

THE ASSOCIATED STUDENT BODY OF LASSEN COLLEGE

# CHARTER

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**ABBREVIATIONS USED IN THESE DOCUMENTS:**

- Const. - Constitution (i.e., contract of association)
- V C.R. - Title V of the California Code of Regulations
- E.C. - The California Education Code
- G.C. - The California Government Code
- R.R.O. - Robert's Rules of Order, published 1893

THE ASSOCIATED STUDENT BODY OF LASSEN COLLEGE

# I. ASB CONSTITUTION

Preamble. We, the Students of Lassen College, to encourage greater student participation in the governance of said College, do hereby ESTABLISH THIS CONSTITUTION pursuant to Board Policies Nos. 5421 and 5600(3)(c) and Section 76060 of the Education Code of the State of California.

## ARTICLE I - STUDENT BODY; ASSOCIATED STUDENT BODY; ASB GOVERNMENT

Section 1. The "Student Body" are those persons who are currently enrolled in Lassen College courses, including extended-day and distance-learning courses, regardless of the number of units in which they are enrolled and regardless of whether they are members of the ASB.

Section 2. The student body association of Lassen College shall be known as the "Associated Student Body of Lassen College," hereinafter called the ASB.

Section 3. The ASB shall uphold the following provisions:

(a) All currently-enrolled Lassen College students who have purchased a current ASB card, which shall be available for sale to all of them at the same price, shall be members of the ASB.

(b) All members of the ASB may enjoy the same services enjoyed by any of its members.

(c) All members of the ASB are entitled to reduced or free admission to all of its activities.

(d) All members of the ASB who are senior citizens are entitled to free admission to all of its activities.

(e) No ASB card may be transferred but may only be used by the student who purchased it.

Section 4. The governing body of the Associated Student Body shall be known as the "Associated Student Body Government of Lassen College," hereinafter called the ASB Government.

Section 5. The ASB Government shall be organized in the following bodies:

(a) The Advisory Council is that body of ASB Government which is made up of student representatives who serve on committees, task forces, or other governance groups of the Lassen Community College District, or on the Governing Board thereof (i.e., the Student Trustee); who represent the Student Body before the District as determined by the ASB Government, by virtue of the ASB's recognition as the representative of the Student Body [V C.R. §51023.7(a)(4)]; and who have advisory powers and duties enumerated in the Bylaws.

(b) The Executive Council is that body of ASB Government which is made up of Officers who have executive powers and duties enumerated in the Bylaws; who, in conjunction with the Student Senate, determine the exercise of the powers of the ASB Government; and whose presiding officer is the ASB President, elected by the Student Body.

(c) The Student Body Council, also known as the Student Senate, is that body of ASB Government made up of Officers who have legislative powers and duties enumerated in the Bylaws; who, in conjunction with the Executive Council, determine the exercise of the powers of the ASB Government; and whose presiding

officer is the Chairperson whom they appoint.

## **ARTICLE II - POWERS OF ASB GOVERNMENT**

Section 1. Power to Participate in Governance of College and District. Under Section 51023.7 of Title V of the California Code of Regulations, the ASB Government has the following advisory powers:

(a) Student Representative. Through the student representatives it selects to serve on committees of the Lassen Community College District, the ASB Government has the power to participate in the governance of the College and District, as follows:

(1) The ASB Government has the power to select the student representatives who serve on District committees [V C.R. § 51023.7(a)(4)].

(2) Through the student representatives it selects to serve on hiring committees of the District, the ASB Government has the power to make recommendations and state positions developed by students regarding District and College policies and procedures pertaining to the hiring and evaluation of faculty,

administration, and staff [V C. R.§ 51023.7(c)].

(3) Through the student representatives it selects to serve on those committees other than the hiring committees, the ASB Government has the power to offer opinions and make recommendations to the District Governing Board and the College administration regarding their policies and procedures that have or will have a significant effect on students [V C.R. § 51023.7(b) and Board Policy #1250], namely:

- {1} grading policies;
- {2} codes of student conduct;
- {3} academic disciplinary policies;
- {4} curriculum development;
- {5} courses or programs which should be initiated or discontinued;
- {6} processes for institutional planning and budget development;
- {7} standards and policies regarding student preparation and success;
- {8} student services planning and development;

{9} student fees within the authority of the District to adopt; and

{10} any other District or College policy, procedure or related matter that the District Governing Board determines will have a significant effect on students.

(b) Shared Governance Representative. Provided that the District has established a college council, through the student representative it selects to serve on it the ASB Government has the power to participate in the governance of the College and the District, as follows:

(1) Through the said Shared Governance Representative, the ASB Government has the power to participate in the formulation and development of the said policies and procedures having an effect on students.

(2) Through its Shared Governance Representative, the ASB Government has the further power to participate on the College Council in jointly developing recommendations to the District Governing Board regarding the said policies and procedures having an effect on students.

