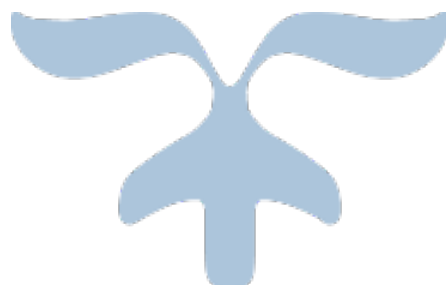


**Constitution and Bylaws
of the
Associated Student Government of Santa Ana College**



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RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT
SANTA ANA COLLEGE

**CONSTITUTION
OF THE
ASSOCIATED STUDENT GOVERNMENT OF SANTA ANA COLLEGE**

Preamble

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

Mission

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

ARTICLE I – Name

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

ARTICLE II – Membership

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

ARTICLE III – Legislative

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

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

- Section 3: The office of Freshmen Senator shall be defined as the completion of less than one (1) semester in ASGSAC or the completion of less than twenty-four (24) units of college course work at the time of election.
- Section 4: The Senate shall be composed of an adequate number of Senators to serve the needs of the AS, with the election of Senators executed in the following manner:
- A. An equal number of freshmen and Elected Senators.
 - B. Equal representation for each instructional division and/or program.
- Section 5: When a vacancy occurs in the Senate at any time, the Vice-President shall make an appointment to fill the vacancy. Confirmation of appointments to the Senate shall be by 2/3 vote of the of the appropriate Senate quorum.
- Quorum is defined as 50 + 1 percent of all active Senators. A True Quorum is defined as 50 + 1 percent of all possible Senators, as determined in the by-laws.)
- The appointee shall hold the position for the remainder of the Senate year.
- Section 6: The Senate shall meet in open session at least once per week throughout the regular semester, except periods of vacation or legally established holidays.
- Section 7: The Senate shall have the power to:
- A. Approve or disapprove the ASGSAC Budget.
 - B. Approve or disapprove all expenditures outside the established budget. This shall include the transfer of funds between ASGSAC accounts.
 - C. Request, by 2/3 of the appropriate Senate, the resignation of any officer for neglect of duty or conduct unbecoming of an officer of the ASGSAC.
 - D. Impeach, by 2/3 vote of the appropriate Senate, any officer of the ASGSAC for the neglect of duty or conduct unbecoming an officer of the ASGSAC.
 - E. Approve all appointments made by the President in order to constitutionally establish offices by a 2/3 vote of the appropriate Senate.
 - F. Elect a President Pro-Tempore by the fourth (4th) week of the Fall Senate, who shall be the presiding officer of the Senate in the absence of the Vice-President.
 - G. Consider any legislation not signed or vetoed by the President within five (5) days of his/her receipt of said legislation as law (Saturdays, Sundays, legal holidays, and vacations excluded).

- H. Pass laws, which shall be referenced in accordance with the By-laws of the ASGSAC Constitution.
- I. Make laws, which are necessary and proper for executing the foregoing powers vested by this Constitution.
- J. To dismiss any member of Student Government when the member does not meet the qualifications or fails to attend meetings.

Section 8: All legislation approved by the Senate shall be submitted to the President for approval. If the President approves, the bill will become law. If the President vetoes the bill it shall be returned to the Senate with justification for the veto. The Bill shall be reconsidered at the next Senate meeting.

The Senate may then, by a 3/4 vote of the appropriate Senate quorum, override the veto thereby making the legislation law.

ARTICLE IV – Executive

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

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

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

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

Section 5: Appointed members of the Executive Cabinet shall serve no longer than any one Presidential term, or any part thereof, in any one appointed position. A Presidential term shall begin July 1st and end June 30th.

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

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

- A. Veto any Senate Legislation when deemed necessary and proper.

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

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

ARTICLE V – Treasurer Representative

- Section 1: The ASGSAC Treasurer Representative shall be responsible for monitoring all ASGSAC Finances.
- Section 2: The ASGSAC Treasurer Representative shall chair the ASGSAC Finance Committee.
- Section 3: In the event of a vacancy in the office of Treasurer Representative, the Co-Chair of the Finance Committee shall become the Treasurer Representative until a suitable replacement is appointed.
- Section 4: The Treasurer Representative shall have the responsibility to:
- A. Prepare, with the AD HOC committee, the Annual ASGSAC established budget.
 - B. Ensure the presentation, to the Senate, of a monthly financial report.
 - C. Initiate ASGSAC purchase orders as appropriate.
 - D. Obtain approval, by 2/3 vote of the appropriate Senate quorum, of all disbursements over three hundred dollars (\$300).
 - E. The Treasurer Representative may make emergency disbursements of less than three hundred dollars (\$300) with the approval of the ASGSAC President or the Vice-President and Student Activities Coordinator.
 - F. Advise the President concerning ASGSAC finances.
 - G. Maintain accurate files of purchase orders, financial statements, and all other materials related to ASGSAC finances.
 - H. Coordinate the purchase of ASGSAC supplies and equipment.
 - I. Work closely with those college administrators who oversee the accounts of ASGSAC.

ARTICLE VI – Judiciary

- Section 1: The judicial power of the ASGSAC shall be vested in the Supreme Court.
- Section 2: The Supreme Court shall consist of no less than three members and no greater than seven, always maintaining an odd number of members.
- Section 3: At no time will the Supreme Court have a majority of freshmen justices.

- Section 4: At no time will the Supreme Court have a member holding any other ASGSAC office.
- Section 5: The Supreme Court shall have the power to:
- A. Restrict the rights and privileges of an ASGSAC member, with the knowledge and consent of the Director of Student Services and/or Student Activities Coordinator.
 - B. Interpret and review those laws which are enacted upon petition by any member of ASGSAC and review all cases brought to its attention concerning student regulations and activities.
 - C. Try all impeachments made by the Senate; a 2/3 Justice Vote is required for conviction.
 - D. Declare null and void any and all legislation, which is brought to its attention and found unconstitutional.
- Section 6: The Legislative Committee shall be compromised of two (2) members each of the Supreme Court, the Senate, and the Executive cabinet (Legislative Commissioner & one other).
- Section 7: Justices shall hold office for no longer than the term of the President at the time of appointment.
- Section 8: Justices may be impeached by a 2/3 vote of the appropriate Senate quorum. The President Pro-Tempore shall prosecute the case with a 2/3 vote of the appropriate Senate quorum. If impeached, Justices are to be tried before the officers of the Executive Cabinet.
- Section 9: The President of the Executive Cabinet may appoint an executive member to represent ASGSAC at Supreme Court meetings. The Director of Student Services or Student Activities Coordinator shall be present at Supreme Court meetings.

ARTICLE VII – Qualifications

- Section 1: All candidates and write-in candidates for an ASGSAC position must:
- A. Be an undergraduate.
 - B. Be involved in ASGSAC Student Government for no more than six (6) semesters, excluding summer sessions. Semesters will be tallied to include offices held as ASGSAC President, Vice-President, Treasurer Representative, President Pro-Tempore, Executive Cabinet Member, Supreme Court Justices.

- C. Be enrolled in six (6) units or more and maintain a GPA of 2.0 or higher per semester.
 - 1. Cumulative (to include all post-secondary academic work); and
 - 2. For the previous semester.
 - 3. For first semester students a high school transcript is required with a GPA of 2.5 or above.

Section 2: All candidates and write-in candidates for the offices of ASGSAC President, Vice-President, Treasurer Representative in addition to meeting the qualifications stated in Article VII, Section 1; Titles A and B, must:

- A. Have successfully completed ten (10) units of work in the Rancho Santiago Community College District.
- B. Must be a resident of the Rancho Santiago Community College District.
- C. Must carry and complete a minimum of six (6) units each semester prior to and during all semesters that office is held.
- D. Must be enrolled in at least one class on the main campus of Santa Ana College.

Section 3: The ASGSAC President, Vice-President, and Treasurer Representative shall be elected for a term of one (1) Presidential Year or from the time of their election to the conclusion of the Presidential year. A Presidential year shall begin at the time the President takes office on July first (1st) and run for twelve (12) months, ending on June thirtieth (30th). No person may hold office for more than one (1) term. The exception being the following: that a person who successfully completes a full year in office (Spring elected), with no interruptions, and who receives a vote of confidence (simple majority) from both the Senate and the Executive branches, then that person may run for a second term. (The Continuity Rule)

Section 4: Upon vacancy of the office of ASGSAC President, the ASGSAC Vice-President shall assume the duties and responsibilities of the ASGSAC President until a suitable candidate is found to replace the former President. At which time all qualified applicants will be accepted. For a mid-term replacement, for the office of president, a candidate must come from within the auspices of the ASGSAC. This shall include anyone from within the three major branches (Executive, Legislative & Judicial), ICC Officers, Shared governance, and the Club officers. The ASGSAC President Pro-Tempore shall assume the duties and responsibilities of the ASGSAC Vice-President, where upon the Senate shall elect a President Pro-Tempore to serve during the interim.

Section 5: All officers of ASGSAC may be subject to impeachment.

Section 6: No member of the ASGSAC may hold more than one (1) constitutionally established office at the same time.

ARTICLE VIII – Entitlement to Associated Students

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

Section 2: All actions of the Senate are subject to referendum vote of the Associated Students. A written petition signed by five (5) percent of the members of Associated Students will constitute a request for election and is necessary for the referendum. The petition must be submitted to the Senate for recognition of signatures. Upon recognition the Senate shall authorize the ASGSAC President to call a general election within ten (10) days (Saturdays, Sundays, legal holidays, and vacations excluded).

