

**Bylaws**  
**Associated Students**  
**of San José State University**

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## **Associated Students Constitution**

### **Article I: Intent**

#### Section I- Mission Statement

- A. Our Mission is to represent the students of San Jose State University and continually improve the quality of their educational opportunities and quality of their experiences.

#### Section 2- Purpose

- A. We, the students of San Jose State University, in order to promote educational, social, and cultural opportunities; to govern and finance student activities; to facilitate participation in the University community; and to discharge the authority vested in the Association by the State of California and the President of the University, do hereby declare that equal opportunities shall be afforded to all students without regard to race, religion, creed, gender, sexual or affectional preference, age, ethnic origin, nationality, physical disability, or any other basis protected by law.

#### Section 3- Name and Colors

- A. The name of the organization shall be Associated Students (A.S.) of San Jose State University (SJSU), otherwise referred to herein as Associated Students.
- B. The colors of this organization shall be Gold, White, and Blue.

### **Article II: Membership**

#### Section I- Members of Association

- A. All students registered at San José State University who have paid the student body fees shall be student members of the Association. All such members shall hold equal voting rights in campus-wide elections. There are no members of the Association as that term is defined in the California Corporations Code section 5056, or any successor thereto. Any action that would otherwise require approval by a majority of all members, as that term is defined in the California Corporations Code, shall only require approval by the Board of Directors.
- B. Student members of the Association shall have all rights and responsibilities as granted by the Associated Students Bylaws.

#### Section II- Rights of Members

- A. Initiatives
  - 1. The procedures for an initiative petition from the student body shall be identical to those for recall, as defined in Article VI, Section I. The

petition shall be signed by either twenty-five percent (25%) of student members of A.S who cast ballots in the last A.S Presidential election, or by ten percent (10%) of the student members of the Association, whichever is less.

2. A majority of the votes cast in said election shall be sufficient for enactment of said initiative measure.

### **Article III: Board of Directors**

#### Section I- Functions

- A. It shall be empowered to adopt measures necessary for the general welfare and to protect the interests and to respond to the needs of the Associated Students. In general, it shall perform all legislative functions on matters within the jurisdiction of the Association.
- B. The functions and powers of the Board of Directors are:
  1. To operate as the supreme policy-making body of the Association.
  2. To delegate specific authority to the Executive Committee, group, or committee under the jurisdiction of the Board of Directors.
  3. To approve by a two-thirds (2/3) majority vote of the voting membership of the Board of Directors the appointment of all Associated Students Officers and members of the Associated Students committees or student/faculty committees in accordance with Article VI, Section II
  4. To adhere to the Attendance Policy, which is to attend all required meetings as defined in Article III, Section III, Subsection B in addition to those appointed or requested by the A.S. Executive Committee.
  5. To establish and determine the functions of the Associated Students Committees, including boards, commissions, and agencies as necessary to provide services to the Association.
  6. To oversee the financial affairs of the Association, including approval of Association budgets and accountability of allocated funds.
  7. To hear student recommendations concerning revision of University and Associated Students policies and to make appropriate recommendations to the Associated Students President and/or the University President.

8. To enforce the provisions of this document by means of appropriate rules and regulations as may be necessary.
9. Approve the hiring of the Executive Director by 2/3 vote of the Board as recommended by the A.S President
10. To enact legislation as authorized by the Association's Constitution and not in conflict with campus policy, the California Education Code, and/or Title V of the California Code of Regulations.
11. To Review its Bylaws.
12. To have such additional authority to enact such other legislation as may be deemed necessary for the general welfare of the Associated Students.

## Section II- Membership

### A. Voting

1. The Board of Directors shall consist of sixteen (16) voting members including the Chairperson.
2. The members of the Board of Directors shall be:
  - President
  - Vice- President
  - Controllor
  - Director of Business Affairs
  - Director of Communications
  - Director of Environmental Affairs
  - Director of External Affairs
  - Director of Extracurricular Affairs
  - Director of Faculty Affairs
  - Director of Intercultural Affairs
  - Director of Internal Affairs
  - Director of Programming Affairs
  - Director of Student Fee Affairs
  - Director of Student Resource Affairs
  - Director of Student Rights and Responsibilities
  - Director of University Advising Affairs
3. The campus President shall appoint a University Representative to the Board of Directors to advise on policy and to provide liaison between the board of directors and the campus. Their role is advisory and is not considered to be a member of the Board of Directors.

4. The Chairperson of the Board of Directors shall be the Vice President.

### Section III- General Duties and Responsibilities

#### A. Assuming Office

1. The oath of office must be taken before someone elected or appointed to the Board of Directors starts his/her term of office. In the event that all members do not take the oath of office at the first meeting, the total membership of the Board is reduced accordingly pursuant to A.S. Bylaws.
2. All Board members shall read, sign, and adhere to the conflict of interest statement and the Memorandum of Understanding (MOU) developed by the Vice President with the approval of the President and Controller prior to the receipt of his/her first legislative stipend.
3. Directors shall contact the Chairs of their prescribed committees immediately upon being sworn in or upon appointment.

#### B. Maintaining Office

1. Directors must fulfill all duties prescribed to him/her unless extenuating circumstances occur and the Director is excused by the Chair. Excuse from duty is amendable and debatable, and must be passed by a majority vote of the total voting membership.
2. Directors shall abide by the following attendance policy (in which semesters shall be defined as the first day of instruction and concluding the last day of finals with the exception of the fall semester, which shall include the months of May and August). Regular attendance is essential to Associated Students, Inc.'s efficient operation and proper representation of the students of San José State University. All Board Members, including Executives, are expected to conduct themselves in a professional manner during the course of their service, and to fully participate in the activities of Associated Students, Inc.:
  - a. An unexcused absence is defined as any absence from A.S. meeting, training, etc that does not meet the excused absence definitions listed below or those determined by the Executive Committee to be excused.
    - i. Absence from an official University recognized program including Associated Students business at which a member's attendance is required. In this case the Chair will be notified in advanced.

- ii. Absence due to illness of a director or a member of his or her family requiring the director's care, or the bereavement of the director's family member.
  - iii. Absence due to individual circumstances, due cause and excusableness of which are to be determined by the Executive Committee on a case-by case basis to determine negligence or ill intent.
- b. Directors are allowed two (2) excused absences from regularly scheduled Board meeting per semester. Should a director have an unexcused absence or exceed their maximum of two (2) absences or should their two (2) absences take place during two (2) consecutive Board meetings, it is within the jurisdiction of the Board of Directors to declare his or her position vacant.
  - c. Attendance at A.S In-Service is mandatory; however, directors may miss two (2) in-services per year after notifying the Chair. These absences will not count against the two (2) excused absences for Board of Directors meetings allotted to each Director per semester.
  - d. Attendance at retreats is mandatory, including overnight hours. Should extenuating circumstances arise, a director shall submit to the Executive Committee their reason for absence in order to distinguish its excusableness.
  - e. It is within the jurisdiction of the Board of Directors to declare a position vacant if it is determined that the attendance policy has been breeched. Should the position become vacant by a two-thirds (2/3) vote of the Board of Directors, normal operating procedures, pursuant to Article VI Section II, for vacancies would take effect immediately.
  - f. Any excuses or explanations shall be submitted in writing by the Director to the Executive Committee within seven calendar days before or after an absence.
- 3. Directors are required to keep a minimum of three (3) office hours a week during regular academic semesters, excluding meeting times. The office hours shall be posted in the A.S. Government office for the purpose of student accessibility.
  - 4. Directors are required to meet with the Chairperson at least once a month unless deemed otherwise by the Chairperson with the exception of the members of the Executive Committee.



5. Directors are required to attend and participate in each regular and special meeting of the Board.
  6. Directors shall provide a written report for each regular Board meeting of the areas of his or her responsibility as directed by the Chairperson and the Board of Directors.
  7. Directors who serve as a liaison to University or A.S. departments shall meet with an appropriate representative at least once a month and shall report on its status and activities at the following A.S. Board meeting.
  8. Director shall be expected to seek adequate knowledge of student affairs and of the corporate affairs of Associated Students, SJSU, so as to make informed and intelligent decisions on matters brought before the Board of Directors.
  9. Directors shall be responsible for communicating with their appropriate fellow Director and coordinating mutual effort in areas where responsibilities overlap.
  10. Directors are encouraged to discuss issues concerning their areas of responsibility with other members of the Board prior to making decisions or voting.
  11. Directors shall be subject to Legislative Directives pursuant to Article III, Section IV.
  12. The Board may censure a member by a vote of two-thirds of the voting members present for violation of policies and procedures which may include but are not limited to: the Gloria Romero Open Meeting Act of 2000, the California Education Code, Policies and Procedures for CSU Auxiliary Organizations, A.S. Bylaws, A.S. and CSU Executive Orders, and Robert's Rules of Order.
- C. Conclusion of Term of Office
1. The minimum qualifications as mandated by the CSU Chancellor's Executive Order 1006 and San José State University Policy S05-4, "Academic Qualification for Student Office Holders," (excluding 2.1.4, 2.1.5, and 2.2), and Associated Students Board of Director grade point average (GPA) requirement- Board directors must maintain a cumulative on-campus (SJSU) GPA of at least 2.75 and must obtain a GPA of at least 2.5 each semester while in office and the semester running for office. Failure to meet these qualifications

will result in immediate forfeiture of the position.

2. The Board of Directors may declare a seat vacant by a two-thirds (2/3) vote of the total voting membership if a member has been absent two (2) or more consecutive times or has accumulated three (3) or more absences per semester from regular Director responsibilities (including but not limited to, office hours, one-on-ones, meetings and other activities of the Board), excluding excused absences which have been processed pursuant to Article III, Section III, Subsection B. 2.
3. The Board may declare a seat vacant by two-thirds (2/3) vote of total voting membership as recommended by consensus of the Board, if a member fails to complete all prescribed duties.
4. A.S. will place a registration hold on the records of any A.S. Director or Executive who fails to return all A.S. property which may include but is not limited to keys, laptops, binders, and confidential materials upon completion of his or her term.