(c) ASB President. Under Section 51023.7(a)(4) of Title V of the California Code of Regulations,

the ASB has the power to be recognized by the District Governing Board as the representative body of the Student Body [Art. I, § 1, supra] to do the following:

(1) To offer opinions and make recommendations to the College administration and the District Governing Board with regard to their said policies and procedures having an effect on students.

(2) To make recommendations and state positions, developed by students, to the District Governing Board regarding District and College policies and procedures pertaining to the hiring and evaluation of faculty, administration, and staff.

(d) Student Trustee. Through the student member of the District Governing Board, who at its meetings shall be recognized as a full member thereof, the ASB Government has the power to participate in the questioning of witnesses and the discussion of issues at its meetings [E.C. § 72023.5(a)]. Through the said Student Trustee, the ASB Government has the further power to participate in College and District governance by offering such opinions, stating such positions, and making such recommendations.

Through the Student Trustee, the ASB Government has the power to advise the District Governing Board on matters of business coming before it by making and seconding motions and by voting on them [E.C. § 72023.5(b) and Board Policy #1120(4)].

Through the Student Trustee, the ASB Government may ask a question for clarification, provide a reference to staff or other resources for factual information, or request staff to report back to the District Governing Board at a subsequent meeting concerning any matter.

Furthermore, through the Student Trustee the ASB Government has the power to direct the Secretary of the District Governing Board to place matters of business on its future agendas [G.C. § 54954.2(a)].

Section 2. Power to Raise, Expend, Disburse Funds. The ASB Government has the following fiscal powers:

(a) Under California Education Code Section 76063, the ASB Government has the power to raise funds by the following means:

(1) The ASB Government has the power to charge for membership in the ASB [Board Policy #5421];

(2) The ASB Government has the power to raise and collect money by charging admission for any activities it holds. (Any money so collected shall immediately be deposited in the Business Office.) [Board Policy #5421(4)];

(3) The ASB Government has the power to raise and collect money by selling or distributing products or services on campus. (Such fundraising may require prior District approval.) [Board Policy #5421(2)(b)];

(b) The ASB Government has the power to order the expenditure of its money, including any money so collected and deposited, subject to the approval (which must be obtained each time before any portion of its money may be expended) of its Advisor, President, and Treasurer [E.C. § 76063].

In the event that either the President or the Treasurer is unavailable in person for giving such approval, either of them may certify the other's prior approval of any expenditure ordered by a majority of the Senators.

Furthermore, in the event that neither the President nor the Treasurer is available in person for giving such approval, any duly elected or appointed ASB Officer

may, upon the order of the Student Senate, certify both the President's and Treasurer's prior approval.

(c) Under the authority of California Education Code Section 76060.5, the ASB Government has the power to call a Student Body election for the purpose of establishing the Student Representation Fee. The ASB Government has the further power of ordering the fee money to be disbursed to provide support for students or representatives who may be stating their viewpoints before city, county, and district governments, and before offices and agencies of the state and federal governments [V C.R. § 54805].

(d) Under the authority of Section 51023.7(b)(9) of the California Code of Regulations, the ASB Government has the power to offer opinions and make recommendations to the District Governing Board with regard to its authority to collect money as the Student Body Center Building and Operating Fee [E.C. § 72253].

(1) The ASB Government has the power to approve or disapprove of all expenditures of any money so collected [E.C. § 72253(b)];

(2) The ASB Government has the power to approve or

disapprove of the investment or deposit in trust of any money so collected which is not used towards a student body center [E.C. § 72253(c)];

(3) The ASB Government has the power to determine the appropriate use of any money so collected [E.C. § 72253(d)];

(e) The ASB Government has the power to invest its money in permanent improvements to District facilities [E.C. § 76064], including but not limited to parking facilities. If ASB money is invested to provide parking services, the District shall deposit the fees for those services in a designated fund for repayment to the ASB Government [E.C. § 72247].

Section 3. Power to Regulate Student Organizations. The ASB Government has the following regulatory powers:

(a) Under the authority of Board Policy #5600(3)(a)(2), the ASB Government, in conjunction with the Dean of Students, has the power to determine the degree to which faculty advisors will exercise authority with respect to the activities and policies of the clubs which they advise.

(b) The ASB Government has the power to enforce Board Policy #5425, delegated to it by the Dean of Students, as follows:

(1) The ASB Government has the power to obtain from every newly-established club a statement of its intention to organize and a list of its proposed members; and to obtain from each club on campus, a current list of its officers.

(2) Through its Advisor, the ASB Government has the power to approve or disapprove clubs' purchase orders and requisitions.

(3) Through its Advisor, the ASB Government has the power to approve or disapprove club activities, prior to their being held. Under Section 55450(c) of Title V of the California Code of Regulations, for every field trip or excursion taken by a club using transportation or other equipment owned or provided by the District, the District Governing Board is required to secure liability insurance. By disapproving a requisition for District equipment or services, the ASB Government has the power to prevent any club from taking a field trip or excursion when the field trip or excursion would expose the District to substantial liability.

(4) Through its Advisor, the ASB Government has the power to enforce the above provisions of Board Policy #5425 by withholding its approval of a club's activities, purchase orders, or requisitions.