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

ARTICLE IX – Legislative Documental Bodies

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

ARTICLE X – Amendment Procedures

- Section 1: Amendments and revisions to the ASGSAC Constitution must be proposed with the support of 2/3 of the appropriate Senate quorum. Amendments and revisions must be ratified by a 2/3 vote of the total votes cast in general election.
- Section 2: Amendments and revisions to the ASGSAC By-Laws must be approved by 2/3 vote of the appropriate Senate quorum.
- Section 3: Amendments to the ASGSAC Constitution must also be approved by the President’s Council before taking effect.
- Section 4: Corrections of grammar, spelling or punctuation may be changed by the Supreme Court in consultation with, and the aid of, an English instructor at SAC, endeavoring to keep the intent and meaning of the document clear and concise.

(ASGSAC Constitution Revised August
2010 received a 70% approval vote from the

students at large through elections held on April 14 & 15, 2010. The President's Council gave it their approval on August 11th, 2010.)

RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT
SANTA ANA COLLEGE

**BYLAWS
OF THE
ASSOCIATED STUDENT GOVERNMENT OF SANTA ANA COLLEGE**

(May 24th, 2016)

SECTION I - General Code

- 1.001 The requirements for bylaws shall be known as the General Bylaws code and shall determine the procedures governing the ASGSAC Constitution.
- 1.002 Definition of Bylaw: A bylaw shall be defined as any set of rules adopted by the ASGSAC Senate for governing meetings and affairs.
- 1.003 A bylaw shall be considered as a definite part of the ASGSAC framework and carry the full weight of legal and regulatory power.
- 1.004 The Bylaws of the ASGSAC shall be included in various sections, each bearing the title of a Code. Bylaws shall be organized into a pertinent code section.
- 1.005 Code section shall be numbered and titled in the following manner:
- I General Bylaws Code
 - II Executive Code
 - III Legislative Code
 - IV Judicial Code
 - V ASGSAC Committees Code
 - VI Rules Code
 - VII Elections Code
 - VIII Publicity Code
 - IX Activities Code
 - X Finance Code
 - XI Club/Organizations Code
 - XII Inter-Club Council Code
 - XIII RSCCD Student Trustee Code

SECTIONS NEEDING FURTHER REVIEW AND STUDY (as of May 26TH, 2016)

- VIII Publicity Code
 - IX Activities Code
 - XI Clubs/Organizations Code
 - XII Inter-Club Council
 - XIII RSSCD Student Trustee
- 1.006 Creation of By-laws shall be created and put into effect when legislation is approved by the ASGSAC Senate by a two-thirds (2/3) majority of the votes cast and signed into law by the ASGSAC President
- 1.007 Passage of legislation, conforming to all of the stipulations as listed above in section 1.006, shall make the effective date for administering legislation.
- 1.008 Exceptions to the effective date shall be indicated in the wording of the legislation. Post-facto laws applicable.
- 1.009 Any reference to the Rancho Santiago Community College District shall hereafter be referred to as RSCCD.
- 1.010 All Bylaws written by the ASGSAC are subjugated by other documents and rules found within many sources.
- 1.011 The rules of the Board of Trustees, State law, National law, school policy, division policy and many others all take precedent over this document.

SECTION II - Executive Code

- 2.001 The bylaws for the ASGSAC Executive Cabinet, hereafter referred to as the Cabinet, shall be known as the Executive Code and shall govern the Cabinet's governmental business and operational procedures.
- 2.002 Cabinet Legislative Procedures. Cabinet Legislative Procedures are those procedures that structure Cabinet transactions.

Types of Cabinet Legislation

- 2.003 There are three (3) types of Cabinet Legislation: Bills, Resolutions and Recommendations.
- 2.004 Legislation directed to the ASGSAC Senate from the Cabinet Shall be brought to the floor as a Joint Bill or Recommendation.

Bills: Bills deal with the ASGSAC Constitution and Bylaws.

- A.) Cabinet approval of a bill must be by a two-thirds (2/3) majority of the votes cast.
- B.) Bills wait one (1) business week from the time they are presented, until the Cabinet may vote upon them.

Resolutions: Resolutions deal with legislation for the general welfare of the Cabinet and/or ASGSAC. Resolutions include Executive Orders (i.e. temporary policies created by the cabinet until formal policies can be created).

- A.) No motion shall be entertained if it is in conflict with the ASGSAC Constitution, Bylaws, Policies, Executive Orders and/or Conflicts with SAC and/or RSCCD policies.
- B.) Cabinet approval of a resolution must be a two-thirds (2/3) majority of the votes cast.

Recommendations: Recommendations deal with powers not vested within the Cabinet or any of the ASGSAC, but with a means of bringing to the attention of the ASGSAC Senate, SAC, and/or RSCCD certain desired Actions of the Cabinet, and ASGSAC

- 2.005 Legislation must be voted upon in the established procedures of the Cabinet.
- 2.006 The Cabinet officer proposing the legislation shall be responsible for informing the ASGSAC of the status of that recommendation and for reporting the progress of that recommendation's implementation.
- 2.007 Cabinet approval of any legislation must be by a two-thirds (2/3) majority of the votes cast.
- 2.008 The author of any piece of legislation or someone entrusted should be present at the meeting to speak on the legislation to be presented.

Cabinet Sessions

- 2.009 Cabinet Sessions shall be of one (1) type: Regular Sessions.

Regular Sessions

- 2.010 A Regular Meeting of the Cabinet shall be scheduled throughout Fall and Spring semester at the discretion of the A.S.G. President, unless otherwise specified by the President, excluding vacation periods, holidays and finals week.

Special Meetings

- 2.011 The Cabinet may be called into a Special Meeting at any time by the President or by a majority [fifty percent (50%) plus one (1)] of the current voting cabinet members.

- 2.012 Special Meetings require a quorum [fifty percent (50%) plus one (1)] present before being brought to order.
- 2.013 In order for any meeting to be considered official an A.S.G advisor must be in attendance.

Powers and Membership of the Cabinet

- 2.014 The Executive Cabinet of the ASGSAC shall consist of the following officers:

Executive Officers:

President	Elected (through Spring General Elections)
Vice President	Elected (through Spring General Elections)
Treasurer	Elected (through Spring General Elections)
Inter-Club Council President	(Elected) from within the ICC Council by club reps.)
Student Trustee	(Elected) by the student bodies at both SAC and SCC)

Cabinet Members:

Activities Commissioner	Elected
Health Awareness Commissioner	Elected
Cultural Awareness Commissioner	Elected
Legislative Commissioner	Elected
Public Relations Commissioner	Elected
Recruitment Commissioner	Elected
Environmental Awareness Commissioner	Elected
Executive Recording Secretary	Appointed

- 2.015 All members of the Cabinet have full voting rights and privileges, with the exception of the Student Trustee and the Secretary.

President Veto

- 2.016 The President has the right to veto legislation of the ASGSAC Senate.
- 2.017 The President may decline to return legislation to the ASGSAC Senate.
- 2.018 The President may hold the legislation no more than five (5) business days at which time the ASGSAC Senate, after appropriate procedures, may treat the legislation as law unless the ASGSAC Senate adjourns its session, then it shall not be considered law.

Advisory Status

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

President

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

Vice President

- 2.034 Assumes the duties of the President in his/her absence.

- 2.035 Prepares the agenda and presides at ASGSAC Senate Sessions
- 2.036 Represents the ASGSAC, along with the President, at appropriate ceremonial, social and political occasions.
- 2.037 May serve on any ASGSAC Committee
- 2.038 Represents the ASGSAC at meetings of the Academic Senate
- 2.039 Provides the ASGSAC Senate Minutes to the Cabinet, and reads the ASGSAC Cabinet Minutes to the ASGSAC Senate.
- 2.040 Reports Vacancies of the Cabinet to the Senate.

Executive Recording Secretary

- 2.041 Records and distributes minutes of Cabinet Meetings
- 2.042 Types the ASGSAC Cabinet Agenda and distributes it seventy-two (72) hours prior to the next meeting.
- 2.043 Records and reports attendance of Cabinet Meetings.
- 2.044 Keeps updated publicly accessible copies of the Constitution and Bylaws.
- 2.045 Responsible for the upkeep of the ASGSAC Policy Manual.
- 2.046 Assists the Cabinet officers in the execution of their assumed duties and functions.
- 2.047 Shall take the written reports of the commissioners to the Senate to share.
- 2.048 Performs other duties as requested by the President.

Inter-Club Council (ICC) President

- 2.049 Prepares the agenda for and presides over the Inter-Club Council (ICC) meetings.
- 2.050 Initiates disciplinary action regarding any organizational infraction of rules and regulations pertaining to clubs/organizations.
- 2.051 Monitors club/organization activities and serves as liaison between clubs/organizations and the Cabinet and ASGSAC Senate.
- 2.052 Acts as a Resource Officer for all clubs/organizations at SAC.
- 2.053 Reviews and submits petitions for new clubs/organizations to the Inter-Club Council (ICC) for approval.
- 2.054 Directs a Club Rush event each semester.
- 2.055 Provides a monthly Club Report, written or oral, to the Inter-Club Council (ICC), Cabinet and ASGSAC Senate.

2.056 Provides club/organization information to the Commissioner of Public Relations Officer for publication.

Public Relations Commissioner

2.057 Serves as chair for the Publicity and Promotions Committee

2.058 Reviews and registers information materials promoting ASGSAC and/or club/organization activities and/or meetings.

2.059 Responsible for implementation and enforcement of the SAC Publicity Code and Regulations.

2.060 Shall coordinate publicity, press releases, and posters to be directed to on-campus and off campus sources.

2.061 Responsible for taking photographs of ASGSAC sponsored or co-sponsored events.

2.062 Responsible for the maintenance of any and all ASGSAC social media accounts.

2.063 Is the holder of the ASGSAC social media account logins and passwords.

2.064 Is responsible for the maintenance of any and all ASGSAC owned bulletin boards.

Treasurer

2.065 Oversees finances and process allocations and moneys approved by the Cabinet, ASGSAC Senate and/or the appropriate committee(s).

