



# **Bylaws**

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## **Article I – Elections**

### **Section 1      Intent**

- 1.1      ASCSM General Elections are to be held during the Spring Semester and shall be coordinated by the Center for Student Life & Leadership Development. Special Elections may be held under specific circumstances and shall be coordinated by the Center for Student Life & Leadership Development.

### **Section 2      Election Commission**

- 2.1      The Election Commission shall be to responsible for assisting the Center for Student Life & Leadership Development in creating, interpreting, and enforcing guidelines designed to ensure the fairness of the election process. The role of the Election Commissioner, with the assistance of the Election Commission, includes, but is not limited to:
  - a.      Developing the election time table.
  - b.      Providing necessary candidate filing forms and election procedures.
  - c.      Arranging for academic eligibility checks for each candidate.
  - d.      Advertising the election.
  - e.      Meeting with candidates to go over election guidelines.
  - f.      Developing a procedure for the declaration of political parties or interest groups.
  - g.      Determining ballot order by lot.
  - h.      Designing the ballot and arranging for ballot printing.
  - i.      Arranging for the publishing of a list of eligible student voters.
  - j.      Coordinating the hiring and training of volunteer and paid poll workers.
  - k.      Creating voter incentives to increase voter turnout.
  - l.      Supervising the security and counting of the ballots.
  - m.      Announcing the official results of the election.
- 2.2      If situations arise during the election that are not clearly covered or addressed by the Election Bylaws, additional rulings may be enacted during the election process. The Election Commissioner, in consultation with the Election Commission and the Coordinator of Student Activities, may make such rulings to ensure the fairness of the election.

### **Section 3      Candidate Responsibilities**

- 3.1      All candidates in the election are required to abide by the Election Bylaws. Those who choose not to abide by the Election Bylaws, or any subsequent rulings of the Election Commissioner, the Election Commission, or the Coordinator of Student Activities (or his or her designee), shall be subject to sanctions, up to and including disqualification.
- 3.2      Initial substantiated complaints or observations of minor violations shall result in a “WARNING” to the candidate. Subsequent or repeat warnings may result in disqualification of the candidate depending on the nature and severity of the offense(s).

- 3.3 Warnings may be given by the Election Commissioner or the Coordinator of Student Activities (or his or her designee).
- 3.4 Immediate warnings shall be given verbally by the Election Commissioner or the Coordinator of Student Activities (or his or her designee), followed by a written summary of the warning. Any recommendations of disqualification of a candidate shall be forwarded to the Election Commission for review and subsequent action.

#### **Section 4 Eligibility**

- 4.1 The Coordinator of Student Activities and Center for Student Life staff shall be responsible for determining the academic eligibility of each candidate prior to the election.
  - a. Official College records shall be used for the determination of academic eligibility.
  - b. The Coordinator of Student Activities and Center for Student Life staff shall not be responsible for errors in a student's official records.
  - c. Students shall be notified prior of academic eligibility prior to the start of campaigning.
  - d. Students shall have 24 hours to notify the Coordinator of Student Activities (or his or her designee) in writing or via e-mail if they feel their academic eligibility is incorrect.
  - e. Students shall have three (3) business days after this notification to resolve any errors on their academic record that may impact their eligibility.
- 4.2 In order to be eligible to run in any ASCSM Election, students must complete the Senate-approved process required to register as a Candidate or Write-In Candidate.

#### **Section 5 Registration Process**

- 5.1 Candidates shall be required to complete any and all registration material approved by the Student Senate.
- 5.2 Candidate Registration Packets shall include, at minimum, the following:
  - a. Candidate Eligibility Form
  - b. Election Announcement
  - c. Election Timeline
  - d. Sections of the ASCSM Constitution and Bylaws pertinent to ASCSM Elections
  - e. Any and all College or District policies and/or procedures pertinent to the election process
  - f. Ballot Petitions
- 5.3 Candidates seek office shall be required to gather signatures from currently enrolled College of San Mateo students.

- a. Candidates seeking Executive Office (President, Vice President, Finance Director) shall be required to gather a minimum of one hundred (100) signatures from currently enrolled CSM students.
  - b. Candidates for Senator shall be required to gather a minimum of fifty (50) signatures from currently enrolled CSM students.
- 5.4 Candidates must attend the Mandatory Candidates Meeting in order to be eligible to have their names placed on the ballot.
- a. The Mandatory Candidates Meeting shall take place at least one (1) week prior to the start of the election.
  - b. The Mandatory Candidates Meeting for Write-In Candidates shall take place at least one (1) business day prior to the start of the election.

**Section 6 Student Trustee Nominee**

- 6.1 The Student Trustee Nominee must be elected no later than April 15<sup>th</sup> of each year.
- 6.2 Candidates running for Student Trustee Nominee shall be held to the same requirements as candidates for ASCSM Executive Office.

**Section 7 Write-In Candidates**

- 7.1 Candidates that register to run in an election after the Mandatory Candidates Meeting shall be considered Write-In Candidates. Write-In Candidates names shall not appear on the ballot.
- 7.2 Write-In Candidates shall be subject to all the same qualification requirements, including gathering signatures, as other candidates.
- 7.3 Write-In Candidates must receive votes equal to or greater than ten percent (10%) of the total votes cast in the election.

**Section 8 Campaigning**

- 8.1 The following areas of the campus are off-limits to campaigning:
  - a. The Center for Student Life & Leadership Development (Building 17, Room 112)
  - b. The Center for Student Life Event Prep Room (Building 17, Room 118)
  - c. The ASCSM Student Senate Office (Building 17, Room 155).
- 8.2 Any equipment in the ASCSM Student Senate Office, including but not limited to computers, shall be off-limits for use in support or against any candidate.
- 8.3 Candidates may not utilize the Associated Students of College of San Mateo logo in any campaign materials.
- 8.4 Candidates may not be seen or heard within 20-feet in any direction of any polling area except to cast their own ballot.
  - a. For the purposes of this provision, the mere presence of a candidate at the polls shall constitute “campaigning” if the candidate is not casting his or her own ballot.
  - b. If a candidate is found in the polling area without justifiable cause, he or she shall be asked by the poll worker(s) to leave the area. If the

candidate refuses to do so, he or she shall be subject to sanctions up to and including disqualification as a candidate.