(c) The ASB Government has the power to enforce the provisions of Board Policy #5435, delegated to it by the Dean of Students, by penalizing students for their acts of misconduct in violation of Board Policy #5380 by:

- (1) Removing those students from club activities;
- (2) Suspending those students from club activities;
- (3) Suspending the club itself and freezing its account at the Business Office.

### **ARTICLE III - ASB OFFICERS**

"ASB Officer" means every ASB member who holds office, whether elected or appointed to office.

Section 1. Every ASB Officer must have taken the following oath:

"I, [full name], solemnly affirm that I will perform my duties as

[name of office] to the best of my ability, and that I will faithfully abide by the Constitution of the Associated Student Body of Lassen College."

Section 2. Offices of the ASB shall be filled either by a Student Body election or by nomination and appointment at one of its meetings:

(a) The elective offices shall be: Student Trustee [E.C. § 72023.5(a); Board Policy #1120(2)]; President, Vice-President, and Student Senator. These offices shall be filled according to the procedure in the ASB Election Code, which is made part of this Constitution by reference.

(b) The appointive offices shall be: The Chairperson of ASB meeting(s); Secretary-Treasurer, which may be divided into the offices of Secretary and Treasurer; all Advisory Officers (student representatives), except the Student Trustee; and CalSACC Representative, if created by the President. These offices shall be appointed by the A.S.B President.

(c) Any elected A.S.B. senator offices not filled by an election shall be filled according to the procedures in the by-laws.

Section 3. Every ASB Officer, as well as the Student Trustee, shall attend all ASB meetings.

Section 4. Every Officer of the ASB Advisory Council shall attend all meetings of the District committee, task force, governance group, or Governing Board on which he or she has been selected to serve.

Section 5. Every Officer of the ASB, as well as the Student Trustee [E.C. § 72023.5(a)] is subject to recall from office by reason of the Officer's wilful or negligent violation, or failure to perform, his or her duties of office; or by reason of the Officer's violation of this Constitution (or breach of this contract of association).

(a) The recall procedure shall at all times be supervised by the ASB Advisor and shall be conducted in the presence of the Student Senate by the Executive Council, who shall try the facts of the alleged matter warranting the recall of the Officer. The recall procedure shall begin with a "trial" wherein the President, or other Officer appointed to hear it, shall recite each of the alleged facts warranting the recall, after which the accused Officer may reply and may introduce any evidence, including the testimony of witnesses, in his or her defense. Both sides in the recall

procedure, namely the Prosecution and the Defense, shall be given the opportunity to make a rebuttal and to cross-examine the witnesses on the other side [R.R.O. § 69].

(b) Then, the recall procedure shall continue with a meeting, in the accused Officer's absence, wherein the Executive Council shall report the facts found at trial to the Student Senate. The accused Officer may then re-enter the meeting room and be given the opportunity to make his or her final argument, after which the Executive Council shall again meet with the Student Senate in the accused Officer's absence. The recall procedure shall conclude with the Student Senate's vote on whether to recall the accused and tried Officer, which may only be carried by a two-thirds majority of the total number of Senators currently in office [R.R.O. § 69]. The recall vote shall be taken by ballot, the contents of which shall not be kept secret [G.C. § 54953(c)].

(c) If it comes to the attention of the Student Senate that a matter may warrant the recall of the President or another Executive Officer, the Senators shall nominate and appoint another Officer, in whom they have appraised a judicious temperament, to meet with them and try the Officer before

casting their "recall vote" according to the procedure in this section.

## **ARTICLE IV - STUDENT RIGHTS**

Section 1. Members of the Student Body [Art. I, § 1, supra] have the right to vote freely in every Student Body election.

Section 2. In a location that is freely accessible to them, and at a time well in advance, members of the public, including the Student Body, have the right to read the agenda for each regular meeting of the ASB, including a brief general description of each matter of business to be discussed or transacted there [G.C. § 54954.2(a)].

Section 3. Members of the public, including the Student Body, have the right to attend every ASB meeting and, furthermore, to give testimony before the ASB Government on matters of interest to them [G.C. § 54954.3(a)]. Members of the public, including the Student Body, may criticize the policies, procedures, programs, or services of the ASB Government or the acts or omissions of the ASB Government; provided, however, that no person is privileged for expression beyond that otherwise provided by law [G.C. § 54954.3(c); Board Policies ##5510 and 5600(b)]. In the event that an ASB meeting is wilfully interrupted by a

group or groups of persons so that its orderly conduct has become unfeasible and order cannot be restored by removing the individuals who are willfully interrupting it, the ASB Officers conducting that meeting may order the meeting room cleared, except for nondisruptive representatives of the news media, and continue only that business which was posted on the agenda [G.C. § 54957.9].

Section 4. Any person attending an ASB meeting shall have the right to record the proceedings with an audio or video tape recorder or a still or motion picture camera, unless and until the ASB Government has reasonably found that the recording cannot continue without noise, illumination, or obstruction of view that makes, or would make, a persistent disruption of its proceedings [G.C. § 54953.5(a)].