2.066 Gives monthly reports to the Cabinet and ASGSAC Senate on the current status of the budget.

2.067 Signs requisitions for ASGSAC funds.

2.068 Serve as chair for the Budget and Finance Committee

2.069 Must review and approve budget allocations prior to legislative action.

Activities Commissioner

2.070 Serve as chair for the activities committee

2.071 Act as director and resource officer for all ASGSAC supported activities.

2.072 Will provide, upon request a summary of past ASGSAC activities.

2.073 Will prepare a monthly calendar of events.

2.074 Shall be available to help coordinate activities with clubs and other campus organizations.

2.075 Keep Senate informed about scheduled events.

Legislative Commissioner

- 2.076 Serves as the SSCCC (Student Senate for California Community Colleges) delegate for SAC.
- 2.077 Attends any and all SSCCC Region VIII meetings, as the SAC Representative once a month at the designated place and time.
- 2.078 Gives periodic updates on SSCCC and SSCCC Region VIII.
- 2.079 Serves on the Rules and Justice Committee.
- 2.080 Chairs the Legislative Committee meetings.
- 2.081 Prepares or helps prepare any and all resolutions proposed for ASGSAC, Region VIII and SSCCC consideration.
- 2.082 Shall give periodic updates with regards to the ASACC (American Student Association of Community Colleges).

Recruitment Commissioner

- 2.083 Serves as chair of the Recruitment Committee
- 2.084 Involved with recruiting functions on and/or off campus.
- 2.085 Responsible for ASGSAC recruiting functions on and/or off campus.
- 2.086 Responsible for updating the ASGSAC open application to reflect title changes or position changes.
- 2.087 Responsible for running the Open Application table at any ASGSAC event in order to fill vacant positions.
- 2.088 Responsible with contacting approved applicants to set up appointments for interview with the respective branch leader.

Health Awareness Commissioner

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

Cultural Awareness Commissioner

- 2.092 Serves as chair of the Cultural Awareness Committee

- 2.093 Shall coordinate and assist with planning of multicultural activities, to ensure culturally appropriate representation is attained.
- 2.094 Shall be accessible to all campus clubs and help to coordinate activities with participating clubs.
- 2.095 Prepare and submit a calendar of annual events and projection of expenses for each event.
- 2.096 Keep Senate informed about scheduled events.

Sustainability Commissioner

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

Limitations, Restrictions, and Definitions

- 2.104 The executive cabinet shall be further divided into two groups: the executive officers, the elected cabinet, and the appointed cabinet.
- 2.105 The executive officers shall consist of the President, Vice-President, Treasurer, ICC President, and the Student Trustee.
- 2.106 The elected cabinet shall be any and all commissioners listed within the ASGSAC Constitution and Bylaws.
- 2.107 The appointed cabinet shall be the Executive Recording Secretary and the
- 2.108 Due to the potential conflict of interest, NO executive officer may also be an officer of a club.

Cabinet Procedures and Rules of Order

- 2.109 General procedures and rules for the cabinet shall contain Procedures of Order, System Succession, Inauguration and other pertinent information.
- 2.110 Officers of the Cabinet are expected to uphold the integrity of their office for their term.
- 2.111 A Cabinet Officer's term shall be for one (1) full academic year.
- 2.112 Elected and appointed officers shall be expected to take an oath of office upon their arrival.

Cabinet Reports

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

ASGSAC Cabinet Minutes

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

Cabinet Appointments

- 2.118 The Executive Recording Secretary shall be appointed by the President and ratified by two-thirds (2/3) majority of the Senate.
- 2.119 Applications for appointed Cabinet positions should be available at least six (6) business weeks prior to the end of the spring semester.
- 2.120 The majority of the Cabinet positions shall be made by the President Elect at the end of the spring semester, but all appointees shall be official until the first ASGSAC Senate Session in the fall when ratification shall occur.

System of Succession

- 2.121 The following procedures shall be used in filling the vacancies occurring in the office of the President:

- A.) In the event of impeachment or inability to serve by the President, the following order of succession shall be followed: Vice-President, Vice President Pro-Tempore, and the remaining Senators in order of seniority. Seniority status is determined by the number of semesters in the ASGSAC Senate.
 - B.) In the event of the Vice President Pro Tempore or one (1) Senator succeeded to President, the next Senator in seniority shall be the Vice President Pro Tempore until Section 2.121 (A) has been met.
 - C.) In the event of impeachment or inability to serve by the Vice President, the President shall appoint an individual qualified to be elected to the office of Vice President with two-thirds (2/3) majority of the votes cast of the ASGSAC Senate.
 - D.) In the event that both the President and Vice President who were elected by the student body leave office in the fall semester, then the order of succession shall be allowed as designated and the succeeding officer shall declare a Special Election within ten (10) school days.
- 2.122 After the selection of a new President and/or Vice President, the new President shall appoint an individual qualified to be elected to the office of Vice President with two-thirds (2/3) majority of the votes cast of the ASGSAC Senate.
- 2.123 In the event of succession of the Vice President to the office of President, the new President shall appoint an individual qualified to be elected to the office of Vice President with two-thirds (2/3) majority of the votes cast of the ASGSAC Senate.

Cabinet Absences

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

Conferences and Trips

- 2.126 Due to the limited space on many trips and conferences there shall be a selection process in order to attend. The order shall be as follows:
- A.) members whom the conference/trip pertains to the most shall get first choice
 - B.) Then followed by members with the most seniority.
- 2.127 2.126 will only be good for up to two (2) conferences/trips per Cabinet member. (See ASGSAC Policy regarding Conferences and Retreats.)

Inauguration

2.128 The President, Vice President and Treasurer Elect shall be inaugurated by the Chief Justice one (1) business week following their election.

2.129 They shall begin their term of office on the First of July.

Lifetime Membership

2.130 Lifetime Honorary Membership in the Associated Student Government is granted upon the retiring ASGSAC President and Student Trustee on completion of their term in office.

2.131 The purpose of the Honorary Membership is to provide an avenue of support that current ASGSAC members may call upon if needed.

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

SECTION III - Legislative Code

3.001 The bylaws for the ASGSAC Senate, hereafter referred to as the Senate, shall be known as the Legislative Code and shall govern the Senate governmental business and operational procedures.

Senate Legislative Procedures

3.002 Senate Legislative procedures are those procedures that structure Senate transactions.

Types of Senate Legislation

3.003 There are three (3) types of Senate Legislation Bills, Resolutions and Recommendations.

3.004 **Bills.** Bills deal with the ASGSAC Constitution and Bylaws.

A.) Senate approval of a bill must be by a two-thirds (2/3) majority of the votes cast.

Resolutions. Resolutions deal with legislation for the general welfare of the ASGSAC. No motion shall be entertained if it is conflict with the ASGSAC Constitution, any of its bylaws, Policies and/or Executive Orders; or conflict with SAC and/or RSCCD policies.

A.) Senate approval of a resolution must be a two-thirds (2/3) majority of the votes cast.

Recommendations. Recommendations deal with powers not vested within the Senate or any of the ASGSAC, but with a means of bringing to the attention of the ASGSAC Cabinet, SAC, and/or RSCCD certain desired actions of the Senate, ASGSAC.

A.) Such recommendations must be voted upon in the established procedures of the Senate.

- B.) The Senator proposing the recommendation shall be responsible for informing the ASGSAC of the status of that recommendation and for reporting the progress of that recommendation's implementation.
- C.) Senate approval of a recommendation must be by a two-thirds (2/3) majority of the votes cast.

Senate Legislation Process.

- 3.005 Legislation to appear on the ASGSAC Senate Agenda shall be submitted to the Senate Recording Secretary, with a copy going to the Vice President, at least 72 hours prior to the meeting.
- 3.006 An agenda shall be prepared for each Senate Session and shall be available to any person seventy-two (72) hours prior to the meeting.
- 3.007 The agenda shall contain a background summary and a working motion for each piece of legislation being presented.
- 3.008 Attached to the agenda shall be the legislation forms and any other pertinent information.
- 3.009 Legislation which is not presented to the Senate Recording Secretary by the time mentioned above, may not be acted upon by the Senate unless it is emergency legislation (i.e., legislation that is brought to the attention of the Senate a day prior to the meeting) approved as such by the ASG President or ASG Advisor, or the Senate places urgency upon the legislation.
- 3.010 A recommendation from the ASGSAC Cabinet, Inter-Club Council or an ASGSAC Committee to the Senate, ratification or Presidential Appointments shall not require a Senator to sponsor the recommendation or ratification in order to be put on the ASGSAC Senate Agenda.
- 3.011 The author of the recommendation shall submit to the Senate Recording Secretary or Vice President the recommendation to be put on the agenda, seventy-two (72) hours prior to the meeting.
- 3.012 The author of the recommendation or someone entrusted to do so shall be present at both the Executive and Senate meetings to speak on its behalf and present it formally.
- 3.013 The President when requesting approval of Presidential appointments shall submit the request directly to the Vice President to be put on the ASGSAC Senate Agenda.
- 3.014 The request shall be put on a "Legislation" form stating the written qualifications of appointees.
- 3.015 Appointees shall be present at the meeting where the approval of his/her appointment shall take place.