- 8.5 Campaign debates, rallies or other activities shall be conducted in accordance with the College's Time, Place & Manner policy, the College's Guidelines for Campus Assembly Procedures and shall be coordinated through the Center for Student Life in the manner of any other student-sponsored event or activity.

## **Section 9 Campaign Posting**

- 9.1 For the purposes of the election, "fliers" shall be defined as printed materials no larger than 11-inches by 17-inches (11" x 17"). "Banners" shall be defined as paper, cloth or vinyl promotional items larger than 11-inches by 17-inches (11" x 17") but shall not be larger than 10-feet wide.
- 9.2 Campaign posting must follow campus guidelines to allow for posting by other organizations and individuals, and to provide for adequate posting areas for all candidates.
- 9.3 In most cases, campaign posting shall be allowed in areas normally reserved for regular campus posting. Campaign posting shall have additional restrictions in certain areas to allow for more equitable posting opportunities for all candidates, and to limit opportunities for one candidate to post large quantities of campaign materials that would exclude campaign posting opportunities for others.
- 9.4 All election postings must be "date stamped" by the Center for Student Life prior to posting. Candidates are encouraged to bring the original flyer or poster in to be date stamped.
- 9.5 Posting is not allowed to be placed over other existing posters, or on top of other campus posting or on banners of others, or on glass enclosed bulletin boards.
- 9.6 Candidates may not remove postings by other candidates.
- a. Re-arranging posters to accommodate other posting to allow for the maximum use of a posting area may only be done by the Coordinator of Student Activities or Center for Student Life staff.

## **Section 10 Distribution of Materials**

- 10.1 Candidates may distribute fliers or other printed materials on campus in accordance with the College's Time, Place & Manner Guidelines and Distribution of Materials Guidelines.

## **Section 11 Free Materials & Support**

- 11.1 The Associated Students shall provide the following support to candidates:
- a. The Center for Student Life staff shall duplicate campaign fliers and posters from original copies. No member of the Student Life staff shall be permitted to design, edit, or assist in the development of any candidate's promotional materials.

- b. Each candidate shall be provided with up to 500 copies with black ink on sheets of either 8 ½-inch by 11-inch (8 ½" x 11") or 8 ½-inch by 14-inch (8 ½" x 14") paper.
- c. Advanced notice of two working days (48 hrs.) shall be required for all copying requests.
- d. Candidates shall have access to the Event Prep Room for purposes of making paper banners. This access shall only be allowed during the business hours of the Center for Student Life.

**Section 12 Websites & Social Networking**

- 12.1 Candidates are permitted to make use of social networking such as, but not limited to, Facebook and Twitter to promote their campaign. Candidates may also setup websites to support their candidacy. However, candidates may not utilize any College of San Mateo or Associated Students of CSM affiliated branding on their sites or pages. Branding includes, but is not limited to, logos, signature lines, graphics, or other media.

**Section 13 Polls & Balloting**

- 13.1 Election polls shall be staffed by members of the Election Commission, student volunteers, paid student poll workers who are not actively involved in the campaign of any candidate, or members of the Center for Student Life staff.
- 13.2 Poll workers must declare not to persuade or dissuade any voter from voting for or against any candidate or issue. Poll workers are to remain neutral before and during the entire election process.
- 13.3 The election shall be by secret ballot.
- 13.4 Ballots shall be cast in official polling area(s) designated by the Election Commissioner and the Coordinator of Student Activities (or his or her designee).
- 13.5 Voters in Associated Students elections must be currently registered College of San Mateo students.
  - a. Poll workers may ask any potential voter for reasonable and sufficient identification (College identification card, student body card, library card, driver's license, etc.) and/or ask for directory information that matches student records to prove the identity of the voter, and that the voter is a registered student at College of San Mateo.
- 13.6 A minimum of fifty (50) votes shall be cast in an election in order for the election to be considered valid.
  - a. In the event that 50 votes are not cast, the election shall be deemed invalid. A new election shall be called within two (2) weeks.
  - b. If less than 50 votes are cast in the Student Trustee Nominee Election, the candidates shall be forwarded to the Student Senate, who shall select a candidate as nominee.
- 13.7 In the event that a position is uncontested, the ballot shall include a yes/no option for each candidate.

- a. In order to be elected to office, a candidate must receive more yes votes than no votes. Additionally, a candidate must receive yes vote equal to or greater than at least ten percent (10%) of the total votes cast in the election.

**Section 14 Bribes**

- 14.1 Bribing students to vote is strictly forbidden.
- 14.2 Bribing is offering money or in-kind items of value (other than campaign literature) in exchange for encouraging a voter to vote for a particular candidate or issue.
- 14.3 Bribes of any kind shall not be allowed in the election process.

**Section 15 Voting Incentives**

- 15.1 Only the Election Commission may offer incentives for encouraging students to vote.
- 15.2 The incentives must be neutral and non-partisan.
  - a. Regardless of the incentive offered, the voter must be free to vote for any candidate or ballot issue of their choice. (e.g. offering a free cup of coffee, a free scoop of ice cream, or a drawing for a free item of value in exchange for the voter voting for any candidate or ballot issue of the voter's choice.)

