

San Jose City College Associated Student Government



CONSTITUTION

This Constitution shall be the prevailing governing document of the San Jose City College Associated Student Government and shall supersede all prior Constitutions. Should any portion of this document be deemed unenforceable due to, including but not limited to, conflicting with CA Education Code, SJECCD Policy, the Ralph M. Brown Act, and/or other such policy(s), the remaining sections shall remain enforceable and in full effect.

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Preamble

We the Associated Students of San Jose City College, in Order to form a more perfect Shared Governance, shall seek to innovate past the Social Injustices of our day, insure Common Respect and Equity, provide resources for our Students and Community of Innovators alike, promote the general Welfare, and secure the Freedom for Education to ourselves and our Posterity, do ordain and establish this Constitution for the San Jose City College Associated Student Government.

Article 1 Fundamentals

Sec 1.1 Names & Definitions

- Sec 1.1.1 The official name of this organization shall be San Jose City College Associated Student Government. The full official abbreviation shall be SJCC ASG. The shorthand abbreviation shall be ASG.
- Sec 1.1.2 ASG Board shall be defined as all students currently holding active voting and non-voting positions of the ASG and may be referred to individually as ASG members.
- Sec 1.1.3 ASG Executives (AKA Executive Board) shall be defined as the ASG President, all VPs, Student Trustee, and Chief Justice.
- Sec 1.1.4 ASG Directors shall be defined as any ASG position with Director in the name.
- Sec 1.1.5 ASG Officers shall be defined as all ASG Executives, Directors, and Senators.
- Sec 1.1.6 ASG Club Representatives shall be defined as the official representative appointed by a Student Organization.
- Sec 1.1.7 ASG Advisors shall be defined as individuals who council, guide, and support the ASG Board. They are not to dictate how the ASG is run, and are only a supporting role in how the students decide to govern the ASG.
- Sec 1.1.8 Student Senate for California Community Colleges shall be referred to as SSSCC.

Sec 1.2 Colors

- Sec 1.2.1 Purple, Gold, and White shall be the official colors of the SJCC ASG.

Sec 1.3 Vision

- Sec 1.3.1 Affordable education for all people in terms of, including but not limited to, tuition, textbooks, food, transportation, medical, and housing.

Sec 1.4 Mission

- Sec 1.4.1 The mission of the SJCC ASG is to create a transformative and enriching experience that advances student life in the aspects of academics, civic engagement, intercultural development, social justice, and well-being through advocacy via well trained and financially incentivised student representation, the execution of strategic initiatives, and the establishment of forward thinking policy.

Sec 1.5 Authority

Sec 1.5.1 The affairs of the SJCC ASG shall be conducted by the ASG Board.

Sec 1.5.2 The authority of this organization and its members, as identified in this Constitution, is delegated by and subjected to San Jose Evergreen Community College District Policy and CA Education Code.

Sec 1.5.3 Official activities of the SJCC ASG shall be under advisement by an Advisor selected annually by the ASG Board from among persons currently in the employment of San Jose City College and/or the San Jose Evergreen Community College District.

Sec 1.6 Values

Sec 1.6.1 Leadership - The capacity to translate vision into reality.

Sec 1.6.2 Courage - Overcoming fear in order to better oneself and others.

Sec 1.6.3 Vision - To think one can change the world and bring about that change.

Sec 1.6.4 Integrity and Knowledge - Integrity without knowledge holds no value, and knowledge without integrity can be dangerous.

Sec 1.6.5 Tenacity - Genius is one percent inspiration and ninety-nine percent perspiration.

Sec 1.7 Mantra

Sec 1.7.1 Success in the Face of Failure

Sec 1.7.2 Let there be Success

Sec 1.8 Place of Business

Sec 1.8.1 The SJCC ASG, and its sub-committees, shall conduct all official business in the ASG Office located in the Student Center building of San Jose City College. Location exceptions shall occur at the discretion of the ASG President.

Sec 1.9 Institutional Memory

Sec 1.9.1 All ASG Officers and/or others at the discretion of the ASG President, shall be issued a G-Suite email address in the form of:

ACRONYM_FOR_POSITION_NAME@sjccasg.org. For example, Vice President of Finance is vpf@sjccasg.org.

Sec 1.9.2 All emails are required to be issued as follows:

Sec 1.9.2.1 For elected positions, within 48 hours of their predecessor's end of term.

Sec 1.9.2.2 For appointed positions, within 48 hours of being appointed.

Sec 1.9.3 Budget, sufficient to fund 1.5 times the projected annual need, for G-Suite, shall be included in each year's budget. For example, if the year before required the use of 10 G-Suite accounts, you should budget for 15 accounts for the following year.

Sec 1.9.4 Each G-Suite account holder shall be informed of the existence of their Official ASG G-Suite account, the benefits of having their account, the resources available through their account, and shall be given access to their account promptly and without delay as stated in 1.10.2.

