



**CONSTITUTION**

**of the**

**ASSOCIATED STUDENT BODY GOVERNMENT**

**of**

**ALLAN HANCOCK COLLEGE**

## **PREAMBLE**

We, the students of Allan Hancock College, recognizing the importance of the role of student participation and government in the college environment, and the role that students play in institutional maintenance and change at all levels of college government, do hereby organize ourselves to create and administer programs that effectively serve the needs of a diverse student body through the avenue of democratic process. We establish this Constitution as the vehicle whereby we seek to govern ourselves through the medium of student government.

We, the Student Council of the Associated Student Body Government (ASBG) of Allan Hancock College (AHC), seek to:

1. Govern the affairs of the AHC student body in a creative and responsible manner.
2. Assure open access to the educational process, college activities, and the avenues of procedural fairness to all students regardless of race, color, religion, gender, marital status, national origin, ethnic identification, age, mental or physical disability, sexual preference, creed, status, political affiliation or citizenship by being an advocate for student rights.
3. Assist in maintaining a climate of mutual trust, understanding, and respect among students, faculty, classified staff, and administrators of the college.
4. Encourage active and responsible student membership on councils and committees that participate in institutional policy formulation and college governance.
5. Encourage effective means of planning, promoting, and publicizing the programs of student activities.
6. Integrate the activities program into the instructional and student support programs of the college.
7. Act as caretaker of the Associated Student Body funds by exercising fiscal responsibility.
8. Instill college loyalty and pride in individual students.
9. Foster student leadership within the institutional setting by active participation in decision-making processes.

## **Article I - STRUCTURE**

Section 1. The name of this organization shall be the Associated Student Body Government (ASBG) of Allan Hancock College (AHC).

Section 2. The governing board of the ASBG shall be the Student Council.

Section 3. The Student Council shall consist of six (6) executive officers and eight (8) directors.

Section 4. The acronym of the Associated Student Body Government shall be the ASBG.

Section 5. The ASBG shall represent and serve the student body of AHC.

## **Article II – MEMBERSHIP**

Section 1. Membership consists of those students duly registered at AHC.

Section 2. All members of the AHC student body have the right and privilege to:

Clause 1. Hold office on the Student Council, if all qualifications are met as set forth in this Constitution under Article V, Section 1.

Clause 2. Vote in the ASBG Student Council elections.

Clause 3. Participate in all activities sponsored by the ASBG.

Clause 4. Pursue academic studies and become involved in college sponsored activities that promote intellectual growth and personal development.

Clause 5. Fair and proper treatment by any member of the AHC community.

## **Article III - COMPOSITION OF THE STUDENT COUNCIL**

Section 1. The Student Council shall consist of the ASBG Executive Cabinet and the Board of Directors.

Section 2. The Executive Cabinet shall consist of the following offices:

- President
- Executive Vice-President
- Student Trustee
- Executive Director
- Executive Secretary
- Vice President of Finance
- Vice President of External Affairs

Section 3. There shall be Directors of:

- Student Organizations
- Academic Affairs
- Public Relations
- Student Advocacy
- Campus Environment
- Legislative Affairs
- Student Outreach

## **Article IV - POWERS WITHIN THE STUDENT COUNCIL**

Section 1. The ASBG is organized with the authorization of and subject to any regulations of the governing board of AHC as specified in the California Education Code, Section 76060.

Section 2. All legislative powers herein granted shall be vested in the Student Council and be consistent with the provisions of this Constitution and By-Laws for the necessary and proper execution and purpose of the ASBG.

Section 3. Sole powers of the Student Council:

Clause 1. To create and establish any new directors and/or appointive offices as are deemed necessary by the council.

Clause 2. To dissolve any established and/or existing directors as deemed necessary by the council.

Clause 3. To approve the annual ASBG budget, and to freeze all budget accounts.

Clause 4. To appropriate Associated Student Body funds.

Clause 5. To make all laws and regulations which shall be necessary and proper for executing the foregoing powers and all other powers vested by this Constitution in the ASBG, or any branch thereof.

Clause 6. To override a presidential veto, a two-thirds (2/3<sup>rd</sup>) vote of the Student Council is required at the next regularly scheduled business meeting after the presidential veto.

Section 4. Powers of the ASBG President:

Clause 1. Shall see that the will of the Associated Student Body is administered satisfactorily.

Clause 2. May call special meetings of the Student Council in accordance with the Brown Act.

Clause 3. Shall have the right of presidential veto.