**Section 16 Grievances**

- 16.1 Any complaints or grievances regarding the election, the election process or campaigning must be submitted to the Election Commissioner and/or the Coordinator of Student Activities (or his or her designee) in writing within 24 hours after an alleged violation has occurred.
- 16.2 Any complaints or grievances regarding the election, the election process or campaigning must be filed prior to the counting of ballots or such complaints shall be deemed invalid.
- 16.3 The Election Commission and Election Commissioner shall act on any campaign violation complaints before the beginning of the election ballot counting.
- 16.4 Any rulings and actions of the Election Commission, the Election Commissioner, and the Coordinator of Student Activities (or his or her designee) with regard to such complaints shall be considered final. Such possible actions are, but are not limited to:
  - a. A discovery of mild improprieties from one or more parties in the election which may result in a dismissal of the charges if it is judged that the charges are not substantial enough to have swayed the election unfairly in any particular direction.
  - b. Disqualification of individual candidates due to gross election violations by the candidate or those operating on his or her behalf.
  - c. A discovery of gross improprieties from one or more parties in the election which may result in an action to invalidate the entire election.



## **Section 17**      **Ballot Counting**

- 15.1      The Coordinator of Student Activities (or his or her designee) must be present during the entire ballot counting process, and shall be responsible for overseeing the election ballot counting until the final vote count has been clearly established.
- 15.2      Poll workers and other neutral workers under the supervision of the Election Commissioner and the Coordinator of Student Activities (or his or her designee) may also be employed in the task of counting ballots.
- 15.3      Ballots shall be counted in a location that is open and accessible to the general public. Each candidate or their designated representative shall be allowed to be close enough to observe each ballot being counted.
  - a.        At no time shall candidates or candidate designees or members of the general public be allowed to come in direct contact with any of the ballots.
- 15.4      If the ballot counting process becomes cumbersome due to large numbers of observers, the Election Commission reserves the right to use projection equipment or other technology to enlarge or display each ballot as it is counted.
- 15.5      Observers must be quiet and respectful during the ballot counting process. Those who disrupt the counting of ballots shall be required to leave.
- 15.6      Any ballot mark that is not clear shall be judged by all official ballot counters present until a consensus regarding the mark is reached. If a consensus cannot be reached, the ballot mark shall be ignored and no vote shall be considered cast by the mark.
- 15.7      The Election Commissioner and the Coordinator of Student Activities (or his or her designee) may call for a recount of all or a portion of the ballots at any time during the counting process to ensure the accuracy of the count.
- 15.8      In the event of a tie, a recount shall be undertaken in order to verify the balloting results. Should the tie be confirmed, a runoff election between the tied candidates shall take place within two (2) weeks.
- 15.9      Once the ballot counting has been completed, all ballots, tallies, voter verification records, and other records kept regarding the election shall be locked securely back into the election polling box and retained by the Center for Student Life for one (1) calendar year.

## **Section 18**      **Results**

- 16.1      Once the ballot counting process has been completed, election results shall be certified in writing by both the Election Commissioner and the Coordinator of Student Activities (or his or her designee).

## **Article II – Roles and Responsibilities of the Associated Students President**

### **Section 1 Intent**

- 1.1 The President’s role shall be that of a facilitator and liaison to the campus at large. The President shall also assist the Senate in accomplishing its goals.

### **Section 2 Powers & Duties**

- 2.1 The following shall be the powers and duties of the AS President:
- a. Be the primary, official representative of the Associated Students of College of San Mateo;
  - b. Be the official voice and liaison of the Associated Students of College of San Mateo to off campus agencies and organizations;
  - c. Vetoing legislation as outlined in these Bylaws;
  - d. Appoint and/or remove, with the advice and consent of the Senate, Senators and/or At-Large Student representatives to College, District and any other committees, boards or organizations requiring student representation;
    - i. Appoint temporary representatives to any committees, boards, or any other organization or groups requiring student representation in the event there is a pressing need for student representation prior to the next meeting of the Senate. Such appointments shall be reported to the Senate at its next meeting. With the advice and consent of the Senate, the President may make the temporary appointment permanent.
  - e. Have the power, by and with consent of the Senate, to create committees, appoint committee memberships and committee chairs.
  - f. Present Executive Board proposals to the Senate;
  - g. Attend and report at AS Senate meetings;
  - h. Serve on A.S. Committees as an ex-officio member, without voting or motioning rights;
  - i. Oversee the Finance Director in preparing budgets and financial reports;
  - j. Oversee the Secretary in preparing minutes, agendas, and any other documents for Senate review;
  - k. Oversee the Committee chairs and Vice-Chairs to ensure that A.S. committees are functioning appropriately.

### **Section 3 Vetoing**

- 3.1 The President shall have the power to veto Senate legislation, with the exception of changes to the A.S. governing documents, impeachments/removals from office, and the A.S. Budget.

- 3.2 The President shall submit vetoes in writing to the Vice-President of the Associated Students and Coordinator of Student Activities no later than two (2) business days after adjournment of the meeting in which action on the item took place. To be valid the veto must be timed stamped by the Center for Student Life and Leadership Development and delivered in person or placed in the campus mailbox of the above named individuals.
- 3.3 The President shall provide a rational for their decision along with notice of his or her veto or the veto shall be deemed invalid.
- 3.4 The vetoed item shall be placed on the next Senate meeting agenda for reconsideration.
- 3.5 The Senate may override the veto with a two-third ( $2/3$ ) vote of those Senators present.

## **Article III – Roles & Responsibilities of Executive Officers & Senators**

### **Section 1 Vice President**

- 1.1 The Vice President shall:
- a. Call Special Meetings of the Student Senate;
  - b. Serve on A.S. Committees as an ex-officio member, without voting or motioning rights;
  - c. Serve as a representative on College Council;
  - d. Serve as A.S. President if the President resigns, is removed from office, or can no longer fulfill his or her duty.

### **Section 2 Finance Director**

- 2.1 The Finance Director shall:
- a. Be responsible for coordinating the development and monitoring of the annual A.S. Budget.
  - b. Provide a budget report to the A.S. Senate at least once per month, while school is in session.
  - c. Monitor any and all fundraising efforts sponsored by the Senate.