D. Specific Duties

1. Director of Business Affairs shall:
  - a. Serve as the Vice-Chair of the Finance Committee pursuant to Article IV, Section IV.
  - b. Serve as a chair of the A.S. Operations Committee Board.
  - c. Serve on the A.S. Personnel Committee pursuant to Article IV, Section VI.
  - d. Serve on the Campus Planning Board of the Academic Senate.
  - e. Serve as the A.S. Board representative for hiring committees unless otherwise deemed exempt.
  - f. Report quarterly on the A.S. strategic planning progress.
  - g. Report on the status of financial development for University Advancement.
  - h. Report on Audit Committee results
  - i. Work with the A.S. Controller on revisions to budget policies.
2. Director of Communications shall:
  - a. Serve as a member of the A.S. Programming Board pursuant to Article IV, section VII.
  - b. Serve as a member of the Committee on Committees of the Academic Senate.
  - c. Serve as a member of the A.S. Operations Committee.
  - d. Serve as a member of the A.S. Lobby Corps pursuant to Article IV, Section V.
  - e. Assist the Board in publicizing the activities of Associated Students through methods such as the Spartan Daily, A.S. website, press releases, emails, and newsletters.

- f. Advocate and establish a public relations strategy to educate the campus community regarding the role of the Associated Students Board of Directors.
  - g. Prepare advertisements concerning A.S. meetings, programs, services, and vacancies on University and A.S. boards and committees in coordination with the Chairperson of the Board and the Executive Director.
  - h. Shall maintain any social and digital media sites that AS participates in (Google+, Facebook, etc.).
  - i. Provide a liaison report for the Office of Public Affairs.
3. Director of Environmental Affairs shall:
- a. Serve on the Campus Planning Board and Sustainability Board of the Academic Senate.
  - b. Serve as a member of University Affairs Committee.
  - c. Provide a liaison report on the status and activities of the Environmental Resource Center, the University Safety and Risk Services Office and FD&O Recycling and Moving Services, Energy and Utilities Division and A.S. Transportation Solutions.
  - d. Advocate and educate A.S on campus issues pertaining to sustainability recycling and related activities.
  - e. Raise and address issues concerning sustainability pertaining to the campus, the surrounding community, and/or the globe.
4. Director of External Affairs shall:
- a. Term commences June 1 pursuant to being a CSSA member. Otherwise term shall commence August 1.
  - b. Serve as Chair of the A.S. Lobby Corps pursuant to Article IV, Section V.
  - c. Serve as a Student Senator in the Academic Senate.
  - d. Serve as a student-at-large on the Instruction and Student Affairs Committee in the Academic Committee.
  - e. Work with local government officials and legislative offices to promote the interests of San José State University and its students in coordination with the A.S. President.
  - f. Organize all Associated Students, SJSU voter registration, education and mobilization efforts in coordination with the Programming Board.
  - g. Work with other universities and colleges in combined efforts with regard to legislation and voter registration.
  - h. Will fulfill the role of the CSSA Representative with sole voting rights.
  - i. Submit recommendations concerning California State Student Association (CSSA) proposals from the California State-Wide Academic Senate, the California State University system, the California State Legislature, and U.S. Congress that affect the

interests of San José State University and its students to the Board in coordination with the A.S. President.

5. Director of Extracurricular Affairs shall:
  - a. Serve as the Vice-Chair of the A.S. Programming Board pursuant to Article IV, Section VII.
  - b. Serve as a member of the Homecoming Selection Committee pursuant to Article IV Section VII.
  - c. Serve as a member of the A.S. Operations Committee.
  - d. Serve as a member of the Athletics Board.
  - e. Provide a liaison report on the status and activities of A.S. Campus Recreation, Club Sports, Resident Hall Association (RHA), University Housing Services, the Department of Intercollegiate Athletics, Fraternity and Sorority Life (FASL), and Student Involvement to the Board to advocate a sense of community for San Jose State University students.
  - f. Report on decisions concerning, and proposed changes in, policies affecting the campus community to the board.
  - g. Advocate and serve to promote and enhance outreach and accessibility of community service on campus through civic engagement collaborations with the University.
  
6. Director of Faculty Affairs shall:
  - a. Serve as Chair of the A.S. University Affairs Committee pursuant to Article IV, Section XI.
  - b. Serve as a Student Senator in the Academic Senate.
  - c. Serve as a member of the Professional Standards Committee of the Academic Senate.
  - d. Serve as a member of the Outstanding Professor Award Selection Committee of the Academic Senate.
  - e. Report on proposed changes in retention, tenure, promotion (RTP) and other policies pertaining to faculty affairs and professional standards to the Board.
  - f. Work in coordination with the Student Senators to submit proposals to the Board and the Academic Senate recommending changes in academic policies pertaining to faculty affairs.
  
7. Director of Intercultural Affairs shall:
  - a. Serve as a member of the Faculty Diversity Committee of the Academic Senate.
  - b. Serve as a member of the International Programs and Students Committee of the Academic Senate.
  - c. Serve as a member of the Veterans Advisory Committee and Violence Prevention Coalition.
  - d. Provide a liaison report-on the status and activities of Counseling Services, the Disability Resource Center, the International House,

University Police Department (UPD), the International and Extended Studies Programs, MOSAIC, and the Women's Resource Center.

- e. Report Academic Senate policies affecting ethnic/cultural, international, and non-traditional student groups at San José State University to the Board.
  - f. Advocate for ethnic/cultural, international, and non-traditional student groups, which may include but are not limited to disabled, LGBT, re-entry, veteran, graduate, and night students.
8. Director of Internal Affairs shall:
- a. Serve as Chair of the A.S. Internal Affairs Committee.
  - b. Serve as a member of the Organization and Government Committee of the Academic Senate.
  - c. Serve as a member of the A.S. University Affairs Committee pursuant to Article IV, Section XI.
  - d. Serve as a Student Senator on the Academic Senate.
  - e. Report on proposals of the Academic Senate affecting University governance, including revisions of the Academic Senate Constitution and Bylaws, to the Board.
  - f. Work in coordination with the Student Senators to submit proposals to the Board and the Academic Senate recommending changes in policies regarding University governance.
9. Director of Programming Affairs shall:
- a. Term commences June 1.
  - b. Serve as Chair of the A.S. Programming Board pursuant to Article IV, Section VII.
  - c. Serve as Chair of the A.S. Homecoming Court Selection Committee pursuant to Article IV Section VII.
  - d. Provide a liaison report on the activities of A.S. Special Events.
  - e. Advocate for the A.S. Board member participation in campus-wide events and activities such as but not limited to: Fall Welcome Days, Academic Integrity Week, Student Organization Leadership Conference, Tunnel of Oppression, and events and activities hosted by Associated Students, SJSU.
  - f. Attend the National Association for Campus Activities conference or event annually as determined.
10. Director of Student Fee Affairs shall:
- a. Serve as a member of the A.S. University Affairs committee.
  - b. Serve as a member of the Campus Fee Advisory Committee.
  - c. Serve as the Vice chairperson the A.S. Lobby Corps pursuant to Article IV, Section V.
  - d. Serve as a member on the Traffic, Transit, and Parking Committee of the Academic Senate.

- e. Serve as a resource and advocate for subsidies made available for students such as: alternative transportation solutions, book loan program, laptop rental, and scholarships and financial aid.
  - f. Provide a liaison report on the status and activities of the Office of Financial Aid and Scholarships.
  - g. Report on decisions in the California State Legislature affecting student fees to the Board in coordination with the Director of External Affairs.
  - h. Participate in the annual California State Student Association Budget Summit.
11. Director of Student Resource Affairs shall:
- a. Serve as the Vice chair of the A.S. University Affairs Committee pursuant to Article IV, Section X.
  - b. Serve as a Student Senator in the Academic Senate.
  - c. Serve as a member of the Instruction and Student Affairs Committee of the Academic Senate.
  - d. Serve as a member of the Student Success Committee of the Academic Senate.
  - e. Serve as a member of The Student Health Advisory Committee.
  - f. Provide a liaison report on the status and activities of the Registrar, University Safety and Risk Services Office, , Testing Office, Student Involvement Team, and the Learning Assistance Resource Center (LARC).
  - g. Report decisions and proposed changes by the Academic Senate related to instruction and student affairs to the Board.
  - h. Submit proposals to the Board and the Academic Senate that recommend changes in academic policies pertaining to student resources in coordination with the Student Senators.
12. Director of Student Rights and Responsibilities shall:
- a. Serve as a member of the A.S. University Affairs Committee pursuant to Article IV, Section XI.
  - b. Serve as Vice Chair of Internal Affairs Committee.
  - c. Serve as a Student Senator in the Academic Senate.
  - d. Serve as a member of the Instruction and Student Affairs Committee of the Academic Senate.
  - e. Serve as a member of the Campus Fee Advisory Committee.
  - f. Submit proposals recommending changes in academic policies pertaining to student rights and responsibilities to the Board and the Academic Senate in coordination with the Student Senators.
  - g. Provide a liaison report on the status and activities of the Ombudsman's Office, Office of Student Conduct, Ethical Development, and University Police Department (UPD).

- h. Report on proposals under consideration by the Academic Senate to change academic and administrative policies and procedures affecting student rights and responsibilities to the Board.
  - i. Promote awareness of the academic responsibilities of students and the various University grievance procedures available to them.
13. Director of University Advising Affairs shall:
- a. Serve on the A.S. University Affairs Committee pursuant to Article IV, Section XI.
  - b. Serve as a Student Senator in the Academic Senate.
  - c. Serve as a member of the Curriculum and Research Committee of the Academic Senate.
  - d. Serve as a member of the Undergraduate Studies Committee of the Academic Senate.
  - e. Provide a liaison report on the status and activities of Enrollment and Academic Services relevant to the operation and function of Associated Students.
  - f. Providing a liaison report for Admissions, Student Outreach and Recruitment, and student academic success services..
  - g. Work in coordination with the Student Senators to submit proposals to the Board and the Academic Senate that initiate changes in academic policies relating to curriculum and research, general education, continuing education, and academic advising.

#### Section IV: General Duties and Responsibilities

- A. President
  - 1. To be Chief Executive Officer of this Association.
  - 2. To be the official representative of the Associated Students.
  - 3. To be responsible for the implementation of all legislation including the coordination of the Associated Students committee system.
  - 4. To make such nominations in accordance with Article VI, Section II, subject to a two-thirds (2/3) majority approval of the voting membership of the Board of Directors, and to fill all vacancies unless otherwise provided for in these Bylaws.
  - 5. To dismiss with stated cause any individuals in positions nominated by the President, subject to two-thirds (2/3) majority approval of the voting membership of the Board of Directors. The President shall not dismiss any individual nominated by him/her to the vacancy of an elected office.
  - 6. To perform other duties as authorized by the Board of Directors.
  - 7. To submit to the Board of Directors, the budget for the subsequent fiscal year as created in consultation with the Associated Students Controller. This shall be submitted no later than the first board meeting in April.

