policies, Executive Orders and/or Conflicts with SAC and/or RSCCD policies.
 - b. Cabinet approval of a resolution must be a two-thirds (2/3) majority of the votes cast.
 3. **Recommendations:** Recommendations deal with powers not vested within the Cabinet or any of the ASGSAC, but with a means of bringing to the attention of the ASGSAC Senate, SAC, and/or RSCCD certain desired Actions of the Cabinet, and ASGSAC
 - a. Legislation must be voted upon in the established procedures of the Cabinet.
 - b. The Cabinet officer proposing the legislation shall be responsible for informing the ASGSAC of the status of that recommendation and for reporting the progress of that recommendation's implementation.
 - c. Cabinet approval of any legislation must be by a two-thirds (2/3) majority of the votes cast.
 - d. The author of any piece of legislation or someone entrusted should be present at the meeting to speak on the legislation to be presented.

Section 4: Cabinet Sessions shall be of one (1) type: Regular Sessions.

- A. **Regular Sessions.** A Regular Meeting of the Cabinet shall be scheduled throughout Fall and Spring semester at the discretion of the A.S.G. President, unless otherwise specified by the President, excluding vacation periods, holidays and finals week.
- B. **Special Meetings.** The Cabinet may be called into a Special Meeting at any time by the President or by a (anything over 50%) of the current voting cabinet members.
- C. All meetings must have an A.S.G advisor must be in attendance.

Section 5: Membership of the Cabinet

- A. The Executive Cabinet of the ASGSAC shall consist of the following officers: Executive Officers:
 1. President
 2. Vice President
 3. Treasurer
 4. Inter-Club Council President (**Elected** from within the ICC Council by club reps.)
 5. Student Trustee (**Elected** by the student bodies at both SAC and SCC)
 6. Executive Recording Secretary (**Appointed**)
 7. Cabinet Members
 - a. Activities Commissioner
 - b. Health Awareness Commissioner
 - c. Cultural Awareness Commissioner

- d. Legislative Commissioner
 - e. Public Relations Commissioner
 - f. Recruitment Commissioner
 - g. Sustainability Commissioner
 - h. International Student Commissioner
 - i. AB540/ Undocumented Student Commissioner
- B. All members of the Cabinet have full voting rights and privileges, with the exception of the Student Trustee and the Secretary.

Section 6: President Veto. The President has the right to veto legislation of the ASGSAC Senate. Any veto must occur within five calendar days of passing the Senate.

Section 7: Advisory Status

- A. Each officer of the Cabinet shall serve as an advisor to the ASGSAC President. Each officer shall recommend to the President, activities and business to be initiated by the Cabinet. There may be one (1) person appointed to each Executive Cabinet position.
- B. Additional duties are found in the Constitution and the ASGSAC Policy.

Section 8: Powers and Responsibilities

A. President

- 1. Prepares the agenda for and presides at Cabinet Sessions
- 2. Represents the ASGSAC at appropriate ceremonial, social and political occasions.
- 3. May serve on any ASGSAC Committee
- 4. The President shall have the power to appoint commissioners, as he/she deems necessary, with majority approval of the votes cast by the ASGSAC Senate.
- 5. Appointees shall be present at the Senate meeting at which they are to be confirmed to give a speech or answer any questions the Senators may ask them.
- 6. Appoints ASGSAC Supreme Court, ASGSAC Standing and Ad-Hoc Committee Chairs and representatives to all shared Governance Councils and Committees, with the approval of the ASGSAC Senate.
- 7. Represents the ASGSAC at meetings of the RSCCD Board of Trustees, SAC and RSCCD Foundations, and SAC Presidents Council.
- 8. The President may appoint a designee if he/she is unable to attend.
- 9. Presents the ASGSAC Budget to the President's Council of SAC.
- 10. Shall appear before the ASGSAC Senate at the first and last regular session of each semester to present the state of the ASGSAC relative to past achievements, current standing and future goals.
- 11. Shall have the power to conduct ASGSAC business
- 12. Authority to sign off on ASGSAC funds when the Treasurer is absent.
- 13. May request other members of the ASGSAC, with simple majority approval of the ASGSAC Senate, to perform duties not stated within the ASGSAC Constitution and/or Bylaws.

B. Vice President

- 1. Assumes the duties of the President in his/her absence.
- 2. Prepares the agenda and presides at ASGSAC Senate Sessions.
- 3. Represents the ASGSAC, along with the President, at appropriate ceremonial, social and

political occasions.

4. May serve on any ASGSAC Committee.
5. Represents the ASGSAC at meetings of the Academic Senate.
6. Provides the ASGSAC Senate Minutes to the Cabinet, and reads the ASGSAC Cabinet Minutes to the ASGSAC Senate.
7. Reports Vacancies of the Cabinet to the Senate.
8. Must conduct monthly classroom publicity presentations, within the appropriate academic semester, alongside the ASGSAC Senate and appropriately assign the quantity of presentations needed for that respective month to all members of the Senate without exceeding two (2) presentations per month and a date to which the proof of these presentations are due. The failure by the Vice President to show proof of the appropriate amount of completed classroom presentations for the respective month by the assigned due date shall be charged with an unexcused tardy.

C. Treasurer

1. Oversees finances and process allocations and moneys approved by the Cabinet, ASGSAC Senate and/or the appropriate committee(s).
2. Gives monthly reports to the Cabinet and ASGSAC Senate on the current status of the budget.
3. Signs requisitions for ASGSAC funds.
4. Serve as chair for the Budget and Finance Committee
5. Must review and approve budget allocations prior to legislative action.

D. Inter-Club Council (ICC) President

1. Prepares the agenda for and presides over the Inter-Club Council (ICC) meetings.
2. Initiates disciplinary action regarding any organizational infraction of rules and regulations pertaining to clubs/organizations.
3. Monitors club/organization activities and serves as liaison between clubs/organizations and the Cabinet and ASGSAC Senate.
4. Acts as a Resource Officer for all clubs/organizations at SAC.
5. Reviews and submits petitions for new clubs/organizations to the Inter-Club Council (ICC) for approval.
6. Directs a Club Rush event each semester.
7. Provides a monthly Club Report, written or oral, to the Inter-Club Council (ICC), Cabinet and ASGSAC Senate.
8. Provides club/organization information to the Commissioner of Public Relations Officer for publication.

E. Executive Recording Secretary

1. Records and distributes minutes of Cabinet Meetings
2. Types the ASGSAC Cabinet Agenda and distributes it seventy-two (72) hours prior to the next meeting.
3. Records and reports attendance of Cabinet Meetings.
4. Keeps updated publicly accessible copies of the Constitution and Bylaws.
5. Responsible for the upkeep of the ASGSAC Policy Manual.
6. Assists the Cabinet officers in the execution of their assumed duties and functions.

7. Shall take the written reports of the commissioners to the Senate to share.
8. Performs other duties as requested by the President

F. Activities Commissioner

1. Serve as chair for the activities committee
2. Act as director and resource officer for all ASGSAC supported activities.
3. Will provide, upon request a summary of past ASGSAC activities.
4. Will prepare a monthly calendar of events.
5. Shall be available to help coordinate activities with clubs and other campus organizations.
6. Keep Senate informed about scheduled events.

G. Health Awareness Commissioner

1. Chair of the Health Awareness Committee
2. Shall plan and coordinate all health awareness related events such as but not limited to the annual blood drive etc.
3. Shall report, in writing, the planning and execution of events to the Executive Cabinet and Senate.

H. Cultural Awareness Commissioner

1. Serves as chair of the Cultural Awareness Committee
2. Shall coordinate and assist with planning of multicultural activities, to ensure culturally appropriate representation is attained.
3. Shall be accessible to all campus clubs and help to coordinate activities with participating clubs.
4. Prepare and submit a calendar of annual events and projection of expenses for each event.
5. Keep Senate informed about scheduled events.

I. Legislative Commissioner

1. Serves as the SSCCC (Student Senate for California Community Colleges) delegate for SAC.
2. Attends any and all SSCCC Region VIII meetings, as the SAC Representative once a month at the designated place and time.
3. Gives periodic updates on SSCCC and SSCCC Region VIII.
4. Serves on the Rules and Justice Committee.
5. Chairs the Legislative Committee meetings.
6. Prepares or helps prepare any and all resolutions proposed for ASGSAC, Region VIII and SSCCC consideration.
7. Shall give periodic updates with regards to the ASACC (American Student Association of Community Colleges).

J. Public Relations Commissioner

1. Serves as chair for the Publicity and Promotions Committee
2. Reviews and registers information materials promoting ASGSAC and/or club/organization activities and/or meetings.
3. Responsible for implementation and enforcement of the SAC Publicity Code and Regulations.
4. Shall coordinate publicity, press releases, and posters to be directed to on-campus and off

campus sources.

5. Responsible for taking photographs of ASGSAC sponsored or co-sponsored events.
6. Responsible for the maintenance of any and all ASGSAC social media accounts.
7. Is the holder of the ASGSAC social media account logins and passwords.
8. Is responsible for the maintenance of any and all ASGSAC owned bulletin boards.

K. Recruitment Commissioner

1. Serves as chair of the Recruitment Committee
2. Involved with recruiting functions on and/or off campus.
3. Responsible for ASGSAC recruiting functions on and/or off campus.
4. Responsible for updating the ASGSAC open application to reflect title changes or position changes.
5. Responsible for running the Open Application table at any ASGSAC event in order to fill vacant positions.
6. Responsible with contacting approved applicants to set up appointments for interview with the respective branch leader.