Section 5. Powers of the Executive Cabinet:

Clause 1. To call special meetings of the Executive Council by a two-thirds (2/3<sup>rd</sup>) vote of the Executive Cabinet.

## **Article V - REGULATIONS OF STUDENT COUNCIL**

Section 1. Eligibility for ASBG Student Council candidacy, appointment and to hold office.

Clause 1. Candidates for, appointees to and serving members of the Student Council must meet the following criteria at all times to retain eligibility.

- a. Be students of AHC in good standing, not on academic or progress probation.

- b. Maintain a minimum cumulative grade point average (GPA) of 2.0 on a 4-point system for the duration of their term. Candidates and appointees must have a 2.00 at the time of their candidacy or appointment.
- c. Have no outstanding financial obligations to AHC.
- d. Be enrolled in and successfully complete a minimum of eight (8) units at AHC each semester during their term of office.
- e. Candidates for and appointees to the position of ASBG President, Executive Vice President and Student Trustee must have completed a minimum of twelve (12) units at AHC with a minimum cumulative GPA of 2.0, including at least one semester of Leadership 111 or 112 taken at AHC.
- f. Candidates or appointees to the position of ASBG Secretary must demonstrate reading/writing proficiency at the college level as determined by the AHC placement process or its equivalent.

Clause 2. Students ineligible for Executive Council office.

- a. College Now! Or Dual-enrolled students may not be candidates for, appointees to, or serve as the ASBG President, Executive Vice President or Student Trustee. Such students are eligible for every other position.
- b. Students who have been removed from a Student Council position due to excessive unexcused tardiness, leaving early, or absences as defined in the ASBG Constitution, Article V, Section 5, Clause 1 are ineligible to be candidates for, appointees to, or serve in office for one (1) year.
- c. Students who have been removed from a Student Council position for violating any ASBG rule or regulation within the ASBG Constitution or By-laws may not be candidates for, appointees to, or serve in office for a minimum of two (2) years.

Clause 3. Establishment of eligibility.

- a. The AHC Coordinator, Student Activities/ASBG Advisor will be the individual responsible for verifying the eligibility of all Student Council candidates, appointees, and members.

Section 2. Elected Offices

- Clause 1. Executive Cabinet and Directors of the ASBG Executive Council shall be elected at least two (2) weeks before the close of the preceding term of office.

Section 3. Term of Office

- Clause 1. The term of office for all Student Council members shall be one year beginning June 1 and ending May 31. Elected officials may meet unofficially prior to the first day of fall semester for planning purposes. No action may be

taken until the first day of the fall semester, after the Oath of Office is administered, nor may it be taken after the last day of the spring semester. The term of office for the Student Trustee is governed by the Board of Trustees Policy and Procedure Manual.

Clause 2. The elected officers may serve unofficially through the summer session on campus wide committees and informally as representatives of the ASBG with a written report being submitted to the Student Council at the first regularly scheduled business meeting of the fall semester under the appointing authority of the Vice-President, Student Services or his/her designee.

#### Section 4. Accountability

Clause 1. In the event of wrongdoing, misconduct, or nonperformance of duties on the part of any Student Council officer, the Student Council may reprimand, by a two-thirds vote, the offending officer. The term "reprimand" shall be defined here as a formal written statement, presented to, and approved by the Executive Council, showing cause of wrongdoing, misconduct, or nonperformance of duties.

Clause 2. All ASBG members are expected to comply with the approved Code of Ethics, appended to the By-laws of the ASBG of AHC

#### Section 5. Removal from Office

Clause 1.

- a. Three (3) consecutive unexcused absences or four (4) non-consecutive unexcused absences from Leadership 111 or 112 class meetings by any Student Council member per semester during his/her term of office shall result in their expulsion from the Student Council for the remainder of their term.
- b. Three (3) unexcused tardies shall equal one (1) absence.
- c. A student will be considered tardy if they are more than fifteen (15) minutes late to the scheduled start time ASBG Student Council meeting.
- d. A student will be considered absent if they are more than thirty (30) minutes late to the scheduled start time of the ASBG Student Council meeting.
- e. The record of absences and tardies will be kept by the Coordinator, Student Activities and/or the Leadership 111 or 112 class instructor(s).
- f. The Coordinator, Student Activities/ASBG Advisor and/or the Leadership 111 or 112 class instructor(s) will determine whether a tardy or absence is excused or unexcused.

Clause 2. An officer may be removed from office by impeachment or recall proceedings under Article VI, Sections 3 and 6 of this Constitution.