8. To assist the Associated Students Vice President in the planning, coordination, and implementation of the training program for the incoming Board of Directors and Executive Officers.
9. The A.S. President, as Chief Executive Officer has the ability to issue Executive Orders.
  - a. An Executive Order is defined as an order issued by the A.S. President concerning implementation of a provision of legislation or fiscal action adopted by the A.S. Board.
  - b. An Executive Order is effective immediately and shall remain in effect unless rescinded in writing by the A.S. President or rescinded by two-thirds (2/3) vote of the voting membership of the A.S. Board.

B. Vice President

1. To serve as Chief Administrative Officer of the Board of Directors.
2. To be the Chairperson of the Board of Directors.
3. The Chairperson's duties shall be:
  - a. To preside over the board of directors meetings (The Vice-Chairperson shall preside in his or her absence).
  - b. To be responsible for the proper enforcement of these Bylaws with assistance of The Director of Internal Affairs
  - c. The Chairperson shall sign all legislation passed by the Board of Directors.
  - d. The Chairperson shall be responsible for the preparation of all legislation in the proper form after the Board has taken final action and shall present all legislation to the Associated Students President no more than five (5) business days after the meeting in which the final action was taken. This section shall not apply in the event that the business is carried over to the next regular meeting.
4. To perform the duties of the President during – the President's (i) incapacity or (ii) extended absence resulting in the President's unavailability to perform the duties identified in Article IV, Section I, Section III A.
5. To keep a complete and permanent record of the Associated Students Bylaws and legislation passed by the Board of Directors
6. To plan, coordinate, and implement the training program for incoming Board of Directors members and Executive Officers.
7. The Chairperson is also responsible in administering the oath of office to the newly elected executives and directors. If the Chairperson is not available at the time set for installations, the current A.S. President would be responsible for this duty. If the A.S. President is not available, the A.S. Advisor would then be responsible.

C. Controller



1. To be the Chief Financial Officer of the Association.
2. To administer the financial affairs of the Association.
3. To be responsible for the implementation of all fiscal legislation.
4. To submit to the Board of Directors a report of the Student Organization Fund of the Associated Students on a bi-weekly basis.
5. To work in consultation with the Associated Students President in the preparation of the budget assumptions for the subsequent fiscal year budget as determined by Article IV, Section I, Section III A 8.
6. To publicize financial reports to the general student body at least semi-annually.
7. To perform such other Associated Students duties as requested by the Associated Students President.
8. The Controller shall assume all duties of the Secretary/Treasurer position as required by the California Corporations Code.

#### Section V- Types of Legislation

##### A. General Definitions of Legislation

1. A Legislative Resolution is a statement expressing the opinion, position, or recommendation of the A.S. Board to an *external* party.
2. A Fiscal Resolution is a statement by the A.S. Board concerning the use of previously allocated Associated Students' funds by an *external* recipient of said funds. A Fiscal Resolution does not change the General Fund balance.
3. A Legislative Directive is an *internal* instruction by the A.S. Board of Directors to the Executive Committee of the Associated Students or to a single member of said committee, to itself as a group or to members thereof, to Associated Students Committees, or to legal counsel to adopt a course of action. It has the force of law for Associated Students. It has a permanent and binding effect on the parties concerned until amended, repealed, or superseded by the A.S. Board
4. A Fiscal Directive is a statement by the A.S. Board, directed *internally* to Associated Students personnel and/or leadership, concerning the allocation of currently approved Associated Students funds. A Fiscal Directive may set or change the General Fund balance for the current fiscal year.
5. A Legislative Action is any other non-fiscal action of the A.S. Board, including but not limited to *amendments* to this constitution.
6. A Budget *Amendment* is legislation which changes the current Associated Students budget, including stipulations and budgeted amounts.

- B. The introduction of any legislation shall follow all general procedures and shall be given two (2) readings before the A.S. Board, as specified below.
- C. First Reading of Legislation: These shall be introduced at Associated Students Board of Directors meetings only as informational items. At the first reading of the Legislation, there shall be no debate. The introduced legislation shall automatically move to its second reading. The first reading of the Legislation may also be permitted to take place in the A.S. Internal Affairs Committee, A.S. Lobby Corps, A.S. University Affairs, or A.S. Finance Committee (as determined appropriate by the Executive Committee) with debate at the committee level, prior to it being presented to the A.S. Board for the second reading, in keeping with the provisions of the California Education Code.
- D. Second Reading of Legislation: The Legislation shall be read in full on the second reading, at the Associated Students Board of Directors meeting. The A.S. Board may debate and amend the Legislation at the second reading.
- E. A two-thirds (2/3) vote of the voting membership of the A.S. Board of Directors shall be necessary for adoption of the Legislation. The vote shall be taken by roll call vote.
- F. Amendments
  1. When an amendment to an existing legislation is presented to the A.S. Board, words to be added shall be *bolded, underlined and italicized*; omission of words shall be indicated by a line passing through the words.
  2. To amend legislation including this constitution, the proposed amendment must follow the procedures, as outlined in Article III, Section IV, Subsections C-E with the exception that it does not need to be taken by roll call vote.
  3. Upon petition by ten percent (10%) of the number of student members of the Associated Students who cast ballots in the last Associated Students Presidential election, a proposed amendment shall be placed before the Board of Directors for consideration.
  4. A majority of the A.S. Board present may decline to consider an amendment presented by its author, which changes a substantial portion of existing legislation.

#### **Article IV: Committees**

## Executive Committee

### Section I- Functions

- A. The functions of the Executive Committee shall be to administer the affairs of the Associated Students and implement all legislation passed by the Board of Directors. It shall coordinate relations with other student associations and with the University administration.
- B. The Executive Committee will be a committee of the Board of Directors with powers of the Board as enumerated:
  1. Oversee the execution of the approved budget through allocation of monies.
  2. Implement legislation passed by the Board of Directors.
  3. Spend Reserve funds in times of emergency where the board cannot convene consistent with A.S Budget Policies
  4. Handle board issues relating to complaints, suggestions for training, and violations of Board policies.
  5. To hear and investigate any issues pertaining to board members and committee conduct.

### Section II- Membership

- A. The Executive Committee shall consist of three (3) elected members and other appointed positions as designated by the Associated Students President and/or the Board of Directors.
- B. The elected members shall be:
  1. President
  2. Vice President
  3. Controller

## Audit Committee

- A. In compliance with SB 1262: The Nonprofit Integrity Act of 2004, the purpose of the A.S. Audit Committee shall be to meet annually or as needed to perform assigned duties. This committee is an advisory committee to the Board of Directors. They shall be responsible for:
  1. Making recommendations to the A.S. Board on the hiring and firing of the outside auditing firm.
  2. Negotiating the compensation of the auditor on behalf of the A.S. Board.
  3. Conferring with the auditor to satisfy the committee members that the financial affairs of the charitable organization are in order.
  4. Reviewing and determining whether to accept the audit.
  5. Approving any non-audit services to be performed by the auditing firm.
- B. Committee Membership
  1. University Faculty Representative (Chairperson)
  2. A.S. Finance Committee Student-at-Large
  3. Student-at-Large

4. University President's Designee
  5. Student-at-Large
  6. Student-at-Large
- C. Duties of Committee Officers and Members
1. The Chairperson shall be the University Faculty Representative. The duties of the Chairperson are to be responsible for providing written and/or oral reports to the A.S Board.
  2. The Vice-Chairperson shall be elected from the committee membership by a majority vote of the voting members of the A.S Audit Committee. The Vice-Chairperson shall not be a Finance Committee member. The duties of the Vice-Chairperson are to:
    - a. Assume Duties of the Chairperson in the absence of the Chairperson
    - b. Assist the Chairperson in carrying out his/her duties.
    - c. Maintain accurate meeting minutes

#### Finance Committee

- A. Delegation of Authority
  1. Under the authority of the Education Code, Sections 89300, 89301, and 89302, of the State of California, all monies collected from the mandatory student activities fees shall be collected by the Chief Fiscal Officer of the University and shall be transferred to the Associated Students for deposit.
  2. Hereafter Associated Students shall be referred to as A.S.
- B. Use of Fees
  1. Membership fees shall be governed under the same provisions established under the Education Code of the State of California, Article II, and Section 89300
  2. AS may use fees collected in accordance with all programs listed in Title 5, page 2, Subchapter 6, Article 4, Section 42659 of the State of California.
- C. Informing Membership
  1. This Legislative Act should be distributed at least once a year to groups and organizations so that they will be continually informed of the funding procedures.
  2. The general student body shall be consistently informed through various mediums, such as print media, and the Student Life Center, as to the availability of funding.
- D. Expenditures

1. The ultimate power for disbursing AS monies lies with the AS Board of Directors; however it is the sense of the AS Board of Directors that this Act is strictly adhered to.
  2. Expenditures must be in accordance with line-item allocations as appropriated by the Board and approved by the AS President, the University Chief Financial Officer, and the University President, as applicable under Title 5, Subchapter 6, Article 1, Section 42402 of the State of California. Exceptions must be granted in accordance with (c) below.
  3. Line Item Changes
    - a. Submit a signed requisition to the Associated Students Executive Director, stating reasons for the request. Approval of this transfer if under \$2,000.00 requires the approval of the A.S. Controller and the A.S. Executive Director. The transfer of funds (excluding the transfer of Student Organization Funds) over \$2,000.00 may be approved by the A.S. Board of Directors by a 2/3 vote of those members present and voting.
    - b. Requests for line item changes must be submitted in writing to the AS Controller and the AS Executive Director, stating reasons and area to be transferred to and from.
    - c. It shall be the duty of the AS Controller and the AS Executive Director to be certain that proper funds are available.
  4. All requisitions for checks, contracts, purchase orders, line item transfers, etc., that are submitted by organizations that receive funding from the Associated Students are to be signed by an Executive Officer of the AS, primarily the AS Controller.
  5. All claim schedules shall be signed by the AS Executive Officers. These Executive Officers shall be: the AS Controller, or in his/her absence the AS President, or in his/her absence, the A.S. Vice-President. Appropriate arrangements should be made with the AS General Service Center for those occasions when the Executive officers may not be available.
  6. Any requisition benefiting an AS Executive Officer or Director must be approved by the AS Board of Directors prior to processing.
- E. Finance Committee and Preparation
1. Composition and Authority
    - a. The Finance Committee shall be a standing implementing committee of the Board of Directors and shall consist of the following:

1. AS Controller (Chairperson, Non-Voting)
  2. Director of Business Affairs (Vice Chair, Voting)
  - 3-5 Three (3) Directors- at- Large (Voting)
  - 6-9. Four (4) Students-at-Large (Voting)
  10. AS Executive Director (Non-Voting)
  11. AS Advisor or Designee (Non-Voting)
- b. A quorum shall be a majority of the currently appointed/elected voting members.
- c. The responsibilities of this committee shall be:
- i. Review all requests and AS Controller recommendations to determine whether:
    - The organization is eligible for funding, as stipulated by AS Budget policies.
    - Money is available,
    - Enough time was allowed for consideration.
  - ii. To consider funding requests by organization(s) in the last month of the semester for events scheduled for the first four weeks of the following semester.
  - iii. To require a quorum for the conduct of all business and to approve no official action with less than a majority of the currently appointed voting members present.
  - iv. To keep minutes in accord with the AS Rules of Procedure, Rule VI.
  - v. Be responsible for reviewing all requests for eligibility of AS funds.
  - vi. To request such policy statements from the AS Board of Directors as the committee deems necessary to properly give advice on the expenditure of AS funds.
  - vii. The Chairperson shall be the AS Controller.
  - viii. The Vice shall be the AS Director of Business Affairs and shall perform the duties of the Chairperson in the event of his/her absence.
  - ix. To recommend to the Board of Directors any changes to the proposed A.S. President's Budget.
- d. Duties of the Chairperson
- i. He/she shall be a non-voting member of the committee, except to break a tie or make a quorum.
2. Procedures for Requesting Funds from the Associated Students

- a. Requests must be submitted in writing to the Chairperson at least (4) weeks prior to expenditure. Exceptions will be made only with the consent of the AS Finance Committee.
  - b. The Chairperson of the Finance Committee shall call a meeting of the Finance Committee during the semester. Regular meetings shall be held the first and third Wednesday of every month until the passage of the annual budget or depletion of money to allocate to student organizations, which ever comes last.
  - c. The Chairperson of the AS Finance Committee must inform the AS Board of Directors of all pending requests for AS Funds, dates and times of Finance Committee meetings prior to the meeting and all actions occurring at the meetings.
  - d. The Committee shall review the request under the criteria established under the Student Organization Fund budget stipulations.
3. A.S Budget Procedures Pertaining to it:
- a. Prior to December 1st, the A.S. Controller shall inform all eligible organizations of the AS Budget process and deadlines. In accordance with the schedule established by the AS Finance Committee, requesting organizations and AS divisions and services shall submit their Annual Budget Requests for the use of monies for the following fiscal year to the AS Executive Director or designee. The AS Executive Director, or designee, shall provide these organizations, divisions, and services with guide formulas for the determination of such costs as: per diem meal allowance, auto mileage allowances, and other such costs on a basis of a rate equivalent to those provided by the State of California.
    - i. All budget-funding proposals for consideration by the AS Finance Committee shall follow the format outlined in the latest Budget Request form or any form or system the Finance Committee deems appropriate for expedience.
    - ii. All proposals must be submitted via an electronic soft copy to the AS Executive Director. The AS Executive Director or designee shall be responsible for distributing copies to the AS Board of Directors and to the Finance Committee.
  - b. The Finance Committee shall request such data from organizations and AS divisions and services as it deems necessary to prepare the Annual Budget.

- c. All Budget Requests must be signed by the organization's Coordinator, Chairperson, or President, as appropriate.
  - d. In the spring semester, in accordance with a schedule established by the AS Finance Committee, the committee shall forward a total Budget proposal for the following fiscal year to the Board of Directors, no later than April 1.
  - e. The committee shall inform the Board of Directors of the total anticipated income for the ensuing fiscal year. Anticipated income shall be defined as the revenue anticipated from predicted student enrollment, based on official estimates released by the University, anticipated income from Summer Session Fees, program income funds from the AS Print Shop. The Budget which the committee presents to the AS Board of Directors shall not exceed the anticipated income.
  - f. The Annual Budget must be approved by a 2/3 vote of total membership of the Board of Directors. To verify the Board's vote, it shall be attested by the AS President, the AS Controller, and the AS Executive Director or designee, for final approval of the budget.
  - g. Upon approval by the AS Board of Directors, the Budget shall be forwarded to the University President no later than May 1.
4. Procedures for Requesting Student Organization Funds
- a. The AS Board of Directors or the Chairperson of Finance Committee shall call a meeting of the Finance Committee as the need arises, except during regularly scheduled A.S. Board meetings.
  - b. The Chairperson must inform the AS Board of Directors of all pending requests for Student Organization Funds, dates and times of Finance meetings prior to the meeting and all actions occurring at the meetings.
  - c. The committee shall review the request under the criteria established under Section IV, E, subsection c of this Article and the student Organization Fund stipulations in the AS Budget.
    - i. The Chair shall appoint, if necessary, a person who voted with the majority to write a concurring opinion for presentation to the AS Board of Directors and where applicable, someone who voted with the minority to present a dissenting opinion to the AS Board of Directors.



- d. The AS Controller and Finance Committee shall also follow stipulations and procedures contained in the AS Budget relating to the Student Organization Fund.

#### Internal Affairs Committee

- A. Purpose and Duties
  1. The purpose of the A.S. Internal Affairs Committee is to maintain accurate copies and effectively propose changes of the Articles of Incorporation, Bylaws, Election Regulation Manual (Governing Documents) to the A.S. Board of Directors and regulate issues pertaining to board accountability
  2. The duties of the A.S. Internal Affairs Committee are to:
    - a. To meet and review the Governing Documents and to make recommendations to the A.S. Board of Directors (A.S. Board) on revisions to the Governing Documents, as well as any proposed changes in the University Governance Structure. The A.S. Board of Directors may accept these recommendations and act upon them according to the procedures outlined in the Bylaws and Rules of Procedure.
    - b. To review processes and procedures of Associated Students.
- B. Committee Membership
  1. The A.S. Internal Affairs Committee shall be composed of:
    - a. A.S. Director of Internal Affairs (Chairperson, Non-Voting)
    - b. Director of Students Rights and Responsibilities (Vice Chair, Voting)
    - c. Director of Student Resource Affairs (Voting)
    - d. Student-at-Large (Voting)
    - e. Student-at-Large (Voting)
    - f. Student-at-Large (Voting)
    - g. Student-at-Large (Voting)
    - h. A.S. Advisor (non-voting)
  2. The A.S. legal counsel serves as an ex-officio member of this committee and may be consulted upon the request of the A.S. President and/or Executive Director.
    - a. All committee appointments are to follow established A.S. or University procedures. Students-at-Large shall be nominated by the A.S. President with consultation from the A.S. Director of Internal Affairs and appointed by the A.S. Board. They shall serve from the time of appointment until May 31.
- C. Duties of Committee Officers and Members
  1. The Chairperson shall be the A.S. Director of Internal Affairs. The duties of the Chairperson are to:
    - a. Be responsible for providing written and oral reports to the A.S. Board as to the actions taken by the Committee.
    - b. Be responsible for researching and bringing to the Committee issues that would be consistent with the purpose of the Committee

- or designating specific responsibilities to other members of the Committee.
2. The Vice-Chairperson shall be the Director of Rights and Responsibilities. The duties of the Vice-Chairperson are to:
    - a. Assume the duties of the Chairperson in the absence of the Chairperson.
    - b. Assist the Chairperson in carrying out his/her duties.
    - c. Maintain accurate meeting minutes.
- D. Committee Operations
1. The A.S. Internal Affairs Committee shall meet on the first and third Wednesdays of the month.
  2. A quorum shall consist of a majority of currently appointed voting members.
- All matters shall be decided by a majority vote of those present and voting.

### Lobby Corps

- A. Purpose and Duties
1. The purpose of this Lobby Corps shall be to make recommendations to the Associated Student (A.S.) President and the A.S. Board of Directors (A.S. Board) concerning the impact of pending legislation in the state legislature and the U.S. Congress concerning San José State University, the California State University system, education in general and higher education in particular, and the legislation's impact on individual San José State University students.
  2. The duties of the A.S. Lobby Corps are to:
    - a. Be responsible for implementing Associated Students' lobby efforts in coordination with the A.S. President, which shall include, but not be limited to: rallies, letter-writing campaigns, and legislative office visits.
    - b. Organizing and carrying out annual voter education, registration, and mobilization.
- B. Committee Membership
1. The A.S. Lobby Corps shall be composed of:
    - a. A.S. Director of External Affairs (Chairperson, Non-Voting)
    - b. A.S. Director of Student Fee Affairs (Vice Chair, Voting)
    - c. A.S. Director of Communications (Voting)
    - d. Student-at-large (Voting)
    - e. Voter Registration Captain (Student-at-large, Voting)

- f. Local Campaign Manager (Student-at-large, Voting)
  - g. State Campaign Manager (Student-at-large, Voting)
  - h. Federal Campaign Manager (Student-at-large, Voting)
  - i. Student-at-large (Voting)
  - j. Student-at-large (Voting)
  - k. Student-at-large (Voting)
  - l. Student-at-large (Voting)
  - m. A.S. President (Ex-Officio)
2. All committee appointments are to follow established A.S. or University procedures.
- a. A.S. officers shall serve during their term of office.
  - b. A.S. directors shall serve during their term of office.
  - c. Students- at- Large shall be nominated by the A.S. President with consultation from the A.S. Director of External Affairs and appointed by the A.S. Board of Directors. They shall serve from the time of appointment until the expiration of the current Board of Directors.
  - d. All other committee officers (Voter Registration Captain, Local, State, and Federal Campaign Manager) shall be appointed by Lobby Corps at the first or most appropriate successive meeting.
- C. Duties of Committee Officers and Members
1. The Chairperson shall be the A.S. Director of External Affairs. The duties of the Chairperson are :
- a. Preside at all meetings of the Lobby Corps and provide an agenda in accordance with the Gloria Romero Act and the A.S. Bylaws.
  - b. Report on the activities of the Lobby Corps to the A.S. Board of Directors at least monthly.
  - c. Research and bringing legislation to the Lobby Corps which would be consistent with the purpose of the committee.
  - d. Fulfill the role of the CSSA Representative
    - i. Attend each meeting of California State Student Association (CSSA)
    - ii. Actively participate in CSSA meetings and business/activities by holding leadership positions and promoting CSSA events.
    - iii. Provide a report on the actions taken at CSSA meeting to the A.S Board.
  - e. Perform other duties as necessary.