L. Sustainability Commissioner

1. Serves as chair of the Sustainability Committee.
2. Shall plan and coordinate all Sustainability related events.
3. Prepare and submit a calendar of annual events and projection of expenses for each event and/or conference.
4. Shall be accessible to all campus clubs in order to coordinate more sustainable activities whenever possible.
5. Responsible for the budget of expenditures for all Sustainability Committee related events.
6. Shall report the planning and execution of events to the Executive Cabinet and Senate.
7. Shall work with the events, cultural, and public relations commissioners to ensure that any and all ASGSAC activities are as “eco-friendly” as possible.

M. International Students Commissioner

1. Serves as chair of the International Students committee.
2. Shall participate in the “New Student Orientation” program to advise students on how to become involved in the Associated Student Government.
3. Will act as a director and resource officer for students looking for information and support services that will help ease the adjustment to culture and American college life.
4. Responsible for coordinating and planning the “International Festival” with both the Associated Student Government and the International Student Office.
5. Will provide information to the Executive Board and Senate on scholarships, services, and immigration laws pertaining and affecting International students at Santa Ana College.
6. Will meet with the Director at the International Student Office and become informed of the services provided.

N. Undocumented Student Commissioner

1. Serves as chair of the Undocumented Students committee.
2. Shall coordinate and assist with the planning of events pertaining undocumented students, to ensure proper representation of these students is attained.

3. Shall keep the Executive Cabinet updated of new laws and legislation that affect AB540 and undocumented students.
4. Responsible for communicating with the RSCCD Student Trustee and/or Chancellor on laws and legislation affecting AB540 and undocumented students.
5. Keep Senate informed of events and laws/legislation pertaining AB540 and undocumented students.
6. Will help promote the idea of Santa Ana College being a safe haven for undocumented students and family members.
7. Responsible for meeting with the Counselor/Coordinator for the Undocu-Scholars Program at Santa Ana College to keep informed of workshops, financial aid assistance, scholarship opportunities, and access to free legal clinics.

Section 9: Limitations, Restrictions, and Definitions

- A. The executive cabinet shall be further divided into three groups: the executive officers, the elected cabinet, and the appointed cabinet.
- B. The executive officers shall consist of the President, Vice-President, Treasurer, ICC President, and the Student Trustee.
- C. The elected cabinet shall be any and all commissioners listed within the ASGSAC Constitution and Bylaws.
- D. The appointed cabinet shall be the Executive Recording Secretary
- E. NO executive officer may also be an officer of a club.

Section 10: Cabinet Procedures and Rules of Order

- A. General procedures and rules for the cabinet shall contain Procedures of Order, System Succession, Inauguration and other pertinent information.
- B. Officers of the Cabinet are expected to uphold the integrity of their office for their term.
- C. Elected and appointed officers shall be expected to take an oath of office upon their arrival.

Section 11: Cabinet Reports

- A. Cabinet Officers shall give reports of their duties and responsibilities.
- B. Officers giving Officer, Committee and/or Event reports shall submit the report(s) in writing to the Executive Recording Secretary prior to the meeting with the report will be presented.
- C. Cabinet Officers shall submit a report of their duties, accomplishments and recommendations to Cabinet at the conclusion of their term of office.

Section 12: ASGSAC Cabinet Minutes

- A. The Cabinet must record and maintain a full record of all its proceedings in minutes entitled ASGSAC Cabinet Minutes, which will be the official publication of the Cabinet.
- B. This publication will contain the date, place and time of the meeting, the presiding officer, members present and absent, communications that are reported, business that is presented with actual working motions voted upon, results of all voting, a summary of any discussion, time of adjournment and any appropriate additional data.

Section 13: Cabinet Appointments

- A. The Executive Recording Secretary shall be appointed by the President and confirmed by two-thirds (2/3) majority of the Senate.

- B. Applications for appointed Cabinet positions should be available at least six (6) business weeks prior to the end of the spring semester.
- C. The President Elect shall make the majority of the Cabinet positions at the end of the spring semester. All appointees shall be official until confirmed at the first ASGSAC Senate Session in the fall.

Section 14: System of Succession. The following procedures shall be used in filling the vacancies occurring in the office of the President:

- A. In the event of impeachment or inability to serve by the President, the following order of succession shall be followed: Vice-President, Vice President Pro- Tempore, and the remaining Senators in order of seniority. Seniority status is determined by the number of semesters in the ASGSAC Senate.
- B. In the event of the Vice President Pro Tempore or one (1) Senator succeeded to President, the next Senator in seniority shall be the Vice President Pro Tempore until Section 14.A has been met.
- C. In the event of impeachment or inability to serve by the Vice President, the President shall appoint an individual qualified to be elected to the office of Vice President with two-thirds (2/3) majority of the votes cast of the ASGSAC Senate.
- D. In the event that both the President and Vice President who were elected by the student body leave office in the fall semester, then the order of succession shall be allowed as designated and the succeeding officer shall declare a Special Election within ten (10) school days.

Section 15: Cabinet Absences

- A. Cabinet Officers absent from any three (3) meetings in one semester without being legally excused shall automatically cease to serve as a Cabinet member.
- B. The Executive Recording Secretary shall inform the President who shall then announce that vacancy at the following meeting.

Section 16: Conferences and Trips

- A. Due to the limited space on many trips and conferences there shall be a selection process in order to attend. The order shall be as follows:
 - 1. Members whom the conference/trip pertains to the most shall get first choice
 - 2. Then followed by members with the most seniority.
- B. Section 16.A will only be good for up to two (2) conferences/trips per Cabinet member. (See ASGSAC Policy regarding Conferences and Retreats.)

Section 17: Inauguration

- A. The President, Vice President and Treasurer-Elect shall be inaugurated by the Chief Justice one (1) business week following their election.
- B. They shall begin their term of office on the First of July.

Section 18: Lifetime Membership

- A. Lifetime Honorary Membership in the Associated Student Government is granted upon the retiring ASGSAC President and Student Trustee on completion of their term in office.
- B. The purpose of the Honorary Membership is to provide an avenue of support that current ASGSAC members may call upon if needed.

- C. Honorary Members of the ASGSAC are not permitted to use any equipment or use any offices belonging to the ASGSAC without expressed written permission of the Student Activities Coordinator.

ARTICLE III – LEGISLATIVE CODE

Section 1: Senate Legislative Procedures are those procedures that structure Senate transactions.

Section 2: Types of Senate Legislation. There are three (3) types of Senate Legislation Bills, Resolutions and Recommendations.

- A. **Bills.** Bills deal with the ASGSAC Constitution and Bylaws.
 - 1. Senate approval of a bill must be by a two-thirds (2/3) majority of the votes cast.
- B. **Resolutions.** Resolutions deal with legislation for the general welfare of the ASGSAC. No motion shall be entertained if it is conflict with the ASGSAC Constitution, any of its bylaws, Policies and/or Executive Orders; or conflict with SAC and/or RSCCD policies.
 - 1. Senate approval of a resolution must be a two-thirds (2/3) majority of the votes cast.
- C. **Recommendations.** Recommendations deal with powers not vested within the Senate or any of the ASGSAC, but with a means of bringing to the attention of the ASGSAC Cabinet, SAC, and/or RSCCD certain desired actions of the Senate, ASGSAC.
 - 1. Such recommendations must be voted upon in the established procedures of the Senate.
 - 2. The Senator proposing the recommendation shall be responsible for informing the ASGSAC of the status of that recommendation and for reporting the progress of that recommendation's implementation.
 - 3. Senate approval of a recommendation must be by a two-thirds (2/3) majority of the votes cast.

Section 3: Senate Legislation Process.

- A. Legislation to appear on the ASGSAC Senate Agenda shall be submitted to the Senate Recording Secretary, with a copy going to the Vice President, **at least five days prior to the meeting.**
- B. An agenda shall be posted for each Senate Session and shall be available to any person seventy-two (72) hours prior to the meeting.
- C. The agenda shall contain a summary and a working motion for each piece of legislation being presented.
- D. Attached to the agenda shall be the legislation forms and any other pertinent information.
- E. A recommendation from the ASGSAC Cabinet, Inter-Club Council or an ASGSAC Committee to the Senate, ratification or Presidential Appointments shall not require a Senator to sponsor the recommendation or ratification in order to be put on the ASGSAC Senate Agenda.
- F. The author of the recommendation shall submit to the Senate Recording Secretary or Vice President the recommendation to be put on the agenda, five days prior to the meeting.
- G. The author of the recommendation or someone entrusted to do so shall be present at both the Executive and Senate meetings.
- H. The President when requesting approval of Presidential appointments shall submit the request directly to the Vice President to be put on the ASGSAC Senate Agenda.
- I. The request shall be put on a "Legislation" form stating the written qualifications of appointees.
- J. Appointees shall be present at the meeting where the approval of his/her appointment shall take place.

- K. The Senate Recording Secretary or author shall present legislation to the body by reading the legislation.
- L. The author or someone entrusted by the author of any piece of legislation should be present at the meeting to speak on the legislation to be presented and answer any questions from the Senate regarding the proposed legislation.
- M. Any legislation presented to the Senate shall first appear on the ASGSAC Senate Agenda under “New Business”, as an informational item or for Review and Study, and shall be limited to discussion only. The following meeting the legislation shall appear on the agenda under “Unfinished Business” as an Action Item.
- N. Legislation, which requires action at the same meeting that it is presented, shall be in accordance with one of the following conditions:
 - 1. Written approval by the President prior to the meeting.
 - 2. Recommendations from the Cabinet, Inter-Club Council or any ASGSAC Committee.
 - 3. Presidential or Vice Presidential Appointments.
 - 4. Appointment of the Vice President Pro Tempore.
 - 5. Emergency Legislation.