Section 5. Provided that the Student Representation Fee has been established, the Student Body has a right to petition the ASB Government to call a Student Body election to terminate the fee. To trigger the calling of such an election, such a petition must be signed by a number of students not less than the number who voted to establish the fee [V C.R. § 54803].

## **ARTICLE V - AMENDMENTS HERETO**

The Student Body reserves the right to amend this Constitution by a two-thirds vote [R.R.O. § 69] in a Student Body election called and held in lawful accordance with the ASB Election Code, which shall be made a part of this Constitution by reference. An amendment may be proposed by either a Student Senator, provided that two-thirds of the Student Senate have voted in support thereof; or the President, provided that two-thirds of the Student Senate have not voted in opposition thereto.

## **AUTHENTICATION**

The above-written Constitution, or contract of association, of the Associated Student Body of Lassen College, was adopted by the Student Body on January 26, 1995.

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Brian LaFave, ASB President

Changes to the Constitution were authored March 12, 2004, by a committee consisting of: Advisor Dr. William Mark, President Joanne Sherman, Vice President Craig Collins, and Secretary Chris Sullivan. On March 18, 2004, at ASB regular 11:00 a.m. meeting these Changes to the Charter were presented, voted upon, and passed by majority vote.

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Joanne Sherman, ASB President

Further changes to the Charter were authored October 15, 2004, by a committee consisting of: Advisor Bernadette Chavez, President Sandy Edeauch, Secretary Chris Sullivan, Senator Orrin Winton, and Senator /CalSACC Representative Darrell Betz. On November 9, 2004, at the ASB regular 1:00 p.m. meeting, these changes to the Charter were presented, voted upon, and passed by majority vote.

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Sandy Edeauch, ASB President

THE ASSOCIATED STUDENT BODY OF LASSEN COLLEGE

## II. BYLAWS

### ARTICLE I - ASB MEETINGS

Section 1(a). The ASB Officers, as well as the Student Trustee, shall meet weekly [G.C. § 54954(a)] in a room on the Lassen College campus [G.C. § 54954(b)], and the room shall be accessible to disabled persons [G.C. § 54961(a)].

(b) At every ASB meeting held during the spring and fall semesters, any Senator may move to adjourn to meet on a specified day and time. Unless such a motion is carried into effect, the next regular meeting shall be held at the regular meeting time [G.C. § 54955].

(c) Whenever a matter of ASB business must be transacted expeditiously, a special meeting may be called by either the Chairperson or a simple majority of the Student Senate. Notice of the special meeting must be received by every ASB Officer at least 24 hours before it is held [G.C. § 54956].

Section 2. ASB meetings shall be called, held, and conducted in full compliance with the Ralph M. Brown Act (commencing with G.C. § 54950).

Section 3. The order of business at a regular meeting of the ASB shall comply with the Ralph M. Brown Act, as follows:

(a) Delete from, propose additions to, the agenda; adopt agenda.

(b) Direct the ASB Secretary to place business on a future agenda.

(c) Approve the minutes of previous meeting(s).

(d) Hear Officers' and Advisor's reports.

(e) Hear members of the public (including the Student Body) speak on matters of interest to them.

(f) Conduct unfinished business.

(g) Move to determine a need to conduct business not appearing on the posted agenda: If said motion carries, conduct that business.

(h) Again hear members of the public (including the Student Body) speak on matters of interest to them.

(i) Conduct new business that did appear on the posted agenda.

(j) Move to adjourn.

Section 4. Business at ASB meetings may be conducted in accordance with *Robert's Rules of Order*, published 1893.

Section 5. A quorum is defined as the number of Senators who are competent to conduct business [R.R.O. § 43]. That number shall be thirty percent (30%) of the total current membership of the Student Senate, unless that number computes to less than five in which case it shall be five.

## **ARTICLE II - ASB OFFICE**

Section 1. The ASB office shall be in Room 101 of the Humanities building.

Section 2. All use of the ASB office is subject to the Policies of the Lassen Community College District [E.C. § 76060]. The use of tobacco there is prohibited under Board Policy #5520.

Section 3. Officers should keep in their office all property belonging to the ASB, including but not limited to an incoming-mail tray for each of them; their Board Policy Manual; their copy of *Robert's*

*Rules of Order*; the Chairperson's gavel; and the binder containing the minutes of their meetings (also known as the ASB minute-book), except during their meetings when the Secretary brings it there for reference [R.R.O. § 41]. The office of the ASB should also be equipped with desks for both its President and its Secretary; however, following a written time schedule if necessary, it should be made available for use by all other Officers.

Section 4. To use their office during afterhours, ASB Officers must obtain permission from the Administration of Lassen College, who may forward written permission to the Maintenance and Operations Manager.

## **ARTICLE III - EXECUTIVE POWERS, DUTIES**

The Executive Council of the ASB Government may consist, at a minimum, of the President, Vice-President, Secretary and/or Treasurer, and Student Trustee.