### **Section 3 Vice Chair**

- 3.1 The Vice Chair shall:
- a. Assume the duties of the Vice President if the Vice President resigns, is removed from office, or can no longer fulfill his or her duty.
  - b. Chair the Senate meetings if the Vice President is not present.
  - c. In conjunction with the Center for Student Life and Leadership shall be responsible for monitoring club activity and recruitment.
  - d. Chair the Inter Club Council (ICC).
  - e. The Vice Chair may not serve as any club's representative to the Inter Club Council.
- 3.2 The Vice Chair shall be elected by the Senate no later than the start of the fall semester.

### **Section 4 Secretary**

- 4.1 The Secretary shall:
- a. Be hired by the Senate (coordinated by the Center for Student Life & Leadership Development), and be given compensation consistent with College and District Policy.
  - b. Serve as a Student Assistant in the Center for Student Life & Leadership Development.
  - c. Be responsible for arranging or providing for Senate Meeting Agendas, Minutes, and other official Senate correspondence.

### **Section 5 Senators**

- 5.1 The following shall be the powers and duties of Senators:

- a. Each Senator shall be entitled to one (1) vote.
- b. Senators may not proxy their votes.
- c. Senators shall serve as the official representatives of the Associated Students on College and District participatory governance committees.
- d. When applicable, Senators shall be responsible for creating and presenting to the A.S. Senate proposals for projects, studies, position papers, establishment of committees, and any other purpose not prohibited by law, District regulations, the ASCSM Constitution, or elsewhere in these bylaws.
- e. Each Senator shall be required to serve on one (1) A.S. Board.
- f. Each Senator shall serve as a primary or backup representative on one (1) College or District participatory governance committee.

**Section 6 Swearing In**

- 6.1 Swearing in of Executive Officers and Members of the Student Senate shall take place prior to the start of the fall semester except in cases where a member is on a leave of absence.
- 6.2 In the event that a member is on a leave absence, swearing in shall take place at the first meeting the member is in attendance.

**Section 7 Appointment & Succession**

- 7.1 Executive Officers or Senators who are appointed or have succeeded to higher office shall assume their positions immediately following a confirmation vote or succession as outlined in the A.S. Constitution.

## **Article IV – Senate Meetings**

### **Section 1 Meeting Day, Time & Place**

- 1.1 The regular meeting day and time of the Senate shall be Mondays at 2:15 p.m.
- 1.2 The Senate shall meet on the CSM campus at a location to be determined at the start of each semester.

### **Section 2 Special Meetings**

- 2.1 Special meetings of the Senate may be called by the A.S. President, the A.S. Vice President, or 50 percent plus 1 of the members of the Senate giving written consent.
- 2.2 Such meetings shall be held in accordance with the Ralph M. Brown Act.

### **Section 3 Meeting Attendance**

- 3.1 Attendance shall be adhered to as outlined in the ASCSM Constitution.
- 3.2 Three (3) tardies shall constitute one (1) absence.
- 3.3 A tardy shall be defined as arriving more than five (5) minutes after the establishment of quorum or departing more than five (5) minutes prior to adjournment.
- 3.4 An absence shall be recorded for members in attendance less than 50 percent of a meeting.

### **Section 4 Agendas & Minutes**

- 4.1 The Agenda and order of the day for the Senate shall be established by the presiding officer in conjunction with the A.S. Secretary.
- 4.2 The Agenda shall include, at minimum, the following items:
  - a. Roll Call
  - b. Approval of Agenda and Minutes
  - c. Hearing of the Public
  - d. Executive Officer, Senator, Advisor, and Committee Reports
  - e. Unfinished Information, Discussion, and Action Items
  - f. New Information, Discussion, and Action Items
- 4.3 Distributed Agenda Packets shall include copies of the Agenda, Minutes of the Prior Meeting(s), and Proposal Forms for the items on the Agenda.
- 4.4 Minutes shall be taken by the A.S. Secretary, in conjunction with the A.S. Vice President, at all Senate meetings and shall be presented at the subsequent meeting for review and approval. Minutes shall be included in the distributed Agenda Packet and may not be considered unless distributed as part of the Agenda Packet.
- 4.5 All Minutes shall include, at minimum, the following:
  - a. Date, time, place, and type of meeting;
  - b. Attendance report;
  - c. Summary of special presentations;
  - d. Correction of previous meeting minutes;

- e. Summaries of all motions, including maker, seconder, and vote;
- f. Specific funding account names and/or numbers for funding requests;
- g. Summaries of any executive session;
- h. Summary of public comments.

## **Article V – Constituent Bodies & Committees**

### **Section 1 Intent**

- 1.1 The Senate committee structure is composed of Constituent Bodies, Standing Committees, Subcommittees, and Temporary/Ad Hoc Committees. These committees shall advise the Senate and assist in carrying out the goals and functions of the Associated Students.

### **Section 2 Establishing Committees**

- 2.1 The Senate may, with a majority vote, create standing, ad hoc or temporary committees with membership appointed by the A.S. President with the advice and consent of the Senate.
- 2.2 Chairs of newly established committees shall be appointed by the President with the advice and consent of the Senate.

### **Section 3 Disbanding Committees**

- 3.1 Any and all committees except for those outlined in the ASCSM Constitution may be disbanded, at any Senate meeting, by a majority vote of the Senate.

### **Section 4 Chair**

- 4.1 Committee Chairs shall be responsible for:
  - a. Creating and posting agendas for committee meetings.
  - b. Serving as presiding officer of committee meetings.
  - c. Reporting to the Student Senate on a regular basis.

### **Section 5 Vice Chairs**

- 5.1 Selection of Vice Chair
  - a. Committee Vice Chairs shall be elected by members of the Committee at a duly noticed regular committee meeting.
  - b. A Vice Chair shall be elected by receiving the most number of votes.
- 5.2 Vice Chairs shall be responsible for:
  - a. Creating and maintaining minutes of committee meetings.
  - b. Serving as presiding officer of committee meetings in the absence of the Chair.
  - c. Assisting the Chair in carrying out his or her responsibilities.