Section 4: Senate sessions shall be of two (2) types: Regular and Special.

- A. **Regular Meetings.** A regular meeting of the Senate shall be scheduled weekly unless otherwise specified by the Vice President, with approval from the Senate, excluding vacation periods, holidays and finals week.
- B. **Special Meeting.** The Senate may be called into special meeting at any time by the ASGSAC President and/or Advisor or by a senator with a second and a two-thirds (2/3) majority of those senators present.
 - 1. The Vice President will preside, with the purpose of the special session limited to a single item of business.

Section 5: Powers and Membership of the Senate

- A. The Senate of the ASGSAC shall consist of the following officers and members:
 - 1. Vice President
 - 2. Vice President Pro Tempore
 - 3. Senate Clerk
 - 4. Senator of Athletics
 - 5. Senator of Business
 - 6. Senator of Career Technical Education
 - 7. Senator of Child Development
 - 8. Senator of Communications
 - 9. Senator of Continuing Education
 - 10. Senator of Counseling
 - 11. Senator of Disabled Students (DSPS)
 - 12. Senator of Engineering
 - 13. Senator of Fine and Performing Arts
 - 14. Senator of Health Sciences
 - 15. Senator of Human Services
 - 16. Senator of Humanities
 - 17. Senator of Kinesiology

- 18. Senator of Legal Studies
- 19. Senator of Library
- 20. Senator of Mathematics
- 21. Senator of Sciences
- 22. Senator of Social Science
- 23. Senator of Veteran Affairs

- B. There shall be no more than two (2) Senators per represented area.
- C. If at any time there is an open Senate position, the Vice President shall appoint, with two-thirds (2/3) majority of the votes cast of the Senate, an individual qualified to be appointed to the office of Senator.
- D. The Senate shall be expanded on the basis of need for student representation by adding one (1) Senate seat appropriately.
- E. A two-thirds (2/3) majority of the Cabinet and a two-thirds (2/3) majority of the Senate must approve the new position(s).
- F. The Vice President shall appoint the Senate Recording Secretary.
- G. Senate shall approve all appointments made by the President or Vice President.
- H. The Senate shall be responsible for approval of the ASGSAC Budget by a two-thirds (2/3) majority of the votes cast.
- I. After Senate approval, the President shall take the budget for approval.
- J. The senate shall further be responsible for the approval of ASGSAC Standing and/or Ad- Hoc Committee Legislation by a simple majority of the votes cast.
- K. Legislation that initiates from the Senate shall go to the Cabinet for approval before it becomes law.
- L. If the Cabinet approves, the President shall sign the legislation. If the Cabinet rejects the legislation or the President vetoes the legislation, the Cabinet shall return the legislation to the Senate with the objections, recommendations and/or changes for reconsideration.
- M. The Senate may then, by three-fourths (3/4) majority of the votes cast, override the veto or accept the Cabinet's objections, recommendations and/or changes making the legislation law.
- N. Upon receiving a presidential veto, the Senate must wait until the following meeting before it can act on it.
- O. The Senate shall have the power to recommend the ASGSAC Activities Fee, make policy for the ASGSAC, regulate the established budget, approve requests of the ASGSAC from the college administration and enact impeachment proceedings against Senate Members.

Section 6: Duties of Officers and Members of the Senate

- A. **Vice President.** The regular presiding officer of the Senate shall be the Vice President (Section 8.B Executive Code, ASGSAC Bylaws) and shall perform duties set forth in the Senate Procedures and Rules of Order.
- B. **Vice President Pro-Tempore**
 - 1. The Vice-President pro-temp shall be nominated from within the senate at the first (1st) meeting of the new Senate Session in the fall, at which the Senators are officially seated. The officer shall upon absence or direction of the Vice President assume the place as presiding officer of the Senate with all duties and rights thereof.
 - 2. Two-thirds (2/3) majority of the votes cast in the Senate shall ratify the Vice President Pro-

Tempore Appointee.

3. Vice President Pro-Tempore, as a Senator, will also have the right to vote on any issue before the house, except when he/she is serving as the presiding officer.
4. When the Pro-Tempore is acting as chair they may only vote in the senate in the event of a tie.

C. Senate Recording Secretary

1. The Recording Secretary of the Senate shall be appointed by the Vice President and ratified by the Senators at the first meeting of the Senate following the appointment.
2. This officer types the ASGSAC Senate Agendas and minutes and readies them for distribution seventy-two (72) hours prior to the meeting. He/she also records and types the ASGSAC Senate Minutes and files them accordingly.
3. The Senate Recording Secretary shall be responsible for submitting "Legislation" forms to the Vice President for approval. The Clerk shall perform duties as assigned by the Vice President.

D. Senators

1. Attend Senate meetings providing representation for the students in their designated areas of representation.
2. Meet with their Academic Senate counterpart, (or the Dean, Chair, Director or Designee of their area of representation when an Academic Counterpart does not exist) to obtain feedback or give input on student, staff and/or faculty concerns.
3. Shall serve as chair, co-chair, or member on an ASGSAC Standing and/or Ad-hoc Committee. They may also serve on a college (shared governance) standing committee if wishing to, required, or appointed to do so.
4. Senators must plan and host a minimum of one (1) event per academic school year and/or term in office for their designated area of representation.

Section 7: Senate Reports. Senators giving Officer, Committee and/or Event Reports shall submit via email as a word document all reports to the Senate Clerk forty-eight (48) hours prior to the meeting that it is to be presented.

Section 8: Senate Minutes

- A. Will be maintained by the Senate Recording Secretary.
- B. The minutes shall contain the date, place and time, attendance, all reports, motions, date of the next meeting, and time of adjournment.
- C. Every vote result will be listed with every members vote accounted for.

Section 9: Senate Impeachment Procedures

- A. Impeachment proceedings may be initiated by a motion from the floor of the Senate, which shall be approved by a two-thirds (2/3) majority of the votes cast by the Senate.
- B. This motion shall be placed on the ASGSAC Senate Agenda as an information item at the meeting prior to the meeting where the action motion shall be considered.
- C. Upon initiation of impeachment proceedings, the accused ASGSAC member shall be instructed to attend the next regular scheduled Senate Session where the impeachment hearing shall take place.

- D. The failure to attend by the accused without a legal excused absence shall constitute grounds for automatic impeachment by a simple majority of the votes cast of the currently occupied Senate seats, unless legally excused.
- E. The ASGSAC shall determine whether the accused absence was absolutely unavoidable, thus warranting an excused absence.
- F. If the accused obtains an excused absence, the hearing shall be postponed until the next regularly scheduled meeting.
- G. The impeachment hearing shall be placed as the first order of business.

Section 10: Impeachment Proceedings

- A. The procedure shall be as follows:
 - 1. The presiding officer shall open the meeting and then announce the purpose of the hearing.
 - 2. The accused then shall be presented with the complaints and charges from the floor of the Senate.
 - 3. The accused shall then be given the opportunity to answer the charges and present his/her defense.
 - 4. Following the accused presentation, there shall be a period where the Senate may ask the accused questions.
- B. The officer shall be relieved of office by a two-thirds (2/3) majority vote of the entire current Senate membership.
- C. An appeal to the Supreme Court may be made, with the Supreme Court having the power to decide whether or not to hear the case, and possibly over turning the decision.
- D. At the conclusion of the impeachment vote, the temporary presiding officer shall relinquish the chair to the lawful chair of the Senate.

Section 11: Disciplinary Measures.

- A. Disciplinary measures can range in severity from motion of censure or withdrawal of privileges, and in extreme cases the expulsion of violating Senators.
 - 1. **Censure:** an official reprimand or condemnation; harsh critics
- B. A motion of censure shall be by two-thirds (2/3) majority of the votes cast by the entire Senate.

Section 12: Senate Absences. Any Senator absent from any three (3) meetings in one (1) semester without being legally excused by the Senate (on a 2/3 vote) or the Vice-President (in emergency situations) shall automatically cease to serve as a Senator. The Senate Clerk shall inform the Chair who shall then announce the vacancy at the following senate meeting.

Section 13: Senate Tardiness. Any Senator late* for two (2) Senate meetings will be charged with an unexcused absence. (*late is defined as arriving more than five minutes after the meeting has been called to order).

ARTICLE IV – JUDICIAL CODE

Section 1: The rules for the Supreme Court, hereafter referred to as the Court, shall be known as the Judicial Code, and shall govern the judicial matters of the ASGSAC and ICC.

Section 2: Student law must be written, filed and codified.

Section 3: The Court shall have no more than one (1) Chief Justice and six (6) Associate Justices and no less than one (1) Chief Justice and two (2) Associate Justices.

Section 4: The Chief Justice and Associate Justices shall be appointed by the President and ratified by the Senate.

