

THE CONSTITUTION OF
THE ASSOCIATED STUDENTS OF CUESTA COLLEGE



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PREAMBLE

Through the structures provided by Cuesta College, and subject to policies established by the State of California and the Board of Trustees of the San Luis Obispo Community College District, the ASCC assists the District in the development of programs and policies affecting the general welfare of the Cuesta College student body.

ARTICLE I: NAME

This organization shall be known as the Associated Students of Cuesta College, herein referred to as the ASCC.

ARTICLE II: PURPOSE

The purpose of ASCC is to advocate for and represent all students at Cuesta College.

ARTICLE III: MEMBERS

Members must:

- A. Be officially registered as a student at Cuesta College
- B. Pay the Associated Students fee

ARTICLE IV: EXECUTIVE CABINET OFFICERS

SECTION 1. OFFICERS

The Executive Cabinet officers of the ASCC shall be the:

- President/Student Trustee
- Vice President
- Activities Director
- Clubs Director
- Finance Director
- Outreach Director
- Publicity Director
- Secretary

A. Elected

The elected Executive Cabinet positions shall be:

- 1. President/Student Trustee
- 2. Vice President

B. Appointed

The appointed Executive Cabinet positions shall be:

1. Activities Director
2. Clubs Director
3. Finance Director
4. Outreach Director
5. Publicity Director
6. Secretary

SECTION 2. QUALIFICATIONS

A. Elected

Elected positions must meet the following qualifications to hold office:

1. Be a member of ASCC
2. Maintain a minimum overall cumulative G.P.A. of 2.0
3. Maintain and complete a minimum of 5 units each semester at Cuesta College during his/her term
4. Recommend enrollment in Leadership 262 for the semester(s) he/she is in office until the student has reached the maximum repeatability per Title V
5. Maintain good standing according to Title V
6. Maintain good standing according to the California Education Code

B. Appointed

Appointed positions must meet the following qualifications to hold office:

1. Be a member of ASCC
2. Maintain a minimum overall cumulative G.P.A. of 2.0
3. Maintain and complete a minimum of 5 units each semester at Cuesta College during his/her term
4. Recommend enrollment in Leadership 262 for the semester(s) he/she is in office until the student has reached the maximum repeatability per Title V
5. Maintain good standing according to Title V
6. Maintain good standing according to the California Education Code

SECTION 3. DUTIES

Reference the ASCC Executive Cabinet Officers Job Description Bylaws.

SECTION 4. ELECTION AND APPOINTMENT

A. Election

1. Timing

The General Election shall be held in March or April of the spring semester. The exact date(s) of voting shall be determined by the Elections Committee and the ASCC Advisor(s).

2. Term of Office

The elected officers shall serve a term of one year (June–May).

The position of President/Student Trustee and Vice President can be served a maximum of four (4) semesters by the same person.

3. Removal and Resignation

a. Recall

Any elected officer of the Executive Cabinet shall be subject to recall for any reason.

Any active member of the Student Body has the right to petition for recall of any elected Executive Cabinet member.

1. The petition must be signed by 10% of the active ASCC members and presented to the Judicial Council within two (2) weeks of the filing of the petition.
2. The affected officer shall be notified in writing of the proposed action and by the initiator of the recall petition within five (5) days of presentation to the Judicial Council.
3. Upon the filing of the recall petition, it becomes the property of the Senate and is subject to public information.
4. The petition will be presented to the Judicial Council with the initiator of the petition or representative from one of the 10% of the active ASCC members' signatures. The petition initiator or representative must present their justification for recall.

5. The Judicial Council will follow the public hearing rules and process.
6. The Judicial Council must approve the petition by a vote of three-fifths (3/5) in order for a recall election to take place.
7. A recall election must take place within two (2) weeks of the Judicial Council public hearing. It is the responsibility of Senate to conduct the election following Election Code Bylaws.
8. Recall occurs after the election if there is a majority vote in favor of recall.

b. Impeachment

Any elected Executive Cabinet member may be charged with misconduct or neglect of duty by another Senate or Executive Cabinet member and can be subject to impeachment.

