

BY-LAWS BILL

CONSTITUTIONAL
BY-LAWSStudent Government Association
of
Bakersfield College

TABLE OF CONTENTS

Section

- I. Transaction of Business and Meetings
- II. The Responsibilities of Officers of the Association
- III. The Association Executive Council and Senate Officers
- IV. The Association Senate
- V. Student Clubs and Organizations
- VI. The Activities Board
- VII. Financial code
- VIII. Judicial code
- IX. Publicity Code
- X. Elections Code
- XI. Shared Governance
- XII. Discipline and Impeachment

Amendments

- 10.2.8 Any felony conviction of a candidate would be cause to make the candidate ineligible to hold office. Deleted Amendment by Senate on April 30, 2010

BY-LAWS
SECTION ONE
TRANSACTION OF BUSINESS & MEETINGS

- 1.1. The Association shall conduct all official business, but is not limited to, in the Student Government office located in the Campus Center of the Panorama Campus. Under special circumstances meetings may be held in another location if prior notice is given. **(Amended 11/19/10)**
- 1.2. Meetings
 - 1.2.1 No Association Senate meetings shall be held the first week of school or during the final exam period.
 - 1.2.2 All official business meetings must be conducted in the presence of the college or SGA appointed Advisor.
 - 1.2.3 Public notice of Regular Meetings shall be posted 72 hours in advance (per Brown Act).
 - 1.2.4 A quorum must be present at all regular, special, and emergency meetings for official transaction of business. A quorum shall consist of a majority of the voting members of the Senate. **(Amended 11/19/10)**
 - 1.2.5 All meetings shall be open to members of the Association and the general public.
 - 1.2.6 Senate officers must be present in order to vote. Absentee voting shall not be allowed.

SECTION TWO
RESPONSIBILITIES OF OFFICERS

- 2.1. All members of the Association shall be required to attend meetings of their particular branch of the Association. If a representative has more than two (2) unexcused absences from official senate meetings in a single semester, he/she shall be dismissed from the Association, and cannot re-join until the following academic year. A dismissed representative can still serve on committees as a student at large with the approval of the senate. If a representative misses five (5) meetings and less than three (3) have been unexcused, they can be recommended for disciplinary action by the General Counsel, which may lead to dismissal from office
- 2.1.1 All elected and appointed officers are required to take the following oath: *"I (Name), do solemnly swear to discharge the duties of the office of (Office Name) faithfully and diligently and to uphold the constitution of the Student Government Association to the utmost of my ability."*
- 2.1.2 Any member dismissed from the association may not run or hold an Executive Board position until serving as a Senator in good standing for a minimum of one (1) semester. Must be in accordance with by-law's section 2.1.
- 2.2. Outgoing student government officers shall engage in an active transition and training period with the incoming officers during the months of April through May. **(Amended 11/19/10)**
- 2.3. Vacancies and Resignations
- 2.3.1 Resignations shall be made in writing to the Secretary of the Association. The chair will then read the resignation at the next Executive Council and Senate meetings. **Amended 11/19/10)**
- 2.3.2 Vacancies shall be addressed to the Association President
- 2.4. Excused/Unexcused Absences
- 2.4.1 Excused absences have to be submitted via oral or written report to the Secretary and Vice President of the Association at least one day before a scheduled meeting. Any absences not done in such a fashion will be unexcused.

SECTION THREE
THE EXECUTIVE COUNCIL AND SENATE OFFICERS

- 3.1. The Executive Council shall review and approve the annual budget for the Association before it is presented to the senate for approval and the KCCD Board of Trustees.
- 3.1.1 The Executive Council shall receive and review recommendations for all program proposals, fundraising activities, and other funding requests to approve or disapprove requests or direct the appropriate committee to develop and submit modified recommendations. **(Amended 11/19/10)**
- 3.1.2 The Executive Council shall actively pursue the interests of shared governance by communicating the Association's agenda and the needs of Association members with college faculty.
- 3.1.3 All Executive Council members shall be reimbursed for travel expenses relating to Association business (per KCCD Board policy).
- 3.1.4 All Senate Members are required to purchase a Discount Sticker or Discount Card. **(Amended 11/19/10)**
- 3.1.5 The E-Council shall be vested with the full powers of the Senate during summer semesters in which the Association has less than five (5) Senators. **(Amended 11/19/10)**
- 3.1.6 Executive Council shall be permitted to conduct business during summer semesters in which the Association has less than five (5) Representatives.
- 3.2. The Senate shall receive written or oral reports from all Association committees. **(Amended 11/19/10)**
- 3.3. President
- 3.3.1 An Administrative Assistant may be appointed by the President to help carry out the administrative responsibilities of that office.
- 3.3.2 The President is required to attend all Senate meetings, but is not permitted to vote.
- 3.3.3 The President shall become the Association's financial representative when the office of Treasurer is vacant or the Treasurer is unavailable.
- 3.3.4 The President may appoint representatives to an Association or Bakersfield College standing committee as outlined in section 3.10.2.1.1.

- 3.3.5 Special meetings may be called by the Association President or by petition of a 2/3 majority of the Association Senate with twenty-four (24) hours' notice.
- 3.3.6 The President may create a special committee by signing an Executive Order which details the purpose of the Special Committee.
- 3.3.7 The President shall set the agenda for and manage all affairs of the Executive Council.
- 3.3.8 The President shall spend at least fifteen (15) hours per week at his/her duties and be remunerated for up to nineteen (19) hours per week.

3.4. Vice President

- 3.4.1 The Vice President shall oversee the day to day activities of the Association and shall report to both the Association President and Advisor. Additionally, the Vice President shall assist all committees and members of the Senate in any Association affairs.
- 3.4.2 The Vice President shall work to enhance the relationship between the SGA, students, and faculty by ensuring that the Association's agenda will work toward the goal of shared governance.
- 3.4.3 The Vice President shall set the agenda for, and manage, the affairs of the Senate.
- 3.4.4 The Vice President is permitted to vote in an official Senate meeting only in the case of a tie when the vote requires a simple majority to pass.
- 3.4.5 The Vice President shall spend at least twelve (12) hours per week at his/her duties and be remunerated for up to nineteen (19) hours per week.

3.5. Activities Liaison

- 3.5.1 The Activities Liaison shall be responsible for coordinating, managing, and recording all student activities sponsored by the Association. He/She shall work to further student involvement in campus and community activities.
- 3.5.2 The Activities Liaison shall set the agenda for, and manage, the affairs of the Activities Board, and is responsible for holding regular meetings of the Activities Board.

- 3.5.3 The Activities Liaison shall have no Activities Board vote except to break a tie.
- 3.5.4 The Activities Liaison shall be required to maintain a master calendar of all SGA and club events.
- 3.5.5 The Activities Liaison shall chair all other committees formed by the Activities Board.
- 3.5.6 The Activities Liaison shall coordinate the formation of new clubs and maintain active club officer rosters.
- 3.5.7 The Activities Liaison shall spend at least twelve (12) hours per week at his/her duties and be remunerated for up to nineteen (19) hours per week.

3.6. Treasurer

- 3.6.1 The Treasurer shall be responsible for reporting to the Executive Council and Student Senate the expenditures of the Association's Fund. He/she shall be the custodian of all Association funds. **(Amended 11/19/10)**
- 3.6.2 The Treasurer shall set the agenda for, and manage, the affairs of the Association Finance Committee. The Treasurer shall call regular meetings (at least bi-monthly) of the Finance Committee.
- 3.6.3 The Treasurer shall keep full and accurate records of all Association finances.
- 3.6.4 The Treasurer shall submit a budget for the following year to the Executive Board for approval no later than the first Executive Board meeting in April.
- 3.6.5 The Treasurer shall be familiar with the process used to keep Association finances and be in continuous communication with the Director of business services. **(Amended 11/19/10)**
- 3.6.6 The Treasurer shall spend at least twelve (12) hours per week at his/her duties and be remunerated for up to nineteen (19) hours per week.

3.7. Secretary

- 3.7.1 The Secretary shall be responsible for coordinating, managing, and maintaining all records and public relations material generated by the Association. The Secretary shall work to establish proper and responsible record keeping and public relations procedures, and provide general office support to the Association.
- 3.7.2 The Secretary shall maintain a record book(s) in which the by-laws, special rules of order, standing rules, and minutes are entered, with any amendments to these documents properly recorded, and have the current record book(s) on hand at every meeting.

- 3.7.3 The Secretary is required to maintain the records of all Association proceedings, committee reports, and official membership roll. The Secretary shall call the roll when it is required.
- 3.7.4 The Secretary shall bring to the attention of the General Counsel any excessive absences at which point the General Counsel shall recommend disciplinary action to the Senate should such an action be appropriate.
- 3.7.5 The Secretary shall provide a roster of all officers and committee members at the beginning of each semester and provide updated lists as changes are made.
- 3.7.6 The Secretary is responsible for producing a regular Association newsletter as determined by the Executive Council.
- 3.7.7 The Secretary, working with the Communications Committee, shall liaison with the Bakersfield College Director of Public Information and Publications. This group will be in charge of all Association publicity including posters, radio and television advertisements, pamphlets, etc. for Association events both on and off campus.
- 3.7.8 The Secretary shall spend at least twelve (12) hours per week at his/her duties and be remunerated for up to nineteen (19) hours per week.