Section 5: Powers of the Court

- A. The judicial power of the ASGSAC shall be vested in one (1) Supreme Court.
- B. The Court shall have the power to:
 - 1. Oversee and enforce the rules and regulations set forth in the constitutions and bylaws of the ASGSAC and ICC.
 - 2. Judge all matters brought before the court pertaining to the ASGSAC including expulsion from the ASGSAC and any lesser measure.
 - 3. Judge all matters brought before the court pertaining to the ICC including suspension and expulsion from the ICC and any lesser measure.
 - 4. Judge all matters brought before the court pertaining to any individual club/organizations.
 - 5. Interpret and review laws, which are enacted and proposed at all levels of passage in order to analyze and avoid constitutional and bylaw violation.
 - 6. In cases of actual disputes, the Court shall have the power to declare the legal rights and legal relation of interested parties. Such a declaration shall have the force and effect of the final judgment.
- C. The Supreme Court shall adhere to the **Doctrine of Stare Decisis**. The doctrine of precedent, under which a court must follow earlier judicial decisions when the same points arise again in litigation. (Definition from: Black's Law Dictionary, 3rd Pocket Edition)
 - 1. Uniformity of treatment, stability, predictability, and convenience are considerations, which underlie the Doctrine of Stare Decisis in the judicial system.
 - 2. The Court should, when at all possible, allow itself to be guided by past decisions, for it is only natural that an intelligent and fair-minded Court should look to and, in general, rely on what it has done in the past under similar circumstances.
 - 3. This doctrine, however, is not inexorable, but is flexible. Where a prior decision may be clearly wrong or where the rationale underlying is no longer valid, or where changing circumstances have made it obsolete, a prior precedent should not be followed.
 - 4. The Court must use caution when departing from previous rulings, but such departures are, on occasion, clearly indicated as the just and sensible course.
- D. The Court shall be vested with the authority of **Judicial Review**.
 - 1. A court's power to review the actions of other branches or levels of government; esp., the court's power to invalidate legislative and executive actions as being unconstitutional.
 - 2. The constitutional doctrine providing for this power.
 - 3. A court's review of a lower court's or an administrative body's factual or legal findings. (Definition from: Black's Law Dictionary)
- E. The Court shall have the power to issue a **Writ of Mandamus**.
 - 1. **Writ:** a court's written order, in the name of the state or other competent legal authority, commanding the addressee to do or refrain from doing some specified act. (Definition from: Black's Law Dictionary)
 - 2. **Mandamus:** a writ issued by a superior court to compel a lower court or government officer

- to perform mandatory or purely ministerial duties correctly. (Definition from: Black's Law Dictionary)
3. A Writ of Mandamus is a Special Order, which commands an officer of the ASGSAC to perform his/her duty as required by law.
 4. The Writ of Mandamus can be issued only when the duty under the law is explicitly stated.
- F. The court shall have the power to issue a **Declaratory Judgment**. A binding adjudication that establishes the rights and other legal relations of the parties without providing for or ordering enforcement. (Definition from: Black's Law Dictionary)
1. In order for Declaratory Proceedings, to have force, all parties concerned must first agree to such a proceeding. The Court may base its decision on the material presented in the written brief alone or it may order an informal hearing.
 2. The same procedures for initiating regular proceedings shall be followed to initiate a request for a Declaratory Judgment.
 3. In Declaratory Judgment Proceedings, none of the parties have to prove that any wrong has been done or is immediately threatened.
- G. The Court shall have the power to grant **Injunctions**. A court order commanding or preventing an action. (Definition from: Black's Law Dictionary)
1. An injunction shall be a Court Order, which directs that a threatened infraction of the law is not to take place.
 2. The party or parties filing complaint must show to the Court that a certain action would result in an infraction.
 3. The complaint must show that there is no plain, adequate, and complete remedy at law and that an irreparable injury will result unless the relief is granted.
 4. The Court shall handle an Injunction Proceeding immediately upon request.
 5. An injunction may be granted, without the presence of the defendant, but the defendant may make a motion before the Court to have the injunction lifted, stating his/her reasons for said motion.
- H. **Different Magnitudes of Student Law**. When a law of a higher magnitude conflicts with a law of lower magnitude, the higher magnitude law shall be followed in making a decision.

Section 6: Membership and Discipline of Court Members

- A. All Justices shall hold their office for the full duration, while taking five units or more at SAC, although it shall be mandatory for any Justice to retire after the completion of six (6) semesters (Fall and/or Spring) of Court service.
- B. It shall be mandatory for all Justices to attend all sessions unless officially excused by the Chief Justice.
- C. Any Associate Justice absent without excuse from any two (2) semester meetings of the Court shall automatically cease to serve as a Court Justice.
- D. Any breach in tenure of any Court Justice shall result in automatic dismissal of said Court member.
- E. The Court shall be responsible for the discipline of its own members. When, in the opinion of the Court, one of its own members has been found to have either:
 1. Allowed a personal gain or a personal loyalty to a party in a case before him/her to exercise an appreciable influence in his/her decision on that particular case, or
 2. Been derelict in his/her duties as a member of the Court, or
 3. Acted in a manner unbecoming to the responsibilities of his/her position.

- F. The Court may, after consultation with the member found in default and upon an affirmative vote of two-thirds (2/3) of the remaining Court, formally ask for the resignation of said member or publicly censure him/her.
- G. If the member found in default refuses to resign, it shall be the duty of the Chief Justice or Chief Justice Pro-Tempore to refuse to assign such a member to any case before the Court until the member's term of office has expired, resignation or impeachment.
- H. The Court shall have the power to be the first students considered to sit upon the student conduct hearings as the student representative.

Section 7: Powers and Responsibilities

A. The Chief Justice

- 1. The Chief Justice shall be the presiding member of the Court.
- 2. The Court shall elect a Chief Justice Pro-Tempore who shall act in the absence of the Chief Justice.
- 3. The duties of the Chief Justice shall be to:
 - a. Function as the official administrator of the Court.
 - b. Preside at the meetings and at any and all hearings of the Court.
 - c. Appoint the Recording Secretary of the Court and any other officials that the Court deems necessary with approval of the Senate.
 - d. Call a pre-hearing conference with disputants for the purpose of determining whether the Court has cause to act, if the Court is unable to make such a determination based on petition alone.
 - e. Maintain the Court Calendar of Business and assign the time, date and place of hearings, trials and other proceedings.
 - f. The Chief Justice shall appoint the Court Recording Secretary.
 - g. Shall sit in at the Executive meetings in an advisory capacity; with no vote granted or presence counted towards quorum.
 - h. Shall sit in at the Senate, ICC, or individual club/organization meetings in an advisory capacity when called upon to do so; with no vote granted or presence counted towards quorum.
 - i. Shall meet in person and maintain communication with the Chief Justice at SCC in order to coordinate the Spring General Election and any special election that requires participation on both campuses.
 - j. Shall, in the absence of a Legislative Commissioner, act as the delegate for SAC within the SSCCC and do the job of the Legislative Commissioner with regards to the responsibilities associated with this position, until such time as a new Legislative Commissioner is appointed.

B. Court Recording Secretary

- 1. The duties of the Court Recording Secretary shall be to:
 - a. Maintain the supply of all forms used by the Court
 - b. Maintain the official files of the cases brought before the Court.
 - c. Record the testimony of a hearing upon the request of the presiding Associate Justice.
 - d. Perform any administrative tasks that the Chief Justice assigns.
- 2. The Court shall keep a report of its meetings and shall post the records seventy-two (72) hours prior to the next regularly scheduled meeting.

Section 8: Judicial Court Meetings

- A. Judicial Court Meetings shall be of Regular Meetings only.
- B. The Court shall meet weekly, with the exception of holidays, vacations and finals.
- C. **Regular Meetings**
 - 1. The Chief Justice chairs regular court meetings at an appropriate time. If the Chief Justice is absent, the Chief Justice pro-tempore shall convene the meeting. In the absence of the Chief Justice pro-temp, the senior most Associate Justice shall convene the meeting.
 - 2. A quorum of the Court shall be required in order for the Court to convene.
 - 3. Matters requiring the consideration of the Court shall be presented to the Court Clerk for placement on the Court Calendar of Business.
 - 4. The Court Calendar of business shall be available to the Associate Justices and the public at all times.
 - 5. All matters, with the exception of petitions for Court injunctions, shall be considered by the Supreme Court in their order of presentation to the Court Clerk.
 - 6. All Justices shall have the prerogative to recommend that any measure on the Court Calendar of Business take precedence scheduling. A simple majority vote of the Court shall decide whether to abide by this suggestion.
 - 7. The Court shall have the power to alter certain parts of the following general procedure in order that the Court may more effectively conduct business in certain types of cases.

Section 9: Court Hearings

- A. **Hearing Procedures**
 - 1. There shall be one (1) hearing procedure adhered to by the Court.
 - 2. The following hearing procedures will apply to all cases as follows:
 - a. Any variations in procedure must be approved by vote of all the Justices.
 - b. A Request for Court action, by any ASGSAC member is made through a petition.
 - c. Those persons who have a case to bring before the Court shall initiate proceedings by obtaining from the Court Clerk or the Student Activities Office a Petition of Proper Standing.
 - d. The plaintiff shall return this petition to the Court Recording Secretary.
 - e. Upon receipt, the petition shall be dated and initialed by the Court Official receiving it, and filed with the cases pending before the Court.
 - f. At its next meeting, the Court shall review individually the petitions received since the previous meeting to determine whether the Court has cause to act.
 - 3. The determination of the Court to act on a petition shall be based on the constitutionality of the petition.
 - 4. If the court is unable to act on a petition, the Chief Justice may informally call a pre- hearing conference with disputants for the purpose of determining whether the Court has cause to act based upon the conditions of (Section 4.006).
 - 5. If the Court determines that it does not have sufficient cause to act on a petition, the Chief Justice shall enter on the form Rejection of Request for Hearing, informing the plaintiff(s) that the Court has denied their hearing.
 - 6. The majority ruling of the Court, concurring opinions and dissenting opinion, if any, shall be presented by the Chief Justice and printed in the Judicial Report.
 - 7. The plaintiff shall receive this notice from the Court Recording Secretary.
 - 8. Notice will read either:

- a. Rejection of petition for a hearing
- b. Acceptance of petition for a hearing.
- 9. The plaintiff must receive notice within 10 school days, excluding finals.
- 10. The Court may find anyone conducting himself/herself before it in a manner uncomplimentary to the dignity of the Court in Contempt of the Court.