If unable to perform his or her duty to represent the ASB before Region I of the California Student Association of Community Colleges, the President may create the office of CalSACC Representative, an appointive office whose term

shall run from July 1 to June 30 [CalSACC Const., Art. VI, § 4]. In addition thereto, any ASB Officer may, according to the procedure set forth in Article V of these By-laws, nominate another Officer to fill only the office of Secretary or of Treasurer; and if successful, the said appointment will result in the division of the office of Secretary-Treasurer.

Hence, the Executive Council may consist, at a maximum, of the President, CalSACC Representative, Vice-President, Secretary, and Treasurer.

Section 1. Duties of President.

The President shall serve as the Chief Officer of the ASB, shall serve as its Chief Representative, and shall serve as the Chief Officer of the student organizations on campus that are chartered by it:

(a) As the Chief Officer of the ASB, the President shall attend all of its meetings, shall indicate the passage of every Executive Bill and Senate Bill by his or her signature thereon, and shall approve every expenditure of its funds that has been properly ordered [E.C. § 76063; ASB Const., Art. II, § 2(b)].

The President may chair ASB meetings, and the President may delegate his or her customary authority of chair and allow nomina-

tion and appointment of a chairperson according to the procedure in Article V of these Bylaws. The Officer serving as the Chairperson shall continue serving for that meeting until adjourned.

(b) As the Chief Representative of the ASB, the President shall attend all meetings of the Presidential Advisory Committee, all meetings of the District Governing Board, and all meetings of Region I of CalSACC. Representing the ASB before local businesses, the President shall manage the ASB discount card program, in which local businesses offer ASB members a discount in return for the ASB's on-campus advertising of them. The President shall direct to the attention of *Cougar* staff all important articles in the *CalSACC Newsletter* and all news releases from the Chancellor's Office.

(c) As the Chief Officer of Clubs, the President shall promulgate Board Policies ##5425, 5435, and 5600(3) to the student organizations chartered by the ASB, and shall attempt to become personally familiar, on an equal basis, with both their members and their faculty advisors; and

(d) The President may introduce an Executive Bill that shall automatically be carried into effect, thereby becoming an order or offi-

cial act of the ASB, unless the said Bill is overruled by a two-thirds majority of the Student Senate. In addition thereto, the President may veto any Senate Bill or motion that he or she has found to be contrary to Board Policy or has deemed a discouragement to the Student Body from participating in the governance of Lassen College [E.C. § 76060].

(e) The President may delegate to one or more elective ASB Officers any of his or her duties set forth in this Section, provided that those duties are performed in a reasonably continuous manner. If the President chooses to delegate his or her authority to represent the ASB before the California Student Association of Community Colleges, a CalSACC Representative should be nominated and appointed according to the procedure in Article V of these Bylaws.

Section 3. Powers, Duties of Vice-President. The Vice-President shall serve as a Student Senator and may assist the President in the performance of his or her duties. But in case the office of the President becomes vacant, the Vice-President shall no longer serve as a Student Senator but shall fill the office of the President.

Section 4. Powers, Duties of Treasurer. The Treasurer shall at-

tend all ASB meetings; shall keep records of all budgets of the ASB Government; shall at every ASB meeting report on the ASB's current financial status [R.R.O. § 52]; shall approve every expenditure of ASB funds that has been properly ordered [E.C. § 76063]; and shall chair the ASB Financial Committee which is formed during the spring semester of every year for the purpose of proposing the ASB's annual budget [Board Policy #5422(6)(a)], which is subject to revision throughout the school year.

Section 5. Powers, Duties of Secretary. If the Secretary is eligible for the Federal Work-Study Program, he or she should apply to it for employment of ten (10) hours per week. The Secretary should also apply to the Work Experience Education program to earn two (2) semester units. The Secretary shall attend all ASB meetings and:

(a) Shall take the minutes thereof [R.R.O. § 41]. The minutes shall be typewritten and contain, at a minimum, the type of meeting; the date on which it was held; the times at which it was called to order and adjourned; the roll call; all principal motions made and/or discussed at the meeting, and whether they died without a second, failed, or were carried into effect, thus

becoming orders of the ASB; all Senate Bills and Executive Bills introduced, discussed, and/or voted on at the meeting and whether they failed, were suspended, or became orders; all resolutions and reports presented at the meetings and whether they were rejected or adopted. If an office of the ASB was filled by appointment at one of its meetings, the minutes of that meeting must state the names of all nominees and the name of each ASB Officer attending the meeting, and whether he or she voted in the affirmative or negative ("Aye" or "No") on the candidate who was successful [R.R.O. § 38]. Furthermore, the minutes must state the names and votes of every Senator voting on a principal motion except when the vote is taken by general consent [R.R.O. §§ 1 and 65] or when each side of the vote ("Aye" or "No") is taken collectively. The Secretary should sign the minutes of each meeting, furnish a signature line thereon for the Chairperson to indicate the Student Senate's approval of the minutes, and prior to the next meeting distribute them to all ASB Officers and their Advisor.