### **Section 6 Committee Meeting Absences**

- 6.1 Students At-Large
  - a. At-Large Students may miss no more than three (3) committee meetings each semester. Upon a third absence, the Student At-Large shall be automatically removed from the committee.
  - b. Three (3) tardies shall constitute one (1) absence.



- c. A tardy shall be defined as arriving more than five (5) minutes after the establishment of quorum or departing more than five (5) minutes prior to adjournment.
- d. An absence shall be recorded for members in attendance less than 50 percent of a meeting.

6.2 Senators & Executive Officers

- a. Senators and Executive Officers may miss no more than three (3) committee meetings each semester. Upon a third absence, the Senator or Executive Officer shall automatically be removed from the committee.
- b. If an Executive Officer is removed from Executive Cabinet as outlined in Section 6.2(a), he or she shall automatically be removed from his or her executive office.
- c. Executive Officers shall be granted a leave of absence from Executive Cabinet meetings in the event that a class he or she is enrolled in conflicts with the regularly scheduled Executive Cabinet meetings.
- d. Three (3) tardies shall constitute one (1) absence.
- e. A tardy shall be defined as arriving more than five (5) minutes after the establishment of quorum or departing more than five (5) minutes prior to adjournment.
- f. An absence shall be recorded for members in attendance less than 50 percent of a meeting.

6.3 Committee Chairs

- a. Committee Chairs may miss no more than three (3) committee meetings each semester. Upon a third absence, the Committee Chair shall be removed as Chair and removed from the Committee. However, he or she shall remain a member of the Senate.
- b. Three (3) tardies shall constitute one (1) absence.
- c. A tardy shall be defined as arriving more than five (5) minutes after the establishment of quorum or departing more than five (5) minutes prior to adjournment.
- d. An absence shall be recorded for members in attendance less than 50 percent of a meeting.

## Article VI – Impeachment & Removal

### Section 1 Intent

- 1.1 No Executive Officer or Member of the Student Senate shall be removed from office or deprived of rights, privileges, and responsibilities of membership, without “due process” as provided by the ASCSM Constitution and Bylaws. The due process shall exist as follows.

### Section 2 Initiation Process

- 2.1 Any Executive Officer or Member of the Student Senate may be removed for misconduct or neglect of duty.
  - a. Neglect of duty shall be defined as the inability or refusal to carry out his/her duties as outlined by the A.S. Constitution and/or Bylaws.
  - b. Misconduct shall be defined as a violation of the A.S. Constitution or Bylaws, local, state, or federal laws, and/or college or district policy (including but not limited to the Student Code of Conduct).
  - c. Additionally misconduct can include, but is not limited to, unethical behavior, making verbal or physical threats, or other behavior that can negatively impact the operations of the Student Senate or affiliated groups.
- 2.2 Only a sitting Senator or Executive Officer may bring impeachment charges against another Member of the student government.
  - a. The initiating Senator/Officer shall present the Senate with a Resolution of Impeachment outlining the charges and reason(s) for impeachment.
  - b. All Impeachment and Removal Proceedings shall be conducted in an open and public meeting and in accordance with the Ralph M. Brown Act (California Government Code Section 54950 et. seq.).
  - c. All Impeachment and Removal Proceedings shall take place during a regularly scheduled meeting of the Student Senate. No Impeachment and Removal Proceedings may take place at an emergency or special meeting of the Student Senate.
  - d. A motion and second shall be made supporting the resolution before discussion on the resolution takes place.
  - e. Upon the conclusion of the discussion of the resolution or a call to question, the Senate shall vote on the resolution.
    - i. A vote of 50 percent plus 1 of the Senators in attendance shall be required for passage of the resolution.
    - ii. If less than a 50 percent plus 1 vote is not achieved, all charges against the Senate/Officer shall be dismissed.
  - f. Upon an affirmative vote, the Senate shall move to a committee of the whole. The Senate shall vote to elect a sitting Senator to Chair the removal proceeding. The A.S. Vice President, if the Impeachment and Removal Proceedings are not directed towards him or her, shall sit as a

voting member of the committee of the whole. The presenting Senator or the Senator/Officer under impeachment may not be selected to Chair the proceedings.

**Section 3      Removal Proceedings**

- 3.1      Sitting as a committee of the whole, the Senate shall be read the Impeachment Resolution.
- 3.2      The Senator/Officer being removed shall have the opportunity to speak to the charges.
  - a.      Should the Senator/Officer being removed not be present, the Senate shall have the power to move forward with the Removal Proceedings.
- 3.3      Upon a two-thirds (2/3) vote of those in attendance, the Senator/Officer in question shall be removed from Office immediately and without appeal.
- 3.4      No Senator or Officer once removed from office may hold or run for a Senator or Officer position within student government for one (1) calendar year from the time of removal.

## **Article VII – Budget & Financial Code**

### **Section 1      Budget**

- 1.1      The fiscal year for the Associated Students shall be between July 1 and June 30.
- 1.2      A budget shall be proposed to the Student Senate within the first month of the fiscal year.
- 1.3      The proposed budget shall be considered adopted by a simple majority vote of the Senate.
- 1.4      Once approved, no expenditure of funds can be made that would exceed the amounts listed in the budget unless a budget action is taken prior to the expenditure to allocate sufficient amounts into the budget category.
- 1.5      The budget may be amended by a simple majority vote of the Senate any time during the year if properly brought before the Senate as a regular agenda item.
- 1.6      The Senate shall review its budget at least once in the fall semester and at least once in the spring semester.