B. Hearing Procedures

- 1. The actual hearing shall take place in the following manner:
 - a. The Chief Justice shall call the Court to order.
 - b. The Court Recording Secretary shall call the title and number of the case to be heard. The names of the plaintiff, defendant, and case number shall be indicated at the trial by being read out loud by the Court Recording Secretary.
 - c. The presiding Justice shall ask the defendant if the defendant wishes to contest the Petition of Complaint. If yes*, then the following hearing procedures will apply.
 - i. *If the defendant decides not to contest, then the Court shall disregard the following procedures with the exception of going into deliberations and making the decision.
 - d. The presiding Justice shall state the procedure to be used during the hearing.
 - e. The presiding Justice shall at the end of the statement of procedure, ask if both parties fully understand or have any questions regarding the procedure.
 - f. The plaintiff present his/her case, followed by the defendant also presenting his/her case.
 - g. The defendant and plaintiff shall both have the opportunity to present witnesses.
 - h. The justices present may direct questions to the plaintiff and defendant.
 - i. The defendant and plaintiff shall have equal time in which to summarize and reestablish their cases.
 - j. Upon completion of the hearing the presiding Justice shall move the Court into deliberations.
- 2. During deliberations, the Justices may only discuss the relative merits of the case.
- 3. The Justices shall come to the decision during deliberations.
- 4. The deliberations may be adjourned and scheduled to continue another day if warranted.
- 5. The Majority Ruling of the Court, concurring (majority) opinions and dissenting (minority) opinions, if any, shall be printed in the Judicial Report within two (2) business weeks after the hearing and or case.
 - a. A ruling is the actual holding of the Supreme Court, i.e., which party they decided in favor of or clarification of a code etc.
 - b. The opinion is the reasoning behind the Supreme Court's ruling.

C. General Hearings

- 1. The disputants have the right to a fair, impartial and public hearings.
- 2. The plaintiff must be present at the hearing or the case shall be dismissed.
- 3. If the defendant fails to appear at the hearing, the case shall be awarded to the plaintiff by default upon presentation of evidence that the defendant was properly notified of the time and place of the hearing.
- 4. At the time of the hearing, the defendant may request a postponement of the hearing due to insufficient time allowed for him/her to prepare his/her case. Such requests for

- postponement are not a matter of right, but rests at the discretion of the Court.
5. Only questions and materials that are relevant to the matter at hand shall be permitted at any time during the objections.
 6. The presiding Justice shall enforce the Rules of Procedure and Rules of Motions and Objections.
 7. The Court shall retain the right to limit the amount of time allowed for both parties to present their case, rebuttal evidence, argument, examination of witnesses and the number of witnesses. The parties must, however, be granted an equal amount of time to present their case.
 8. The plaintiff or defendant of the case may motion for a dismissal at any time prior to the reading of the official Court decision.
 9. The Court shall hear a case in one (1) of the following ways, Informal, and Formal.
 10. A request for change in the hearing is at the discretion of the Court.

D. Formal Hearings

1. In a formal hearing, the disputants may be represented by a counsel of their choice.
2. Witnesses may be called and both the plaintiff and defendant shall have the right to question and cross examine the witnesses.
3. Witnesses shall answer only the questions posted by the plaintiff, defendant, their authorized agent, or a Justice hearing the case.
4. Prior to the examination of any witness, the presiding Associate Justice shall ask the following question:
5. "Do you promise that the testimony you are about to give in this matter before the Supreme Court shall be the truth?"
6. The witness must answer "I do" or indicate in the affirmative manner that he/she understands this requirement before any examination may be held.
7. A formal hearing will proceed under the rules of Section 4.078 through 4.083 plus the following, unless the Court otherwise directs.
8. After the reading of the Complaint, the Defendant shall enter one (1) of the following pleadings:
 - a. I admit the facts to be true as charged (guilty).
 - b. I deny the facts to be true as charged (not guilty).
 - c. I neither admit nor deny the facts to be true as charged (no contest).
 - d. I admit the facts to be true as charged, but deny that they constitute any offense.
9. If the facts are admitted to be true as charged, the Supreme Court may:
 - a. Render a decision immediately.
 - b. Deliberate regarding the case.
10. If any of the pleas are entered, the hearing shall proceed as follows:
 - a. The Plaintiff may offer rebuttal evidence only, unless the Court, for good reason, permits plaintiff to offer evidence only, or the Court, for good reason, permits the plaintiff to offer evidence upon their case. The defendant may then offer evidence on their original case.
 - b. When the evidence is concluded, the case may be submitted on either or both sides without argument, or it may be argued.
11. If argued, the plaintiff opens and gives summation and defense closes.
12. After closing arguments, the case shall be submitted to the Supreme Court for deliberation,

unless previously submitted without argument.

E. Informal Hearings

1. The Court, shall with the exception of the following rules, determine the manner in which an informal hearing is heard.
2. In an informal hearing, the Court shall hear only the disputants.

F. Post Hearing Procedures

1. In evaluating the evidence presented in a case, the Supreme Court shall give consideration to:
 - a. Relevance
 - b. First-hand knowledge (witnesses)
 - c. Impeachment of bias (of witnesses)
2. All decisions of the Court shall take effect when read by the Court Clerk of the presiding Justice in session, unless otherwise stipulated in the decision.
3. All decisions shall be prepared by the presiding Justice or their designee, or other member of the Court who heard the case.
4. The presiding Justice is responsible for the completion of the decision.
5. Five (5) copies of the complaint and decision shall be provided, with the original retained for the Court files, and one (1) of each sent to the Senate for **punitive** action, the Plaintiff, and the Defendant and one (1) to be posted in the Student Activities Office.
 - a. **Punitive:** involving or inflicting punishment. (Definition from: Black's Law Dictionary, 3rd Pocket Edition)
6. The presiding Justice or their designee shall complete the Order of the Court to implement any Court objectives, which are part of the decision rendered.

G. Judicial Court Impeachment Hearings

1. The Chief Justice of the Court shall preside over the hearings in the case of impeachment of Cabinet members.
2. The presiding officer of the hearing is charged with the conducting of the meeting order. He/she shall not vote in any impeachment proceeding except to break a tie.
3. By two-thirds (2/3) majority vote, the Senate may formally impeach the accused wherein the Court may try the accused for their offense and/or standing in the ASGSAC.
4. The Senate Recording Secretary delivers the petition to the Court Recording Secretary.

H. Notification by Court

1. The defendant shall be notified in the following manner or shall be held free from fault.
2. The Court shall notify the defendant within seven (7) business days of the complaint and charges.
3. It is expected that Court members will withdraw from a case when there is a possibility of a conflict of interest. (Refer to section 4.026 (A))
4. The plaintiff and/or defendant may request that certain individuals appear as a witness at the trial.
5. A list of witnesses for the plaintiff and defendant must be given to the Court at least seventy-two (72) hours prior to the hearing unless a majority of the Court votes to shorten this time frame.

6. By the date of the hearing, the Court Recording Secretary shall prepare any materials necessary for the Justices to hear the case, including but not limited to the original copy of the Complaint.
7. Upon the acceptance of the Petition of Complaint by the Court, the case shall be scheduled on the Court Calendar of Business.
8. If the ASG President maintains that a charge should be brought against a certain party, he/she may direct the ASGSAC Counsel to file a **Petition of Complaint** with the Court.
 - a. A formal written request presented to a court or other official body. (Definition from: Black's Law Dictionary)
9. All **Court Orders** must be obeyed or they may result in a Contempt of Court Citation.
 - a. A written direction or command delivered by a court or judge. (Definition from: Black's Law Dictionary)

Section 10: Elections

A. Responsibility for Election

1. The Court shall be charged with the official responsibility for student elections.
2. The Court and Elections Committee shall:
 - a. Enforce the rules of the election.
 - b. Supervise the canvassing of the polling places.
 - c. Certify challenged ballots, void ballots, and establish the total of disqualified ballots on the final summary.
 - d. Have the power to assist the Commissioner of Public Relations by removing illegally posted election publicity.
 - e. Confirm the legality of all write-in candidates and include those tallies in the final summary.
 - f. Make provisions to place the measure of an amendment on the ballot before the next election, as stated in the ASGSAC Constitution.
 - g. Designate the legal ballot for elections.
 - h. May assign the Recording Secretaries to assist in counting ballots.

B. Contested Elections

1. If an election is contested then the Court will hear the complaint. The Court will have the power to render a verdict regarding the election as follows:
 - a. A Valid Election has occurred.
 - b. An Invalid Election has occurred.
 - c. Certain portions of the election are valid/invalid.
2. If the Supreme Court decides in favor of the plaintiff, a new election will be scheduled through the Court will ruling on the complaint.
3. The Activities Coordinator shall serve on the Elections Committee as an advisor.

Section 11: In lieu of the Supreme Court

- A. In the case of there not being a Supreme Court (Chief Justice, Associate Justices), the President may serve as presiding officer of the Elections committee or may appoint someone as the presiding officer if there is a conflict of interest or if he/she deems it necessary.

ARTICLE V - ASGSAC COMMITTEES CODE

Section 1: The rules for the ASGSAC Committees, hereafter referred to as Committees Code, shall be known as the ASGSAC Committee Code and shall govern the committee's governmental business and operational procedures.

Section 2: Committee Legislation

- A. Committee Legislative Procedures are those procedures that structure committee transactions.
- B. There is one (1) type of committee legislation: Recommendations.
- C. Recommendations deal with powers not vested within the committee, but with means of bringing to the attention of the Senate, Cabinet, Inter-Club Council (ICC) or the Court certain desired actions of the committee.
- D. Such recommendations shall be voted upon in the established procedures of the committee.
- E. The committee member proposing the recommendation shall be responsible for informing the necessary people of the status of that recommendation and for reporting the progress of that recommendation's implementation.
- F. No motion shall be entertained if it is in conflict with the ASGSAC Constitution, any of its Bylaws, policies and/or ASGSAC Executive Orders or if it conflicts with SAC and/or RSSCD Policies.
- G. Committee recommendations shall be approved by simple majority vote of the Senate.