- 3.016 The Senate Recording Secretary or author shall present legislation to the body by reading the legislation.
- 3.017 Movement for adoption of the legislation shall be by the sponsor (a voting member of the Senate).
- 3.018 The author of any piece of legislation should be present at the meeting to speak on the legislation to be presented and answer any questions from the Senate regarding the proposed legislation.
- 3.019 Amendments to legislation shall be submitted in writing, to the Senate Recording Secretary before they can be read and presented on the floor of the Senate.
- 3.020 Any legislation presented to the Senate shall first appear on the ASGSAC Senate Agenda under “New Business”, as an informational item or for Review and Study, and shall be limited to discussion only. The following meeting the legislation shall appear on the agenda under “Unfinished Business” as an Action Item.
- 3.021 Legislation, which requires action at the same meeting that it is presented, shall be in accordance with one of the following conditions:
- A.) Written approval by the President prior to the meeting.
 - B.) Recommendations from the Cabinet, Inter-Club Council or any ASGSAC Committee.
 - C.) Presidential or Vice Presidential Appointments.
 - D.) Appointment of the Vice President Pro Tempore.
 - E.) Emergency Legislation.

Senate Sessions

- 3.022 Senate Sessions shall be of two (2) types: Regular Sessions and Special Sessions.
- 3.023 A regular Sessions shall be designated as one (1) academic semester and listed as such; special numbering system.

Regular Sessions

- 3.024 A regular session of the Senate shall be scheduled weekly unless otherwise specified by the Vice President, with approval from the Senate, excluding vacation periods, holidays and finals week.

Special Sessions

- 3.025 The Senate may be called into special session at any time by the ASGSAC President and/or Advisor or by a senator with a second and a two-thirds (2/3) majority of those senators present.
- 3.026 Special Sessions require a quorum present before being brought to order.
- 3.027 The Vice President will preside, with the purpose of the special session limited to a single item of business.

Closed sessions

- 3.028 Meetings may go into closed (Executive, Senate, Judicial) session when organizational or personnel matters need to be discussed. (Brown Act rules apply).
- 3.029 For a Senate meeting to be official an A.S.G. advisor must be presented.

Powers and Membership of the Senate

3.030 The Senate of the ASGSAC shall consist of the following officers and members:

- | | |
|---|-----------|
| A.) Vice President | Elected |
| B.) Vice President Pro Tempore | Appointed |
| C.) Senate Clerk | Appointed |
| D.) Senator of Business (1) | Elected |
| E.) Senator of Continuing Education (1) | Elected |
| F.) Senator of Counseling (1) | Elected |
| G.) Senator of DSPPS (1) | Elected |
| (Disabled Student Programs and Services) | |
| H.) Senator of Kinesiology (1) | Elected |
| I.) Senator of Fine and Performing Arts (1) | Elected |
| J.) Senator of Health Sciences (1) | Elected |
| K.) Senator of Humanities (1) | Elected |
| L.) Senator of Human Services (1) | Elected |
| M.) Senators of Library (1) | Elected |
| N.) Senator of Math (1) | Elected |
| O.) Senator of Sciences (1) | Elected |
| P.) Senator of Social Sciences (1) | Elected |

- | | | |
|-----|--------------------------------|---------|
| Q.) | Senator of Technology (1) | Elected |
| R.) | Senator of Veteran Affairs (1) | Elected |
- 3.031 Members of the Senate, except the Senate Recording Secretary, Vice President and/or Vice President Pro Tempore (when presiding over the Senate), unless to break a tie; have full voting rights and privileges.
 - 3.032 There shall be no more than two (2) Senators per represented area.
 - 3.033 If at any time there is an open Senate position, the Vice President shall appoint, with two-thirds (2/3) majority of the votes cast of the Senate, an individual qualified to be appointed to the office of Senator.
 - 3.034 The Senate shall be expanded on the basis of need for student representation by adding one (1) Senate seat appropriately.
 - 3.035 A two-thirds (2/3) majority of the Cabinet and a two-thirds (2/3) majority of the Senate must approve the new position(s).
 - 3.036 The Vice President shall appoint the Senate Recording Secretary.
 - 3.037 Senate shall approve all appointments made by the President or Vice President.
 - 3.038 The Senate shall be responsible for approval of the ASGSAC Budget by a two-thirds (2/3) majority of the votes cast.
 - 3.039 After Senate approval, the President shall take the budget for approval.
 - 3.040 The senate shall further be responsible for the approval of ASGSAC Standing and/or Ad-Hoc Committee Legislation by a simple majority of the votes cast.
 - 3.041 Legislation that initiates from the Senate shall go to the Cabinet for approval before it becomes law.
 - 3.042 If the Cabinet approves, the President shall sign the legislation. If the Cabinet rejects the legislation or the President vetoes the legislation, the Cabinet shall return the legislation to the Senate with the objections, recommendations and/or changes for reconsideration.
 - 3.043 The Senate may then, by three-fourths (3/4) majority of the votes cast, override the veto or accept the Cabinet's objections, recommendations and/or changes making the legislation law.
 - 3.044 Upon receiving a presidential veto, the Senate must wait until the following meeting before it can act on it.
 - 3.045 The Senate shall have the power to recommend the ASGSAC Activities Fee, make policy for the ASGSAC, regulate the established budget, approve requests of the ASGSAC from the college administration and enact impeachment proceedings against Senate Members.

Duties of Officers and Members of the Senate

- 3.046 The regular presiding officer of the Senate shall be the Vice President (Section 2.035 Executive Code, ASGSAC Bylaws) and shall perform duties set forth in the Senate Procedures and Rules of Order.

Vice President Pro-Tempore

- 3.047 The Vice-President pro-temp shall be nominated from within the senate at the first (1st) meeting of the new Senate Session in the fall, at which the Senators are officially seated. The officer shall upon absence or direction of the Vice President assume the place as presiding officer of the Senate with all duties and rights thereof.
- 3.048 Two-thirds (2/3) majority of the votes cast in the Senate shall ratify the Vice President Pro-Tempore Appointee.
- 3.049 Vice President Pro-Tempore, as a Senator, will also have the right to vote on any issue before the house, except when he/she is serving as the presiding officer.
- 3.050 When the Pro-Tempore is acting as chair they may only vote in the senate in the event of a tie.

Senate Recording Secretary

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

Senators

- 3.054 Attend Senate meetings providing representation for the students in their designated areas of representation.
- 3.055 Meet with their Academic Senate counterpart, (or the Dean, Chair, Director or Designee of their area of representation when an Academic Counterpart does not exist) to obtain feedback or give input on student, staff and/or faculty concerns.
- 3.056 Shall serve as chair, co-chair, or member on an ASGSAC Standing and/or Ad-hoc Committee. They may also serve on a college (shared governance) standing committee if wishing to, required, or appointed to do so.

- 3.057 Senators must plan and host a minimum of one (1) event per academic school year and/or term in office for their designated area of representation.

Senate Procedures and Rules of Order.

- 3.058 General procedures and rules for the Senate contain procedures for order, impeachment proceedings and other pertinent information.
- 3.059 Officers and members of the Senate are expected to uphold the dignity of their office for their term. Term of office for senators shall be for one (1) full year (excluding Summer/Intercession Sessions).

Senate Reports

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

Senate Minutes

- 3.061 Will be maintained by the Senate Recording Secretary.
- 3.062 The publication shall contain the date, place and time, as well as the opening and presiding officers of each meeting.
- 3.063 A Senator's attendance will be posted, along with any communications, reports or business that was presented for a vote.
- 3.064 A summary clause of legislation presented, results of all voting, the date of the next meeting, time of adjournment and any additional data will also be included.

Senate Impeachment Procedures

- 3.065 Impeachment proceedings may be initiated by a motion from the floor of the Senate, which shall be approved by a two-thirds (2/3) majority of the votes cast by the Senate.
- 3.066 This motion shall be placed on the ASGSAC Senate Agenda as an information item at the meeting prior to the meeting where the action motion shall be considered.
- 3.067 Upon initiation of impeachment proceedings, the accused ASGSAC member shall be instructed to attend the next regular scheduled Senate Session where the impeachment hearing shall take place.
- 3.068 The failure to attend by the accused shall constitute grounds for automatic impeachment by a simple majority of the votes cast of the currently occupied Senate seats, unless legally excused.
- 3.069 The ASGSAC Court shall determine whether the accused absence was absolutely unavoidable, thus warranting an excused absence.

- 3.070 If the accused obtains an excused absence, the hearing shall be postponed until the next regularly scheduled meeting.
- 3.071 The impeachment hearing shall have priority over all the Senate business at which time regular business shall be postponed until the next senate meeting.

Agenda for Impeachment Proceedings

- 3.072 The agenda shall be as follows:
- A.) The presiding officer shall open the meeting and then announce the purpose of the hearing.
 - B.) The accused then shall be presented with the complaints and charges from the floor of the Senate.
 - C.) The accused shall then be given the opportunity to answer the charges and present his/her defense.
 - D.) Following the accused presentation, there shall be a period where the Senate may ask the accused questions.
 - E.) The final stage shall take place in private deliberation, so that a debate of the evidence may take place.
- 3.073 The final impeachment vote shall take place at the next regularly scheduled Senate meetings and shall again be presided over by the same officer.
- 3.074 The impeachment vote shall be the first item of business to be considered at the meeting.
- 3.075 The officer shall be relieved of office by a two-thirds (2/3) majority vote of the entire current Senate membership.
- 3.076 An appeal to the Supreme Court may be made, with the Supreme Court having the power to decide whether or not to hear the case, and possibly over turning the decision.
- 3.077 The Senate at this time may schedule another hearing by simple majority ratification of a floor motion.
- 3.078 At the conclusion of the impeachment vote, the temporary presiding officer shall relinquish the chair to the lawful chair of the Senate.

Disciplinary Measures.