(b) Shall, as directed by the ASB Officers during their meeting, place matters of business on the agenda for a future meeting; shall prepare the agenda according to Section 2 of Article I of these By-

laws; shall post, in a location that is freely accessible to the public, a copy of the agenda for every ASB meeting at least 72 hours before it is held [G.C. § 54954.2(a)]; and shall distribute copies of the agenda to the ASB Officers, their Advisor, and each person who has filed a written request of the ASB for its agenda pursuant to G.C. § 54954.1.

(c) Shall distribute to every person in attendance at ASB meetings a copy of any document which is distributed to all or a majority of all the ASB Officers in attendance [G.C. § 54957.5].

(d) May not (nor may any other Officer) require members of the public, including the Student Body, attending an ASB meeting to identify themselves, to give any other information, or to do anything as a condition of their attendance [G.C. § 54953.5].

#### **ARTICLE IV - SENATE SEATS; POWER, DUTIES; ASB MEMBERSHIP CHARGE**

Section 1. The Student Senate, also known as the Student Body Council, shall consist of fifteen (15) seats.

Section 2. In conjunction with the President (who attends ASB

meetings and can introduce Executive Bills to them and can veto them), the Student Senators shall determine the exercise of the ASB's powers, set forth in Article II of its Constitution.

Section 3. At ASB meetings, a Senator has the power:

(a) To direct the Secretary to place on a future agenda a matter or matters of business regarding the exercise of the ASB's powers [G.C. § 54954.2(a)];

(b) To discuss or debate a matter [R.R.O. §§ 3, 34, and 64] when it has been moved and seconded to take the matter up, and to either move or second him or herself;

(c) To object to a summary decision on a matter of business by the Chairperson [R.R.O. §§ 1 and 65] and to vote individually and freely on the matter [R.R.O. § 38];

(d) To vote with a simple majority of the Senators in making an order (that may be vetoed by the President) determining the exercise of the ASB's powers;

(e) To vote with an absolute (two-thirds) majority of the Senators in overriding either the President's veto or the President's Executive Bill, thus making the final determination on all matters re-

garding the exercise of the ASB's powers.

Section 4. The standing committees of the Student Senate shall be:

- (a) College Governance;
- (b) District Governance;
- (c) Student Activities.

The ASB Election Committee is an ad hoc committee formed pursuant to Board Policy #5422(6)(a), which is implemented in Section 4 of Article III of these Bylaws.

Section 5. The charge for annual membership in the ASB shall be \$5 (five dollars), for which the ASB card, with the member's color photograph affixed thereon, shall be issued [Board Policies ##5400 and 5421]. The term of ASB membership shall begin running from the first day of the fall semester, or the date of purchase, and shall expire on the first day of the fall semester of the following year.

## **ARTICLE V - METHOD OF APPOINTING MEMBERS TO OFFICE**

The appointive offices shall be the Secretary-Treasurer or, if that office has been divided, the Secretary and the Treasurer; the CalSACC Representative, if created by the President; and the ASB Ad-

visory Council Officers, also known as student representatives, who serve on District committees, task forces, or other governance groups. The president of the ASB shall appoint these positions.

*Each elected ASB senator office not filled by a Student Body election shall be filled according to the following procedure:*

Section 1. During an ASB meeting any senator shall nominate a candidate to fill a vacant senator position. The senate must then vote to approve or not the, candidate nominated. If the senate votes to approve the President shall appoint the senate elected candidate to ASB senator. [R.R.O. § 38].

Section 2. If the office of ASB President, Vice-President and /or Student Trustee becomes vacant for any reason after the election, a new election will be held according to the election code within a reasonable amount of time.

## **AUTHENTICATION**

The above-written Bylaws of the Associated Student Body of Lassen College were properly adopted

by both its Student Senate and President on February 2, 1995.

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Shannon Haines, Chairperson

Changes to the Bylaws were authored March 12, 2004, by a committee consisting of: Advisor Dr. William Mark, President Joanne Sherman, Vice President Craig Collins, and Secretary Chris Sullivan. On March 18, 2004, at the ASB regular 11:00 a.m. meeting, these changes to the Bylaws were presented, voted upon, and passed by majority vote.

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Joanne Sherman, ASB President

Further changes to the Bylaws were authored October 15, 2004, by a committee consisting of: Advisor Bernadette Chavez, President Sandy Edeauch, Secretary Chris Sullivan, Senator Orrin Winton, and Senator/ CalSACC Representative Darrell Betz. On November 9, 2004, at the ASB regular meeting, these changes to the Bylaws were presented, voted upon, and passed by majority vote.

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Sandy Edeauch, ASB President

# III. ELECTION CODE

## ARTICLE I - ASB ELECTIONS; COMMITTEE FORMATION

Section 1. "Student body election" means an election held open to each member of the Student Body, defined in Section 1 of Article I of the ASB Constitution. Every Student Body election shall be held in accordance with this Election Code.