Sec 1.9.5 In order to preserve true transparency, all data associated with each Official ASG G-Suite account is hereby declared the property of the public and shall be preserved for their review as is their right. As such, all data is to be backed up in the unlimited cloud storage provided via our G-Suite accounts and is never to be deleted by anyone. This includes but is not limited to:

Sec 1.9.5.1 SJCC ASG Agendas and Minutes

Sec 1.9.5.2 SJCC ASG Constitution

Sec 1.9.5.3 SJCC ASG Bylaws

Sec 1.9.5.4 SJCC ASG Budgetso

Sec 1.9.5.5 SJCC ASG Graphics & Logos

Sec 1.9.5.6 Other SJCC ASG Documents

Sec 1.9.5.7 Etc.

Sec 1.9.6 By two-thirds ($\frac{2}{3}$) vote of the ASG Board, an equivalent cloud based solution may be used in place of G-Suite.

Sec 1.10 Official SJCC ASG Website

Sec 1.10.1 The Official SJCC ASG web domain shall be <https://www.sjccasg.org>, or sjccasg.org for short.

Sec 1.10.2 The SJCC ASG shall maintain ownership of the following domains sjccasg.org, sjccasg.com.

Sec 1.10.3 Web hosting shall be facilitated through godaddy.com.

Sec 1.10.4 The SJCC ASG website shall maintain an active SSL Certificate to ensure the security of our web visitors.

Sec 1.10.5 Budget, sufficient to fund 1.5 times the projected annual need, for all website related expenses, shall be included in each year's annual budget. For example, if the year before required \$500 for expenses related to the ASG website, you should budget \$750 for the following year.

Article 2 ASG Membership

Sec 2.1 ASG Board

Sec 2.1.1 Officers shall be elected through a general election facilitated by the SJCC ASG in the spring semester of each academic year. Elected Officers are authorized to begin serving in official capacity at the beginning of their term.

Sec 2.1.2 An ASG Officer shall be further defined as a person who was elected or appointed to an ASG Officer Position, and has taken the SJCC ASG Oath of Office.

Sec 2.2 Officer Requirements

Sec 2.2.1 In order to be eligible to be an SJCC ASG officer, one must be currently enrolled in a minimum of five (5) semester units and must have and maintain a 2.0 cumulative grade point average.

Sec 2.2.2 SJCC ASG officers not maintaining eligibility shall be dismissed from office by the Chief Justice.

Sec 2.3 Vacancies

Sec 2.3.1 All vacancies shall be filled through appointment by the ASG President, or by an Officer designated by the ASG President, and ratified by the SJCC ASG Board with a simple majority vote.

Sec 2.4 Appointments

Sec 2.4.1 In order to be considered for appointment each applicant must fill out the officer application found at sjccasg.org.

Sec 2.4.2 It is the ASG President's duty to vet each candidate and assess whether or not the position is a good fit for the candidate.

Sec 2.4.3 The applicant shall be nominated by the ASG President for appointment during an ASG Board meeting, at the discretion of the ASG President.

Sec 2.4.4 All newly appointed Officers must complete a two week training period under an Officer designated by the ASG President. During the training period, the appointee shall only be eligible for up to 50% of the regular stipend amount they would normally receive in their respective position and may be terminated at anytime for any reason, or no reason, by the ASG President.

Sec 2.4.5 After the 2 week training period, the appointed candidate shall take the Oath of Office for their position and fill out the [Official Appointee Agreement](#) at the next ASG meeting. This form shall be placed in the Team Drive in Personnel Records in a folder titled as follows: [AppointeeFirstName AppointeeLastName].

Sec 2.4.6 Completion of the Official Appointee Agreement triggers the beginning of the final four (4) week trial period for which the newly appointed officer shall be compensated up to 50% of the regular stipend amount, and during which the newly appointed officer can be terminated at any time at the discretion of the President without an impeachment process through the ASG Board.

Sec 2.4.7 After the four (4) week trial period, the appointed officer shall be recognized as a fully fledged ASG Officer and shall be held to the same standards and policies as all other ASG Officers.

Sec 2.5 Oath of Office

Sec 2.5.1 In order for each ASG position to be made official, each newly appointed or elected ASG Member(s) must recite the SJCC ASG Oath of Office while standing, facing the ASG Board, with their right hand placed over their heart. The Chief Justice, or an ASG Officer designated by the ASG President, must read aloud the SJCC ASG Oath of Office such that new members may repeat after them.