### **Section 2      Proposals for Funding**

- 2.1      Unless otherwise noted, a proposal for the expenditure of funds from budgeted accounts must also be presented and approved prior to the expenditure of funds by a simple majority vote of the Senate.
- 2.2      All expenditures authorized by the Senate shall conform to College and District policy, and any and all applicable laws and regulations.
- 2.3      Funds cannot be committed or expended prior to formal approval by the Senate, nor can a contract of any type be entered into on behalf of the Associated Students without the prior approval of the Senate.
  - a.      If an officer of the Associated Students (either an Executive Officer or Senator) commits funds or contracts in the name of the Associated Students without the prior consent of the Senate, such action may constitute grounds for removal from office, and possible civil or criminal legal action by the Associated Students, the College, and/or the District to recover any damages, or to prosecute such persons for criminal negligence.
- 2.3      In the event that costs have increased between the time of the proposal and the actual purchase of goods and services, the Senate shall allow actual expenditures to exceed approved amounts by an amount not to exceed 10 percent.
- 2.4      Any expenditure of funds over this 10 percent limit shall require that the proposal be resubmitted and re-approved by the Senate prior to the expenditure of additional funds.

### **Section 3      Retroactive Funding**

- 3.1      The Senate may consider proposals for retroactive funding with the agreement a majority of the members Executive Cabinet and the Coordinator of Student Activities.

- 3.2 Proposals requesting retroacting funding from the Senate shall be required to pass with a two-thirds majority vote.
- 3.3 Retroactive funding shall only be considered in extraordinary circumstances.

**Section 4      Ownership**

- 4.1 Any items purchased from ASCSM Accounts are the property of the Associated Students of College of San Mateo, and are subject to the rules, regulations, and requirements of the Associated Students.
- 4.2 Items purchased from club or trust accounts are the property of the Associated Students and are considered “on loan” to the club or organization.

**Section 5      Authorized Signatures**

- 5.1 All check requisitions, contracts, and any other financial documents must be signed by authorized signers in order to be considered valid.
- 5.2 One Executive Officer and one Officer of the Senate shall be the authorized signers for the Associated Students.
  - a. The Finance Director shall serve as the primary Executive Officer with the A.S. President as the back-up.
  - b. The A.S. Vice President shall serve as the primary Officer of the Senate, with the Senate Vice Chair as the back-up.

**Section 6      Account Types**

- 6.1 Non-Discretionary
  - a. Non-discretionary accounts shall be funded at levels that ensure the ongoing successful operation of the Associated Students and the Center for Student Life.
- 6.2 Discretionary
  - a. Discretionary accounts shall be funded at levels at the preference of the Student Senate.

## **Article VIII – Cultural Awareness Board**

### **Section 1 Intent**

- 1.1 The Cultural Awareness Board shall plan, organize, promote, and recommend events and activities that celebrate the unique diversity of the College of San Mateo community and addresses issues of social justice.

### **Section 2 Membership**

- 2.1 The Cultural Awareness Board shall be comprised of one (1) Executive Officer, a minimum of three (3) Senators, and at least one (1) Student At Large.
  - a. The number of Senators serving on the Cultural Awareness Board may not meet or exceed quorum of the Senate.
- 2.2 The Chair of the Cultural Awareness Board shall be appointed, with the advice and consent of the Senate, from among the membership of the Senate by the ASCSM President.
  - a. The Chair of the Cultural Awareness Board shall sit as a member of the Executive Cabinet.

## **Article IX – Student Clubs and Organizations**

### **Section 1 Intent**

- 1.1 Student Clubs and Organizations at College of San Mateo operate under the auspices of the Associated Students of College of San Mateo. (SMCCCD AP 7.60.1)

### **Section 2 Membership**

- 2.1 Membership in student organizations is open to all students. Denial of membership in any organization or of participation in any activity on the basis of age, gender, marital status, disability, race, color, sexual orientation, religion, national origin, or other similar factors is specifically prohibited. Membership in secret societies is prohibited.

### **Section 3 Officers**

- 3.1 Any student seeking election as an officer in a club shall meet the following requirements while seeking office, during the election period, and while holding office:
  - a. Be currently enrolled in at least six (6) units of credit at College of San Mateo. A majority of the student's units must be at College of San Mateo. This requirement shall only be in effect during the fall and spring semesters.
  - b. Must not be on academic probation, disciplinary probation or suspension, provided that an individual placed on disciplinary probation or suspension who has timely appealed such decision shall remain eligible until such time as the appeals has been disposed of by the appropriate College authority.
  - c. Must have and maintain a cumulative GPA of at least 2.0 and have and maintain satisfactory academic progress (a 50 percent or higher completion rate) while running for and holding office.
- 3.2 For purposes of this section, an officer shall be defined as the students listed in the Officers section of the club or student organization's Club Information Form on file with the Center for Student Life & Leadership Development and/or as defined by the group's constitution/charter.

## Article X – Inter Club Council (ICC)

### Section 1 Intent

- 1.1 The Inter Club Council (ICC) is an advisory council of the Student Senate. The ICC is a representative body of clubs and organizations that promotes communication and cooperation among the clubs at CSM.
- 1.2 The primary goals of the ICC are:
  - a. To aid clubs in becoming self-sufficient in order to support their own activities.
  - b. To co-sponsor those activities that would benefit a majority of the student body but might not otherwise be pursued because of the scope or cost of the event.

### Section 2 Officers

- 2.1 ICC Chair
  - a. As outlined in the ASCSM Constitution, the Student Senate Vice Chair shall be the Chair of Inter Club Council.
  - b. The Chair of ICC shall be responsible for:
    - i. Presiding over all meetings of ICC.
    - ii. Preparing agendas for the meetings of ICC.
    - iii. Acting as a liaison between the Senate and ICC and vice versa.
    - iv. Voting in case of a tie in ICC.
    - v. Keeping an accurate record of club/organization attendance and participation.
    - vi. And, any other duties necessary to ensure open communication, smooth operation, and cooperation between ICC and the Senate as may be required.
- 2.2 ICC Vice Chair
  - a. The ICC Vice Chair shall be elected from among the members of the Inter Club Council.
  - b. The ICC Vice Chair shall be responsible for:
    - i. Serving as presiding officer in the absence of the ICC Chair.
    - ii. Preparing minutes for ICC meetings.
- 2.3 Vote of No Confidence
  - a. The membership of the Inter Club Council may call for a vote of no confidence in the Chair or Vice Chair.
  - b. A petition signed by a majority (50 percent plus 1) of the members of shall be sufficient to initiate a vote of no confidence against the ICC Chair or Vice Chair.
    - i. This petition shall include a statement of intent for the vote of no confidence and the names, signatures, and club affiliations of those calling for the vote of no confidence.