2. The Vice-Chairperson shall be the Director of Student Fee Affairs. The duties of the Vice-Chairperson are:
  - a. Assume the duties of the Chairperson in the absence of the Chairperson.
  - b. Assist the Chairperson in carrying out his/her duties.
  - c. Maintain accurate meeting minutes
  - d. Forward information discussed in meetings to committee members who were absent.
  - e. Perform other duties as necessary.
3. The duties of the Voter Registration Captain are:
  - a. Attend each meeting of the Lobby Corps.
  - b. Coordinate voter- registration drives on campus and in the campus community.
  - c. Assist in the other programming and education efforts of the Lobby Corps.
4. The duties of Lobby Corps Campaign Managers (local, state and federal) are:
  - a. Attend each meeting of the Lobby Corps.
  - b. Provide a liaison report to the Lobby Corps of actions, event, and legislation pertinent to their area, local state, or federal.
  - c. Implement lobbying events and efforts pertinent to their area (local, state, or federal), including, but not limited to: rallies, letter-writing campaigns, speakers and legislative office visits.
5. Lobby Corps members shall:
  - a. Attend each meeting of the Lobby Corps.
  - b. Discuss debate, propose, and promote legislative issues that affect students at San José State University.
  - c. Organize and participate in legislative/lobbying events approved by the Lobby Corps.
  - d. Perform all other duties necessary to fulfill the purpose of the Lobby Corps as outlined in this Section, A, a.

#### D. Committee Operations

1. Lobby Corps shall meet on a bi-monthly basis on the first and third Wednesday of each month during the academic year, or as deemed necessary by the Lobby Corps.
2. A quorum shall consist of a majority of currently appointed voting members.

3. All matters shall be decided by a majority vote of those present and voting.

### Operations Committee

#### A. Purpose & Duties

1. The purpose of the A.S. Operations Committee is to assess A.S. programs and services, along with the A.S. strategic plan, as an evaluation of the organization's needs and effectiveness.
2. The duties of the A.S. Operations Committee:
  - a. Review the strategic plan to evaluate its alignment with A.S. goals, mission statement, and projects.
  - b. Provide program and service recommendations for future strategic considerations of the A.S. Board of Directors
  - c. Analyze, evaluate and present to the Board of Directors the results of data acquired from students, which reflect the assessment of needs and satisfaction through tools, like surveys.
  - d. Conduct Annual Review of Operational Standards and Best Practices Guidelines.
  - e. Review A.S. Risk Management Policies including Safety Inspections on an annual basis.

#### B. Committee Membership

1. The A.S. Operations Committee shall be comprised of:
  - a. A.S. Director of Business Affairs (Chairperson, Non-Voting)
  - b. A.S. Director of Communications (Voting)
  - c. A.S. Director of Extracurricular Affairs (Voting)
  - d. Director-at-Large (Voting)
  - e. Director-at-Large (Voting)
  - f. A.S. Executive Director or Designee (Non-Voting)
2. All committee appointments are to follow established A.S. or University procedures.
  - a. A.S. directors shall be selected by the A.S. Board of Directors and shall serve during their term of office.

Designee Staff appointments will be determined by the Executive Director.

#### C. Duties of Committee Officers and Members

1. The Chairperson shall be the A.S. Director of Business Affairs. The duties of the Chairperson are to:
  - a. Preside all meetings of the A.S. Operations Committee and provide an agenda in accordance with the Gloria Romero Act and the A.S. Bylaws.
  - b. Be responsible for providing written and oral reports to the A.S. Board as to the actions taken by the Committee.
  - c. The chairperson shall be a non-voting member of the meeting except to break a tie.
  - d. Perform other duties as necessary.
2. The Vice-Chairperson shall be a director-at-large by a majority vote of the voting members of the A.S. Operations Committee. The duties of the Vice-Chairperson are to:
  - a. Assume the duties of the Chairperson in the absence of the Chairperson.
  - b. Assist the Chairperson in carrying out his/her duties.
  - c. Maintain accurate meeting minutes.

D. Committee Operations

1. The A.S. Programs Review Board shall meet at least once a month as determined by the committee membership.
2. A quorum shall consist of a majority of the currently appointed voting members.
3. All matters shall be decided by a majority vote of those present and voting.

E. Effective Date

1. The Act shall become effective in the semester following final passage by the A.S. Board and upon signature of the Chairperson of the A.S. Board. This Act supersedes any previous legislation pertaining to this body and any such legislation is hereby repealed.

Personnel Committee

A. Purpose and Duties

1. To serve as oversight to the operational functions of the corporation by ensuring compliant labor practices for all employees
2. To recommend to the A.S. Executive Director, operational improvements; employee benefits; and wage distribution strategies necessary for budget planning purposes

3. To recommend personnel policy for all at-will and contractual employees, in conjunction with the A.S. Executive Director, to the A.S. Board
  4. To adopt all rules and procedures necessary to execute all personnel affairs of Associated Students
  5. Shall provide consultation and support when called upon in a grievance matter brought to the attention of the Personnel Committee pursuant to the Personnel Manual
  6. To assist the A.S. President in analysis of periodic evaluations of the A.S. Executive Director, in accordance with the provisions of this Section and Employment Contract of the Executive Director
  7. To approve and recommend to the A.S. Board the annual performance review and renewed Employment Contract of the Executive Director
  8. To establish the personnel selection processes of the Executive Director with approval of the A.S. Board of Directors (A.S. Board). For the selection of an A.S. Executive Director, the committee shall;
    - a. Recruit, select and recommend a final candidate for the position of A.S. Executive Director to the A.S. Board for approval
    - b. In the event that the A.S. Board does not approve the Personnel Committee's recommendation, it will be the duty of the Personnel Committee to bring another candidate
- B. Committee Membership
1. A.S. President (Chairperson, Non-Voting)
  2. A.S. Vice-President (Voting)
  3. A.S. Controller (Voting)
  4. A.S. Director of Business Affairs (Voting)
  5. University President's Designee (Voting)
  6. Faculty or Staff Representative approved by the Academic Senate Executive Committee. This person shall serve a two (2) year term coinciding with the A.S. fiscal year. Consecutive terms permitted at a maximum of 2 terms (Voting)
  7. University Personnel Officer or Designee (Non-Voting)
  8. A.S. Executive Director (Non-Voting)
  9. Recording Secretary (Non-Voting)
- C. Duties of Committee Officers and Members
1. Duties of Chairperson:
    - a. The Chairperson shall be the A.S. President
    - b. To act as official spokesperson for the A.S. Personnel Committee
    - c. To call and preside at all meetings of the Committee
    - d. To appoint members of the Committee to complete specific duties such research, evaluation and assessment of procedures and practices as determined

- e. Complete periodic evaluations of the A.S. Executive Director in accordance with the provisions of this Section and the employment contract of the Executive Director
- 2. Duties of the Executive Director:
  - a. Serve to ensure consistency, compliance and appropriate documentation in all matters of employee relations as an at-will employer for the corporation
  - b. Fulfill all responsibilities of the position as defined in the employment contract and job description.
- 3. Duties of the Recording Secretary:
  - a. To record and maintain detailed minutes of Committee meetings
- D. Committee Operations
  - 1. The employment and termination of the A.S. Executive Director must follow proper procedures and be approved by a majority of total membership of the Personnel Committee.
  - 2. All policy recommendations must be approved by a 2/3 vote of the A.S. Board
  - 3. A quorum shall consist of a majority of currently appointed voting members, with a minimum of three (3) students

#### Programming Board

- A. Name
  - 1. The name shall be the Associated Students (A.S.) Programming Board.
- B. Purpose
  - 1. The purpose of this board shall be to create, organize, facilitate and execute programs that spark the desire in students to get involved with the campus community; such programs shall understand the diversity of the students and may even target specific interests. The A.S. Programming Board should have a collaborative and supportive relationship with the Associated Students Marketing and Events Department (ASME). This committee is an implementing committee to the Board of Directors.
- C. Composition and Authority
  - 1. The board shall have the following membership:
    - a. A.S. Director of Programming Affairs (Chairperson, Non-Voting)
    - b. A.S. Director of Extracurricular Affairs (Vice-Chairperson, Voting)
    - c. A.S. Director of Environmental Affairs (Voting)
    - d. A.S. Director of Communications (Voting)
    - e. A minimum of four Programmers (Students-at-Large, Voting)
    - f. Two Marketing and Events Representatives (Staff, Non-Voting)
  - 2. Programmers (Students-at-Large) shall be nominated by the A.S. President with consultation from the A.S. Director of Programming Affairs in consultation with the A.S. Director of Extracurricular



Affairs, and must be reported to the A.S. Board of Directors at the following board meeting. They shall serve from the time of appointment until the expiration of the current Board of Directors.