- 3.079 Disciplinary measures can range in severity from motion of censure or withdrawal of privileges, and in extreme cases the expulsion of violating Senators.
- A.) **Censure:** an official reprimand or condemnation; harsh criticism. (Definition from: Black's Law Dictionary)

- B.) **Withdrawal:** 1. the act of taking back; removal <withdrawal of consent>. 2. the act of retreating from a place, position, or situation. (Definition from: Black's Law Dictionary)
- 3.080 A motion of censure or withdrawal of privileges shall be by two-thirds (2/3) majority of the votes cast by the entire Senate.

Senate Absences

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

Senate Tardiness

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

Speaking before the Senate

- 3.083 Any student at large of SAC shall be granted the privilege of addressing the Senate following the roll call upon a written request presented during the senate meeting or before the next meeting to take place.

SECTION IV - Judicial Code

- 4.001 The bylaws for the Supreme Court, hereafter referred to as the Court, shall be known as the Judicial Code, and shall govern the judicial matters of the ASGSAC and ICC.
- 4.002 Student law must be written, filed and codified.
- 4.003 The Court shall have no more than one (1) Chief Justice and six (6) Associate Justices and no less than one (1) Chief Justice and two (2) Associate Justices.
- 4.004 The Chief Justice and Associate Justices shall be appointed by the President and ratified by the Senate.

Powers of the Court

- 4.005 The judicial power of the ASGSAC shall be vested in one (1) Supreme Court.
- 4.006 The Court shall have the power to:
- A.) Oversee and enforce the rules and regulations set forth in the constitutions and bylaws of the ASGSAC and ICC.
 - B.) Judge all matters brought before the court pertaining to the ASGSAC including expulsion from the ASGSAC and any lesser measure.

- C.) Judge all matters brought before the court pertaining to the ICC including suspension and expulsion from the ICC and any lesser measure.
- D.) Judge all matters brought before the court pertaining to any individual club/organizations.
- E.) Interpret and review laws, which are enacted and proposed at all levels of passage in order to analyze and avoid constitutional and bylaw violation.
- F.) In cases of actual disputes, the Court shall have the power to declare the legal rights and legal relation of interested parties. Such a declaration shall have the force and effect of the final judgment.

4.007 The Supreme Court shall adhere to the Doctrine of Stare Decisis.

Stare Decisis: the doctrine of precedent, under which a court must follow earlier judicial decisions when the same points arise again in litigation. (Definition from: Black's Law Dictionary, 3rd Pocket Edition)

- A.) Uniformity of treatment, stability, predictability, and convenience are considerations, which underlie the Doctrine of Stare Decisis in the judicial system.
- B.) The Court should, when at all possible, allow itself to be guided by past decisions, for it is only natural that an intelligent and fair-minded Court should look to and, in general, rely on what it has done in the past under similar circumstances.
- C.) This doctrine, however, is not inexorable, but is flexible. Where a prior decision may be clearly wrong or where the rationale underlying is no longer valid, or where changing circumstances have made it obsolete, a prior precedent should not be followed.
- D.) The Court must use caution when departing from previous rulings, but such departures are, on occasion, clearly indicated as the just and sensible course.

4.008 The Court shall be vested with the authority of **Judicial Review**.

Judicial Review: 1. a court's power to review the actions of other branches or levels of government; esp., the court's power to invalidate legislative and executive actions as being unconstitutional. 2. the constitutional doctrine providing for this power. 3. a court's review of a lower court's or an administrative body's factual or legal findings. (Definition from: Black's Law Dictionary)

4.009 The Court shall have the power to issue a **Writ of Mandamus**.

Writ: a court's written order, in the name of the state or other competent legal authority, commanding the addressee to do or refrain from doing some specified act. (Definition from: Black's Law Dictionary)

Mandamus: a writ issued by a superior court to compel a lower court or government officer to perform mandatory or purely ministerial duties correctly. (Definition from: Black's Law Dictionary)

- A.) A Writ of Mandamus is a Special Order, which commands an officer of the ASGSAC to perform his/her duty as required by law.
- B.) The Writ of Mandamus can be issued only when the duty under the law is explicitly stated.

4.010 The court shall have the power to issue a **Declaratory Judgment**.

Declaratory Judgment: a binding adjudication that establishes the rights and other legal relations of the parties without providing for or ordering enforcement. (Definition from: Black's Law Dictionary)

4.011 In order for Declaratory Proceedings, to have force, all parties concerned must first agree to such a proceeding. The Court may base its decision on the material presented in the written brief alone or it may order an informal hearing.

4.012 The same procedures for initiating regular proceedings shall be followed to initiate a request for a Declaratory Judgment.

4.013 In Declaratory Judgment Proceedings, none of the parties have to prove that any wrong has been done or is immediately threatened.

4.014 The Court shall have the power to grant **Injunctions**.

Injunction: a court order commanding or preventing an action. (Definition from: Black's Law Dictionary)

- A.) An injunction shall be a Court Order, which directs that a threatened infraction of the law is not to take place.
- B.) The party or parties filing complaint must show to the Court that a certain action would result in an infraction.
- C.) The complaint must show that there is no plain, adequate, and complete remedy at law and that an irreparable injury will result unless the relief is granted.

4.015 The Court shall handle an Injunction Proceeding immediately upon request.

4.016 An injunction may be granted, without the presence of the defendant, but the defendant may make a motion before the Court to have the injunction lifted, stating his/her reasons for said motion.

Different Magnitudes of Student Law

- 4.017 Constitutional law is of a higher magnitude than the Bylaws. The Bylaws are higher in magnitude than legislation (ASGSAC Policy Manual). Legislation is of higher magnitude than Executive Orders.
- 4.018 When a law of a higher magnitude conflicts with a law of lower magnitude, the higher magnitude law shall be followed in making a decision.

The Chief Justice

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

Membership and Discipline of Court Members

- 4.022 All Justices shall hold their office for the full duration, while taking six (6) units or more at SAC, although it shall be mandatory for any Justice to retire after the completion of six (6) semesters (Fall and/or Spring) of Court service.
- 4.023 It shall be mandatory for all Justices to attend all sessions unless officially excused by the Chief Justice.
- 4.024 Any Associate Justice absent without excuse from any two (2) semester meetings of the Court shall automatically cease to serve as a Court Justice.
- 4.025 Any breach in tenure of any Court Justice shall result in automatic dismissal of said Court member.
- 4.026 The Court shall be responsible for the discipline of its own members. When, in the opinion of the Court, one of its own members has been found to have either:
- A.) Allowed a personal gain or a personal loyalty to a party in a case before him/her to exercise an appreciable influence in his/her decision on that particular case, or
 - B.) Been derelict in his/her duties as a member of the Court, or
 - C.) Acted in a manner unbecoming to the responsibilities of his/her position.
- 4.027 The Court may, after consultation with the member found in default and upon an affirmative vote of two-thirds (2/3) of the remaining Court, formally ask for the resignation of said member or publicly censure him/her.
- 4.028 If the member found in default refuses to resign, it shall be the duty of the Chief Justice or Chief Justice Pro-Tempore to refuse to assign such a member to any case before the Court until the member's term of office has expired, resignation or impeachment.

Court Recording Secretary

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

Judicial Court Sessions

- 4.031 Judicial Court Sessions shall be of Regular Sessions only.
- 4.032 Regular Sessions shall last one (1) academic year.
- 4.033 The Court shall convene no less than four (4) times per semester at the minimum of once monthly, with the exception of holidays, vacations and finals.
- 4.034 Court sessions may be open to public attendance except when the Court is in deliberation.

Regular Meetings

- 4.035 The Chief Justice chairs regular court meetings at an appropriate time. If the Chief Justice is absent, the Chief Justice pro-tempore shall convene the meeting. In the absence of the Chief Justice pro-temp, the senior most Associate Justice shall convene the meeting.
- 4.036 A quorum of the Court shall be required in order for the Court to convene.
- 4.037 Matters requiring the consideration of the Court shall be presented to the Court Clerk for placement on the Court Calendar of Business.
- 4.038 The Court Calendar of business shall be available to the Associate Justices and the public at all times.
- 4.039 All matters, with the exception of petitions for Court injunctions, shall be considered by the Supreme Court in their order of presentation to the Court Clerk.
- 4.040 All Justices shall have the prerogative to recommend that any measure on the Court Calendar of Business take precedence scheduling. A simple majority vote of the Court shall decide whether to abide by this suggestion.
- 4.041 The Court shall have the power to alter certain parts of the following general procedure in order that the Court may more effectively conduct business in certain types of cases.

Hearing Procedures

- 4.042 There shall be one (1) hearing procedure adhered to by the Court.
- 4.043 The following hearing procedures will apply to all cases as follows:
 - A.) Any variations in procedure must be approved by vote of all the Justices.
 - B.) A Request for Court action, by any ASGSAC member is made through a petition.
 - C.) Those persons who have a case to bring before the Court shall initiate proceedings by obtaining from the Court Clerk or the Student Activities Office a Petition of Proper Standing.
 - D.) The plaintiff shall return this petition to the Court Recording Secretary.
 - E.) Upon receipt, the petition shall be dated and initialed by the Court Official receiving it, and filed with the cases pending before the Court.

- F.) At its next meeting, the Court shall review individually the petitions received since the previous meeting to determine whether the Court has cause to act.
- 4.044 The determination of the Court to act on a petition shall be based on the constitutionality of the petition.
- 4.045 If the court is unable to act on a petition, the Chief Justice may informally call a pre-hearing conference with disputants for the purpose of determining whether the Court has cause to act based upon the conditions of (Section 4.006).
- 4.046 If the Court determines that it does not have sufficient cause to act on a petition, the Chief Justice shall enter on the form Rejection of Request for Hearing, informing the plaintiff(s) that the Court has denied their hearing.
- 4.047 The majority ruling of the Court, concurring opinions and dissenting opinion, if any, shall be presented by the Chief Justice and printed in the Judicial Report.
- 4.048 The plaintiff shall receive this notice from the Court Recording Secretary.
- 4.049 Notice will read either:
 - A.) Rejection of petition for a hearing
 - B.) Acceptance of petition for a hearing.
- 4.050 The plaintiff must receive notice within 10 school days, excluding finals.
- 4.051 The Court may find anyone conducting himself/herself before it in a manner uncomplimentary to the dignity of the Court in Contempt of the Court.