1. Misconduct: Acts pertaining to mismanagement of position responsibilities and/or funds.
2. Neglect of Duty: Unwillingness to comply with the duties of elected position.
 - a. Any one member of the Senate has the right to request impeachment.
 - b. The Senate, including the member to be impeached, votes on whether or not to conduct impeachment proceedings.
 - c. The proceedings shall be conducted by members of the Senate, with a member (or members) of the Judicial Council guiding those proceedings.

c. Failure to comply with Attendance Policy Bylaws

4. Vacancy

If a vacancy occurs with the position of President/Student Trustee, the duties of the office can follow a succession order listed here. Begin with number one; if number one is not an option, then begin with number two, and so on.

- a. Vice President
- b. Senate may appoint an Executive Cabinet officer or Senator to the position by majority vote of the Senate.
- c. Senate may call a special student body election to fill the vacancy.

If a vacancy occurs with the position of Vice President, follow the succession order listed above beginning with number two.

B. Appointment

1. Timing

In the spring semester, after the newly-elected officers have been selected, the Confirmation Committee will conduct interviews and forward their recommendations to Senate for approval on or before the last Senate meeting of the spring semester.

2. Term of Office

The appointed officers shall serve a term of one year (June–May).

Any qualified student may serve a maximum of six (6) semesters within ASCC.

3. Removal and Resignation

Any appointed Executive Cabinet member may be charged with misconduct or neglect of duty by another Senate or Executive Cabinet member and can be subject to impeachment.

- a. Misconduct: Acts pertaining to mismanagement of position responsibilities and/or funds.
- b. Neglect of Duty: Unwillingness to comply with duties of approved position.
 1. Any one member of the Senate has the right to request impeachment.
 2. The Senate, including the member to be impeached, votes on whether or not to conduct impeachment proceedings.
 3. The proceedings shall be conducted by members of the Senate, with a member (or members) of the Judicial Council guiding those proceedings.

c. Failure to comply with the Attendance Policy Bylaws.

4. Vacancy

A vacancy can be filled any time on an as-needed basis after going through an interview with the Confirmation Committee and approval of Senate.

ARTICLE V: EXECUTIVE CABINET

SECTION 1: PURPOSE

It is the Executive Cabinet's purpose and goal to maintain the organization and structure of ASCC.

SECTION 2: COMPOSITION

The ASCC Executive Cabinet will be comprised of the following officers:

President/Student Trustee
Vice President
Activities Director
Clubs Director
Finance Director
Outreach Director
Publicity Director
Secretary

SECTION 3: POWERS

The Executive Cabinet shall:

- A. Enforce the Constitution, rules, regulations, and policies of the ASCC.
- B. Be responsible for the needs of the Associated Students.
- C. Advise organizations and individuals of policies and regulations of ASCC and Cuesta College in general.
- D. Review all money proposals, applications for appointed positions, clubs, et al, with a vote to forward to Senate for approval.
 1. Provide Executive Cabinet denial reports to Senate on a weekly basis with rationale when such action has occurred.
- E. Be responsible for formulating and directing programs as established in the current budget.

- F. Keep minutes of its meetings and publish these records within the time allowed by California Law after each meeting.
- G. The ASCC Executive Cabinet, with the advisor(s), may act upon financial matters when classes are not in session to facilitate business and planning on a continual basis.

SECTION 4: MEETINGS

A. Quorum

A majority of the members must be present in order to constitute a quorum to do business.

B. Regular Meetings

The Executive Cabinet shall meet at least once a week throughout the regular college semester, except at times of vacation or legally established holidays.

C. Special Meetings

Special meetings will be called when necessary in accordance with the Brown Act.

D. Notice

Agendas of the meetings shall be posted to the public within the legal time frame stated in the Brown Act.

ARTICLE VI: LEGISLATIVE

The legislative power of the ASCC shall be vested in a Senate.