- c. If a sufficient number of signatures have been gathered to initiate a vote of no confidence, the item shall be placed on the agenda for the next regularly scheduled meeting of the Inter Club Council.
- d. Sitting as a committee of the whole, the Inter Club Council shall be read the petition.
- e. The Officer against whom the petition is directed shall have the opportunity to speak to the charges.
  - i. Should the Officer being removed not be present, the Inter Club Council shall have the power to move forward with the vote of no confidence.
- f. Upon a two-thirds (2/3) vote of those in attendance, the vote of no confidence shall be considered passed.
- g. Upon passage, a resolution of removal shall be drafted against the officer in question and forwarded to the Student Senate for appropriate action.

### **Section 3      Membership & Participation**

- 3.1 All officially recognized student clubs and/or organizations are required to send a representative to the Inter Club Council.
- 3.2 In order to become a fully recognized member of ICC, a club shall have all required paperwork approved by the Coordinator of Student Activities and on file with the Center for Student Life and Leadership Development.
- 3.3 Club paperwork must be updated each semester.
- 3.4 Each club or organization shall be given one (1) vote in ICC.
- 3.5 No ICC Representative may represent more than one (1) club or organization.
- 3.6 A club may not miss more than three (3) ICC meetings per semester.
  - a. If a club misses the maximum amount of absences the club shall be placed on probation and all club privileges shall be suspended.
  - b. The Center for Student Life shall notify the club presiding officer and advisor in writing within 24 hours of the club's suspension.
  - c. To be removed from probation the club presiding officer and advisor must meet with the Coordinator of Student Activities or his or her designee within two (2) school weeks from the time of notice. If the meeting is not held within two week the club shall loss its charter and cannot reform until the next academic semester (excluding summer session or any other intercessions).
- 3.7 Active members of ICC shall have the following rights and privileges:
  - a. Voting on proposals brought before ICC.
  - b. Proposing requests for funding and other items for ICC consideration and action.
  - c. Use of any equipment or resources made available by the ASCSM Senate.
  - d. Use of Club Trust accounts in the ASCSM system.

- 3.8 If a club has been inactive for four (4) or more semesters (excluding summer session and any intercessions), all debts and/or loans shall become null and void. Any funds left in any account in the name of the club shall revert to the Senate.

#### **Section 4 ICC Meetings**

- 4.1 All meetings and actions taken by the Inter Club Council shall be governed by the Ralph M. Brown Act, where applicable.
- 4.2 All meetings of the Inter Club Council shall be conducted in accordance with the current edition of Robert's Rules of Order. The presiding officer may employ a relaxed approach to Robert's Rules of Order whenever practical to do so, subject to the agreement of the membership.
- 4.3 The presiding officer of the Inter Club Council may call a special meeting in accordance with the Ralph M. Brown Act.
- 4.4 Any member of the Inter Club Council may call a special meeting with at least 50 percent plus 1 of the members of the body giving written consent. Such meetings shall be held in accordance with the Ralph M. Brown Act.
- 4.5 The Inter Club Council may not call Emergency Meetings.
- 4.6 A quorum of members of Inter Club Council shall be present before business is discussed or acted upon. A quorum shall be defined by the Ralph M. Brown Act.
- 4.7 Except where otherwise provided for in these Bylaws, action taken by the Inter Club Council shall require a simple majority vote (50 percent plus 1) of the members present.

#### **Section 5 Agendas & Minutes**

- 5.1 ICC Agendas include, at minimum, the following items:
- a. Roll Call
  - b. Approval of Agenda and Minutes
  - c. Hearing of the Public
  - d. Chair, Advisor, and Club Reports
  - e. Unfinished Information, Discussion, and Action Items
  - f. New Information, Discussion, and Action Items
- 5.2 ICC Minutes shall include, at minimum, the following:
- a. Date, time, place, and type of meeting;
  - b. Attendance report;
  - c. Summary of special presentations;
  - d. Correction of previous meeting minutes;
  - e. Summaries of all motions, including maker, seconder, and vote;
  - f. Specific funding account names and/or numbers for funding requests;
  - g. Summary of public comments.

#### **Section 6 Funding Guidelines**

- 6.1 It is the policy of the Senate to annually set aside funds within the ASCSM Budget for club use. These funds are to support events, activities, programs, etc.

While the Senate makes this money available to approved/chartered clubs, clubs should not expect the Senate to fund 100 percent of the event, activity, or program.

- 6.2 The Inter-Club Council shall serve as the recommending body to the Senate. The Senate shall have the ultimate authority to approve funds for clubs.
- 6.3 The following shall serve as the funding policy guidelines for clubs:
  - a. Clubs must be officially chartered (have completed all steps to become a club).
  - b. Seed money for fundraisers may not exceed \$100. An activity shall be considered a fundraiser if students with a valid CSM Student ID are being charged.
  - c. A club cannot request more than \$2,000 without a 2/3 majority vote of the ICC.
  - d. A club cannot request more than \$2,500 per semester and no more than \$3,500 in an academic year.
  - e. If applicable, first priority for funding shall be given, if possible, to clubs that have not yet received funding in the current academic year.
  - f. Clubs requesting funding shall be required to complete services hours for any and all funds received from the Senate.
    - i. Service hours shall be accrued at one (1) hour for every \$100 approved by the Senate for events and activities taking place on campus.
    - ii. Service hours shall be accrued at three (3) hours for every \$100 approved by the Senate for events and activities taking place off campus.
    - iii. Service hours may be served by providing assistance at any ASCSM-sponsored event or activity, as approved by the A.S. President and the Coordinator of Student Activities.
    - iv. Clubs may send multiple representatives simultaneously to satisfy service hours (e.g. 5 people at 1 hour each shall equal 5 hours of service time).
  - g. The Senate shall not fund events, activities, or programs that are not open to all CSM students.
  - h. The Senate shall not fund off campus events that do not directly involve or impact the students of CSM.
  - i. The Senate shall not fund requests for services, supplies, or other needs that are freely provided to the clubs by the Center for Student Life or the college.
  - j. All funding requests must have sufficient explanation of how money shall be utilized. The Senate may request, at its discretion, documentation of quotes for services, equipment, etc.
  - k. The Senate may deny any request at its discretion. The Senate has sole discretion and authority over A.S. funding and funding requests.