Notification by Court

- 4.052 The defendant shall be notified in the following manner or shall be held free from fault.
- 4.053 The Court shall notify the defendant within seven (7) business days of the complaint and charges.
- 4.054 It is expected that Court members will withdraw from a case when there is a possibility of a conflict of interest. (Refer to section 4.026 (A))
- 4.055 The plaintiff and/or defendant may request that certain individuals appear as a witness at the trial.
- 4.056 A list of witnesses for the plaintiff and defendant must be given to the Court at least seventy-two (72) hours prior to the hearing.
- 4.057 By the date of the hearing, the Court Recording Secretary shall prepare any materials necessary for the Justices to hear the case, including but not limited to the original copy of the Complaint.

4.058 Upon the acceptance of the Petition of Complaint by the Court, the case shall be scheduled on the Court Calendar of Business.

4.059 If the ASG President maintains that a charge should be brought against a certain party, he/she may direct the ASGSAC Counsel to file a **Petition of Complaint** with the Court.

Petition: 1. a formal written request presented to a court or other official body.
(Definition from: Black's Law Dictionary)

4.060 All **Court Orders** must be obeyed or they may result in a Contempt of Court Citation.

Court Order: 2. a written direction or command delivered by a court or judge.
(Definition from: Black's Law Dictionary)

Hearing Procedures

4.061 The actual hearing shall take place in the following manner:

- A.) The Chief Justice shall call the Court to order.
- B.) The Court Recording Secretary shall call the title and number of the case to be heard. The names of the plaintiff, defendant, and case number shall be indicated at the trial by being read out loud by the Court Recording Secretary.
- C.) The presiding Justice shall ask the defendant if the defendant wishes to contest the Petition of Complaint. If yes*, then the following hearing procedures will apply.

*If the defendant decides not to contest, then the Court shall disregard the following procedures with the exception of going into deliberations and making the decision.

- D.) The presiding Justice shall state the procedure to be used during the hearing.
- E.) The presiding Justice shall at the end of the statement of procedure, ask if both parties fully understand or have any questions regarding the procedure.
- F.) The plaintiff present his/her case, followed by the defendant also presenting his/her case.
- G.) The defendant and plaintiff shall both have the opportunity to present witnesses.
- H.) The justices present may direct questions to the plaintiff and defendant.
- I.) The defendant and plaintiff shall have equal time in which to summarize and reestablish their cases.
- J.) Upon completion of the hearing the presiding Justice shall move the Court into deliberations.

- 4.062 During deliberations, the Justices may only discuss the relative merits of the case.
- 4.063 The Justices shall come to the decision during deliberations.
- 4.064 The deliberations may be adjourned and scheduled to continue another day if warranted.
- 4.065 The Majority Ruling of the Court, concurring (majority) opinions and dissenting (minority) opinions, if any, shall be printed in the Judicial Report within two (2) business weeks after the hearing and or case.
- 4.066 For purpose of clarification, a ruling is the actual holding of the Supreme Court, i.e., which party they decided in favor of or clarification of a code etc.
- 4.067 For purposes of clarification, the opinion is the reasoning behind the Supreme Court's ruling.

General Hearings

- 4.068 The disputants have the right to a fair, impartial and public hearings.
- 4.069 The plaintiff must be present at the hearing or the case shall be dismissed.
- 4.070 If the defendant fails to appear at the hearing, the case shall be awarded to the plaintiff by default upon presentation of evidence that the defendant was properly notified of the time and place of the hearing.
- 4.071 At the time of the hearing, the defendant may request a postponement of the hearing due to insufficient time allowed for him/her to prepare his/her case. Such requests for postponement are not a matter of right, but rests at the discretion of the Court.
- 4.072 Only questions and materials that are relevant to the matter at hand shall be permitted at any time during the objections.
- 4.073 The presiding Justice shall enforce the Rules of Procedure and Rules of Motions and Objections.
- 4.074 The Court shall retain the right to limit the amount of time allowed for both parties to present their case, rebuttal evidence, argument, examination of witnesses and the number of witnesses. The parties must, however, be granted an equal amount of time to present their case.
- 4.075 The plaintiff or defendant of the case may motion for a dismissal at any time prior to the reading of the official Court decision.
- 4.076 The Court shall hear a case in one (1) of the following ways, Informal, Formal, or Closed Hearings.
- 4.077 A request for change in the hearing is at the discretion of the Court.

Formal Hearings

- 4.078 In a formal hearing, the disputants may be represented by a counsel of their choice.
- 4.079 Only a member of the ASGSAC may serve as a counsel.
- 4.080 Witnesses may be called and both the plaintiff and defendant shall have the right to question and cross examine the witnesses.
- 4.081 Witnesses shall answer only the questions posted by the plaintiff, defendant, their authorized agent, or a Justice hearing the case.
- 4.082 Prior to the examination of any witness, the presiding Associate Justice shall ask the following question:
- “Do you promise that the testimony you are about to give in this matter before the Supreme Court shall be the truth?”
- 4.083 The witness must answer “I do” or indicate in the affirmative manner that he/she understands this requirement before any examination may be held.
- 4.084 A formal hearing will proceed under the rules of Section 4.078 through 4.083 plus the following, unless the Court otherwise directs.
- 4.085 After the reading of the Complaint, the Defendant shall enter one (1) of the following pleadings:
- A.) I admit the facts to be true as charged (guilty).
 - B.) I deny the facts to be true as charged (not guilty).
 - C.) I neither admit nor deny the facts to be true as charged (no contest).
 - D.) I admit the facts to be true as charged, but deny that they constitute any offense.
- 4.086 If the facts are admitted to be true as charged, the Supreme Court may:
- A.) Render a decision immediately.
 - B.) Retire to deliberate regarding the case.
- 4.087 If any of the pleas are entered, the hearing shall proceed as follows:
- A.) The Plaintiff may offer rebuttal evidence only, unless the Court, for good reason, permits plaintiff to offer evidence only, or the Court, for good reason, permits the plaintiff to offer evidence upon their case. The defendant may then offer evidence on their original case.
 - B.) When the evidence is concluded, the case may be submitted on either or both sides without argument, or it may be argued.
- 4.088 If argued, the plaintiff opens and gives summation and defense closes.

4.089 After closing arguments, the case shall be submitted to the Supreme Court for deliberation, unless previously submitted without argument.

Informal Hearings

4.090 The Court, shall with the exception of the following rules, determine the manner in which an informal hearing is heard.

4.091 In an informal hearing, the Court shall hear only the disputants.

Closed Hearings

4.092 Either of the disputants may request a closed hearing provided they show reasonable cause for such action. A motion for a closed hearing is not a matter of right, but rests at the discretion of the presiding Justice.

4.093 This selection shall not preclude the Court from regulating the admission of the public to prevent overcrowding, disorder or ordering any person(s), who interferes with orderly conduct of the hearing, from the room.

Post Hearing Procedures

4.094 In evaluating the evidence presented in a case, the Supreme Court shall give consideration to:

- A.) Relevance
- B.) First-hand knowledge (witnesses)
- C.) Impeachment of bias (of witnesses)

4.095 All decisions of the Court shall take effect when read by the Court Clerk of the presiding Justice in session, unless otherwise stipulated in the decision.

4.096 All decisions shall be prepared by the presiding Justice or their designee, or other member of the Court who heard the case.

4.097 The presiding Justice is responsible for the completion of the decision.

4.098 Five (5) copies of the complaint and decision shall be provided, with the original retained for the Court files, and one (1) of each sent to the Senate for **punitive** action, the Plaintiff, and the Defendant and one (1) to be posted in the Student Activities Office.

Punitive: involving or inflicting punishment. (Definition from: Black's Law Dictionary, 3rd Pocket Edition)

4.099 The presiding Justice or their designee shall complete the Order of the Court to implement any Court objectives, which are part of the decision rendered.

Judicial Court Impeachment Hearings

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

Responsibility for Election

- 4.104 The Court shall be charged with the official responsibility for student elections.
- 4.105 The Court and Elections Committee shall:
 - A.) Enforce the rules of the election.
 - B.) Supervise the canvassing of the polling places.
 - C.) Certify challenged ballots, void ballots, and establish the total of disqualified ballots on the final summary.
 - D.) Have the power to assist the Commissioner of Public Relations by removing illegally posted election publicity.
 - E.) Confirm the legality of all write-in candidates and include those tallies in the final summary.
 - F.) Make provisions to place the measure of an amendment on the ballot before the next election, as stated in the ASGSAC Constitution.
 - G.) Designate the legal ballot for elections.
 - H.) May assign the Recording Secretaries to assist in counting ballots.

Contested Elections

- 4.106 If an election is contested then the Court will hear the complaint. The Court will have the power to render a verdict regarding the election as follows:
 - A.) A Valid Election has occurred.
 - B.) An Invalid Election has occurred.
 - C.) Certain portions of the election are valid/invalid.
- 4.107 If the Supreme Court decides in favor of the plaintiff, a new election will be scheduled through the Court will ruling on the complaint.

4.108 The Activities Coordinator shall serve on the Elections Committee as an advisor.

In lieu of the Supreme Court

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

SECTION V - ASGSAC Committees Code

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

Committee Legislation

5.002 Committee Legislative Procedures are those procedures that structure committee transactions.

5.003 There is one (1) type of committee legislation: Recommendations.

5.004 Recommendations deal with powers not vested within the committee, but with means of bringing to the attention of the Senate, Cabinet, Inter-Club Council (ICC) or the Court certain desired actions of the committee.