3. Quorum shall be a majority of the currently appointed members eligible to vote.
  4. The A.S. Programming Board shall report to the A.S. Board of Directors (A.S. Board).
  5. The A.S. Programming Board shall supervise only its own volunteers. Paid assistants of other departments of A.S. or the University shall report to their respective supervisors.
- D. Duties and Responsibilities of Board Members
1. A.S. Director of Programming Affairs
    - a. Term commences June 1 for the purpose of planning Homecoming activities, the Programming Board In-Service and other Programming Events.
    - b. Shall serve as the Chairperson of the A.S. Programming Board and as its official spokesperson.
    - c. Shall prepare agendas and minutes, and shall conduct meetings in accordance with Robert's Rules of Order and the California Education Code, Sections 89920 through 89928.
    - d. Provide an educational in-service to the committee relevant to event planning no later than the 3<sup>rd</sup> week of October.
    - e. The chairperson shall be a non-voting member of the meeting except to break a tie.
  2. A.S. Director of Extracurricular Affairs
    - a. Shall serve as Vice-Chairperson of the A.S. Programming Board and assume the duties of the Chairperson in their absence.
    - b. Assist the Chairperson in carrying out their duties.
    - c. Shall maintain accurate meeting minutes.
    - d. Forward information discussed in meetings to committee members who were absent.
    - e. Shall perform other duties as necessary.
  3. Students-at-Large
    - a. Shall each serve as a member of one (1) sub-committee, as appointed by the A.S. Director of Programming Affairs
    - b. Shall be responsible for reporting the activities of their sub-committee to the A.S. Programming Board on a regular basis.
  4. A.S. Marketing and Events Representatives
    - a. Work in coordination with A.S. Programming Director as determined.
    - b. Shall serve as the advisor to the A.S. Programming Board.
    - c. Shall help coordinate and oversee programs and activities of the Programming Board.
    - d. Shall coordinate the activities of all the other A.S. Programming Board members and the support staff.
- E. Responsibilities of the Board

1. To meet a minimum of two times per month between the months of September and April.
2. Coordinate, and/or facilitate, on behalf of Associated Students for the following events:
  - a. Fire on the Fountain (Director of Programming Affairs, in coordination with ASME)
  - b. Fall Event
  - c. Spring Event
3. Provide regular free programming to students under the categories of:
  - a. Music and Entertainment
  - b. Performing Arts and Lectures
  - c. Films and Media
  - d. Special and Social Events
4. Create at least two (2) small-scale A.S. visibility events per sub-committee, per semester.
5. Must report and be responsible to the A.S. Board of Directors.
6. Shall be the primary programming entity of A.S.
7. Approve the Homecoming Court selection protocol.

#### Students' Elections Commission

- A. Name
  1. The names of the committees shall be the A.S. Students' Election Commission and the A.S. Election Appeals Board (E.A.B.).
- B. Purpose Duties and Purview
  1. The purpose is to establish the A.S. Students' Election Commission and Election Appeals Board.
  2. The duty of the A.S. Students' Election Commission is to oversee the manner in which all A. S. general, special and run-off elections will be conducted under the purview of the Election Regulation Manual (E.R.M.).
  3. The provisions of this Section shall be in effect for all elections authorized by the A.S. Board of Directors or the A.S. Bylaws. Amendments to this Act shall be made in accordance with the A.S. Bylaws and the Rules of Procedure.
    - a. This Section shall apply to all areas recognized as San Jose` State University (SJSU).
    - b. This Section shall apply to all matriculated SJSU students.
  4. The A.S. Students' Election Commission shall operate autonomously. All decisions shall occur with out influence by or from the A.S. non-student/student staff, A.S. Board or Executive branch.
  5. The Duties of the A.S. Students' Election Commission shall be:
    - a. Oversee all aspects of the A.S. General elections and any special election.
    - b. Inform Student Body of all causes, issues and candidates which are relevant to the election process.

- c. Preside and facilitate meetings, forums, debates, and the overall election process in an unbiased and fair manner.
  - d. Hear, investigate and adjudicate all complaints, infractions and violations involved with elections.
  - e. Codify suggestions or recommendations regarding this Section and E.R.M. issues after election operations are complete. Forward the suggestions or recommendations to the A.S. Director of Internal Affairs by the first week of May. A formal meeting between the Chief Elections Officer and A.S. Director of Internal Affairs is advised.
- C. Students' Election Commission Membership
1. The Students' Election Commission shall consist of the following members:
    - a. Chief Elections Officer (Chairperson, Non-Voting)
    - b. Vice Chief Elections Officer (Vice-Chairperson, Voting)
    - c. Design and Communications Officer (Voting)
    - d. Election Consultant (Voting)
    - e. Election Consultant (Voting)
    - f. Election Consultant (Voting)
    - g. Election Consultant (Voting)
    - h. A.S. Election Board Advisor (Non-Voting)
    - i. (Unlimited) Student at-Large (Non-Voting)
  2. The Qualifications shall be:
    - a. All Students' Election Commission Executive officers and members shall adhere to SO5-04 (Academic Qualifications) *Minor Representative Offices*.
    - b. No member of the Students' Election Commission shall be a candidate for any elective office appearing on the ballot. Nor shall he/she engage in any activity promoting campaigning for or against any candidate seeking an A.S. office or any cause or issue appearing on the ballot.
  3. The Selection Process shall be:
    - a. Students' Election Commission Executive Officers shall be selected by an interview process coordinated by the Students' Election Commission Advisor, in consultation with the A.S. Executive Director and in accordance with the A.S. Bylaws, A.S. Personnel Policies and this Section. Officers shall be selected as needed to fill vacancies.
    - b. Students' Election Commission Consultants and At-Large members shall be interviewed and appointed by the Executive Officers of the Students Election Commission.
  4. Terms of Office shall be:
    - a. The Chief Elections Officer, Vice Chief Elections Officer, and Design and Communications Manager shall be selected no later than September 30<sup>th</sup> and serve until May 31<sup>st</sup>.

- b. Election Consultants shall be appointed within 30 days of the Executive Officer selection and serve until the end of elections.
  - c. Students' Election Commission At-Large Members shall serve at the discretion of the Executive Officers.
- D. Duties of Students' Election Commission Officers and Members
1. For each A.S. election, Executive Officers or members shall:
    - a. Manage and oversee all the logistics of student elections.
    - b. Conduct elections as authorized and outlined by the A.S. Bylaws and the ERM.
    - c. Advertise activities about A.S. and elections to potential candidates and voters.
    - d. Publicize elections dates and candidate filing deadlines to SJSU students.
    - e. Provide orientation to all candidates concerning policies, procedures and requirements to campaign for A.S. office in accordance with this Section and the E.R.M.
    - f. Establish and supervise polling locations.
    - g. Analyze the electronic ballot reports.
    - h. Declare election results.
    - i. Prepare, codify and maintain all election files, including, but not limited to decisions and information pertinent to the expeditious performance of future Students' Election Commission.
    - j. Executive Officers shall maintain a minimum of five (5) office hours per week during all election cycles.
    - k. Election Consultants shall maintain a minimum of five (5) office hours per week during all election cycles.
  2. The Chief Elections Officer shall perform the following duties:
    - a. Serve as the Chairperson, which includes calling membership together.
    - b. Preside over all meetings and provide an agenda in accordance with Gloria Romero Open Meetings Act of 2000, A.S. Bylaws and Rules VII.
    - c. Collaborate with the Executive Officers to interview Election Consultants and appoint the desired Election Consultants per Section III, C, 2.
    - d. Prepare the annual Students' Election Commission Budget request in accordance with A.S. Budget Policies, in collaboration with the Students' Election Commission Advisor.
      - i. Submit the Students' Election Commission Budget Request to the A.S. Controller.
      - ii. Serve as budget authority for the Students' Election Commission.
    - e. Assist the Design and Communications Manager with the design and development of the Electronic Ballot.

- f. Submit a written report and oral report on the status and activities of Students Election Commission to the A.S. Board of Directors at regular Board meetings as determined appropriate.
  - g. Shall only vote to break a tie.
3. The Vice Chief Elections Officer shall perform all of the following duties:
    - a. Serve as Vice-Chairperson, which includes assuming the duties of the Chairperson in the absence of the Chairperson.
    - b. Coordinate Candidate Orientations; Rules, Regulations & Ethics meetings; Public Forums and Debates.
    - c. Coordinate the supervision of polling locations and scheduling of poll watchers.
    - d. Prepare instructions for poll watcher; provide voting materials and information necessary for each polling area.
    - e. Serve as Recording Secretary. Record accurate and detailed minutes, disseminate and maintain accurate records.
  4. The Design and Communications Officer shall perform the following duties:
    - a. Coordinate all election media efforts.
    - b. Manages communication and promotion plan in accordance with Students' Election Commission budget.
    - c. Design and develop themed publicity materials, including but not limited to, signs, posters, pamphlets, and banners.
    - d. Design and develop instructions for poll watchers, voting materials, and information necessary for each polling area with assistance from the Chief Elections Officer and Vice Chief Elections Officer.
    - e. Design, develop and facilitate the printing of the Voter Information Guide (V.I.G.).
    - f. Design Apparel for Students' Election Commission
    - g. Work and communicate with the Spartan Daily, A.S. Marketing and any other source of media deemed by the Chief Elections Officer.
    - h. Distribute V.I.G.'s to appropriate campus constituents, as well as voter instructions and materials necessary to cast a vote at each polling location.
    - i. Design and develop the Electronic Ballot in collaboration with the Chief Elections Officer and Vice Chief Elections Officer.
  5. The Election Consultants shall perform the following duties:
    - a. Plan and manage election events as designated by the Chief Elections Officer.
    - b. Serve as poll watchers during scheduled election dates.
    - c. Perform other Students' Election Commission duties as designated by the Chief Elections Officer.
  6. The Students' Election Commission Advisor shall perform the following duties:

- a. Collaborate with the Chief Elections Officer to prepare the annual Students Election Commission budget request.
  - b. Ensure compliance to A.S. Governing Documents, Gloria Romero Open Meetings Act of 2000, Robert's Rules of Order, University policy SO5-04.
- 7. The Students' Election Commission At-Large Members shall perform the following duties:
- E. Serve at the discretion of and be responsive to the requests of the Executive Officers. Operations of Students' Election Commission
  - 1. A quorum shall consist of a majority of currently appointed voting members.
  - 2. All matters of action shall be decided by a majority vote of currently appointed voting members.
- F. Election Appeals Board
  - 1. Composition of the Election Appeals Board (EAB):
    - a. The E.A.B. shall consist of five (5) members:
    - b. A.S. Advisor (Chairperson, Non-Voting)
    - c. Chief Election Officer (Voting)
    - d. Election Consultant (Voting)
    - e. Students' Election Commission Student at-Large (Voting)
    - f. Students' Election Commission Student at-Large (Voting)
    - g. The Qualifications shall be:
      - The Election Consultants or Students' Election Commission Students at-Large serving on the E.A.B. may not hold dual membership on any other A.S. committee, nor the A.S. Board of Directors.
  - 2. Duties of E.A.B:
    - a. Shall convene to hear, investigate and adjudicate appeals of Students' Election Commission.
  - 3. The Selection Process shall be:
    - a. E.A.B. Students-at-Large shall be selected by the Students Election Commission Advisor before Election applications are made available.
  - 4. Operations of E.A.B.:
    - a. A quorum shall consist of a majority of the currently appointed and voting members.
    - b. All matters of action shall be decided by a majority vote of currently appointed voting members.
    - c. In a case when the E.A.B. cannot or will not make a decision, the Associate Vice President of Student Affairs or designee will make the final appeal.
- G. Election Regulations
  - 1. Regulations pertaining to A.S. elections not outlined within this act or the A.S. Bylaws shall be specifically enumerated within the E.R.M.
  - 2. General Regulations

3. All matriculated students of SJSU have the opportunity to run for an A.S. office, provided that the Academic Qualifications for Student Office Holders (University Policy S05-04) and the requirements outlined in the E.R.M. and A.S. Bylaws are met.