3.8. Legislative Liaison

- 3.8.1 The Legislative Liaison shall attend KCCD Trustee meetings and report back to the Executive Council and Senate. The Legislative Liaison shall advocate student needs to the Board of Trustees via the Student Trustee.
- 3.8.2 The Legislative Liaison shall be the primary Association representative for Region V of SSCCC, and is required to attend all meetings. Should the Legislative Liaison be unable to attend a meeting, another individual may be nominated by the Legislative Liaison to attend the meeting.
- 3.8.3 The Legislative Liaison shall set the agenda for, and manage, the affairs of the Legislative Affairs Committee.
- 3.8.4 The Legislative Liaison shall act as a liaison to the community, county, state and federal legislative agencies and advocate student needs to these agencies. Also, the Legislative Liaison shall keep the Student Senate informed of any local, state, or national legislation affecting the community colleges and/or students directly.

3.8.5 The Legislative Liaison shall spend at least twelve (12) hours per week at his/her duties and be remunerated for up to nineteen (19) hours per week.

3.9. General Counsel

3.9.1 The General Counsel shall be responsible for coordinating, managing, and recording all matters regarding justice and legality. The General Counsel shall work to establish proper, responsible, efficient, and effective methods of administering justice.

3.9.2 The General Counsel shall enforce and uphold the Association Constitution, its by-laws and procedures without exception.

3.9.3 The General Counsel shall oversee and is responsible for all logistics regarding student body elections.

3.9.4 The General Counsel shall review any Bill being proposed to the Senate in order to ensure the bill's coherence with the constitution and the by-laws.

3.9.5 The General Counsel shall preside over all grievance and impeachment proceedings. Should the General Counsel have a conflict of interest, a random executive board member shall be chosen to preside over the proceedings.

3.9.6 The General Counsel shall spend at least twelve (12) hours per week at his/her duties and be remunerated for up to nineteen (19) hours per week.

3.10. Representatives

3.10.1 Representatives are required to actively pursue the interests of the Association members and act in accordance with the SGA constitution and its by-laws

3.10.2 Representatives are required to attend all Senate meetings and are required to be a member of at least, but not limited to, one committee.

3.10.2.1.1 Any representative not in a committee after the third official meeting of the Senate shall be appointed to a committee by the SGA President.

3.10.2.1.2 Should all committees be full, a representative can be appointed to attend a Bakersfield College Standing Committee and shall give a detailed report to the Senate after each committee meeting.

3.10.2.1.3 All representatives, regardless of committee membership, are encouraged to represent the Association by attending at least one Bakersfield College Standing Committee.

3.10.3 Representatives shall submit a written report to the Vice President and Secretary of the Association detailing all activities with regards to the Senate before each senate meeting. Should a representative be unable to submit a written report, an oral one may be given at the discretion of the Vice President.

3.11. Commissioners at Large

3.11.1 Commissioners at large may be appointed to serve on one or more committee(s). Commissioners at large are not permitted to vote in any official Senate meetings, but are strongly encouraged to attend.

3.11.2 Commissioners at large shall serve for one academic year or until they are done with their committee(s).

3.11.3 Commissioners at large shall submit a written report to the Secretary and Vice President of the Association detailing all activities with regards to their committee before each Senate meeting.

3.12. KCCD Student Trustee

3.12.1 Section 72023.5 of the Education Code provides for a student to be a non-voting member of the Board of Trustees.

3.12.2 When a Bakersfield College student is selected to serve, in addition to being a resident of the district, they shall be enrolled at BC and shall be under the recall by the students enrolled in the community colleges of the district in accordance with procedures prescribed by the governing board. A student member shall be required throughout the term of his/her appointment to be enrolled in at least five (5) units and shall meet and maintain the minimum standards of scholarship for community college students prescribed by the community college district. It is desired they have knowledge of college governance, the community college environment and parliamentary procedures; a willingness to work with students having a wide range of skills, motivation and academic or vocational goals; and an ability to communicate well, both orally and in writing, and to work effectively with others.

3.12.3 A non-voting student member shall be seated with the members of the board and shall be recognized as a full member of the board at the meetings, including

receiving all materials presented to the board members and participating in the questioning of witnesses and the discussion of issues.

3.12.3.1 The non-voting student member shall not be included in determining the vote required to carry any measure before the board.

3.12.3.2 The non-voting student member shall not be liable for any acts of the governing board.

3.12.3.3 The student member may make and second motions at the discretion of the Board; attend closed sessions, other than closed sessions on personnel or collective bargaining matters, at the discretion of the Board and receive compensation at the discretion of the Board.

3.12.4 One (1) student will serve as the member of the KCCD Board of Trustees. Membership will be rotated annually, with the rotation starting over after the cycle has been completed, as follows:

June 1, 2011-May 31, 2012	Bakersfield College
June 1, 2012-May 31, 2013	Cerro Coso Community College
June 1, 2013-May 31, 2014 (Amended 11/19/10)	Porterville College

3.12.5 Student Board members shall be selected during April and commence the term of office at the first (1st) KCCD Board of Trustees Meeting in June. Applicants meeting the required qualifications who have submitted all required application documents on or before the deadline will be guaranteed interviews by the Student Trustee Selection Committee which is the Executive Council, a Representative, and Dean of Students.

3.12.6 Should the student board member resign or be ineligible for office prior to the expiration of the term of office, the Association President shall select a replacement.

3.12.7 In the event the Association does not select a student trustee, the next college in alphabetical order will be asked to provide a student board member and the annual rotation will continue.

3.12.8 The Student Trustee shall attend all meetings of the Board of Trustees. They shall maintain awareness of college programs, procedures and policies and meet regularly with the College President.

SECTION FOUR
THE SENATE

- 4.1. Members of the Senate shall work to sponsor and establish proper, effective, and responsible legislation to the betterment of the student experience at Bakersfield College.
- 4.1.1 The Senate shall pass no ex post facto codes, regulations, statutes or by-laws.
- 4.1.2 All legislation that initiates from the Senate shall go through the Legislative Liaison and General Counsel for prior approval before being sent to the President for approval before it becomes law. If the President approves, the law shall be signed; but if not, the President shall veto the Legislation and return it to the Senate with written objections for consideration.
- 4.1.3 Types of Senate Legislation:
- There are three (3) types of Senate legislation: Bills, Resolutions and Recommendations. Any legislation directed to the Senate from the Executive Board shall be brought to the floor as a Joint Bill, Resolution or Recommendation. For any Legislation to be passed in the Senate a quorum must be established.
- 4.1.4 *Bills*: Bills deal with the Constitution (Legal Code) or by-laws of the Association. Senate approval of a bill must be by a two-thirds (2/3) majority.
- 4.1.4.1 The maker of a bill shall be present when the bill is being considered and shall be responsible for the facts presented in the bill.
- 4.1.4.2 All bills requiring financial backing will not be subject to immediate consideration unless previous authorization has been received from the Finance Committee or two-thirds (2/3) of the Senate declare the authorization to be of an urgent and immediate need. **(Amended 11/19/10)**
- 4.1.5 *Resolutions*: Resolutions deal with legislation for the general welfare of the Student Body, and do not conflict with the Constitution of the Association or any of its By-Laws, nor in conflict with College policy or regulations, District policy or regulation, nor State or Federal law or regulations.
- 4.1.6 *Recommendations*: Recommendations deal with powers not vested within any department of the Association, but with a means of bringing to the attention of the college, district, community, state, and federal personnel certain desired action of the

Association. Such recommendations shall be directed to the Advisor or the appropriate designee. The Advisor shall be responsible for informing the Senate of the status of the recommendation's implementation. Such legislation shall have the full force of the SGA. **(Amended 11/19/10)**

- 4.1.7 *Motions*: A motion is a formal proposal by a member, in a meeting, that the assembly takes certain action. No motion shall be entertained if it conflicts with the Association Constitution or its by-laws, or conflicts with college policy or regulation, nor District policy or regulation, nor State or Federal law or regulations, or the adopted parliamentary authority.
- 4.1.8 *Amendments*: Amendments deal with the constitution of the Association or any of its established by-laws. Amendments to the by-laws require a two-thirds (2/3) majority vote. The Procedures for a constitutional amendment are to be followed as in ARTICLE XI, Section 3 of the Association Constitution.
- 4.1.9 *By-Laws*: The Senate shall have the authority to determine rules and regulations, which shall be, called by-laws. A by-law shall be considered as a definite part of the constitution and carry the full weight of legal and regulatory power.

4.2. Senate and Association Committees

- 4.2.1 An Executive Board officer or the Association President's designee shall chair each Association standing and ad hoc committees.
 - 4.2.1.1 The chair of the committee will call meetings as needed and on a timely basis in order to achieve the work assigned to that committee. Committee meetings will be posted one (1) week in advance of regular meetings and any special or emergency meetings will be posted as per the Brown Act.
 - 4.2.1.2 The chair or a designated member of a committee will submit a report from the committee to the Secretary of the Association, and deliver an oral report to the Senate.
- 4.2.2 Term of office of committee members will be one academic year with the possibility of re-appointment.
- 4.2.3 Association Standing Committees

4.2.3.1 COMMUNICATIONS COMMITTEE

- 4.2.3.1.1 The Communications Committee shall consist of the Secretary (chair), no more than three (3) representatives, and no more than two (2) Commissioners- at-large. Additional members may be added should the need arise at the discretion of the chair. Amended 3/11/11
- 4.2.3.1.2 The communications committee's responsible for communicating the Association's agenda and ensuring that all publicity is in accordance with regulations. The committee shall coordinate the communications within the Association, i.e., between different committees, as well as between the Association, students, and faculty.
- 4.2.3.1.3 All press releases and public relations for the SGA must first go through the communications committee.
- 4.2.3.1.4 The committee chair shall determine meeting dates and times of the Communications committee.