- Sec 2.5.2 For Elected positions, the SJCC ASG Oath of Office must be read immediately after the official election results are announced. They must be (re)stated at the Inauguration Ceremony.
- Sec 2.5.3 For Appointed positions, the SJCC ASG Oath of Office may only be read after successful completion of the two-week training period. After the two week training period, the SJCC ASG Oath of Office must be read as stated in Sec 2.6.1 at the next available ASG Meeting.
- Sec 2.5.4 Should there be any delay, deemed unreasonable by the Chief Justice, in reciting the SJCC ASG Oath of Office, the person shall be removed and the position declared vacant immediately.
- Sec 2.5.5 No person shall serve on the ASG in any official capacity without reciting the ASG Oath of Office.

Sec 2.5.6 SJCC ASG Oath of Office:

I [INSERT NAME] hereby affirm that I will faithfully serve the Students of San Jose City College as the SJCC Associated Student Government [INSERT POSITION]. I promise to uphold and act in accordance with the laws and policies of the Associated Student Government, San Jose City College, and the San Jose Evergreen Community College District. When confronted with obstacles in my path, I will stand strong with my team here in the ASG. I will do my due diligence and will review the facts such that I may make informed decisions and contribute meaningfully in discussions. I will fulfill all duties and responsibilities required and expected of me. I do solemnly swear that I will faithfully execute the Office of [INSERT POSITION] of the SJCC Associated Student Government, and will to the best of my ability, preserve, protect and defend the rights of my fellow SJCC students and community.

Sec 2.6 Term of Office

- Sec 2.6.1 Term of office for members shall be for one (1) year beginning July 1st and ending June 30th of the next calendar year. No member shall hold the same position in office for more than two (2) consecutive terms. Once a term ends, the respective ASG Position must be declared vacant until someone is either elected or appointed to serve in the role.
- Sec 2.6.2 The period for which a member is appointed through Appointment, does not count as a term.

Sec 2.7 Voting Rights

- Sec 2.7.1 All persons who are/were enrolled in at least one class at San Jose City College during the academic year in which the SJCC ASG election takes place shall be permitted the ability to submit one vote in the official SJCC ASG elections of that academic year.

Sec 2.8 Participation

Sec 2.8.1 All SJCC Students who have paid their Student Activity Fee shall be authorized to participate in events funded by the SJCC ASG, although additional fees may apply in order to attend or participate in an event.

Sec 2.9 Termination of Position

Sec 2.9.1 Any official member of the ASG Board may initiate a vote for impeachment or removal of any member of the ASG Board and/or ASG Advisor(s). Possible grounds for impeachment include but are not limited to failure to attend meetings, negligence, dereliction of duty, violation of applicable law or policy, and/or as deemed sufficient by the ASG Board. (As of now, this disagrees with district policy, but we are actively working to adjust district policy to serve the students better.)

Sec 2.9.2 A list of reasons for which are cause for removal, dates during which these allegations occurred, and supporting evidence of such allegations must be provided to the board.

Sec 2.9.3 During an official ASG meeting scheduled, any member wishing to do so may state the reasons, dates, and evidence in support of, or opposition to, the termination of such person.

Sec 2.9.4 After the statement, the person under question shall be allowed no less than ten (10) days to present their defence at a Special Meeting.

Sec 2.9.5 The Chief Justice is responsible for the impeachment and/or disciplinary hearings and must receive all documents pertaining to the hearing at least five (5) days before the hearing to be considered valid to the hearing. These documents must be available to the public at least four (4) days before the hearing.

Sec 2.9.6 During the Special Meeting, the public may hear the defense, the Chief Justice shall have the authority to allow further questioning and/or deliberation on the matter before bringing it to a vote.

Sec 2.9.7 The Chief Justice represents the ASG while a student or staff member can represent the person under question; neither have the right to an attorney at this hearing.

Sec 2.9.8 The ASG Board can impeach or remove any of its members or advisors by a two-thirds majority vote of the ASG Board.

Sec 2.9.9 Termination of such person from the position shall stand for the rest of the academic year unless such termination is vetoed by the ASG President.

Sec 2.9.10 Termination from one position does not mean that one cannot hold capacity in another position of ASG.

Article 3 Meetings

Sec 3.1 Meeting Principles

- Sec 3.1.1 All meetings of the SJCC ASG and standing committees shall be open to the SJCC student body and the general public.
- Sec 3.1.2 Regular meetings of the SJCC ASG shall be held once (1) weekly throughout the fall and spring semesters.
- Sec 3.1.3 The President at his/her discretion may cancel Regular or Special Meetings. The ASG Board as a whole may overturn a meeting's cancellation by showing up to the meeting, making quorum, and then voting to keep the meeting with at least a two-thirds ($\frac{2}{3}$) majority in favor of keeping the meeting.
- Sec 3.1.4 The SJCC ASG President or Chair of a Committee may call a regular meeting or special meeting within the constraints of the Ralph M. Brown Act.