Section 2. During the spring semester the ASB Government should call and, within two to six weeks thereafter, hold a Student Body election on two or more consecutive regular school days. The polling place shall be accessible and in a well-suited area on campus. The elections shall be kept open continuously during the maximum feasible number of hours from 8:00 a.m. to 4:00 p.m.

Section 3. Student Body elections may be held for the following purposes:

(a) Filling vacant offices of the ASB;

(b) Polling the Student Body on any matter of ASB business, including either the establishment of the Student Representation Fee or the disestablishment thereof;

(c) Polling the Student Body on any measure before the College administration, District Governing Board, the College Council (if the District has established such a council), District committee, task force, or other governance group;

(d) Polling the Student Body on their evaluation of College administrators, faculty members, and/or ASB Officers [V C.R. § 51023.7(c)].

(e) Any other purpose the ASB Government deems will serve the interest of the Student Body, or that will encourage them to participate in the governance of Lassen College [E.C. § 76060].

Section 4. The ASB Government should form an ad hoc Election Committee at least ten (10) school days or two calendar weeks before the holding of the Student Body election. The Election Committee should consist of at least three (3)

Officers and, as necessary, any member of the Lassen College staff who qualify under the conditions in the following section.

Section 5. No candidate for an office of the ASB to be filled by an election shall serve on the Election Committee formed for the same election. Furthermore, no person who has publicly campaigned for any candidate in an election should serve on the Election Committee having a possible conflict of interest that might interfere with faithful performance of his or her duties thereon should resign from it.

## **ARTICLE II - ELIGIBILITY REQUIREMENTS FOR OFFICE**

Section 1. Candidates for all offices, including the Student Trustee, shall be enrolled in Lassen College at the time of their election, and throughout their terms of office, with a minimum of five (5) semester units [E.C. § 76063].

(a) Candidates for the office of Student Trustee shall meet and maintain a GPA of at least 2.0 throughout their terms of office [E.C. § 72023.5(a); Board Policy #1120].

(b) Candidates for every other elective office shall meet and

maintain a GPA of at least 2.5 throughout their terms of office [E.C. §§ 72023.5 and 70902(a)].

Section 2. The Election Committee may verify candidates' membership in the ASB. Every candidate for an office of the ASB must purchase an ASB card by reason of the following:

(a) All currently-enrolled Lassen College students who have purchased a current ASB card, which shall be available for sale of them at the same price, shall be members of the ASB [Const., Art. I, § 3(a)].

(b) "ASB Officer" means every ASB member who holds office, whether elected or appointed to office [Const., Art. III].

Section 3. All candidates must complete and timely submit a three-page application form, available to anyone during at least two (2) weeks before the holding of a Student Body election at the ASB Faculty Advisor's Office. On the form, candidates:

(a) Shall each make a signed statement that they are eligible under the requirements stated in Section 1 of this Article, and giving the Registrar permission to verify their eligibility.

(b) Shall obtain the signatures of 50 members of the Student Body, the number of students hereby required to nominate each of them for placement on the ballot; and

(c) May, to inform voters, answer two questions, to wit: "Why do you believe you are qualified to hold this office?"; and "Why do you believe you should hold this office?"

Section 4(a). Provided that the course is offered during the same semester, during their first semester in office all available ASB Officers should enroll in Political Science 10 *Principles of Leadership*.

(b) Provided that the course is offered, all available ASB Officers should be enrolled in Political Science 11, *Student Leadership*, during every semester in which they serve in office.

Section 5. In the event that an elective office becomes vacant or is unfilled by the most recent Student Body election, according to the procedure in Article V of the ASB Bylaws, a runner-up or other qualified ASB member may be nominated and appointed to fill that office until the next Student Body election is held.

### **ARTICLE III - TERMS OF OFFICE; TERM LIMITS; CONFLICTS OF INTEREST**

Section 1. At the beginning of and during all of his or her first two (2) years of service in office, any eligible ASB member, by being successfully elected or appointed, may secure and begin serving in any elective office, whether President, Vice-President, Senator, or Student Trustee.

Section 2. However, no member may ever hold the office of President concurrently with that of Vice-President, Secretary and/or Treasurer, or Senator; and no member may ever hold the office of Vice-President concurrently with Secretary and/or Treasurer, nor ever hold more than one Senatorial seat; and no student may ever hold the office of Student Trustee concurrently with that of President, Vice-President, or (if the District has established a College Council) Shared Governance Representative.

Nor may any member serve as the Chairperson of the same meeting at which he or she serves as the Secretary.

Section 3. A Senator seeking the office of President or Vice-President; a Vice-President seeking the office of President or Student

Trustee; a President seeking the office of Student Trustee; a Student Trustee seeking the office of President; or any Officer seeking another office as allowed under this Article may tender his or her resignation, which shall take effect upon securing the office sought.

Section 4(a). The term of office of the President and Vice-President shall begin running on June 1 and shall expire either at the end of the spring semester election held nearest to one (1) year thereafter or at which time the member serving as the President or Vice-President will have completed two (2) years of service.