4.2.3.2 LEGISLATIVE AFFAIRS COMMITTEE

- 4.2.3.2.1 The members of the Legislative affairs Committee shall be: Legislative Liaison (chairman), General Counsel (co-chairman), and at least two (2) Representatives. Additional members may be added should the need arise at the discretion of the chair.
- 4.2.3.2.2 The Legislative Affairs Committee shall review all campus, district, local, state, and federal legislation or policies that impact college students directly, and sponsor legislation that advocates student's rights. The Legislative Affairs Committee shall advise the President, Executive Board and Senate on Association legislation
- 4.2.3.2.3 The Legislative Affairs committee shall be responsible for maintaining student awareness and empowerment through various media.
- 4.2.3.2.4 The committee chair shall determine meeting dates and times of the Legislative Affairs committee.

4.2.3.3 FINANCE COMMITTEE

4.2.3.3.1 The Finance Committee shall consist of the Treasurer (chair), no more than two (2) representatives, and no more than two (2) commissioners-at-large. Additional members may be added should the need arise at the discretion of the chair. **(Amended 11/19/10)**

4.2.3.3.2 The Finance Committee shall review Association expenditures, research fund disposition, and research income possibilities. The committee shall supervise the preparation of the Association Budget, act in an advisory capacity regarding the management of student body organization funds.

4.2.3.3.3 The Finance Committee shall meet a minimum of twice each month or as often as needed.

4.2.3.3.4 The committee chair shall determine meeting dates and times of the Finance Committee.

4.2.3.4 GRIEVANCES

4.2.3.4.1 If there is any grievance dealing with the Senate, a committee shall be formed to investigate the matter.

4.2.3.4.1.1 The committee shall consist of no more than four (4) randomly chosen Representatives and/or Commissioners-at-large to be chosen at the next E-council meeting after the grievance is filed. The General Counsel shall chair the committee.

4.2.3.4.1.2 If the General Counsel has a conflict of interest in the case, then the chair shall be randomly selected from the e-board members when the senators and commissioners at large are chosen. The committee shall follow the guidelines as outlined under DISCIPLINE AND IMPEACHMENT

4.2.3.4.1.3 All Grievance committee meeting will have minutes taken by a member other than the chair or by the SGA Secretary.

4.3. Standing Committee of Bakersfield College.

4.3.1 Standing Committees are the major college committees established to deliberate and make policy recommendations in their assigned area of interest or concern. The recommendations are forwarded to the College Administrative Cabinet or college president for action. College-wide committees typically are made up of faculty, administrators and representatives of classified staff and the associated student body.

4.3.2 The Standing Committees shall meet at the discretion of the Chair of each committee.

4.3.2.1 A committee member is expected to submit a written report at the next Executive Board meeting and an oral report at the next Senate meeting or when the report is requested.
(Amended 11/19/10)

4.3.2.2 Committee members shall act as an agent of the Association in the ongoing activities of the committee and vote in accordance with established Association policy and direction of the Association.

4.3.2.3 A committee member may be removed from a committee by a 2/3-majority vote of the Senate.

SECTION FIVE
STUDENT CLUBS AND ORGANIZATIONS

- 5.1. All Clubs and Organization have the responsibility to ensure that their activities are in accordance with federal, state, college and local laws and regulations and that membership and organizational materials do not discriminate on the basis of religion, gender, sex, race, color, national origin, sexual orientation or disability. **Amended 3/11/11**
- 5.2. All clubs and organizations will keep a current Constitution and By-laws on file in the Student Activities office.
 - 5.2.1 Records and minutes of all club meetings shall be available to the SGA.
- 5.3. Active clubs shall be defined as a Club that attends mandatory Activities Board meetings and holds regular meetings (at least twice per month).
 - 5.3.1 Membership in all chartered Clubs will be made up of enrolled students of Bakersfield College.
 - 5.3.2 No student on academic probation or disciplinary probation shall be eligible to hold an Executive Office in any club. Officers must carry a minimum of six (6) units and both a minimum semester *and* cumulative GPA of 2.00 to hold any elected or appointed office in an approved club.
 - 5.3.3 Each club shall have at least one (1) college-wide project per semester.
- 5.4. Any Club or Organization may require its members to pay dues or assessments. Such funds are to be collected and credited to the account of the organization by which they are collected. Funds are to be deposited in the Bakersfield College Business Services Office and may be withdrawn only upon the written approval of the club Treasurer or other authorized club officer of the organization and the Advisor.
 - 5.4.1 No dues are to be levied or money collected by any club or student organization without first securing permission from the College President or designated representative.
 - 5.4.2 The SGA has the authority to freeze the account of a club deemed inactive. The funds will be distributed to the Activities Board if the club remains inactive for a period of one (1) year.
- 5.5. All off-campus organizations and their on-campus functions come under the jurisdiction of the Association Senate. The Association Senate shall regulate the use of college materials, facilities, name or funds by said organizations. (KCCD Board Policy Manual; Section 4F4)

- 5.6. Each club is required to have an Advisor. The Advisor shall act as a resource for the organization, and must be certificated Faculty, Administrators, or designated and approved by the College President. Classified employees may serve as Co-Advisors but must be approved by the faculty advisor.
- 5.6.1 Each club must provide a statement of primary purpose that does not duplicate that of any other active Bakersfield College Club Organization.
- 5.6.2 Each club must provide a list of active members to the Student Activities Office and the Activities Liaison.
- 5.7. In order to become an official club at Bakersfield College, the club must submit a current list of members, certificated Advisor and a Club Constitution to the Student Activities Office.
Amended 3/11/11
- 5.7.1 The constitution shall be submitted to the General Counsel and President, and shall then be submitted to the Association Senate for ratification. A simple majority vote for approval, by the Senate, shall constitute official chartered status after a one (1) month probationary period.
- 5.8. The Association Senate may suspend for a definite period of time the charter of any club that is inactive or guilty of other violations outlined in this section.
- 5.8.1 Suspension of a club charter shall mean that the club is inactive for the duration of the suspension and may not meet or vote in the Activities Board meetings.
- 5.8.2 No suspension may be for a period of time longer than one Academic Year.
- 5.8.3 The Club will automatically be reinstated at the expiration of the suspension.
- 5.8.4 The General Counsel may recommend that the Senate revoke a club charter; charter revocation would mean that the club no longer exists. The following shall be sufficient cause to recommend revocation of a charter:
- a) Continued refusal of the club to abide by SGA or College regulations
 - b) Non-functioning of the club
 - c) Continued non-attendance at the Activities Board meetings

- 5.9. A club whose charter has been revoked may apply for membership in the inter-club council the following Academic Year by fulfilling the requirements established for the admission of a new club for membership.

- 5.10. Clubs may use the name of the College in conjunction with activities directly related to the purposes of the organization as long as the activity does not violate other policies and procedures established by the Board of Trustees.

SECTION SIX
THE ACTIVITIES BOARD

- 6.1. The Activities Board shall be responsible for acting in the interest of the Association by officially recognizing all Bakersfield College clubs and organizations.
- 6.1.1 The Activities Board shall give guidance to new organizations and clubs in such matters as getting started, drawing up constitutions and conducting club affairs.
- 6.1.2 The Activities Board shall serve as a forum for expression to the Association, by clubs, on any matters considered to be of importance to them.
- 6.1.3 The Activities Board shall oversee the events and activities among clubs.
- 6.1.4 The Activities Board shall provide a calendar of club activities in cooperation with the Student Activities Office and to coordinate activities with the Association.
- 6.2. The Club Representatives of the Activities Board shall act as a liaison according to the club he/she belongs to and will be selected according to the individual club's Constitution and By-laws. Each club will have only one (1) vote on all Activities Board matters.
- 6.2.1 Representatives are required to submit a current list of Clubs Officers to the Activities Liaison of the Association. **Amended 3/11/11**
- 6.2.2 The Representative shall be either the President of the club or an appointed club member representative. The Activities Board Representative may not be the Advisor from that club.
- 6.2.2.1 Club Representatives shall attend all the Activities Board meetings.
- 6.2.2.2 No person may represent more than one club or organization.
- 6.2.3 The Activities Board shall petition the Senate for funds.
- 6.2.4 The meeting dates and times of the Activities Board shall be determined by the committee chair. Quorum is a simple majority.
- 6.2.4.1 Special meetings may be called by the Activities Liaison or by petition of a two-thirds (2/3) majority of the membership of the Activities Board. Notification of special meetings shall be twenty-four (24) hours prior to the meeting.

- 6.2.5 Major projects of the Activities Board include Fall Welcome Week, Homecoming, Spring Welcome, Spring Fling and Club Day.
- 6.2.6 Meetings will be conducted under provisions of the current edition of *Robert's Rules of Order, Simplified and Applied*.

SECTION SEVEN
FINANCIAL CODE

- 7.1. Education Code Section 76063 and Section 76065 state the following concerning the expenditure of student funds:

Section E.C. 76063

“The funds shall be expended subject to such procedure as may be established by the student body organization subject to the approval of each of the following three persons which shall be obtained each time before any of such funds may be expended: an employee or official of the community college district designated by the governing board, the certificated employee who is the designated advisor of the particular student body organization, and a representative of the particular student body organization.