Sec 3.2 Agenda Items

- Sec 3.2.1 Any SJCC student, teacher, faculty, or staff may request an item on the agenda.
- Sec 3.2.1.1 It is up to the executive board to place items on the ASG Agenda.
- Sec 3.2.2 In order for a bill or agenda item to pass, it must be read at two (2) meetings (consecutive or nonconsecutive) before passage as follows:
- Sec 3.2.2.1 The bill or agenda item shall be presented as a discussion item at the first meeting.
- Sec 3.2.2.2 The bill or agenda item shall be presented as an action item at the second meeting but can only be voted on if the item is presented in its completed form, with, if appropriate, a complete budget attached. If it is found that the item is not in its completed form, it may either be tabled and brought back at the next meeting or it may be voted down in its partially formed state.
- Sec 3.2.2.3 If a bill or agenda item shall require going through a standing committee, the committee will convene and report back with a recommendation to the ASG Board as how to proceed. Once the bill or agenda item is brought back to the ASG Board it shall be presented as an action item and voted on.

Sec 3.3 Parliamentary Procedure

- Sec 3.3.1 The SJCC ASG will adhere to the current edition of Robert's Rules of Order in following Parliamentary procedure. The Chief Justice shall be the Parliamentarian and shall have the final interpretation of all SJCC ASG Policy.

Sec 3.4 Quorum

- Sec 3.4.1 Quorum shall be established by a simple majority of all currently active members of the ASG Board or respective ASG Committee.

The following business may take place without a quorum:

- Call to order
- Roll Call
- Open Forum
- Officer Reports
- Committee Reports

Discussion of New and Old Business
Announcements
Adjournment

Sec 3.5 Order of Business

Call to Order
Roll Call
Approval of the Agenda
Approval of the Minutes
Public Comment
Old Business
New Business
Informational Spending
Finance Report
Consent Calendar
Chartering
Appointments
Reports
Social Justice
Did You Know
Adjournment

Article 4 Finances

Sec 4.1 ASG Compensation

- Sec 4.1.1 All officers shall be entitled to receive a stipend referred to as Universal Basic Income in an amount that shall be established in the ASG Bylaws.
- Sec 4.1.2 All SJCC Shared Governance Committee Members appointed by the ASG President shall be entitled to receive a stipend in an amount that shall be established in the ASG Bylaws.
- Sec 4.1.3 Officers and/or SJCC Shared Governance Committee Members can choose to opt out of, or back into, receiving their stipends whenever they choose.
- Sec 4.1.4 All stipends shall be paid out on a monthly basis. Based on financial need and at the discretion of the VP of Finance, stipends may be issued as needed not to exceed the amount established in the ASG Bylaws.
- Sec 4.1.5 No advances shall be given for any reason.

Sec 4.2 ASG Activities Card

- Sec 4.2.1 There shall be an Activity Card established that can be purchased for twenty dollars (\$20.00) by SJCC students, faculty, staff, and members of the public to participate in selected activities of the ASG. The Activity

Card shall grant card holders benefits such as special access, discounted pricing to ASG sponsored services, and more.

Sec 4.3 Student Activity Fee

Sec 4.3.1 The Student Activity Fee is a twenty dollars (\$20.00) fee collected from each student by SJCC at the time of student registration each semester and is deposited in a separate fiduciary fund established for the SJCC ASG and can only be used to support SJCC ASG operations as approved by the ASG Board.

Sec 4.4 The Student Representation Fee

Sec 4.4.1 The Student Representation Fee is a one dollar (\$1.00) fee collected from each student by SJCC at the time of student registration and shall be distributed to and expended by the SSCCC. This fee will provide support for the SSCCC representatives who are the officially recognized body representing all CA Community College student governments at the statewide level.

Article 5 Amendments

Sec 5.1 Amendment by ASG Board

Sec 5.1.1 The SJCC ASG Constitution may be amended with a three-fourths ($\frac{3}{4}$) vote by the SJCC ASG.

Sec 5.1.2 The Bylaws and any other ASG governing documents may be amended with a two-thirds ($\frac{2}{3}$) vote by the SJCC ASG.

Sec 5.2 Amendment by Petition

Sec 5.2.1 Any SJCC Student may propose an amendment to any of our Governing Documents.

Sec 5.2.2 In order for a student to submit to the Rules Committee a proposal for an amendment to the ASG Governing Documents, he/she must collect student signatures in favor of the amendment. The minimum number of signatures shall be equivalent to 1% of the current student population. In order for a signature to be valid it must be accompanied with the student's First and Last Name, their Student ID Number, Signature, Date of Signature, and at minimum one (1) sentence stating their position on the proposed amendment.

Sec 5.2.3 Once a student submits the required number of valid signatures in favor of a proposed amendment, the Chief Justice shall promptly usher the proposed amendment through procedure(s) established within this Constitution.

Article 6 Ratification

Sec 6.1 Once ratified, this constitution shall supercede all prior SJCC ASG Constitutions.

Ratified April 9th, 2019