Clause 3. In the case of gross negligence, any Student Council member may be removed from office upon notice, after hearing and for cause, by the concurrence of two-thirds (2/3<sup>rd</sup>) of the voting members of the Student Council, which shall be the sole judge of cause. The procedure for removal from office shall be conducted as outlined in ROBERT'S RULES OF ORDER, revised, most recent edition.

#### Section 6. Vacancies in the ASBG Student Council

Clause 1. A vacancy in office shall be deemed to occur when there has been no candidate elected or appointed to fill the vacant office, or when any officer of the ASBG shall have resigned, been removed from office, lost membership in the AHC student body, or become otherwise ineligible for office as provided in this Constitution, Article V, Section 1.

Clause 2. In the event that a vacancy occurs, said vacancies shall be filled in the manner as directed in the ASBG POLICIES AND PROCEDURES, POLICY I - VACANCIES IN OFFICE, ARTICLE 2 in the By-laws.

Clause 3. All offices that have not been filled will be considered open until they have been filled, but not beyond the end of the fourth (4<sup>th</sup>) week of the spring semester. After that time, all vacant positions will be closed. Anyone who is not enrolled in the Leadership 111 or 112 classes by the third (3<sup>rd</sup>) week of the semester is not eligible to fill any vacant office during that semester. Any student who is qualified as delineated in this Constitution to hold office may apply for an open office as prescribed under ASBG POLICIES AND PROCEDURES, POLICY I, ARTICLE 2 in the By-laws.

Clause 4. In the event of a vacancy in the office of ASBG President, the Executive Vice-President shall immediately become the President, and the office of Executive Vice-President shall then be considered vacant.

#### Section 7. Presidential Succession

Clause 1. The order of succession to the gavel of the ASBG President shall be Executive Vice-President, Executive Director, Executive Secretary, and Vice President of Finance. The Student Trustee shall be excluded from the presidential succession.

#### Section 8. Rules for Meetings

Clause 1. Each of the Student Council members shall have one vote except for the President, who shall vote only in the case of a tie.

Clause 2. The parliamentary procedure of the Student Council shall be governed as defined in Article X of this Constitution.

Clause 3. A quorum shall consist of two-thirds (2/3<sup>rd</sup>) of the seated members of the Student Council.

Clause 4. Voting by proxy is prohibited.

Clause 5. Student Council meetings are open to the general public.

Clause 6. The Coordinator, Student Activities/ASBG Advisor, Leadership 111 or 112 instructor(s), Student Council members, and general public must be notified seventy-two (72) hours in advance of the meeting with an agenda of a regularly scheduled Student Council business meeting, in order to be in compliance with the Brown Act.

Clause 7. Agendas shall be posted outside of the ASBG office and in the ASBG glass information case in the Student Center and emailed to all members of the Student Council. Agendas will also be posted online to the ASBG website.

Clause 8. The agendas for special meetings shall be posted twenty-four (24) hours prior to the meeting. The Coordinator, Student Activities/ASBG Advisor, Leadership 111 or 112 instructor(s) and Executive Council members shall receive a copy of the agenda at least twenty-four (24) hours prior to the convening of the meeting.

## **Article VI - POWERS OF THE STUDENT BODY**

### Section 1. Elections

The AHC student body shall have the power to elect, by secret ballot, the Student Council of the Associated Student Body Government at the polls. The polling places shall remain open for a period of two (2) regular school days. All candidates will comply with the ASBG Election Code, appended to the By-laws of the ASBG of AHC.

### Section 2. Vote

Clause 1. A majority vote shall be necessary for election except in the case of three (3) or more candidates, when a plurality shall be required. In case of a tie vote, a special run-off election between the tied candidates shall occur.

Clause 2. All voters must present a current AHC photo student ID or a valid AHC non-photo student ID and one (1) form of photo ID such as a driver's license or military ID.

### Section 3. Impeachment

Clause 1. Any ASBG officer may be charged with misconduct or neglect of duty upon receipt by any Executive Council member of petitions signed by ten percent (10%) of the students enrolled as of first census of the current semester. Such officers shall be tried by the Legislative Affairs Committee. The hearing shall occur no more than fifteen (15) school days from receipt of the petition.

Clause 2. The Legislative Affairs Committee shall conduct impeachment hearings. In the case of impeachment of a Legislative Affairs Committee member, that member shall be suspended from participation pending the outcome of the hearing. The suspension shall commence upon receipt of the petition.



Clause 3. The officer being tried has a right to be heard at the impeachment proceedings.