Section E.C. 76065

“The governing board of any community college district shall provide for the supervision of all funds raised by any student body or student organization using the name of the college. The cost of supervision may constitute a proper charge against the funds of the District. The governing board of a community college district may also provide for a continuing audit of student body fund with community college district personnel.”

- 7.2. The purpose and privileges of a student body organization in California are defined in the state Education Code, which authorizes a college district governing board to establish regulations for the conduct of student body activities. Legal authorities have generally held that a student body organization is not a political subdivision of the State and has neither the status of a school district nor governmental immunity. It may have the status of a non-profit organization under the provisions of the federal Internal Revenue Code, the state Revenue and Taxation Code, and the state Bank and Corporation Law. When this status is allowed the organization is eligible for exemption from state and federal income taxes and from Social Security taxes; however, a waiver of the latter exemption may be made.

Basic Principles in Governing the Association’s Finances

- 1) The basic purpose of raising and expending money by the Association is to promote and enhance the general welfare, morale, and educational experiences of the student body.
- 2) Association funds must be used to promote and finance a program of worthwhile co-curricular activities beyond those provided by the district. The Association may use funds to advance the promotion of Bakersfield College and the Student Government.

These Funds shall not be used for individual expenditures.

- 3) All funds derived from the student body must be expended in a manner approved by the Association Senate.
- 4) Large Association reserves may be discouraged. Association funds must in general be expended for the benefit of those students currently enrolled at Bakersfield College who have contributed in one way or another to the accumulation of such funds. If a long-range project is planned, funds may be carried and documented for this project.
- 5) Prior approval by the Association Senate must be obtained in the raising of revenue and the expenditure of student body funds.
- 6) Association funds must be managed in accordance with sound business practices, including adherence to accepted budget procedures.
- 7) Although ownership of Association funds rests with the student body, the Dean of Students, through authority delegated to him/her, must be responsible for the proper conduct of Association financial activities.
- 8) College presidents, acting through their delegates, must participate in the preparation, modification, and interpretation of procedures, regulations, and policies affecting the Association's affairs.

7.3. The Association Budget: The purpose of the annual budget is to provide a guideline for financing the Association's program of activities and services. It is an expression of the program in dollars. The budget is established yearly and is subject to continuous review. Public hearings, chaired by the Association Treasurer, shall be held at the time budget requests are distributed to give all students a better understanding of student opinions on budget priorities.

7.3.1 The Finance Committee shall:

- a) Be Chaired by the Treasurer
- b) Supervise the preparation of the Association budget.
- c) Act in an advisory capacity regarding the management of student body organization funds.
- d) Must meet on twice a month or as needed basis.

7.3.2 The Association Finance Committee shall consist of: the Association Treasurer, at least three (3) Representatives, no more than two (2) Commissioners-at-Large, and the SGA Advisor or Honorary Advisor.

7.3.2.1 Meetings of this committee shall be open to the public. Quorum will be a simple majority of members.

7.3.2.2 Notification of such meetings shall be posted 72 hours in advance.

7.3.2.2.1 The Finance Committee shall conduct hearings to evaluate all budget requests and shall give all parties requesting budget appropriation the opportunity to justify their requests and to answer any questions which members of the committee may have concerning said requests. The Finance Committee shall then compile a proposal for the annual budget and shall transmit it to the Association Senate.

7.3.3 Itemized Association budget requests from students, faculty and staff shall be submitted to the Finance Committee for approval. After reviewing the Association budget requests the Finance Committee will draft a budget for the next academic year.

7.3.4 The final Association Budget as approved by the Finance Committee will be approved by the last full week of April and the Association Senate for approval in March. The annual operating budget shall be submitted to the KCCD Board of Trustees by May 1. Before the first E-Council meeting, revisions in activities must be reflected, such as those brought about by an increase or decrease in enrollment from that anticipated in March. When reviewed by the appropriate persons, the budget becomes the working financial document of the student body organization. Any expenditure that exceeds the amount appropriated for a budget category must have the prior approval of the Association Senate. Approval is sought by requesting an increased appropriation in the appropriate budget category, not by requesting approval for the purchase of a specific item. However, increased appropriations must under no circumstances exceed anticipated income.

In establishing revenue and expenditure estimates, it is difficult to anticipate all activities that will take place in a given year. A simple method of projection is to relate past performance to what is planned for the future; that is, to estimate the next year's receipts and expenditures by relating them to the current ones. Once the basis of comparison is established, the budget amount can be determined. Although the amount should be adequate, over budgeting must be avoided; it may eliminate an allocation to some other function. A conservative estimate is appropriate for revenue because it is doubtful that every event will be a financial success. Revenue must be anticipated realistically; allowances must be made for possible losses.

7.3.5 The adoption of the budget indicates that approval is given for the purchase of or contracting for goods and services as indicated in the budget. The Treasurer may proceed to procure such items or services, as they are needed without further referral to the Senate.

7.3.5.1 Expenditures made out of the Undistributed Reserves Funds can be made:

- 1) To augment existing accounts, if needed.
- 2) To create new accounts, if needed.

7.3.5.2. Expenditures out of the Undistributed Reserve shall only be made after the following:

- 1) With the approval of 2/3 of the Student Senate,
- 2) The approval of the Executive Board,
- 3) The approval of the Dean of Students, and

7.3.5.3. Expenditures out of the Undistributed Reserves shall not:

- 1) Be used for non-students

7.3.6. The Bakersfield College Director of Business Services will make a financial report available to the Association at least once a month. Association funds shall be audited annually by a firm selected by the Board of Trustees.

7.4. Student Body Center Fee Budget:

The purpose of the annual budget is to provide a guideline for financing the Student Center Fee programs and services. The budget is established yearly and is subject to continuous review.

7.4.1. The Student Body Center Fee Budget for the next academic year shall be established and approved by the Association Executive Council no later than the last scheduled meeting of the Fall Semester.

7.4.2. The Student Body Center Fee Advisory Board is composed of the following members:

- a) Association President (Chair) (Non-Voting member, except in the case of a tie)
- b) Association Vice President (Voting member)
- c) Association Treasurer (Voting Member)
- f) Dean of Students (Voting Member)
- g) Director of Business Services or appointed agent of said director (Voting Member)
- h) Director of Maintenance and Operations or appointed agent of said director (Voting Member)

7.4.3 The purpose of the Student Body Center Fee Advisory Board is to supervise the preparation of the Student Center Fee budget and research.

7.4.3.1 Student Body Center Fee Fund:

Education Code Section 76375 authorizes the governing board of a community college district to establish an annual building and operating fee for the purpose of financing, constructing, enlarging, remodeling, refurbishing, and operating a student body center. The fee may not exceed \$1 per credit hour and may not exceed \$10 per specified student per fiscal year.

Fees collected pursuant to ECS 76375 shall be placed in a fund known as the Student Body Center Fee Fund and custody of these moneys shall be the responsibility of the chief business officer of the district. The chief business officer and the student body government or its designee must approve expenditure of these moneys.

The appropriate uses of the fee income and the student body center facility shall be the responsibility of the Association for whom the fee was collected.

Until needed for authorized purposes, all moneys collected pursuant to ECS 76375 shall be deposited or invested in one or more of the following ways:

- 7.4.3.2 In certificates or withdrawal shares in state chartered savings and loan Associations and savings accounts of federal savings and loan Associations, if the Associations are doing business in California and have their account insured by the Federal Savings and Loan Insurance Corporation.
- 7.4.3.3 In securities authorized for investment by Section 16430 of the Government Code.
- 7.4.3.4 In funds that are exempt from federal income tax pursuant to Section 501 (c)(3) of the Internal Revenue Code and that are open exclusively to nonprofit colleges, universities, and independent schools.
- 7.4.3.5 In certificates or withdrawal shares in federal or state credit unions, if the credit unions are doing business in California and have their accounts

insured by the National Credit Union Administration and if any money so invested or deposited is invested or deposited in certificates, shares, or accounts fully recovered by that insurance.

7.4.3.6 In the county treasury of the county in which the district is located.

7.4.4 A finalized Student Center Fee budget shall be made available to the public at the time of publication of the final Bakersfield College Budget.

7.4.5 Budgets will be prepared of anticipated income and expenditures for each school year and will serve as operating guides for the year's activities. Activities will be limited by the actual funds available, not by the budget.

7.5. Student Representation Fee Budget:

7.5.1 Assembly Bill 2576 The Student Representation Fee, allows Community College Student Governments to receive a voluntarily student-paid one (1) dollar fee.

7.5.2 With the approval of the Student Representation Fee in May 2003, by 75.6% of voting members of the Association, the Student Government Association of Bakersfield College receives from students a one (1) dollar fee.

7.5.3 The Student Representation Fee was created to provide for the support of governmental affairs representatives who may be stating their positions and viewpoints before city, council, and district governments and before offices and agencies of the state government. See Education Code Section 76060.5.

7.5.4 The Fee will be collected each Fall and Spring Semester Registration times. Students will not be charged this Fee during the Summer Semesters.

7.5.5 The funds shall be collected and placed into a separated fiduciary fund. Following the guidelines outlined in the California Community College's Budget and Accounting Manual. To cover administrative costs the district may retain seven (7) percent of the total fees collected in a semester as per the Education Code.