SECTION 1. COMPOSITION

A. Executive Cabinet

B. Senators

C. Advisory Senators

1. All those who do not meet the minimum qualifications and/or have already served a maximum of six (6) semesters of any ASCC position. Advisory Senators do not have a vote.

D. Commissioners

E. Advisor(s)

The ASCC Advisor(s) shall serve as non-voting ex officio members.

SECTION 2. QUALIFICATIONS

ASCC Senate must:

- A. Be members of ASCC.
- B. Maintain a minimum overall cumulative G.P.A. of 2.0.
- C. Maintain and complete a minimum of five (5) units each semester at Cuesta College during his/her term.
- D. Recommend enrollment in Leadership 262 for the semester(s) he/she is in office until the student has reached the maximum repeatability per Title V.
- E. Maintain good standing according to Title V.
- F. Maintain good standing according to the California Education Code.

SECTION 3. DUTIES

ASCC Senate shall:

- A. Approve recommendations made by the Confirmation Committee with a vote of two-thirds (2/3).
- B. Keep minutes of its meetings and publish these records within the time allowed by California Law after each meeting.
- C. Have final approval for raising and/or disbursing revenue for all programs.
- D. Review requests of ASCC from the District.
- E. Enact impeachment proceedings against elected and appointed positions to ASCC.
- F. Call special elections by a vote of two-thirds (2/3). Reference Election Code Bylaws for further information.
- G. Approve chairpersons for ASCC committees.
- H. Approve representatives for ASCC committees, campus committees, and state wide committees.
- I. Discipline their own members in accordance with the guidelines of this Constitution and its Bylaws.
- J. Approve a budget annually.

SECTION 4. APPOINTMENT

A. Timing

Senators may be appointed to Senate at any time during a regular Senate meeting through the 6th week of the spring semester.

B. Term of Office

Once appointed, the Senator shall serve a term of one academic year. Every appointed Senator's term shall end at the last Senate meeting of the spring semester, regardless of when the individual was appointed.

Every eligible student may serve a maximum of six (6) semesters as a member of ASCC Senate (excluding Advisory Senators).

C. Removal and Resignation

The following are ways in which appointed members of Senate may be removed from office:

1. Impeachment

Any Senate member may be charged with misconduct or neglect of duty by another Senate or Executive Cabinet member and can be subject to impeachment.

- a. Misconduct: Acts pertaining to mismanagement of position responsibilities and/or funds.
- b. Neglect of Duty: Unwillingness to comply with duties of appointed position.
 1. Any one member of the Senate has the right to request impeachment.
 2. The Senate, including the member to be impeached, votes on whether or not to conduct impeachment proceedings.
 3. The proceedings shall be conducted by members of the Senate, with a member (or members) of the Judicial Council guiding those proceedings.

2. Failure to comply with the Attendance Policy Bylaws.

SECTION 5. MEETINGS

A. Quorum

A majority of the members must be present in order to constitute a quorum to do business.

B. Regular Meetings

The Senate shall meet at least once a week throughout the regular college semester, except at times of vacation or legally established holidays.

C. Special Meetings

Special meetings will be called when necessary in accordance with the Brown Act.

D. Notice

Agendas of the meetings shall be posted to the public within the legal time frame stated in the Brown Act.

SECTION 6: ATTENDANCE

Reference ASCC Attendance Policy Bylaws.

ARTICLE VII: JUDICIAL COUNCIL

SECTION 1. COMPOSITION

The ASCC Judicial Council shall be comprised of three to five justices. There must be three students minimum, none of which may be members of the ASCC Senate. In the event that there is no Judicial Council, the ASCC Senate shall be responsible for conducting the duties listed below.

SECTION 2. DUTIES

The ASCC Judicial Council shall have original jurisdiction over the following areas:

- A. Impeachment and removal of any member of Senate.
- B. Complaints against the Senate and/or its authorized student representatives.

SECTION 3: APPOINTMENT

The ASCC Senate shall call for and appoint a Judicial Council as necessary.