Section 3: Committee Legislation Process

- A. Legislation to appear on a committee agenda shall be submitted to the committee chair, by the committee member(s), in proposal format, by 5:00pm four (4) business days prior to the meeting.
- B. An agenda shall be prepared for each committee meeting and shall be available to any person seventy-two (72) hours prior to the meeting.
- C. The agenda shall contain summary clauses of legislation (i.e. legislation that is brought to the attention of the Senate a day prior to the meeting).
- D. Legislation shall be approved as such by a two-thirds (2/3) majority vote of the committee.
- E. Legislation presented to the committee shall be presented by the reading of the legislation by the Committee Recording Secretary or author of the legislation.

Section 4: Types of Committees

- A. Committees will be of two (2) types: **Standing or Ad-Hoc.**
 - 1. **Standing Committees** shall exist from year to year and perform most of the major and minor business and/or activities, of the ASGSAC and shall be approved by the Senate.
 - a. New Standing Committees shall be created as deemed necessary by the Senate and Cabinet by a two-thirds (2/3) majority vote of both branches.
 - 2. **Ad-Hoc Committees** shall be created by a simple majority vote of the creating branch.
 - a. Ad-Hoc Committees shall deal only with matters prescribed at the time of the establishment.
 - b. Ad-Hoc Committees shall exist no longer than the school year for which it was established, or until the issue concerned is resolved.

Section 5: Powers and Membership of the Committees

- A. The ASGSAC shall have Standing Committees for the following purposes:
 - 1. Awards

2. Budget and Finance
3. Bylaws
4. Cultural Awareness
5. Elections
6. Health Awareness
7. Publicity and Promotions
8. Recruitment
9. Legislative
10. Events/Social Affairs

Section 6: Duties of Committee Members and Officers

- A. Committee Chairs shall be appointed by the President, with a simple majority approval of the Senate, unless otherwise stated in the Bylaws.
- B. Committee Chairs shall prepare the agenda for and preside at all the committee meetings he/she is responsible for or appointed to.
- C. Committee Chairs shall give reports on committee business to the body that created it.
- D. Committee Chairs shall submit a committee report at the end of their term of office to be placed on file and made available for the use by future committee chairs.
- E. Committee Chairs shall assume the duties of the Committee Recording Secretary if one is not elected.
- F. Committee Chairs shall hold the first organizational meeting for the committee within the first two (2) weeks of each semester of their term of office to prepare a schedule for essential meeting dates and times and to formulate the committee's plan of action and goals.
- G. Committee Chairs shall submit the information mentioned above to the Recording Secretary of the body that created it within three (3) weeks from the start of each semester.
- H. Committee Chairs are responsible for notifying committee members of the meeting dates and times.
- I. Committee Vice or Co-Chairs shall be elected by the members of the committee at the first meeting.
- J. Committee Vice or Co-Chairs assume the duties of the committee chair in his/her absence.
- K. The Committee Recording Secretary shall be elected by the committee members at the first meeting.
- L. The Committee Recording Secretary shall type committee agendas and ready them for distribution seventy-two (72) hours prior to the meeting.
- M. The Committee Recording Secretary shall record and type the committee minutes and file them appropriately.
- N. The Committee Recording Secretary shall prepare a file with the appropriate information regarding any activities and business (proposed or followed through) for the ASGSAC.

Section 7: Committee Members

- A. A meeting of the body wishing to create a committee may assign committee members, and additional membership shall be decided by a signing up of any and all interested parties.
- B. Acts as a working member of the committee and perform duties assigned by the committee chair to insure the success of committee projects.
- C. Committee Members shall be any ASGSAC member, any student involved in any of the ICC ratified clubs, or any student from the general student population who wishes to be involved

- with a committee.
- D. Committee Members shall not vote in the Cabinet, Senate, or Court.
- E. Act as working and voting members of one or more committees.
- F. Committee members shall gain voting rights after attending one (1) regular committee meeting.
- G. Term of office shall be from the day of joining the committee until the last day of that semester or the committee is disbanded, or unless one resigns.
- H. There may be a predetermined limited number of committee members on a particular committee.
- I. The President shall ban ex officials of all committees.

Section 8: Committee Procedures and Rules of Order

A. General

1. General procedures for the Committees shall be set forth in the ASGSAC Standing Committees Procedures and Rules of Order and shall contain procedures of order and other pertinent information.
2. Officers and members of committees have full rights and privileges and are expected to uphold the dignity of their term of office.
3. A committee's officers and members term shall be one (1) full semester.

B. Committee Reports

1. Committees shall give reports on committee business to the Senate and/or Cabinet. Reports shall be filled out on the appropriate form(s) and turned in to the Executive Recording Secretary and/or Senate Recording Secretary prior to the meeting in which the report is to be presented.

C. Committee Minutes

1. ASGSAC Standing or Ad-Hoc Committees shall record and maintain a full record of its proceedings in minutes to be entitled (Name of Committee) Minutes, which shall be the official publication of the committee.
2. This publication shall contain the date, place and time of the meeting opening and presiding officer, members present and absent, communications that are reported, business that is presented, results of all voting, the date and time of the next meeting, a summary of any discussion, time of adjournment and any additional data required.

D. Committee Absences

1. Any committee member absent from any three (3) meetings in one term of office without being legally excused shall automatically cease to serve as a member of that specific committee.
2. The Committee Chair shall then inform the Senate and Cabinet of the vacancy.

ARTICLE VI – RULES CODE

Section 1: The rules for governing the ASGSAC and its organizations shall be known as the Rules Code.

Section 2: Expulsion from the Cabinet, Senate, and Supreme Court, Committee or sub-committee shall be the most severe penalty that may be pronounced upon a member of its own body.

Section 3: No expelled ASGSAC member may be eligible to serve as a member of the same body, thereafter.

Section 4: Legal Absences

- A. An ASGSAC member who misses any official meetings due to illness, emergency, religious holiday, school related convention, work and/or competition in the interest of the school may be legally excused from the meetings only if the absence is reported, to the appropriate person(s).
- B. Appropriate persons to report an absence to are: the President, Vice President, Chief Justice, Executive Recording Secretary, Senate Recording Secretary, Court Recording Secretary, Committee Recording Secretary, and/or the Advisor.
- C. All ASGSAC members must inform the President and/or Vice President if he/she is unable to fulfill all their duties and responsibilities, so these duties may be assigned to another ASGSAC member.

Section 5: ASGSAC Resignations

- A. All resignations must be submitted in writing to the President and/or the Advisor.

Section 6: Interim or Acting Positions

- A. The President may appoint someone to temporarily fill a vacant office or position.
- B. The President may also appoint an acting or interim Court if inactive.
- C. All interim or acting officials must meet minimum eligibility requirements.
- D. Any Presidential appointment for the purpose of temporarily filling a position shall be subject to the approval by the Senate.
- E. The President may appoint a person to the office of a Senator, or Associate Justice on an interim or acting basis in order to fill vacant positions.
- F. Interim or acting positions shall exist until the Senate ratifies the appointment or they are elected from the student body at large.

ARTICLE VII – ELECTIONS CODE

Section 1: The rules for elections shall be known as the Elections Code and shall govern all election matters for the ASGSAC. Failure to abide by these rules shall constitute removal from the election race.

Section 2: Elections Committee

- A. The Elections Committee along with the ASGSAC Judicial Branch members shall enforce rules and procedures, validate and make official the final results of the election and perform other duties as stated in this code and the Judicial Code.
- B. Any and all questions arising during the campaign and/or election must be emailed to the Elections Committee Chair and jointly 'CC' the Student Services Coordinator and Dean of Student Affairs. A response email will be provided in a timely manner. The ultimate decisions for any and all questions arising during campaigning and/or the election will come from a joint collaboration of the:
 - 1. Elections Committee Chair (ASGSAC Chief Justice)
 - 2. Student Services Coordinator
 - 3. Associate Dean of Student Development
 - 4. Dean of Student Affairs
- C. No candidate shall serve on this committee or staff the polling places.

- D. Each polling place shall be staffed by authorized personnel only.
- E. The Election Committee may disqualify any candidate who fails to comply with the Elections Code.
- F. The membership and powers of the Elections Committee are described in the ASGSAC Committees and Judicial Codes.

Section 3: Officer Elections

- A. The President, Vice President, Treasurer, Commissioners, and the Senate of the ASGSAC must be elected by votes from the SAC student body unless no one runs for the position or it is vacated.
- B. Applications for elected officer positions shall be available at least three (3) business weeks prior to elections. Applications shall be accepted no later than two business weeks prior to elections. No late applications shall be accepted.
- C. Write-in candidates must file a petition by at least (50) fifty SAC students that are currently enrolled. The petitions shall be available one (1) business week prior to elections. Petitions are due by 12:00 p.m. the business day prior to elections. No late petitions shall be accepted.

Section 4: Pre-Election Meeting

- A. All candidates for elected office must meet with the Elections Committee Chair and the Student Services Coordinator before campaigning begins. Write-in candidates are excused from this meeting but must meet with the persons mentioned above at a date and time specified by the Elections Committee Chair.
- B. Absence from this meeting shall result in disqualification, unless excused by the Elections Committee Chair.
- C. The Elections Committee Chair shall explain the campaign procedures, rules and regulations and provide each candidate with a copy of these materials.
- D. The Election Committee Chair shall announce information concerning the elections.