### University Affairs

- A. Purpose and Duties
  1. The purpose of the A.S. University Affairs Committee is to handle all matters related to the University and student success.
  2. The duties of the University Affairs Committee are to:
    - a. Bring to the A.S. Board of Directors (A.S. Board) issues pending in the Academic Senate and at the CSU Board of Trustees that impact on the quality of education and university experience of San José State University students.
    - b. Review issues not within the jurisdiction of other A.S. committees.
    - c. Make appropriate recommendations to the A.S. Board.
- B. Committee Membership
  1. The A.S. University Affairs Committee shall be composed of:
    - a. A.S. Director of Faculty Affairs (Chairperson, Non-Voting)
    - b. A.S. Director of Environmental Affairs (Voting)
    - c. A.S. Director of Internal Affairs (Voting)
    - d. A.S. Director of Student Fee Affairs (Voting)
    - e. A.S. Director of Student Rights & Responsibilities (Voting)
    - f. A.S. Director of Student Resource Affairs (Vice Chairperson, Voting)
    - g. A.S. Director of University Advising Affairs (Voting)
    - h. Student-at-Large (Voting)
    - i. Student-at-Large (Voting)
    - j. Student-at-Large (Voting)
    - k. Student-at-Large (Voting)
    - l. Student-at-Large (Voting)
  2. All committee appointments are to follow established A.S. or University procedures.
  3. A.S. directors shall serve during their term of office.
  4. Students-at-large shall be nominated by the A.S. President and appointed by the A.S. Board. They shall serve from the time of appointment until May 31.
- C. Duties of Committee Officers and Members
  1. The Chairperson shall be the A.S. Director of Faculty Affairs. The duties of the Chairperson are to:
    - a. Be responsible for researching and bringing to the Committee issues consistent with the purpose of the Committee and designating specific responsibilities to other Committee members.
    - b. Communicate with the A.S. Director of External Affairs regarding current matters being presented at monthly California

- State Student Association meetings, and bring issues to the Committee in conjunction with the Director of External Affairs.
2. The Vice-Chairperson shall be a student-at-large selected by the Committee from the Committee membership. The duties of the Vice-Chairperson are to:
    - a. Assume the duties of the Chairperson in the absence of the Chairperson.
    - b. Assist the Chairperson in carrying out his/her duties.
    - c. Maintain accurate meeting minutes.
- D. Committee Operations
1. The A.S. University Affairs Committee shall meet at least twice a month at a time to be determined by the committee membership. The initial meeting shall be called by the Chairperson no later than the second week of September, at which time a schedule of meetings for the remainder of the year shall be established.
  2. A quorum shall consist of a majority of currently appointed voting members.
  3. All matters shall be decided by a majority vote of those present and voting.

#### Ad Hoc Committees

- A. Ad Hoc Committees of the Board of Directors shall be created by the Chairperson, with majority vote of the Board members present and voting, when, and if, the need arises.
- B. Committee chairs shall be designated by a majority vote of the Board members present and voting.
- C. In the event that an election between two (or more) individuals for an Ad Hoc Committee chair is necessary, the losing candidate shall be designated vice-chair.
- D. In the event that no candidate is appointed for an Ad Hoc Committee chair or vice-chair position, the Board of Directors chair shall serve in the position or select a designee, who need not be a member of the Board of Directors.
- E. No Ad Hoc Committee shall be comprised of more than seven members of the Board of Directors as voting members, but shall be open to all interested members of the Associated Students.
- F. The Ad Hoc Committee chair shall be responsible for communicating to the appropriate individuals information regarding time and place of public hearings.
- G. The Ad Hoc Committee chair shall act as recorder or select a designee, who may or may not be a voting member of the committee. The recorder shall maintain accurate minutes of the proceedings, including all



legislation, discussion and votes. The Board of Directors Chair shall receive all minutes.

- H. A report to the Board of Directors shall be mandatory at the conclusion of an Ad Hoc Committee's task. The Board may require interim reports including at the end of the Spring Semester. The Board of Directors Chair shall place these reports on the Board's agenda.
- I. A minority report may be submitted to the Board of Directors Chair. The Chair must distribute both minority and majority reports.

### Committee Agendas

Standing Committee agendas shall exclude roman numerals II, VII, IX, X, XI, and XII of the Order of Business listed in Article VII Section VIII, at the discretion of the chair.

## **Article V: Elections**

### Section I-Elections

- A. The elections of the Associated Students President, Vice President, Controller, and Board of Directors shall be held during the second full week of April.
- B. Candidates for Associated Students offices shall file separately.
- C. Newly elected Officers shall assume office at the last Board of Directors meeting of the spring semester as further clarified in the Article III, Section III.
- D. The candidate with the most votes in the general election shall be declared the winner of the office in the event no candidate has a majority of the votes cast for an office.
- E. Should a tie vote result in no winner among the candidates for an elected office, there shall be a run-off election for that office during that same semester held no later than ten (10) days before the last day of instruction.

### Section II- Qualification

- A. Each individual seeking to become or remain an Officer or Director must comply with the academic requirements established by the Trustees of the California State University and San José State University. (See Trustees Academic Qualifications for Student Officers and University Policy S05-4, Academic Qualifications for Student Office Holders)
- B. No student shall hold more than one Associated Students office, excluding committee memberships, during the tenure of office.

- C. Executive officers shall have attended San José State University at least two (2) of the preceding three (3) semesters before the first day of October following elections.
- D. All officers shall maintain at least six (6) units of credit at the time of election and during the entire tenure of office.
- E. No student shall hold any one position on the Associated Students Board of Directors or in the A.S. Executive Branch for more than two academic years and no student shall serve in any office in the Associated Students, exclusive of A.S. committees and boards, for more than three academic years.

## **Article VI: Recalls and Vacancies**

### Section I- Recall

- A. Any elected or appointed officer(s) of the Association shall be removed from office for stated cause subsequent to an election in which two-thirds (2/3) of the voters participating vote for recall of specified officer(s).
  1. A recall election shall be called for by a two-thirds (2/3) majority vote of the voting membership of the Board of Directors.  
-Or-
  2. A recall election shall be called for by a petition signed by ten percent (10%) of the student members of the Association. The signers' student identification number must accompany the signatures.
    - a. The petition shall be submitted to the Students' Election Commission. This Commission shall determine within three (3) school days if the petition fulfills the requirements as established in this article.
    - b. If the petition fulfills the stated requirements, the recall election shall be held within fifteen (15) school days of receipt of the petition by the Students' Election Commission.
    - c. In the event the Students' Election Commission is unable to function as provided above, the Associated Students Internal Affairs Committee shall immediately convene to examine the petition and compel an election, subject to the relevant provisions of this Article.
  3. Either provisions in 1 or 2 of this section shall serve to bring about a recall election or no restriction shall be enforced which would serve to impede their implementation.

4. A vacancy created by recall shall be filled by an Associated Students election within ten (10) school days of such vacancy

#### Section II- Vacancies created by other than recall

- A. If the office of Associated Students President is so vacated the Vice President shall succeed to the Presidency. If the office of Vice President is so vacated, the Board of Directors Vice Chairperson shall succeed him/her.
- B. If a vacancy in any other elected office is so created, the Associated Students President shall fill the vacancy by nominating a candidate and with two-thirds (2/3) majority vote of the voting membership of the Board of Directors to appoint the candidate.
- C. An office can be declared vacant by the Board of Directors in accordance with Article III, Section III, C.

#### Section III- Filling Vacancies

- A. In the event that a board director position becomes vacant the application should be posted immediately on the Associated Students website.
- B. To be eligible for appointment to any vacant office, the candidate must meet the same qualifications as set forth in Article III, Section III of these Bylaws.
- C. All applications and the president's nominations for vacant positions must be made available to the Board of Directors, prior to the board meeting of which the appointment process will take place.
- D. Elections or appointments to vacated offices shall be effective for the remainder of the current term. A person who fills a vacancy in an elective office shall be subject to the same removal criteria as are elected officials.
- E. The Board may appoint individuals other than those nominated by the Associated Students President only by a two-thirds (2/3) majority vote of the voting membership of the Board of Directors at the time that the President's nomination is rejected.

### **Article VII: Meetings**

#### Section I- Procedure

- A. General
  1. All A.S Committees will follow the procedures and rules listed in this Article unless it shall specifically be directed to the A.S Board.

2. All Board and Committee meetings will comply with the Gloria Romero Open Meetings Act of 2000(California Education Code section 89305 et seq.)
3. Legislation may be introduced by an A.S. Board member, a group of members, or Committees of the A.S. Board. The Chairperson shall not be considered eligible to introduce legislation in his/her own name.
4. The member, group of members, or A.S. Board Committee Legislation shall present the Chairperson with an *electronic and paper copy* of the legislation at least *five (5) business days prior to the meeting at which the proposed legislation will be considered*. The name(s) of the introducer(s) *and date of introduction or revision* shall be *included in* the measure. The Chairperson may refuse any proposed legislation that is not in proper form.
5. The Chairperson shall give each Resolution, Directive, or Action a number and shall be responsible for the preparation of copies for all A.S. Board members.

B. Legal Consultation Procedures

1. All consultation of the attorney must be approved by the A.S. Executive Director or President.
2. The A.S. Vice President may consult A.S. Legal Counsel on matters pertaining to the Board and its operations.
3. The A.S. Controller may consult A.S. Legal Counsel on matters pertaining to the finances and budget.
4. The Executive Director shall report the general topic(s) being considered by the attorney to the A.S. Board at the following A.S. Board meeting.