7.5.6 Refunds

7.5.6.1 All students have the right to submit a request for a refund during or a week after the Registration Period.

7.5.6.2 Reasons for refund may include (but not limited to):

7.5.6.2a Religious Beliefs

7.5.6.2b Political Beliefs

7.5.6.2c Moral

7.5.2.2d Financial

7.5.6.3 To collect their refunds, students must fill out a Request for Fund form available in the Administration Office.

7.5.7 The Student Representation Fee

7.5.7.1 The appropriation of these funds shall be delegated to the Student Rep Fee Advisory Committee. All appropriation of funds must require simple majority vote of the committee

7.5.7.2 The Committee shall be comprised of:

- a. SGA President (Chair)
- b. SGA Vice President
- c. SGA Treasurer
- d. Director of Business Services or appointed agent of said director
- e. Dean of Students

7.5.7.3 The Committee shall meet at least twice a month.

7.5.7.4 The Committee can only appropriate funds for the following purposes:

- a) Student attendance at conferences and meetings sponsored by SSSCC, non-partisan student organizations, and for students to use for the purposes of legislative training, legislative awareness, disbursement of legislative information, or the election of officers of a recognized student lobbying organization. Students authorized to attend conferences and meetings shall include all Executive Council members and Senators. The Association shall be the sole benefactor of money for this training.
- b) Organizational dues and or special donations to SSSCC or any other recognized student lobbying Association;
- c) Purchase of equipment used for lobbying and or advocacy such as computers, printers, modems, fares, and software:
- d) Subscriptions to newsletters and or magazines such as the Chronicle of Higher Education or the California Journal;
- e) Advertisement in either local or campus newspapers consisting of information about legislative issues of interest to the student body;
- f) Travel expenses for lobbying and or advocacy for students

- g) Hosting conferences on legislative issues for the general student body, the state organizations, or one of the recognized caucuses within the state or organization.

7.5.7.5 All travel and transportation shall follow the District Travel guidelines. Travel and Transportation:

7.5.7.5.1 Student Transportation

7.5.7.5.1.1 The College may provide transportation for:

7.5.7.5.1.1a Class groups, provided:

1. The trip has instructional relevance & value.
2. Appropriate vehicles are available.
3. Approval by the College President or designee is secured.

7.5.7.5.1.1b When transportation is provided by the District using District-owned vehicles or contracted carriers, the following provisions apply:

1. The District shall assure reasonable supervision. *Except as approved by the College President or designee*, the supervising staff member must accompany the group and for informing students of applicable College policies and regulations regarding student conduct and other matters. Available in Policy 4E6 of District Policy.
2. Students may elect not to use District-provided transportation, except where the College President or designee determines that transportation of the participating students, as a unit, is a requirement of the activity.

3. Students who elect to use private modes of transportation, where transportation is provided by the District, are deemed to have accepted liability for injury or damages which may result from, or in the course of, said transportation. Students shall sign a statement affirming the condition of their election of private transportation and agreeing to hold harmless the District for any claims whatsoever resulting from their transportation. Private vehicles must be operated in accordance with all applicable state and local laws and regulations. Student Election of Private Transportation for Approved Student Trip form is available in Procedure 3C1B3 District Policy.
4. Students below the age of eighteen (18) must have the written consent of their parents/guardians prior to their participation in any student trip. The Parent/Guardian/Student Consent form for excursions, field trips, and transportation of students is available in Procedures 3C1B4 District Policy.
5. Student Trips outside the Kern Community College District must be approved by the College President or designee and the Chancellor or designee. Student trips outside the State must be approved by the Board of Trustees. The Parent/Guardian/Student Consent form for excursions, field trips, and transportation of students is available in Procedures 3C1B4 District Policy.
6. Duplicate lists of students participating in the trip shall be prepared by the supervising staff member, one (1) copy to be retained

by the responsible staff member in each vehicle and one (1) copy retained by the College President or designee. If no staff member is in a particular vehicle, the list is to be kept by a designated person in the vehicle.

7. Requests for transportation are to be made in writing on appropriate forms and not less than one (1) week before transportation is desired. Requests are to be made by or approved by the College President or designee.
8. College trips will begin and end at one (1) of the College campuses or a College outreach center. Other arrangements must be approved by the College President or designee. The Request for Student Trip form is available in Procedures 3C1B8 District Policy.
9. College vehicles may not be used for the transportation of individuals who are not:
 - a. Registered Students
 - b. District staff members, except as authorized by the College President or designee.
10. Only Students enrolled in the relevant courses or activity or District Staff members may participate in student trips, except as authorized by the College President or designee.

7.5.7.5.1.1c When transportation of students is not provided by the District, the District possesses no authority to supervise its mode, manner, or arrangement, and any provider liability accrues in accordance with law to provider of said transportation.

1. Students who use private modes of transportation are deemed to have accepted liability for injury or damages which may result from, or in the course of, said transportation. Students shall sign a statement affirming the conditions or their election of private transportation an agreeing to hold harmless the District for any claim whatsoever resulting from their transportation. Private vehicles must be operated in accordance with all applicable state and local laws and regulations.

7.5.7.5.1.2 Cash Advances

7.5.7.5.1.2a Cash advances can only be requested from the Student Rep Fee Committee. Cash advances can only be approved if the Committee finds that it meets the proper Student Rep Fee guidelines.

7.5.7.5.1.2b Request for Cash Advances

1. Itemized list of estimated expenses.
2. List of people participating in the trip.
3. Date(s) and purpose(s) of the trip.

7.5.7.5.2 Post travel, all receipts and any portion of the cash advance not used must be returned to the College Business Office.

7.6. The Student Activities Office shall keep all records of trips, visits, etc., by individuals using the Student Representation Fee moneys. These will include, at a minimum, letters to officials, and expenditures of funds.

7.7. Financing of Student Activities

7.7.1 All club tickets and moneys must be accounted for to the Business Services Office on the first school day following the event.

- 7.7.2 All Club monies shall be deposited to the Club's General Fund on the instructional day following the event. No monies shall be retained by the organization sponsoring the event.
- 7.7.3 Fund drives, collections, dues, assessments or special sales by any student group or activity, on or off campus, must have advance approval of the Student Activities Office and the Association Senate. Fundraising efforts must be scheduled carefully to avoid conflict with other departments or organizations and must result in minimum interference with the college educational program.
- 7.7.4 Any club or organization remaining inactive for one academic year shall have the funds transferred to the Association Activities Board Reserve account.
- 7.7.5. Fiduciary responsibility recommends the Association maintain an account in the Association unappropriated Fund Balance at least equal to its liabilities and designated funds.
- 7.7.6 In addition to deposit or investment of the funds, Association funds may be loaned or invested in any of the following ways:
- a) Loans, with or without interest, to any student body organization established in another school of the district for a period not to exceed three years. (School business officials recommend a maximum of one year).
 - b) Invest money in permanent improvements to any school district property including, but not limited to, buildings, automobile parking facilities, gymnasiums, swimming pools, stadium and playing fields, where such facilities, or portions thereof, are used for conducting student extracurricular activities or student spectator sports, or when such improvements are for the benefit of the student body. Such investment shall be made on condition that the principal amount of the investment plus a reasonable amount of interest thereon shall be returned to the student body organization as provided herein. Any school district approving such an investment shall establish a special fund in which moneys derived from the rental of school district property to student body organizations shall be deposited. Moneys shall be returned to the student body organization as contemplated by this section exclusively from such special fund and only to the extent that there are moneys in such special fund. Whenever there are no outstanding obligations against the special fund, all moneys therein may be transferred to the general fund of the school district by action of the local governing board.
- Two or more student body organizations of the same school district may join together in making such investments in the same manner as is authorized herein for a single student body. Nothing herein shall be construed so as to

limit the discretion of the local governing board in charging rental for use of school district property by student body organizations as provided in section 48930 of the Education Code.

7.8. Requisitions for Purchase

- 7.8.1 No purchase involving the disbursement of club or organization funds may be made before a requisition has been made requesting a purchase order or a transfer of funds, or a disbursement by check. Requisitions for purchases are to be approved only if funds are on hand with which to pay the bills or reasonable assurance that the funds will be available.
- 7.8.2 Obtain a requisition request in the office of the Dean of Students.
- 7.8.3 Fill out the requisition request completely. Be sure the estimated amount of the purchase is indicated.
- 7.8.4 The advisor and the club treasurer or other authorized student officer and the Dean of Students must sign the requisition to indicate approval of the particular expenditure. Proper documentation for expenditure must accompany the requisition. (i.e. invoices, minutes)
- 7.8.5 Return the signed requisition to the College Business Services Office.
- 7.8.6 The College Business Services Office will in turn process the purchase order, request for transfer of funds, or check disbursement within three (5) business days.
- 7.8.7 Contracts: All contracts arranged by the Association shall be approved by the Dean of Students.
- 7.8.8 Three informal quotes are required on all purchases between \$1000 and \$9,999. These quotes must be received in writing and may be obtained by facsimile or by mail.
- 7.8.9 Three informal quotes are required on all purchases between \$10,000 and \$53,800. These quotes must be received in writing and are usually sent out by the Purchasing Department. If amount exceeds the \$53,800, the requester must proceed with the formal bid process.

- 7.9. Emergency purchases: Infrequently advisors may need to purchase items (limit to under \$100) for an activity or club event at the last minute when it is impractical to obtain a Purchase

Order. Under these circumstances, the private funds of the advisor may be used and reimbursements will be made providing the advisor presents receipts to the College Business Services Office for all expenditures.

7.10. Unauthorized purchases: Any purchase made willfully or through neglect which does not comply with the purchasing procedure of the Association Financial Code shall not be a financial liability of the Association or club organization.

7.10.1 Individual students are responsible for any expenditure made without prior Association or club authorization including signatures of the Association Treasurer and the Dean of Students.