Section 5: Eligibility Requirements

- A. The following requirements have been set forth for all candidates.
- B. The candidates for President, Vice President, Treasurer and ICC President must first have accumulated a minimum of ten (10) units or more at the time of registration for candidacy.
- C. A minimum compounded Grade Point Average (GPA) of two point zero (2.0) at the time of their registration for candidacy and shall maintain a minimum of two point zero (2.0) GPA and five units (5) of course work. These requirements must be maintained throughout their term in office.
- D. Senators and Commissioners shall have a minimum compounded Grade Point Average (GPA) of two point zero (2.0) and have five units of course work in progress at the time of their registration for candidacy. While in office they must maintain five units course work in progress and a two point zero (2.0) Grade point Average (GPA).
- E. All non-write-in candidates for elected office must have completed the application, attended the Pre-Election meeting and meet all eligibility requirements to be an eligible candidate.
- F. Candidates who are eligible and qualify under constitutional provisions shall be placed on the ballot in alphabetic order and grouped together with those candidates running for the same position.
- G. All write-in candidates must have completed the petition, attended a Pre-Election meeting and met all eligibility requirements to be an eligible candidate.

Section 6: Campaign Regulations

- A. The following regulations have been set forth to ensure fair and equal campaigning for all candidates. Campaign practices must abide by SAC/RSCCD safety and facilities guidelines.
- B. Definition of Campaign. "An organized operation to accomplish a purpose: an ad campaign; political campaign" (definition campaign from The American Heritage Dictionary).
- C. Definition of Campaign Materials. Any materials, literature, advertisement, etc. distributed, read, worn or posted for the purpose of campaigning.
- D. Definition of Campaign Assistants and/or Supporters. A campaign assistant is one who is designated by the candidate to aid the candidate's campaign. A campaign supporter is one who promotes, approves, advocates, etc., any candidate.
- E. A list of any and all possible campaign assistants and/or supporters must be submitted two (2) weeks prior to the start of campaigning to the Office of Student Life for verification and approval.
- F. Only students currently enrolled at SAC can be campaign assistants and/or supporters.
- G. All candidates for any position must run individual campaigns, and at no time may they run joint campaigns.
- H. At no time may they make mention of any connection or affiliation to any of the other candidates for the purpose of obtaining votes if not given a prior formal written endorsement.
- I. Candidates may endorse other candidates as long as one is not the sitting Student Trustee.
- J. The current Student Trustee may not endorse any candidate running for any position in the election.
- K. Only clubs and organizations that have been ratified by the Inter Club Council (ICC) may endorse a candidate.
- L. Clubs or organizations endorsing candidates must do so with a letter signed by the clubs standing president and advisor, accompanied by the clubs minutes showing the clubs approval of the endorsement, and submitted to the Office of Student Life for verification.
- M. Campaigning shall begin one (1) business week prior to the elections. No earlier campaigning will be allowed. All candidates shall be given an opportunity to speak to the ASGSAC.
- N. Candidates are responsible for the actions of their campaign assistant's and/or supporter's actions, as well as their own.
- O. The total expenditures of a candidate's campaign materials shall not exceed a limit of
- P. \$250.00 for ASGSAC Candidates, and \$300.00 for Student Trustee Candidates to be used on both campuses.
- Q. Any donations of money or in kind made to the candidate's campaign are to be considered part of the stipulated total budget allotted per candidate.
- R. All original receipts from donations and expenditures must be kept and surrendered to the Office of Student Life for verification two (2) weeks prior to the election week, or upon request.
- S. There is to be no campaigning whatsoever of any form in the student lounge, library, math center, learning center, computer center, or designated quiet zones.
- T. No bullhorns or amplification devices will be allowed at any time during campaigning and/or the election by any of the candidates and/or their campaign assistants and/or supporters.
- U. All candidates, their campaign assistants and/or supporters may not at any time during the elections, solicit votes, campaign or post campaign materials within a fifty (50) foot radius of the polling places.
- V. No candidate or any person affiliated with a candidate's campaign shall use materials such as

copier(s) or computer(s) (except for the computer lab) which is owned by ASGSAC, SAC and/or RSCCD for the purpose of campaigning.

- W. Any and all campaign materials must be approved by the Office of Student Life prior to posting, distribution, or use.
- X. Campaign materials may only be posted on non-academic bulletin boards.
- Y. Campaign materials may not be posted on the face of any building, windows of buildings, in the bathrooms, on car windows, or taped to bicycle seats.
- Z. If a candidate's materials are making a mess on the campus grounds the candidate and/or their assistants/supporters are responsible for its clean up and disposal.
- AA. Campaign materials need to be removed from the campus grounds, which includes aside any campus building: ex. Bulletin boards, on the floors, chairs, or tables, etc., the Friday immediately after elections are over by 12pm.
- BB. Candidates or any persons affiliated with a candidate's campaign must not impede the flow of traffic while campaigning and/or the elections.
- CC. Candidates or any person affiliated with a candidate's campaign may not tear, deface, damage or remove in any way, any other candidate's campaign materials.
- DD. Candidates or any person affiliated with a candidate's campaign must ask any instructor and/or clubs/organizations for permission to be given an opportunity to speak before that class or group.
- EE. The Elections Committee shall determine the legality of any actions taken during campaigning.

Section 7: Legal Ballot

- A. The Elections Committee will designate a legal ballot for the elections.
- B. Voting by proxy shall not be allowed.
- C. Voters must show their RSCCD identification card or any other photo identification card along with proof of current enrollment at Santa Ana College. Proof of current enrollment shall be determined by the Associate Dean of Student Development but typically involves checking a master list of all currently enrolled district students.
- D. All ballots shall be in secret.
- E. There shall be a space provided for write-in votes for each ballot.
- F. Defaced or improperly marked ballots shall be voided or disqualified.

Section 8: Certification of Elections

- A. All ballots cast must be tabulated on official tally sheets in the presence of the Election Committee Chair or co-chair.
- B. The official tally sheet shall have recordings of all names of the qualified, disqualified and write-in candidates; number of votes cast for them and the number of void or disqualified ballots. This official tally sheet must be open to review for a period of two (2) business weeks.
- C. The official tally sheet must bear the signature of the Election Committee members present for the counting of the ballots.
- D. The official election results shall only indicate the names of qualified candidates and the number of votes cast for them. Official election results must be posted in the Office of Student Life and kept on file.
- E. Only if the write-in candidate is a qualified candidate and received enough votes to be elected, shall the candidate's name and number of votes appear on the official election results.

Section 9: General Election Regulations

- A. The winner of the Presidential, Vice Presidential, Treasurer, Commissioners, and Senate elections must receive the plurality of the total number of legal votes cast for their category.
- B. In case of a declared tie in the General Elections, a Run-off Election shall be held.
- C. The Run-off Election shall be held within two (2) business weeks of the General Election.
- D. In case of a declared tie in the Run-off Elections, the Senate, by a two-thirds (2/3) vote, shall determine the winner.
- E. In the event of a tie for the Senate or Commissioners, those candidates who are deadlocked shall appear before the Senate and shall be selected in the following manner:
 - 1. The standing Senate shall vote. The candidate receiving a simple majority of the votes shall be declared elected.
 - 2. The standing Senate shall then recommend to the President that the other candidates be appointed to the first vacancies that occur.
- F. All appeals regarding elections shall be made in writing and submitted to the Elections Committee Chair or Co-Chair, within five (5) school days of the end of the elections. The Elections Committee shall review all appeals and recommend actions to the Court (see Section 10.B of the Judicial Code for contested elections).

Section 10: Special Election Regulations

- A. Special elections shall comply with all regulations and meet all requirements of a general election.
- B. Special elections shall be called by the ASGSAC President, Justice, or Senator when authorized by a two-thirds (2/3) vote of the Senate or through a petition signed by at least five percent (5%) of the ASGSAC membership, as of the most current full semester census.
- C. Special elections shall be held two (2) days out of a business week. The days shall be selected from Monday through Thursday, days and evenings, at least ten (10) business days after the authorization of the election. (If any of these days fall on a school holiday, the election shall be held the following week).

Section 11: Providing Information to the Voters

- A. The Elections Committee is to provide an Elections Informational Board on which candidate's profiles and platforms of the candidates are to be displayed on the days the election is taking place.
- B. Any candidate wishing to be included on this Elections Informational Board must submit in writing and through email to the Elections Committee Chair and Students Services Coordinator a one page profile including platform, qualifications, past leadership involvement (both on and off campus), a list of verified endorsements, and a picture of themselves (if they so choose).

Section 12: General Election Dates and Times

- A. Election dates shall be two days falling Monday through Thursday, with both day and evening hours.
- B. Regular elections shall occur on pre-established dates. The hour and days of elections shall adhere to consistent pattern.
- C. The "main" spring election shall be held after 60% of the semester has passed.
- D. The fall "replacement" election shall be held four weeks after the start of the academic semester.

- E. Traditional days for elections: Wednesday & Thursday. Traditional times for elections: 10am to 6pm.

ARTICLE VIII – PUBLICITY CODE

ARTICLE IX – ACTIVITIES CODE

ARTICLE X – FINANCE CODE

Section 1: This Finance Code is established to define those policies and procedures for developing, approving and expending of moneys under the control of the ASGSAC and its related organizations.

Section 2: This code shall comply with all applicable county, state, Student Business Office (SBO), and RSCCD regulations and requirements.

Section 3: Responsibility. The Treasurer of the ASGSAC shall be responsible for overseeing that the financial transactions of the ASGSAC are in accordance with the Finance Code.