Section II – A.S Board and Committee meetings

- A. Every agenda for regular and special meetings shall provide an opportunity for the public to address the A.S. Board or committee on any item affecting Higher Education. However, the A.S. Board or committee is not obligated to consider acting upon any request or proposal unless such request or proposal is received by the Chairperson in writing at least five business days before the meeting in which the agenda shall be used.
- B. Any person desiring to have an item placed on A.S. Board or committee agendas shall do so in writing and present it to the Chairperson of the said A.S. Board or committee at least five (5) business days prior to the meeting in which the agenda shall be used. Agendas for A.S. Board and

Committee meetings shall be publicly posted in an area that is freely accessible to the public at least seventy-two (72) hours prior to the scheduled meeting with a brief description of the items (around twenty (20) words or less) to be discussed or transacted. The Chairperson of the said meeting or the A.S. Government Administrative Assistant may post the agenda. No other items may be discussed or acted upon by the members of the A.S. Board unless otherwise provided for by the California Education Code.

- C. Regular A.S. Board of Directors (A.S. Board) Meetings shall be held on the second and fourth Wednesdays of each month of each regular academic semester and shall convene at three o'clock in the afternoon (3:00 p.m.) or as otherwise specified in the call of the meeting.
- D. A.S. standing and ad hoc committee meetings shall not conflict with any regular meetings of the (A.S. Board).
- E. No action or discussion shall take place on any item not on the posted agenda, unless that item of business fulfills conditions specified in the California Education Code §89305.5(c). However, A.S. Board or committee members or staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities, either on his or her own initiative or in response to questions posed by the public, a member of the legislative body, or a member of his or her staff. Furthermore, A.S. Board or committee members or the legislative body itself may provide a reference to staff or other resources for factual information, request staff or members to report back to the body at a subsequent meeting concerning any matter, or direct the Chairperson to place an item of business on a future agenda.
- F. During A.S. Board and committee meetings, student members of the audience may be allotted a period of time (not to exceed five (5) minutes per action item) in which they will be given the opportunity to speak on the current agenda item. This opportunity will occur during discussion and prior to voting as regulated by the acting Chairperson.
- G. No action shall be taken by secret ballot, whether preliminary or final. Teleconferencing may be permitted. Proxies shall not be accepted by this body.
- H. In the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individual(s) who are willfully interrupting the meeting, the members of the A.S. Board, by majority of those present and voting, may order the meeting room cleared and continue in session. The A.S. Board may re-admit any individual(s)

not responsible for willfully disturbing the orderly conduct of the meeting. Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held under the circumstances described in this section.

- I. Special meetings may be called by the Chairperson or by a majority of the membership of the A.S. Board or committee pursuant to the California Education Code §89306.5. Special meetings must be called and conducted in compliance with these Bylaws, the California Education Code, and all other pertinent governing documents.
- J. Closed sessions may be held in accordance with the provisions of the Education Code §89307.
- K. The A.S. Board shall conduct a public hearing of its proposed annual budget on the second (2<sup>nd</sup>) week in the month of April prior to its adoption.
- L. Any person may, upon written request, receive copies Legislation and other communications, including items placed on the agenda for a particular meeting. The A.S. Board may establish a fee of ten cents (10¢) per page for such service, consistent with any cost related to the production of materials.

### Section III – The Minutes

- A. The Board shall keep minutes of its proceedings, and a record of all transactions of the Board will be set forth in the Minutes Book of the Board. The Minutes Book will be kept by the Board Secretary as a permanent official record of the Board business and will be open to inspection by the public.
- B. The Recording Secretary shall prepare the minutes and enter the record of each meeting's proceeding, including all questions of order, which are decided on appeal. The decision shall be recorded in the minutes.
- C. Every motion made and entertained by the Chairperson shall be entered in the minutes with the last name of the maker of the motion. The last name of a member seconding a motion and the vote on the motion shall also be recorded. Voting will be by way of hand, voice or roll call of the members present.
- D. The Recording Secretary shall enter the hour of commencement and adjournment in the minutes of each meeting of the Board of Directors.

- E. The written opinion of any member of the Board, not exceeding 100 words, may be entered in the minutes by request.
- F. A Board member may insert a minority opinion in the minutes in excess of 100 words at the discretion of the Chairperson, the length of the extension to be also at the discretion of the Chairperson.

Section IV – The Chairperson of an A.S Committee and Board of Directors

- A. At each meeting, the Chairperson shall present an agenda in accordance with Article VII Section IX
- B. The Chairperson shall have control of the Council Chamber and its entries.
- C. The Chairperson shall take the Chair at the hour at which the Board of Directors convenes, immediately call the members to order, and cause the roll to be called.
- D. The Chairperson shall be responsible for the reading and approval of the minutes of the previous meeting.
- E. The Chairperson shall preserve order and decorum, shall decide all points of order, subject to appeal to the Board of Directors, may speak to points of order in preference to other Board members, and may vote only to break a tie vote on any matter considered by the committee/Board.
- F. The Chairperson shall be responsible for the communication of the actions of the committee/Board to the appropriate parties.
- G. The Chairperson shall provide notice of regular A.S. Board or committee meetings to any person who requests such notice in writing. Said notice shall be in the form of the agenda for the meeting and shall be made available to the public for inspection at least seventy-two (72) hours prior to the regular A.S. Board meeting. Said notice will be available through the Associated Students Government Administrative Assistant.
- H. In the absence of the Recording Secretary or assigned taker of the minutes, the Chairperson may appoint an acting secretary to perform the delegated duties
- I. The Chairperson shall conduct and declare all votes. If any member doubts the vote, a roll call may be requested. All Resolutions and Legislative Directives must be passed by roll call vote.
- J. The Chairperson shall be responsible for the preparation of the agenda, which will include all pertinent legislation, petitions and communications

and provide for the delivery of the same to members of the Board at least 48 hours before the regular Board meeting.

#### Section V – Parliamentary Authority

- A. Robert's Rules of Order, latest edition, shall be the parliamentary authority of the Board of Directors and its committees. In cases of conflict between Robert's Rules of Order and Board Rules as adopted in these Bylaws, Board Rules shall prevail.
- B. Abstention Votes
  1. All abstentions shall carry an effective null weight. Majority and/or two-thirds will be determined by the total number of votes cast for or against the issue.
  2. If one-quarter or more of a committee voting body abstains on an issue, the item will be brought to the Board of Directors for a decision. In the case that one-quarter of the Board also abstains on the issue, it will be decided by the Executive Committee with the only voting options as yes and no. Abstentions do not exist for the Executive branch in this scenario.
  3. If one-quarter or more of the Board of Directors abstains on an issue, it will be immediately tabled until the next available meeting.
- C. No member shall speak for more than five (5) minutes or two (2) times on any question except when an extension is granted by the Chairperson, subject to appeal. A member rising to speak in protest shall be allowed to speak after the deciding vote for a period not to exceed three (3) minutes. An A.S. Board or committee member may yield to anyone who wishes to speak on an issue during a period of discussion.
- D. The Chairperson may call upon a member of the gallery to speak on an issue during a period of debate. Members of the gallery are subject to the same limitations as members of the Board. This opportunity will occur during discussion and prior to voting as regulated by the acting Chairperson.

#### Section VI – Officers and Board Designees

- A. Chairperson
  1. The Chairperson will have such responsibilities as listed Section IV of this Article
  2. The Chairperson of the board will also have the responsibilities listed in Article V Section III, Subsection B
- B. Vice-Chairperson
  1. The Vice-Chairperson shall be elected from and by the Board of Directors and shall be the assistant to the Chairperson of the Board of



Directors. He/she shall assume the duties of the Chairperson in the Chairperson's absence.

2. For committees, the Vice-Chairperson is responsible for the minutes of the meeting.

C. Recording Secretary

1. The Associated Students Administrative Assistant shall be designated the Recording Secretary of the Board of Directors and shall be appointed by the Chairperson with the approval of the Board of Directors. The Recording Secretary:
  - a. Shall prepare such memoranda and other materials as the Board or the Chairperson shall direct.
  - b. Shall prepare and distribute to each Board member unapproved minutes on a timely basis. The Board may approve its minutes at the next meeting unless an objection is made by a member of the Board or a member of the public.
  - c. Shall be responsible for the grammatical accuracy of the minutes.
  - d. Shall enter in the minutes the absence or tardiness of Board members during a meeting.
  - e. Shall prepare and distribute to each Board member any special meeting notices twenty-four (24) hours prior to such meeting.

D. Parliamentarian

The Parliamentarian shall be nominated by any member of the Board of Directors, and appointed by the Board of Directors. He/she shall be responsible for providing parliamentary information upon request of the Chairperson. All parliamentary questions shall be determined in accordance with Article VII

Section VII – Quorum

- A. A quorum shall consist of a majority of currently appointed voting members. In instances where the Chairperson is not present, the Vice-Chairperson will fill the role. The Chairperson shall not carry a vote unless a tie breaker is necessary.
- B. Vacant offices shall not be included in determining the voting membership.

Section VIII – Order of Business

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Approval of the Agenda
- V. Approval of the Minutes
- VI. Public Forum
- VII. Executive Officer Reports (4 minutes each)
  - A. President
    - 1. Personnel Committee
  - B. Vice President
    - 1. A.S. 55
  - C. Controller
    - 1. Finance Committee
- VIII. Action Items
  - A. Old Business
  - B. New Business
- IX. Directors' Reports (3 minutes each)
  - A. Director of Business Affairs
    - 1. Audit Committee
    - 2. Operations Committee
  - B. Director of Communications
  - C. Director of Environmental Affairs
  - D. Director of External Affairs
    - 1. Lobby Corps
  - E. Director of Extracurricular Affairs
  - F. Director of Faculty Affairs
    - 1. University Affairs
  - G. Director of Intercultural Affairs
  - H. Director of Internal Affairs
    - 1. Internal Affairs Committee
  - I. Director of Programming Affairs
    - 1. Programming Board
  - J. Director of Student Fee Affairs
  - K. Director of Student Resource Affairs
  - L. Director of Student Rights and Responsibilities
  - M. Director of University Advising Affairs
- X. Ad Hoc Committees
- XI. Chief Elections Officer Informational Report (3 minutes)
- XII. Executive Director's Informational Report (4 minutes)
- XIII. University Administration's Informational Report (3 minutes)
- XIV. Closed Session
- XV. Announcements
- XVI. Adjournment

Introduced by: 2011 Ad Hoc Committee  
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