5.005 Such recommendations shall be voted upon in the established procedures of the committee.

5.006 The committee member proposing the recommendation shall be responsible for informing the necessary people of the status of that recommendation and for reporting the progress of that recommendation's implementation.

5.007 No motion shall be entertained if it is in conflict with the ASGSAC Constitution, any of its Bylaws, policies and/or ASGSAC Executive Orders or if it conflicts with SAC and/or RSSCD Policies.

5.008 Committee recommendations shall be approved by simple majority vote of the Senate.

Committee Legislation Process

5.009 Legislation to appear on a committee agenda shall be submitted to the committee chair, by the committee member(s), in proposal format, by 5:00pm four (4) business days prior to the meeting.

5.010 An agenda shall be prepared for each committee meeting and shall be available to any person seventy-two (72) hours prior to the meeting.

- 5.011 The agenda shall contain summary clauses of legislation (i.e. legislation that is brought to the attention of the Senate a day prior to the meeting).
- 5.012 Legislation shall be approved as such by a two-thirds (2/3) majority vote of the committee.
- 5.013 Legislation presented to the committee shall be presented by the reading of the legislation by the Committee Recording Secretary or author of the legislation.
- 5.014 Movement for adoption shall be by the author of the legislation.

Types of Committees

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

Powers and Membership of the Committees

- 5.019 The ASGSAC shall have Standing and Ad-Hoc Committees for the following purposes:
 - A.) Awards
 - B.) Budget and Finance
 - C.) Bylaws
 - D.) Cultural Awareness
 - E.) Elections
 - F.) Health Awareness
 - G.) Publicity and Promotions
 - H.) Recruitment
 - I.) Legislative

J.) Events/Social Affairs

Duties of Committee Members and Officers

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

Committee Members

- 5.034 A meeting of the body wishing to create a committee may assign committee members, and additional membership shall be decided by a signing up of any and all interested parties.
- 5.035 Acts as a working member of the committee and perform duties assigned by the committee chair to insure the success of committee projects.
- 5.036 Committee Members shall be any ASGSAC member, any student involved in any of the ICC ratified clubs, or any student from the general student population who wishes to be involved with a committee.
- 5.037 Committee Members shall not vote in the Cabinet, Senate, or Court.
- 5.038 Act as working and voting members of one or more committees.
- 5.039 Committee members shall gain voting rights after attending one (1) regular committee meeting.
- 5.040 Term of office shall be from the day of joining the committee until the last day of that semester or the committee is disbanded, or unless one resigns.
- 5.041 There may be a predetermined limited number of committee members on a particular committee.
- 5.041 The President shall ban ex officials of all committees.

Committee Procedures and Rules of Order

General

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

Committee Reports

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

Committee Minutes

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

Committee Absences

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

SECTION VI - Rules Code

- 6.001 The bylaws for rules governing the ASGSAC and its organizations shall be known as the Rules Code.
- 6.002 Expulsion from the Cabinet, Senate, and Supreme Court, Committee or sub-committee shall be the most severe penalty that may be pronounced upon a member of its own body.
- 6.003 No expelled ASGSAC member may be eligible to serve as a member of the same body, thereafter.
- 6.004 Expulsion of an ASGSAC member shall not be subject to the approval or disapproval of the President, Vice President, Cabinet, Senate, Committee, or sub-committee not exacting the expulsion.

Legal Absences

- 6.005 An ASGSAC member who misses any official meetings due to illness, emergency, religious holiday, school related convention, work and/or competition in the interest of the school may be legally excused from the meetings only if the absence is reported forty-eight (48) hours prior to the absence, to the appropriate person(s).
- 6.006 A list of these individuals: the President, Vice President, Chief Justice, Executive Recording Secretary, Senate Recording Secretary, Court Recording Secretary, or Committee Recording Secretary.
- 6.007 All ASGSAC members must inform the President and/or Vice President if he/she is unable to fulfill all their duties and responsibilities, so these duties may be assigned to a willing ASGSAC member.

ASGSAC Membership

- 6.008 All ASGSAC members, club/organization members, athletes and any other group or individual that receives funding from the ASGSAC must possess a RSCCD student identification card and current sticker.
- 6.009 ASGSAC members falling below eligibility shall be required to resign.
- 6.010 All resignations must be submitted in writing to the President.

Interim or Acting Positions

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

SECTION VII - Elections Code

- 7.001 The bylaws for elections shall be known as the Elections Code and shall govern all election matters for the ASGSAC. Failure to abide by these bylaws shall constitute removal from the election race.

Elections Committee

- 7.002 The Elections Committee along with the ASGSAC Judicial Branch members shall enforce rules and procedures, validate and make official the final results of the election and perform other duties as stated in this code and the Judicial Code.
- 7.003 Any and all questions arising during the campaign and/or election must be emailed to the Elections Committee Chair and jointly 'CC' the Student Services Coordinator and Dean of Student Affairs. A response email will be provided in a timely manner. The ultimate decisions for any and all questions arising during campaigning and/or the election will come from a joint collaboration of the:
 - Elections Committee Chair (ASGSAC Chief Justice)
 - Student Services Coordinator
 - Associate Dean of Student Development

-Dean of Student Affairs

- 7.004 No candidate shall serve on this committee or staff the polling places.
- 7.005 Each polling place shall be staffed by authorized personnel only.
- 7.006 The Election Committee may disqualify any candidate who fails to comply with the Elections Code.
- 7.007 The membership and powers of the Elections Committee are described in the ASGSAC Committees and Judicial Codes.

Officer Elections

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

Pre-Election Meeting

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

Eligibility Requirements

- 7.015 The following requirements have been set forth for all candidates.
- 7.016 The candidates for President, Vice President, Treasurer and ICC President must first have accumulated a minimum of ten (10) units or more at the time of registration for candidacy.

- 7.017 A minimum compounded Grade Point Average (GPA) of two point zero (2.0) at the time of their registration for candidacy and shall maintain a minimum of two point zero (2.0) GPA and six units (6) of course work. These requirements must be maintained throughout their term in office.
- 7.018 SAC must be the home campus and/or college of candidate(s) at the time of their registration and they must maintain their home campus residency throughout their term in office.
- 7.019 Senators and Commissioners shall have a minimum compounded Grade Point Average (GPA) of two point zero (2.0) and have six (6) units of course work in progress at the time of their registration for candidacy. While in office they must maintain six (6) units course work in progress and a two point zero (2.0) Grade point Average (GPA).
- 7.020 All Candidates must have a RSCCD student identification card with a current semester sticker indicating that they have paid the Student Services Fee.
- 7.021 All non-write-in candidates for elected office must have completed the application, attended the Pre-Election meeting and meet all eligibility requirements to be an eligible candidate.
- 7.022 Candidates who are eligible and qualify under constitutional provisions shall be placed on the ballot in alphabetic order and grouped together with those candidates running for the same position.
- 7.023 All write-in candidates must have completed the petition, attended a Pre-Election meeting and met all eligibility requirements to be an eligible candidate.

Campaign Regulations

- 7.024 The following regulations have been set forth to ensure fair and equal campaigning for all candidates. Campaign practices must abide by SAC/RSCCD safety and facilities guidelines.
- 7.025 Definition of Campaign. “An organized operation to accomplish a purpose: an ad campaign; political campaign” (definition campaign from The American Heritage Dictionary).
- 7.026 Definition of Campaign Materials. Any materials, literature, advertisement, etc. distributed, read, worn or posted for the purpose of campaigning.
- 7.027 Definition of Campaign Assistants and/or Supporters. A campaign assistant is one who is designated by the candidate to aid the candidate’s campaign. A campaign supporter is one who promotes, approves, advocates, etc., any candidate.

- 7.028 A list of any and all possible campaign assistants and/or supporters must be submitted two (2) weeks prior to the start of campaigning to the Office of Student Life for verification and approval.
- 7.029 Only students currently enrolled at SAC and having a current semester sticker can be campaign assistants and/or supporters.
- 7.030 All candidates for any position must run individual campaigns, and at no time may they run joint campaigns.
- 7.031 At no time may they make mention of any connection or affiliation to any of the other candidates for the purpose of obtaining votes.
- 7.032 Candidates may not endorse other candidates.
- 7.033 The current Student Trustee may not endorse any candidate running for any position in the election.
- 7.034 Only clubs and organizations that have been ratified by the Inter Club Council (ICC) may endorse a candidate.
- 7.035 Clubs or organizations endorsing candidates must do so with a letter signed by the clubs standing president and advisor, accompanied by the clubs minutes showing the clubs approval of the endorsement, and submitted to the Office of Student Life for verification.
- 7.036 Campaigning shall begin one (1) business week prior to the elections. No earlier campaigning will be allowed. All candidates shall be given an opportunity to speak to the ASGSAC.
- 7.037 Candidates are responsible for the actions of their campaign assistant's and/or supporter's actions, as well as their own.
- 7.038 The total expenditures of a candidate's campaign materials shall not exceed a limit of \$250.00 for ASGSAC Candidates, and \$300.00 for Student Trustee Candidates to be used on both campuses.
- 7.039 Any donations of money or in kind made to the candidate's campaign are to be considered part of the stipulated total budget allotted per candidate.
- 7.040 All original receipts from donations and expenditures must be kept and surrendered to the Office of Student Life for verification two (2) weeks prior to the election week, or upon request.
- 7.041 There is to be no campaigning whatsoever of any form in the student lounge, library, math center, learning center, computer center, or designated quiet zones.
- 7.042 No bullhorns or amplification devices will be allowed at any time during campaigning and/or the election by any of the candidates and/or their campaign assistants and/or supporters.