A. Term

The term for justices of the Judicial Council shall last the duration of the case or matter before them.

B. Resignation

If a justice resigns before proceedings begin and the minimum number of justices is still present, the Senate has the option to appoint another justice or proceed with the process as is. In the event of a resignation after proceedings have begun, a new justice shall not be appointed.

C. Removal

Justices shall not be removed from their post unless a matter or case is resolved before the hearings.

SECTION 4. MEETINGS

Meetings shall be held and conducted as outlined in the ASCC Judicial Council Bylaws.

ARTICLE VIII: CLUBS

All clubs must be officially recognized by the Senate. This recognition grants an official charter and remains in effect for a period of one academic year.

SECTION 1. REQUIREMENTS

Every club must meet the following criteria:

- A. All necessary documents must be submitted on time to the Student Life and Leadership Office.
- B. Documentation of rules (i.e., club constitution and bylaws) must be submitted with the club application.
- C. Shall have at least five (5) members. Membership shall be determined by each club.
- D. Clubs must have at least one advisor who is a full- or part-time Cuesta College employee (excluding student employees).
- E. Shall have one (1) representative in attendance at each Interclub Council meeting with an alternate available in the absence of the representative.

Reference Interclub Council Bylaws for details.

SECTION 2. BENEFITS

Every club that has met the previously stated requirements, has been verified by the Student Life and Leadership Office, and has been approved as an official club of Cuesta College by the Senate has access to the benefits as listed in the Interclub Council Bylaws.

ARTICLE IX: ASCC COMMITTEES

SECTION 1. STANDING COMMITTEES

At the beginning of each semester, the Senate shall determine the ASCC standing committees.

SECTION 2. SPECIAL COMMITTEES

If an issue of special interest arises, the Senate may create a special committee or task force to investigate or bring resolution to an issue.

ARTICLE X: PARLIAMENTARY AUTHORITY

Meetings of the student government are subject to the California Brown Act requirements. The Senate and the Executive Cabinet shall use the current edition of The Standard Code of Parliamentary Procedure, Alice Sturgis, if not otherwise stated in this Constitution.

ARTICLE XI: AMENDMENTS

Proposed amendments must be approved for an election by the Senate with a vote of two-thirds (2/3).

This Constitution may be amended by a simple majority of those voting in an all-campus election.

APPENDIX

Chronology of ASCC constitutional actions:

Approved Student Senate	April 4, 1990
Ratified Student Senate	April 4, 1990
Approved, A.S. General Election	April 18, 1990
Approved Student Senate	September 1, 1993
Approved, A.S. General Election	September 13, 1993
Ratified Student Senate:	September 22, 1993
Approved Student Senate	March 16, 1995
Approved by Constitution Committee for A.S. General Election	March 21, 1995
Approved, A.S. General Election	March 28 and 29, 1995
Ratified Student Senate	March 30, 1995
Approved by Constitution Committee for A.S. General Election	November 7, 1995
Approved Student Senate	November 9, 1995
Approved, A.S. General Election	November 14 and 15, 1995
Ratified Student Senate	November 16, 1995
A.S. General Election.....	February 24 and 25, 1997
Ratified Student Senate	February 27, 1997
Judicial Council Interpretation	April 10, 1997
A.S. General Election.....	April 21 and 22, 1998
Ratified Student Senate	April 24, 1998
A. S. General Election	April 20 and 21, 1999
Ratified Student Senate	April 23, 1999
Ratified Student Senate	February 22, 2000
A. S. General Election	April 15 and 16, 2002
Ratified Student Senate	April 18, 2002
Ratified Student Senate	April 8, 2004
Ratified Student Senate	April 21, 2005
A.S. General Election.....	March 28–April 4, 2012
Ratified Student Senate	April 5, 2012
A.S. General Election.....	March 26–April 2, 2014
Ratified Student Senate	April 3, 2014
Ratified Student Senate	April 20, 2017
Ratified Student Senate	May 2, 2019