7.11. Deposits: All receipts from any school activity or club or organization function must be deposited in the College Business Services Office on the next school day following the receipt of moneys.

7.12. Fundraising by Clubs and Organizations

7.12.1 The Student Activities Office must approve fundraising activities.

7.12.2 Donations of money or materials are closely regulated by State law and rules and regulations of the KCCD Board of Trustees. The President of the College or designee must approve any activity in this area.

7.12.3 A method often thought of for raising funds is by conducting a raffle or a lottery. In California, however, raffles and lotteries are illegal. (The State run lottery is an exception to the above policy.)

7.12.4 But, it is legal to conduct a Free Drawing in connection with an event whereby those soliciting give the donor a free ticket or tickets to a prize drawing. This may appear like a raffle, but if the following rules are applied, it will be considered a Free drawing and would be legal.

7.12.5 The drawing must be in connection with an event.

7.12.6 The ticket must have the following information:

7.12.6.1 The date, time and location of the drawing.

7.12.6.2 The name of the College unit or other entity that will benefit from the "Free Drawing.

7.12.6.3 The name of the sponsoring organization that is putting on the event.

- 7.12.6.4 Wording on the ticket must include the words: "Free Ticket" and "You pay nothing in this drawing. Winner need not be present. A free ticket may be obtained at (give address)."
- 7.12.6.5 If the group applied for a Social Service Permit in connection with the event, the office issuing the permit will require a copy of the printer's proof, before they will issue a Social Service Permit.
- 7.12.6.6 There should be no price on the ticket.
- 7.12.7 The Internal Revenue Service does not consider purchaser of a "Free Drawing," as a raffle or lottery donor. These payments will not be recorded as donations.
- 7.12.8 These rules must be followed exactly to avoid legal problems. The words RAFFLE and/or LOTTERY may not be used in promoting a Free Drawing.
- 7.12.9 Few people will make a special trip to get a free ticket. The few who do read the small print, and do make the trip will be given a free ticket. One may stipulate that free tickets are only available at one (1) place. Regular solicitors should not give free tickets.
- 7.12.10 Clubs can petition the SGA for funds a maximum of once (1) per academic year. The SGA holds the right to deny the request. Please refer to Protocol A.
- 7.13. Reimbursements: All reimbursements must have appropriate documentation accompanying the request for payment including receipts, statements, etc.
- 7.14. Prohibited expenditure: Student funds are prohibited for the following expenditures:
 - 7.14.1 Equipment, supplies, forms and postage for curricula or classroom use or for district business.
 - 7.14.2 Repairs and maintenance of district-owned equipment.
 - 7.14.3 Salaries or supplies which are the responsibility of the district.
 - 7.14.4 Articles for the personal use of district employees.
 - 7.14.5 Gifts, loans, credit, or the purchase of accommodations for district employees or

others.

- 7.15. All students have the right to request a refund for an SGA Discount Card. These requests will only be honored during the first and second weeks of each full-length semester.

BY-LAWS
CODE SECTION EIGHT
JUDICIAL CODE

- 8.1 The General Counsel shall be responsible for administering justice with reasonable expediency, and in a fair and judicious environment.
- 8.1.1 Uphold and protect the Constitution and directives of the Association from alteration by illegal means and degradation by those persons who so desire.
 - 8.1.2 Ensure that those bodies of government, having been created by the student body, do not infringe upon nor abuse those privileges and rights afforded them by the Association's Constitution and By-laws.
 - 8.1.3 Protect and sustain those rights and privileges afforded the individual within a democratic society by upholding those processes and institutions.
 - 8.1.4 Administer all judgments equitably, never allowing personal prejudices, opinion, or political influence to obscure or alter decisions.

SECTION NINE
PUBLICITY CODE

9.1. Rules

- 9.1.1 Anything not explicitly dealt with in the Publicity Code shall be left to the discretion of the Senate with the approval of the Dean of Students. **Amended 3/11/11**
- 9.1.2 Any publicity from a source outside the Association must obtain approval to be posted from the Student Activities Office.
- 9.1.3 No publicity is to cover another sign.
- 9.1.4 All publicity must be TACKED down. No GLUE, MASKING TAPE or other permanent affixing is allowed.

9.2. Publicity, Definitions and General Rules

- 9.2.1 Publicity is defined as any written public notice which is posted or handed out on the Bakersfield College campus.
- 9.2.2
 - a) Handbills may not exceed 8.5 inches by 11 inches.
 - b) Handbills may only be posted on non-academic bulletin boards.
 - c) Handbills may not be placed on car windows.
 - d) Posters must be larger than or equal to 14 inches by 17 inches, and smaller than or equal to 36 inches by 36 inches.
 - e) Banners must be larger than or equal to 14 inches by 17 inches, and shall be smaller than or equal to 6 feet by 10 feet.
 - f) Banner space will be given on a first-come, first-served basis, upon written request.
- 9.2.3 Posters cannot restrict the free movement of students or interfere in the daily activity of this campus and are not allowed to be placed in or on the following locations:
 - a) Painted surfaces
 - b) Showcases
 - c) Drapes
 - d) Glass doors
 - e) Living inanimate objects (trees, shrubs, etc.)
 - f) Bulletin boards (However, flyers are allowed.)
 - g) Memorial Stadium
 - h) East side of Dining rooms 1, 2 and 3
 - i) East side of the Fireside Room

- j) McCuen Hall (Administration)
- k) Gymnasium, except glass surfaces not exceeding six feet from the ground
- l) Language Arts

9.2.4 No publicity may be posted in classrooms without permission of the professor. No fliers may be placed on cars.

9.2.5 The Student Activities Office may refuse to post publicity which is: obscene, libelous, slanderous, advocates the use of illegal drugs or alcohol, or any activity that would disrupt Bakersfield College from performing its stated objectives as outlined in the California State Education Code and the Kern Community College District Board of Trustees Regulations and Policies. **Amended 3/11/11**

9.2.5.1 Any publicity which in any way damages or defaces property is strictly prohibited.

9.2.5.2 The quantity of stakes per event and the size of the publicity placed on stakes shall be subject to the discretion of the Dean of Students.

9.2.5.3 All publicity, which does not either directly or indirectly advocate Association activities or events is prohibited unless approved by college administration.

9.2.5.4 The placement of any unusual or different publicity shall be subject to the discretion of the Dean of Students.

9.2.5.5 Any publicity illegally posted will be removed and discarded.

9.2.5.6 Failure to abide by approved Publicity Code regulations may result in suspension of publicity privileges.

9.2.6 There shall be no limit to the number of handbills distributed by recognized on campus clubs.

9.2.7 The use of automobiles or vehicles parked on campus and used for publicity shall be on a first-come, first-served basis regulated by the Campus Police Department.

9.2.8 Time Limits

9.2.8.1 Campaigning and material within 100 feet of the polling place(s) must cease or be removed prior to the opening of the polls.

9.2.8.2 All posters are allowed to remain in their original positions until 9:00 p.m. of the school day after the election; violations will be subject to the discretion of the General Counsel.

9.2.9 Posters, automobiles, and other vehicles will be allowed to be positioned ten (10) school days prior to elections. In the event an election spans more than one day, positioning will be allowed (10) school days prior to the first day.

9.2.10 Responsibility

9.2.10.1 Posters, automobiles, or other vehicles, whether or not of a campaigning nature, are the responsibility of the individual or group being publicized. If a group is sponsoring a candidate, then the responsibility rests with that group.

9.2.10.2 Mutilation or moving of posters, automobiles, or other vehicles with malicious intent shall be reason for that person to be summoned before the General Counsel. Any poster removed without the consent of the individual or group which positioned it can be replaced by 4:00 p.m. of the next school day if another poster other than that of the original individual or group is occupying the space; posters other than those of the original individual or group are to be removed only by a member of the General Counsel and returned to its sponsor. No person may remove or damage any publicity for which he/she is not directly or indirectly liable.

9.2.10.3 Defacement, abuse, mutilation, or damage of state, county, school, or personal property on this campus incurred while erecting, assembling or operating any campaign material shall be the responsibility of the group or individual sponsoring the event being publicized.

9.2.10.3.1 All persons or parties responsible for removal of publicity materials shall be responsible for removal of all fastening devices including, but not limited to tape, tacks, sticks, and staples.

9.2.10.4 Any publicity items that are not covered in Section 13.22 must be submitted in the form of a written description to the Dean of Students.

9.2.11 The distribution of written or printed material devoted to the expression of views, opinions, beliefs, or contentions, relating to or of notices or announcements of meetings to be held for discussion of religious, political, or sociological subjects, or public or civic affairs, or other controversies or which relate to the arts or sciences or which otherwise are not distributed for the purpose of soliciting business, trade or custom shall be permitted on the Bakersfield College campus subject, however, to regulation by the Bakersfield College President as to time, place, and manner thereof.

9.2.12 Publicity shall be removed:

- 1) If torn or defaced in any way
- 2) When not conforming to Association Publicity Code
- 3) By the registrant, along with any adhesives or pins, twenty-four (24) hours following the event (excluding weekends and holidays)

9.2.13. Registration of Publicity

9.2.13.1. The Student Activities Office shall register all publicity for on-campus clubs, organizations and individuals before it may be posted or distributed.

9.2.14. Registration of Publicity shall entail the following:

- 1) Registrant reading of the Publicity Code
- 2) Registrant filling out responsibility form

9.2.14.1 If the publicity is a banner or poster, the Student Activities Office will also stamp the publicity and indicate the date for removal on the publicity.