Section 4: Budget. The financial operation of the ASGSAC shall be administered under a budget system. The purpose of the annual budget is to provide a guideline for the financing of ASGSAC business.

Section 5: Limitation of Budgeted Funds

- A. Funds shall not be expended for an item not specifically provided for in the itemized budget of that activity and no funds shall be expended for any items beyond its budget allocation.
- B. Exception to this rule can be made only with two-thirds (2/3) majority approval of the Senate, before extra funds can be allocated.
- C. The standing Budget Committee shall be charged with the supervision and adherence to the rules and regulations governing the approved budget.
- D. The Committee will interpret the Budget Criteria relating to the financial code.
- E. Any portion of the budget account with surplus of the allotted funds will be transferred to contingency, except funds that the Senate has amended for rollover into a specific account. This does not apply to club/organization accounts.
- F. ASGSAC funds shall not be used for any purpose, which conflicts with RSCCD policies and/or the California Education Code, Title V, etc...

Section 6: Budget Committee

- A. A committee comprised of the current and incoming: Presidents, Vice- Presidents, Treasurers, and I.C.C. Presidents, must submit to the Senate their budget proposal for the following year no later than the last regularly scheduled meeting in April.
- B. The Student Activities coordinator shall serve in an advisory capacity on this committee. (See ASGSAC Policy for more details).
- C. Each of the above individuals need to be notified of the meeting times and locations. However, it is not essential that all be in attendance to make the meeting official.
- D. The current (out-going) President will oversee the meeting and help coordinate the talks.

Section 7: Accounting

- A. The Student Business Office shall do the accounting with assistance from the ASGSAC paid personnel.
- B. **Budget Accounts.** Budget accounts are the expense accounts to fund the annual business sponsored by the ASGSAC.
- C. **Club Accounts.** Club accounts are for school clubs/organizations, and their use is limited to the business of that organization. The ASGSAC shall carry a balance in cash or in liquid assets to cover all club accounts.
- D. **Surplus Account**
 - 1. The Surplus Account shall be established in the budget by setting aside not less than one percent (1%), not greater than ten percent (10) % of the total estimated income for the next fiscal year.
 - 2. The funds shall be used only for unexpected emergencies as may be deemed as valid contingent expenditures by a two-thirds (2/3) majority vote of the Senate.
 - 3. **Operating Surplus.** An account, or accounts, shall be established for the deposit of any portion of a budget allocation remaining unexpectedly at the end of each fiscal year, as well as income in excess of the established estimate.
- E. **Contingency Accounts.** The Contingency Account shall be maintained by the roll-over of unused funds from the preceding year. These funds may be used if necessary for business expenses, which the Cabinet with a simple majority vote of the Senate deems appropriate.
- F. **Cash in Reserve Savings Account**
 - 1. This account shall be established in the budget by setting aside no less than one (1%) percent of the total estimated income for the next fiscal year.
 - 2. The funds shall be used only for large expenditures as deemed necessary by a two-thirds majority of the votes cast by both the Cabinet and Senate.
 - 3. This account must not fall below three percent (3%) of the total income for the current fiscal year.
- G. **Dormant Club Accounts.** Any club/organization remaining inactive for two (2) fiscal years shall have their funds transferred to the I.C.C. scholarship account.

Section 8: Deposits

- A. ASGSAC moneys shall be deposited through the Student Activities Office.
- B. Moneys collected from ASGSAC activities must be substantiated by pre-numbered receipts, pre-numbered tickets or other audible records.
- C. No part of the expense of any activity may be paid from the money collected.
- D. ASGSAC, student clubs/organizations and trust funds collected from any sources whatsoever shall be deposited immediately with the Student Business Office through the Student Activities Office.
- E. If the Student Business Office is not open, moneys shall be deposited by 5:00 p.m. the next business day.
- F. The Student Business Office shall issue receipts for moneys received.
- G. The Treasurer shall exercise supervision over expenditures of the ASGSAC.
- H. Requisitions shall be signed by the ASGSAC Advisor and Dean of Student Services, and ASGSAC Treasurer or President. The Vice-President may also be a signer if designated by the President.
- I. Check requisitions or a transfer of funds is the only way to withdraw budgeted funds from the ASGSAC accounts.
- J. This is done by fully completing a requisition, signed by the faculty club advisor (if applicable),

and obtaining approval from the ASGSAC Advisor and/or the Director of Student Service.

- K. In the absence of the faculty club advisor, emergency requisitions may be executed instead with the signature of the ASGSAC Advisor.
- L. No order obligating the ASGSAC may be placed with any firm or individual without a requisition secured in advance.
- M. Individuals advancing personal funds without prior approval from the Treasurer, the ASG Advisor for ASGSAC purposes shall do so at their own risk and may not be reimbursed.
- N. To reallocate unused funds for expenditures over \$500 from the ASGSAC budget, the following must occur:
 - 1. Create line item budget for expenses.
 - 2. Review expenses with Treasurer and ASG Advisor
 - 3. Obtain an approval from Cabinet and Senate.
 - 4. Paperwork must be placed on Senate agenda at least three (3) weeks prior to transaction.

Section 9: Transfers

- A. The Treasurer shall exercise suspension over transfers of the ASGSAC and student clubs and organizations.
- B. The Treasurer and/or President shall sign requests for transfer of funds.
- C. Any transfer of over \$300 dollars must have Senate approval, with a two-thirds (2/3) vote is needed.

Section 10: Purchasing Procedures

- A. An approved and authorized requisition is required before every purchase of materials, articles, services, etc. Requisitions are available in the Student Activities Office.
- B. All completed requisitions must be brought to the Student Activities Office.
- C. Allow at least three (3) business weeks for the processing of requisitions.
- D. No payment will be made for materials, articles, services, etc. for which a requisition has not been issued.
- E. Under extreme circumstances reimbursements may be granted with approval of the Treasurer and/or President, with the Advisor and/or Director.

Section 11: Fundraising Activities

- A. Club's/Organization's fundraising activities are to be approved by the Inter-Club Council in advance.
- B. Any other student fundraising activities are to be approved by the Student Activities Office in advance.
- C. A.S.G. Members and Fund Raising
 - 1. ASGSAC member may not use their positions or the resources from A.S.G. to solicit funds. Though they may fund raise with other clubs and organizations, and seek out scholarships.

Section 12: Student Activities Fee

- A. The Cabinet and Senate with the approval of the Board of Trustees shall determine the cost and duration of the Student Activities Fee. Following applicable state, district, Title V, and Ed-code laws.
- B. Most activity fees require a two-thirds (2/3) vote of the student body.

Section 12: Reports. The Treasurer shall be responsible for presenting a periodic financial report to the Cabinet and Senate.

Section 13: Contracts/Concessions

- A. The ASGSAC Advisor and the President shall sign performance Agreement Contracts.
- B. The president and the ASGSAC Advisor shall sign all other contracts initiated by the ASGSAC and approved by the Senate.
- C. Payments on contracts shall be initiated by the regular purchase order procedures through the Student Business Office.

Section 14: Tickets

- A. In advance of any function involving the sale of tickets, tags, cards, etc., the faculty advisor responsible shall obtain instructions from the Student Activities Office as to the ordering, printing, numbering, issuing and accounting for all such tickets, tags, cards, etc.
- B. Student Travel Groups or Individuals shall include only active participants and advisors associated with the group.
- C. Active participants of student travel groups or individuals must be members of the ASGSAC or under its auspices.
- D. Specific fund requests for representative groups or individuals that are not budgeted must be requested and approved by a simple majority of the votes cast in the Senate.
- E. All forms according to current district requirements for travel must be filled out by each and every student traveling on behalf of the College.

Section 15: Meals. Meal price limit for student groups or individuals when meals are not provided shall be according to current District practices.

Section 16: Lodging Guide

- A. With the exception of a meal or conference-controlled price, the budget committee shall determine the price per person per night to be used in preparing the budget. All other expenses such as spending money, telephone calls, etc., will be paid for by those individuals acquiring such expenses.
- B. Lodging will not be paid for trips of less than one (1) hour of driving time (65 miles).

Section 17: Transportation

- A. Shall be according to the RSCCD Board Policy.
- B. When transportation is not paid through District funds it will be paid on the same basis as provided by District regulations for reimbursements.
- C. College vans will be used for all trips within a 250 mile radius of Santa Ana College. The vans should be used as often as possible to help reduce costs.

Section 18: Club/Organization Funding

- A. Funding for extra-curricular clubs/organizations shall be stated in the Finance, and the Clubs/Organizations and/or Inter-Club Council Codes.
- B. Extra-curricular clubs/organizations shall comply with all rules and regulations as stated in the ASGSAC Constitution, Bylaws, ASGSAC Policies and Executive Orders to be eligible for funding.

Section 19: Grants

- A. Grants for the purpose of conducting business (i.e. activities, fundraisers, meetings, etc.) of three hundred dollars (\$300) per academic year can be requested for new and continuing extra-curricular clubs/organizations.
- B. All necessary forms must be completed in order to obtain any available grants.
- C. Each club/organization and program will be responsible for completing all necessary requisitions needed for the approved conference and/or competition and activity, and turned into the Student Activities Office at least three (3) business weeks prior to when moneys are needed.
- D. The representative from the club/organization on program, excluding athletics, shall give an oral and or written report to the Senate three (3) business weeks after the conference and/or competition in question.
- E. Violations of the Finance Code will result in an automatic investigation of illegal activities by the ASGSAC Court.

ARTICLE XI – CLUB/ORGANIZATIONS CODE

ARTICLE XII – INTER-CLUB COUNCIL CODE

ARTICLE XIII – RSCCD STUDENT TRUSTEE CODE