- 7.043 All candidates, their campaign assistants and/or supporters may not at any time during the elections, solicit votes, campaign or post campaign materials within a fifty (50) foot radius of the polling places.
- 7.044 No candidate or any person affiliated with a candidate's campaign shall use materials such as copier(s) or computer(s) (except for the computer lab) which is owned by ASGSAC, SAC and/or RSCCD for the purpose of campaigning.
- 7.045 Any and all campaign materials must be approved by the Office of Student Life prior to posting, distribution, or use.
- 7.046 Campaign materials may only be posted on non-academic bulletin boards.
- 7.047 Campaign materials may not be posted on the face of any building, windows of buildings, in the bathrooms, on car windows, or taped to bicycle seats.
- 7.048 If a candidates materials are making a mess on the campus grounds the candidate and/or their assistants/supporters are responsible for its clean up and disposal.
- 7.049 Campaign materials need to be removed from the campus grounds, which includes aside any campus building: ex. Bulletin boards, on the floors, chairs, or tables, etc., the Friday immediately after elections are over by 12pm.
- 7.050 Candidates or any persons affiliated with a candidate's campaign must not impede the flow of traffic while campaigning and/or the elections.
- 7.051 Candidates or any person affiliated with a candidate's campaign may not tear, deface, damage or remove in any way, any other candidate's campaign materials.
- 7.052 Candidates or any person affiliated with a candidate's campaign must ask any instructor and/or clubs/organizations for permission to be given an opportunity to speak before that class or group.
- 7.053 The Elections Committee shall determine the legality of any actions taken during campaigning.

Legal Ballot

- 7.054 The Elections Committee will designate a legal ballot for the elections.
- 7.055 Voting by proxy shall not be allowed.
- 7.056 Voters must show their RSCCD identification card or any other photo identification card along with proof of current enrollment at Santa Ana College. Proof of current enrollment shall be determined by the Associate Dean of Student Development but typically involves checking a master list of all currently enrolled district students.
- 7.057 All ballots shall be in secret.

- 7.058 There shall be a space provided for write-in votes for each ballot.
- 7.059 Defaced or improperly marked ballots shall be voided or disqualified.

Certification of Elections

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

General Election Regulations

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

Elections Committee shall review all appeals and recommend actions to the Court (see Section 4.106 through 4.107 of the Judicial Code for contested elections).

Special Election Regulations

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

Providing Information to the Voters

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

General Election Dates and Times

- 7.076 Election dates shall be two days falling Monday through Thursday, with both day and evening hours.
- 7.077 Regular elections shall occur on pre-established dates. The hour and days of elections shall adhere to consistent pattern.
- 7.078 The "main" spring election shall be held after 60% of the semester has passed.
- 7.079 The fall "replacement" election shall be held four weeks after the start of the academic semester.
- 7.080 Traditional days for elections: Wednesday & Thursday. Traditional times for elections: 10am to 6pm.

Budget Ad-hoc committee

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

Accounting

- 10.015 The Student Business Office shall do the accounting with assistance from the ASGSAC paid personnel.

Budget Accounts

- 10.016 Budget accounts are the expense accounts to fund the annual business sponsored by the ASGSAC.

Club Accounts

- 10.017 Club accounts are for school clubs/organizations, and their use is limited to the business of that organization. The ASGSAC shall carry a balance in cash or in liquid assets to cover all club accounts.

Surplus Account

- 10.018 The Surplus Account shall be established in the budget by setting aside not less than one percent (1%), not greater than ten percent (10) % of the total estimated income for the next fiscal year.
- 10.019 The funds shall be used only for unexpected emergencies as may be deemed as valid contingent expenditures by a two-thirds (2/3) majority vote of the Senate.

Operating Surplus

- 10.019 An account, or accounts, shall be established for the deposit of any portion of a budget allocation remaining unexpectedly at the end of each fiscal year, as well as income in excess of the established estimate.

Contingency Accounts

10.020 The Contingency Account shall be maintained by the roll-over of unused funds from the preceding year. These funds may be used if necessary for business expenses, which the Cabinet with a simple majority vote of the Senate deems appropriate.

Cash in Reserve Savings Account

10.021 This account shall be established in the budget by setting aside no less than one (1%) percent of the total estimated income for the next fiscal year.

10.022 The funds shall be used only for large expenditures as deemed necessary by a two-thirds majority of the votes cast by both the Cabinet and Senate.

10.023 This account must not fall below three percent (3%) of the total income for the current fiscal year.

Dormant Club Accounts

10.024 Any club/organization remaining inactive for two (2) fiscal years shall have their funds transferred to the I.C.C. scholarship account.

Deposits

10.025 ASGSAC moneys shall be deposited through the Student Activities Office.

10.026 Moneys collected from ASGSAC activities must be substantiated by pre-numbered receipts, pre-numbered tickets or other audible records.

10.027 No part of the expense of any activity may be paid from the money collected.

10.028 ASGSAC, student clubs/organizations and trust funds collected from any sources whatsoever shall be deposited immediately with the Student Business Office through the Student Activities Office.

10.029 If the Student Business Office is not open, moneys shall be deposited by 5:00 p.m. the next business day.

10.029 The Student Business Office shall issue receipts for moneys received.

10.030 The Treasurer shall exercise supervision over expenditures of the ASGSAC.

10.031 Requisitions shall be signed by the ASGSAC Advisor and Dean of Student Services, and ASGSAC Treasurer or President. The Vice-President may also be a signer if designated by the President.

10.032 Check requisitions or a transfer of funds is the only way to withdraw budgeted funds from the ASGSAC accounts.

- 10.033 This is done by fully completing a requisition, signed by the faculty club advisor (if applicable), and obtaining approval from the ASGSAC Advisor and/or the Director of Student Service.
- 10.034 In the absence of the faculty club advisor, emergency requisitions may be executed instead with the signature of the ASGSAC Advisor.
- 10.035 No order obligating the ASGSAC may be placed with any firm or individual without a requisition secured in advance.
- 10.036 Individuals advancing personal funds without prior approval from the Treasurer, the ASG Advisor for ASGSAC purposes shall do so at their own risk and may not be reimbursed.
- 10.037 To reallocate unused funds for expenditures over \$500 from the ASGSAC budget, the following must occur:
- A.) Create line item budget for expenses.
 - B.) Review expenses with Treasurer and ASG Advisor.
 - C.) Obtain an approval from Cabinet and Senate.
 - D.) Paperwork must be placed on Senate agenda at least three (3) weeks prior to transaction.

Transfers

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

Purchasing Procedures

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

Fundraising Activities

10.046 Club's/Organization's fundraising activities are to be approved by the Inter-Club Council in advance.

10.047 Any other student fundraising activities are to be approved by the Student Activities Office in advance.

A.S.G. Members and Fund Raising

10.048 ASGSAC member may not use their positions or the resources from A.S.G. to solicit funds. Though they may fund raise with other clubs and organizations, and seek out scholarships.

Student Activities Fee

10.049 The Cabinet and Senate with the approval of the Board of Trustees shall determine the cost and duration of the Student Activities Fee. Following applicable state, district, Title V, and Ed-code laws.

10.050 Most activity fees require a two-thirds (2/3) vote of the student body.

Reports

10.051 The Treasurer shall be responsible for presenting a periodic financial report to the Cabinet and Senate.

Contracts/Concessions

10.052 The ASGSAC Advisor and the President shall sign performance Agreement Contracts.

10.053 The president and the ASGSAC Advisor shall sign all other contracts initiated by the ASGSAC and approved by the Senate.

10.054 Payments on contracts shall be initiated by the regular purchase order procedures through the Student Business Office.

Tickets

10.055 In advance of any function involving the sale of tickets, tags, cards, etc., the faculty advisor responsible shall obtain instructions from the Student Activities Office as to the ordering, printing, numbering, issuing and accounting for all such tickets, tags, cards, etc.

10.056 Student Travel Groups or Individuals shall include only active participants and advisors associated with the group.

10.057 Active participants of student travel groups or individuals must be members of the ASGSAC or under its auspices.

10.058 Specific fund requests for representative groups or individuals that are not budgeted must be requested and approved by a simple majority of the votes cast in the Senate.

10.059 All forms according to current district requirements for travel must be filled out by each and every student traveling on behalf of the College.

Meals

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

Lodging Guide

10.061 With the exception of a meal or conference-controlled price, the budget committee shall determine the price per person per night to be used in preparing the budget. All other expenses such as spending money, telephone calls, etc., will be paid for by those individuals acquiring such expenses.

10.062 Lodging will not be paid for trips of less than one (1) hour of driving time (65 miles).

Transportation

10.063 Shall be according to the RSCCD Board Policy.

10.064 When transportation is not paid through District funds it will be paid on the same basis as provided by District regulations for reimbursements.

10.065 College vans will be used for all trips within a 250 mile radius of Santa Ana College. The vans should be used as often as possible to help reduce costs.

Club/Organization Funding

10.066 Funding for extra-curricular clubs/organizations shall be stated in the Finance, and the Clubs/Organizations and/or Inter-Club Council Codes.

10.067 Extra-curricular clubs/organizations shall comply with all rules and regulations as stated in the ASGSAC Constitution, Bylaws, ASGSAC Policies and Executive Orders to be eligible for funding.

10.068 Extra-curricular clubs/organizations shall not be eligible for budgeted funds other than funds mentioned in section 10.017

Grants

10.069 Grants for the purpose of conducting business (i.e. activities, fundraisers, meetings, etc.) of three hundred dollars (\$300) per academic year can be requested for new and continuing extra-curricular clubs/organizations.

10.070 All necessary forms must be completed in order to obtain any available grants.

10.071 Each club/organization and program will be responsible for completing all necessary requisitions needed for the approved conference and/or competition and activity, and