9.2.14.2 If the publicity is a handbill, the Student Activities Office will stamp one handbill, put a date for removal on the handbill, and retain that copy for his/her files.

SECTION TEN
ELECTIONS CODE

10.1 Election Code

- 10.1.1 Every candidate is required to attend the Mandatory Candidates' Meeting arranged by the Student Activities Office. This meeting will discuss election procedures, selection process for officers, ballot information, campaigning and tallying votes.
- 10.1.2 All members of the Student Senate and Executive Council shall be elected by the first full week of May.
- 10.1.3 In the event not all offices are filled following the election, the remaining positions shall be appointed by the SGA President elect and approved by the Student Senate with 2/3 majority.

10.2 Officer Eligibility

Eligibility for candidacy-all potential candidates must meet the criteria contained herein without exception.

- 10.2.1 To run, assume, or maintain an Executive Council Office, a student shall have at least a cumulative GPA of 2.00. Candidates for these offices must be enrolled in a minimum of six (6) units in the semester of their candidacy.
- 10.2.2 To run, assume, or maintain the office of Representative, a student shall have at least a cumulative GPA of 2.00. Candidates for these offices must be enrolled in a minimum of six (6) units in the semester of their candidacy.
 - 10.2.2.1 Official dates for the term of office for all Executive members shall be June 1 through May 31. **Amended 3/11/11**
- 10.2.3 No person may run for more than one position at one time or hold more than one SGA office simultaneously, either by election or by appointment. Any officer serving as a member of one (1) branch of government, either in the Executive Council or Student Senate and who is either elected willingly or willingly appointed to another branch of student government shall then be considered resigned from the position that was originally held and must submit such resignation in writing to the Association President.
- 10.2.4 To be eligible to run for an Executive Board Office a student shall have completed at least twelve (12) units of course work at Bakersfield College.
- 10.2.5 All SGA officers shall be residents of the Kern Community College District.

- 10.2.6 To be eligible to run for a SGA office, a first semester freshman shall have at least a 3.0 cumulative high school grade point average as determined by the official transcript.
 - 10.2.7 Students without a college, adult school, or high school transcript and/or diploma must have accumulated twelve (12) units of course work at Bakersfield College and have a G.E.D.
 - 10.2.8 Any felony conviction on an officer while in office would be cause for immediate and irrevocable removal from office.
 - 10.2.9 A student convicted of forgery, larceny, or embezzlement is ineligible to hold a SGA office.
 - 10.2.10 For students arraigned on felony charges or misdemeanor charges of forgery, larceny or embezzlement, said students will be suspended, without stipend, from any SGA office.
 - 10.2.11 The Activities Liaison of the SGA Executive Board shall not simultaneously hold an Executive Office in a SGA chartered club.
 - 10.2.12 To be eligible for a third semester as an officer, the student must complete and pass eighteen (18) semester units between the first and third semesters. These units must be completed prior to the beginning of the third semester. Units from a course repeated to raise a grade of "D" or lower shall not be counted to satisfy this eligibility rule. No persons shall hold the same office for more than four (4) semesters. Summer school courses are equivalent to semester courses on determining eligibility.
 - 10.2.13 A student on either academic, disciplinary, social, and/or progress probation may not run for or hold a position as a SGA officer.
 - 10.2.14 Students can hold office in SGA for a maximum of four (4) consecutive semesters not to include summer sessions. This term limit can be renewed after an absence of two (2) consecutive semesters not to include summer sessions. The term limit does not apply for the Student Trustee position.
- 10.3 The General Counsel shall, prior to each election, appoint no less than three (3) representatives, if they are available and not running for an office, to an Election Board that shall enforce the

rules of the election, supervise canvassing the ballots, and validate and make official the final results. However, if the General Counsel is a candidate for election, another council member, chosen by simple majority vote in executive council, not running for position, should be in charge of elections.

10.3.1 No SGA member shall serve on the Election Board if that person is listed as a contested candidate for the election.

10.3.2 The Election Board shall always be comprised of an odd number of members.

10.3.2.1 Each Election Board member shall vote on challenged ballots, including the final total of voided ballots in a final sum.

10.3.2.2 Election Board members shall confirm the legality of all write-in candidates and include those tallies in a final summary.

10.3.2.3 The Election Board members shall have the power to remove illegally posted election publicity.

10.3.2.4 Write-in votes in run-off elections shall be declared invalid. (if no candidate receives more than 50% of votes)

10.3.3 The Election Board shall:

10.3.3.1 Maintain the adherence to SGA election guidelines.

10.3.3.2 Maintain impartiality toward all recognized candidates and proposed legislation.

10.3.3.3 Determine the dates of election packet release, no later than first full week of March.

10.3.3.4 Publicize all information pertaining to the elections.

10.3.3.5 Make election packets accessible to students.

10.3.3.6 Coordinate and oversee the elections.

10.3.3.7 Post the election results within 24 hours following the closure of the polls, or in the result of a problem, post an explanation for withholding the results, and a future date for posting the results.

10.4 Candidates have the right to have one (1) observer present when votes are counted if a request

is submitted in writing to the Election Board prior to the counting of the ballots. An observer is someone not running for or holding office.

- 10.4.1 The Election Board shall make a record of the number of ballots in the ballot box, the number of officially cast ballots and the difference if any. Officially cast ballots determined by number of students voted according to master list.
- 10.4.2 Grievances concerning elections must be submitted to the Student Activities Office before results are posted. In contested cases in any election concerning decisions rendered by the Election Board, the SGA regular grievance procedures will be followed.

10.5 Dates of Elections and Sign-ups

Elections shall fall on two consecutive days when both day and evening classes are held, with polling places located in a convenient campus location. Polling places shall remain open from 9:00 a.m. to 5:00 p.m. Elections are to fall on days when classes are in session. Election procedures shall be outlined at least ten school days prior to elections in the election packet available in the Student Activities Office. **(Amended on February 26, 2010)**

- 10.5.1 The election procedure shall begin with sign-ups at least three weeks prior to the scheduled election date. Sign-ups shall end one week prior to the scheduled election date. Sign-ups shall be of two types, as follows:

- a) Sign-ups for all SGA offices shall be by filling out the election application and having a petition signed by students of Bakersfield College. Said petition shall be clearly marked with the candidate's name and the office for which he/she is running. Only registered Bakersfield College students shall sign said petitions, and they shall include the last four digits of student I.D or their social security number. The petition shall have a minimum of fifty (50) signatures for Executive Council candidates and twenty five (25) signatures for Representative candidates. The candidate's name shall appear on the ballot in the order in which completed petitions are received.

- b) Sign ups for all offices by application provided in the Student Activities Office.

10.5.2 Eligibility for Election

Each candidate for elective office shall file a completed application packet with the Student Activities Office requesting that the candidate's name be placed on the ballot.

- 10.5.3 Such candidate application must be filled out three weeks prior to scheduled election date. Signatures on all required petitions will be checked to assure all signatures are valid.
- 10.5.3.1 Such petition may include SGA member signatures.
- 10.5.3.2 Each candidate for elective office must file a candidate's statement of not more than one hundred (100) words, containing the candidate's qualifications, to be turned in with completed application packet.
- 10.5.4 Candidates for SGA office must possess a SGA GADES card and be a registered student of Bakersfield College at the time of candidacy.
- 10.5.5 Candidates for offices shall qualify for candidacy if they have cumulative GPA of 2.0 or higher and have 6 units or more at the time of election.
- 10.5.6 Write-in candidates must be qualified candidates. An otherwise qualified candidate who turns in a petition after the petition deadline shall run as a write-in candidate.
- 10.5.7 All candidates must meet with Elections Board Chair before elections week. The purpose of the meeting shall be, but is not limited to, to explain to the candidate all regulations concerning campaigning, publicity code, money, and voting.

10.6 Legal Ballot

Any person who wishes to succeed himself/herself in any student body office may use the term "incumbent" in his/her campaign material and may have the term "incumbent" placed after his/her name on the ballot.

The legal ballot for election shall be designated by the Election Board.

- 10.6.1 Voting by proxy shall not be allowed.
- 10.6.2 Voters shall not mark upon a ballot that will make the ballot identifiable.
- 10.6.3 After the ballot is marked, a voter shall not show it to anyone in such a way as to reveal its contents.
- 10.6.4 Defaced or improperly marked ballots shall not be counted.
- 10.6.5 No voter shall deliver to a member of the Election Board any ballot other than the one received from the Election Board.

10.6.6 Only Bakersfield College registered students may vote.

10.7 General Election Regulations

10.7.1 Materials/Expenditures

10.7.1.1 The candidates for office will spend no more than \$150 (one hundred and fifty dollars) per election to cover campaign costs. This amount will include donations. Said funds shall be subject to audit, and the candidates shall provide receipts for all expenditures.

10.7.1.1.1 All contributors must be listed, along with the amount contributed.

10.7.1.1.2 No individual shall contribute more than \$15 to any candidate.

10.7.1.1.3 No club shall be allowed to contribute to any candidate, nor shall any club funds be granted to a candidate or campaign.

10.7.1.2 No candidate shall use SGA or District owned materials for use in campaigning.

10.7.1.3 There shall not be campaigning or literature within 100 feet of the polls or so that they are visible or audible from the polls. No campaign shall take place within the walls of the polling area and the campus center on Election Days. Candidates must remove all campaign literature before election results will be posted. Posting of campaign materials in classrooms will only be permitted with instructors' approval.