Clause 4. Upon recommendation from the Legislative Affairs Committee either for or against conviction, a two-thirds (2/3<sup>rd</sup>) vote of the ASBG Student Council is needed for conviction and removal.

Clause 5. If the officer is found not guilty of charges, the officer will have their name exonerated in the next Student Council meeting.

#### Section 4. Recall

An officer may be removed from office following proper impeachment proceedings not resulting in conviction if the following criteria are met:

Clause 1. Petition signed by ten percent (10%) of the students enrolled as of first census of the current semester shall be submitted to the Director of Legislative Affairs.

Clause 2. Typed arguments for and against conviction must be submitted to Director of Legislative Affairs and posted for ten (10) school days.

Clause 3. A special recall election must be called by the Student Council at the end of this time.

Clause 4. A simple majority of those students voting shall constitute recall of the officer.

#### Section 5. Initiative

The student body shall have the power to initiate legislation by means of a petition signed by ten percent (10%) of the students enrolled as of first census of the current semester. Said petition shall be presented to the Executive Council, which shall call a special election 20 school days after the filing of the petition. A majority of those voting shall be sufficient to pass upon such legislation.

#### Section 6. Referendum

Any law or regulation passed by the Executive Council, except emergency or financial measures, may be subject to the referendum vote of the student body.

Clause 1. Request for such vote shall be made by a written petition signed by ten percent (10%) of the students enrolled as of first census for the current semester.

Clause 2. Said petition shall be presented to the Executive Council, which shall call a special election twenty (20) school days after filing of said petition.

Clause 3. A majority of those voting shall be sufficient to rescind any action.

## **Article VII - AMENDMENTS**

### Section 1.

This Constitution may be amended by a two-thirds (2/3<sup>rd</sup>) vote of the student body of Allan Hancock College voting at the regular elections for the ASBG Executive Council. All amendments will become effective on the first day of the following academic year.

### Section 2.

An amendment to this Constitution shall be proposed by the Executive Council through the Director of Legislative Affairs as prescribed in the By-laws, or by the student body through a petition signed by ten percent (10%) of the students enrolled as of first census of the current semester.

### Section 3.

The proposed amendment shall be publicly displayed for at least ten (10) school days in a number of places prescribed by the Executive Council and rules and regulations of the ASBG of AHC.

### Section 4.

Amendments to this Constitution may not be proposed either by the Executive Council or by student petition during the summer term.

## **Article VIII - RATIFICATION**

### Section 1.

When ratified by a simple majority of the student body voting at the regular elections for the ASBG Executive Council members, this Constitution shall be established and effective for all members of the student body attending AHC, and all organizations and student government branches thereof and will become effective immediately upon ratification.

### Section 2.

Students in office, at the same time this Constitution shall be ratified, shall continue to carry out their responsibilities normally until such time as their term of office expires.

## **Article IX - SEVERABILITY**

### Section 1.

In the event that any article or section of this document is determined to be in violation of federal law, state law or district policy, only the suspect article or sections shall be nullified. All other articles and/or sections shall still be considered valid and enforceable.

## **Article X - PARLIAMENTARY AUTHORITY**

### Section 1.

Parliamentary authority in accordance with the California State Education Code and the Allan Hancock College District Board of Trustees Board Policies and Procedures Manual shall be given through this Constitution. In all instances not covered by this Constitution, By-laws, State Education codes, and the Brown Act, the parliamentary authority shall be the current edition of ROBERT'S RULES OF ORDER, revised, most recent edition. Any other parliamentary authority may be adopted by the Executive Council by a two-thirds (2/3<sup>rd</sup>) vote for any single meeting.

## **Article XI - OATH OF OFFICE**

### Section 1.

Each officer of the ASBG Executive Council shall become familiar with the Constitution and By-laws of the ASBG.

### Section 2.

Each newly elected or appointed officer of the ASBG Executive Council must take the following oath prior to installation:

I (NAME), do hereby solemnly affirm that I will support and defend the Constitution of the United States, of the State of California, and the Constitution and By-laws of the Associated Student Body Government of Allan Hancock College, that I am duly qualified to hold office under the Constitution of the Associated Student Body Government, and that I take this obligation freely. Furthermore, I will to the best of my ability promote, maintain, and extend the worth, value, and name of Allan Hancock College.

Amended by the AHC student body: April 18, 1996

Amended by the AHC student body: April 12, 2000

Amended by the AHC student body: April 18, 2002

Amended by the AHC student body: April 30, 2008

Amended by the AHC student body: May 7, 2012

Amended by the AHC student body: April 21, 2016

Amended by the AHC student body: April 29, 2024