- 6.4 The following shall serve as the procedure for clubs requesting funding from ICC:
- a. The club shall submit an A.S. Proposal Form to the ICC Chair and request that it be placed on the ICC agenda. The ICC Chair, in conjunction with the Center for Student Life and Leadership Development, shall specify a deadline by which proposal forms shall be submitted.
  - b. If the proposal is an event, activity, fundraiser or program, any and all college required paperwork must accompany the proposal.
  - c. If the request is in regards to an off campus conference or event, a program or itinerary of the conference/program must be submitted with the proposal (if it is available).
  - d. The proposal must be heard and discussed at a regular or special meeting of the ICC, and it must receive a majority vote (50 percent + 1) of the council to be considered by the Senate.
  - e. Executive Cabinet must review the proposal before it is placed on the Senate agenda.
  - f. The proposal must receive a majority vote (50 percent + 1) of the Senate for approval.
  - g. A representative of the club must be in attendance at BOTH the ICC meeting and the Senate meeting in which the proposal is being discussed and/or considered AND be prepared to answer questions regarding the proposal. The representative must be a student member of the club; advisors may only provide additional support.
  - h. Any and all equipment requests must be purchased through the Center for Student Life. A "Property of the Associated Students" sticker must be affixed before the club takes possession.
  - i. Any equipment or supplies purchased with ICC funds are the sole property of the Associated Students and are on "loan" to the club.
  - j. Any advertising for events, programs, or activities funded by the Associated Students must have the A.S. logo attached and state that the event, program or activity is being co-sponsored by the A.S.
- 6.5 Should a club be granted funding and fail to continue to participate in ICC, amounts previously granted by ICC shall become loans that must be repaid to the ICC. The ICC reserves the right to debit the club or organization's account for the amount granted if the loan is not repaid by the end of the current semester. Also:
- a. The club or organization would be deemed inactive as an ICC member and would lose ICC rights and privileges until the entire debt to ICC is repaid.
  - b. ICC funds granted in the current semester shall become a loan to be repaid by the club or organization prior to the end of the semester.
  - c. Payment of the debt would be necessary before future ICC funding would be provided.

**Section 7      Amendment of the ICC Bylaws**

- 7.1      Bylaws of the Inter Club Council shall be ratified by a two-thirds majority of the Inter Club Council at a duly noticed regular meeting and by a two-thirds vote of the Senate at a duly noticed regular meeting of the Senate.
  - a.      The Senate shall have the power to add, change, or amend the Bylaws of the Inter Club Council at its own discretion with a two-thirds majority vote of the Senate at a duly noticed regular meeting of the Senate.

## **Article XI – Student Travel**

### **Section 1      Conferences Attended by Members of Student Government**

- 1.1      The Senate shall establish a selection process for each conference that members of the student government attend.
- 1.2      This process shall include consultation and approval with the Coordinator of Student Activities.
- 1.3      Members of student government selected to attend a conference through the above mentioned process who do not participate in the event may be required to provide monetary or other compensation to the Associated Students equivalent to the per person cost of the event.
- 1.4      All student attendees must submit a completed SMCCCD Release from Liability, Behavior Standards, and Medical Consent Form before departing for the conference.
- 1.5      Students must be accompanied by an advisor or his or her designee. The designee must be a college employee.
  - a.      In the event that two (2) or fewer members of student government are attending a conference or other off-campus event, the Coordinator of Student Activities may, at his or her discretion, authorize the students to travel without an advisor. If necessary, the authorization of the Vice President Student Services may also be required.
- 1.6      Attendees must report back to the Senate at a meeting following the conference.

### **Section 2      Conferences Attended by Members of Clubs or Other Campus Organizations Using A.S. Funds**

- 2.1      Funding of travel by clubs and other campus organizations shall be consistent with the A.S. Constitution and Bylaws.
- 2.3      Members of clubs or other student organizations selected to attend a conference who do not participate in the event may be required to provide monetary or other compensation to the Associated Students equivalent to the per person cost of the event.
- 2.4      All student attendees must submit a completed SMCCCD Release from Liability, Behavior Standards, and Medical Consent Form before departing for the conference.
- 2.5      Students must be accompanied by an advisor or his or her designee. The designee must be a college employee.
  - a.      In the event that two (2) or fewer students are attending a conference or other off-campus event, the Coordinator of Student Activities may, at his or her discretion, authorize the students to travel without an advisor. If necessary, the authorization of the Vice President Student Services may also be required.

- 2.6 Attendees must report back to the Senate at a meeting following the conference.

## **Article XII – Amendments to the Bylaws**

### **Section 1      Process**

- 1.1      These Bylaws may be amended with a two-thirds vote of the Senate at a duly noticed meeting.



## Revision History

January 25, 2013	Submitted to Executive Cabinet for review. Forwarded from Executive Cabinet to Student Senate.
January 28, 2013	Unanimously adopted by the ASCSM Student Senate.
May 13, 2013	Revisions and additions to Article I – Elections; renumbering of sections in Article I – Elections; updating of Table of Contents Changes adopted unanimously by Student Senate.
March 10, 2014	Addition of Article VIII – Cultural Awareness Board
May 5, 2014	Addition of Article IX – Student Clubs and Organizations Revisions to Article X – Inter Club Council (ICC) Sections 2.1, 2.2, 6.3, and 6.4. Renumbering of subsequent Articles