10.7.1.4 Candidates must adhere to campus posting regulations as outlined in by-laws of this legal code. No person shall remove or destroy any voting booth supplies nor remove, tear down or deface material printed for the instruction of the voters.

10.7.1.5 No candidate shall post publicity prior to the official orientation meeting of all candidates.

10.7.2 Ballots may not be counted until the close of the polls on each day.

- 10.7.2.1 Write-in candidate's votes will be counted if eligibility is determined before the closing of the polls.
- 10.7.3 Ballots will be collected, counted, and results posted within 24 hours of the last voting day. Counting and tabulation will commence at a central counting place at the discretion of election board. No person(s) except those conducting the election shall touch any ballot (except as authorized) or ballot container. Election results shall be signed by the person in charge of elections and posted in a prominent place.
- 10.7.4 If a voter spoils or defaces a ballot, the voter should immediately return the ballot to the ballot clerk and receive another ballot. A total of three ballots will be granted in this manner.
 - 10.7.4.1 Voting booths shall be occupied by only one person at a time unless a voter requests assistance to facilitate voting process. No person assisting a voter shall divulge any information regarding the marking of the ballot.
 - 10.7.4.2 Only voters engaged in receiving, preparing or depositing their ballots and persons authorized by the Election Board to keep order and enforce the rules may be permitted to be within the voting booth before the closing of the polls. The voter must leave the polling area immediately after voting and may not return to loiter.
 - 10.7.4.3 When marking a ballot, the voter shall place a mark in the voting space provided next to the name of the candidate when the voter intends to vote or the ballot will be nullified.
 - 10.7.4.4 The voter shall deliver his/her ballot to a member of the Election Board who shall then deposit the ballot in the ballot box.
 - 10.7.4.5 The only information an election worker may offer anyone is instructions concerning procedure and rules.
 - 10.7.4.6 The voting area shall consist of:
 - a) A table for verifying eligibility
 - b) Voting booths
 - c) Ballot box that can be locked
 - d) An area free of publicity extending 100 feet in all directions from the edge of the voting booths and campus center
 - e) Posted information concerning procedures and rules
 - f) Clearly marked signs designating the areas

10. 7.4.7 Voting hours shall be administered by the General Counsel and shall be posted one (1) week prior to the first day of elections.

10. 7.4.8 Ballots shall be retained and open to review for a period of two weeks after last day of voting.

10. 7.4.9 No voting by mail.

10.7.5 All amendments to the SGA Constitution shall be placed and numbered individually on the ballot. If there is to be a complete new Constitution voted upon this full instrument shall be made available at each of the poll sites. It shall also be available at least two weeks before any general or special election where it may be voted upon. The number of copies for general reading shall be a minimum of two copies at the Student Activities Office, two at the front desk of the Library for in library use, two copies at the foyer of the Administration building and two copies in the SGA offices.

10.8 Student Trustee Selection Committee

10.8.1 The committee shall be comprised of all Executive Council members and a randomly chosen Representative. No one on the committee can be a candidate or applicant for the Student Trustee position. The Dean of Students will serve as an advisor to the committee.

10.8.2 Procedures for Selection

10.8.2.1 All completed applications for the Student Trustee position will be given to the Dean of Students for review.

10. 8.2.2 The Dean will then recommend to the committee up to 3 candidates for Student Trustee position.

10. 8.2.3 In a closed session meeting the committee will interview with all candidates in any order.

10.8.2.3.1 Interviews will last no longer than 15 minutes per candidate.

10.8.2.3.2 Both Executive council members and the Representative may ask the interviewee questions

10.8.2.3.3 Question can be prepared before hand at the

discretion of the Association President.

10.8.2.4 After all interviews have completed all Executive Council members will cast their vote. The method of casting a vote will be determined by the Association President. The Representative on the committee will only cast a vote in case of a tie, and in a case of a tie the Representative can only vote for one of the candidates involved in the tie.

10.8.2.5 The votes shall be counted by the Association's President or by the digital provider of the voting website and given to the Chair of the Elections Board to be posted with the official elections results.

10.8.3 To run, assume, or maintain the office of Student Trustee, a student shall have at least a cumulative GPA of 2.00. Candidates for these offices must be enrolled in a minimum of six (6) units in the semester of their candidacy.

10.9 Special Elections Regulations

10.9.1 As a result of the general election, if any office is not filled, the vacancies shall be filled as proscribed in 12.5 of these by-laws.

10.9.2 The President of the Association Students must call a special election when authorized by a two-thirds vote of the Senate.

10.9.3 Regulations for special elections shall follow the same guidelines as those for the general elections. Special elections may be called for any purposes where it is felt that the whole of the student body should have input or is required to have input as per the SGA Constitution and by-laws.

10.9.4 Further special election regulations shall comply with those of the general election.

10.10 Violation of Election Laws

10.10.1 Any person is subject to disciplinary action by the General Counsel or Chair of Election board:

- a) Aids in changing or destroying any poll list or official ballot
- b) Aids in wrongfully placing or removing any ballots in the ballot box.
- c) Adds or attempts to add any ballots to those legally polled at any election by fraudulently putting them into the ballot box, either before or after the ballots therein have been counted
- d) Adds to or mixes with or attempts to add to or mix, with the ballots polled, any other ballots, while they are being counted with intent to change the result of the election or allows another to do so, when in his/her power to prevent it.
- e) Carries away or destroys, attempt to carry away or destroy, or allows another to carry away or destroy any poll list, ballot box, or ballots lawfully cast or who willfully detains, mutilates, or destroys any election returns
- f) Removes any blank ballots from the polling place before the completion of the ballot count

10.10.2 Chair or General Counsel may terminate a Candidate's Candidacy. The Chair or General Counsel can also nullify any votes by voters who violate section 10.8.1b.

SECTION ELEVEN - SHARED GOVERNANCE

- 11.1. The President of the Association shall consult with the President of Bakersfield College, or their appointed designee on all matters, which will affect the students of Bakersfield College.
- A. The Association President shall notify the College President, District Chancellor, or designee, of his/her desire to consult whenever it is believed that changes in college or district policies and procedures will have an effect on students.
 - B. The Association President shall meet with the College President and/or the District Chancellor whenever either the College or the District has expressed a desire or need to consult on any matter which may affect the students of Bakersfield College.
 - C. District and/or College policies that effect students include, but are not limited to:
 - 1. Grading Policies
 - 2. Codes of Student Conduct
 - 3. Academic Disciplinary Procedures
 - 4. Curriculum Development
 - 5. The initiation or discontinuance of courses or programs
 - 6. Processes for Institutional Planning and Budget Development
 - 7. Standards and Policies regarding student preparation and success
 - 8. Student Services Planning and Development
 - 9. Student Fees that are within the Authority of the District to adopt and/or change
- 11.2. An important aspect of student participation in Shared Governance is active participation of Student Representatives on all appropriate college committees, task forces, councils, etc. The Association President and the Student Senate shall share the responsibility for ensuring full participation of students on all appropriate committees, task forces, etc.
- A. The President of the Association shall fill all student positions on all college committees, and task forces.
 - 1. The Association President shall fill all student positions on college-wide committees within 7 days of an opening occurring.
 - B. Students serving on college-wide committees must have a cumulative grade point average of at least 2.3 and be currently enrolled in at least six (6) units at Bakersfield College during the term of office. The term of office shall be for one (1) academic year, beginning in the Fall Semester and ending in the Spring Semester. The Association President may approve additional terms, up to three (3).
 - C. Student appointments should reflect student equity and diversity.

- D. Appointees shall abide by the policies of their particular committee. Failure to do so may result in removal from office in accordance with the Constitution and by-laws of the Association. The administrative representative of each committee shall be responsible for reporting any violation to the Association President or the Dean of Students.
 - E. The Student representatives shall provide an oral or written report of committee activities, unless prohibited by law, to the Association Senate at least once a month.
- 11.3. The President and Legislative Liaison shall be responsible for the maintenance of all records and papers pertaining to any aspect of the Shared Governance process.

BY-LAWS

SECTION TWELVE
DISCIPLINE AND IMPEACHMENT

12.1. Any three (3) officers can recommend another officer for censure or impeachment from office.

12.1.1 Grounds for censure or impeachment of an officer or Senator shall be:

- a) Failure to fulfill the duties of his/her office as outlined in the Constitution and By-laws
- b) Two (2) unexcused absences from official Senate or Executive Council meetings in a single semester, or a total of five (5) meetings total.
- c) Not fulfilling required office hours.
- d) Not serving on a committee.
- e) Gross negligence or incompetence.
- f) Not attaining minimum GPA and/or units.

12.2. A proceeding to censure or impeach from office must not violate any rule of the organization or any of the Officer's, Senator's or committee member's rights under the law. Any three officers of the Association may file allegations with the General Counsel.

12.3. Investigation: The Grievance Committee shall be formed to investigate the alleged violations to determine if there are grounds for censure or impeachment. Should there be grounds, the Grievance committee shall set a date for the Senate to hold a hearing on the matter, and shall notify the Dean of Students.

12.4. A member shall be censured or impeached with a two-thirds (2/3) majority vote in the Senate.

12.5. In the event of removal/impeachment of an officer(s), the current SGA President shall appoint persons to fill any and all vacancies. The Senate must confirm all appointees by a 2/3 majority vote.

12.5.1 Upon the President's appointment, the appointee becomes the interim holder of his/her new office. After Senate confirmation, the newly appointed officer becomes the official and permanent Officer for the remainder of the term currently in progress.