(b) The appointed term(s) of office of Secretary and/or Treasurer shall be assigned the last month of the Spring Semester. The term(s) shall begin running on the first meeting of the Associated Student Body Government of Lassen College in the Fall of the year or at which time the member(s) serving as the Secretary and/or Treasurer will have completed two (2) years of service, whichever is sooner.

(c) The term of office of Senator shall begin running the day after election and shall expire either on the date of the Spring semester election held nearest to the time at which the member serving as a

Senator will have completed two (2) years of service, whichever is sooner. When a Senator has been assigned into a senator position during the spring semester when an election is held, he/she should run for a senate position. The elected senator will hold his/her position as senator and, if the Senate is full, the last assigned senator by alphabetical listing shall be removed.

(d) The term of office of the Student Trustee shall begin running on June 1 and shall expire exactly one (1) year thereafter [Board Policy #1120 and E.C. § 72023.5(b)(4)]. No student may serve as the Student Trustee for more than two (2) one-year terms, provided that a Student Trustee filled by a vacancy in that office may serve in it for the unexpired portion of the term and then, if successful, be elected to serve two one-year terms.

Section 5. Upon completing two years of service, no Officer may serve in any Executive office other than Secretary, regardless of whether or not the Officer ever applied for, sought, secured, held, or served as the President, Vice-President, or Treasurer during his or her first two years of service in the ASB.

But at any time after completing two years of service, any Officer

may be either elected or appointed as a Senator, and if so elected, serve another two-year term in that office; or if so appointed, serve until such time as a semesterly election is held.

#### **ARTICLE IV - CAMPAIGNING FOR OFFICE**

Section 1. Every candidate for an office of the ASB should be photographed by *Cougar* staff in time for publication before the election.

Section 2. Every assembly held on campus shall be subject to Board Policy #5500.

Section 3. Every poster, flyer, or other media relating to a campaign shall be no larger than 18" x 24", dated, and affixed to a bulletin board but not to any painted surface [Board Policy #5510].

Section 4. No candidate shall campaign, whether verbally or by posting or distributing written material or other media, within the building where a Student Body election is being held on the same day.

Section 5. Anyone who distributes materials or otherwise campaigns on behalf of a candidate shall be subject to this Code.

#### **ARTICLE V - COMMITTEE DUTIES**

The members of the Election Committee shall have the following duties:

Section 1. They should draft a letter to inform the candidates of the offices to be filled by the upcoming election, the eligibility requirements thereof, the powers and duties thereof, and any other information deemed necessary by the Committee. This cover letter may be attached to the three-page application form required under Section 3 of Article III of this Code.

Section 2. They should draft a ballot-form with the candidates' names and offices, provided by the Advisor. The ballot-form should include each candidate's name as per his or her application, the office which he or she seeks, and shall explicitly show the means by which voters may indicate the candidate(s) of their choice. Voters may be required to vote to fill no more than the number of seats actually open in the Student Senate and no more than one candidate for any other open office; furthermore, notwithstanding Section 38 of Robert's Rules of Order, voters shall be restricted to vote for only those names appearing on the ballot. In the case where two or more

candidates are running for the same office or Senate seat, their names should be listed in alphabetical order by the last name, and no unusual differences in appearance should be allowed to exist between them.

Section 3. On separate shifts, each Election Committee member shall supervise the polling area. During their shifts, the Committee members should encourage students to vote but should never in any way indicate for which candidate(s) they should or should not vote. But if a student asks for information about a candidate, they may encourage the student to read the applications completed by all candidates.

Section 4. Likewise, if one or more measures have been placed on the ballot and a student asks for information, they may encourage the student to read objective information available for reading in the polling place.

Section 5. On a copy of the Alpha List (the student roster furnished by the Lassen College Registrar), they should cross off the name of each student as they hand the student a ballot; and should see to it that no student votes more than once in the same election.

Section 6. As they hand a student a ballot, the Election Committee members should make eye contact with the student and thank the student for voting.

Section 7. They should see to it that no ballot ever leaves the polling place, but that every ballot is deposited in the ballot box promptly after the student completes it.

Section 8. They should see to it that the ballots so deposited are never inspected or counted except under the ASB Faculty Advisor's supervision, or the supervision of the Advisor's designee.

Section 9. Under the Faculty Advisor's supervision, or under the supervision of the Advisor's designee, they should accurately count the total number of ballots and accurately tally the number of votes received by each candidate.

Section 10. They should announce the results of the election in a report of the ASB Election Committee; and promptly forward copies of that report to each candidate in the election, to the *Cougar* newspaper for publication, and to the President of the ASB to report at its next meeting.

## **AUTHENTICATION**

Changes to this (1995) Election Code were authored March 12, 2004, by a committee consisting of: Advisor Dr. William Mark, President Joanne Sherman, Vice President Craig Collins, and Secretary Chris Sullivan. On March 18, 2004, at the ASB regular 11:00 a.m. meeting, these changes to the Election Code were presented, voted upon, and passed by majority vote.

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Joanne Sherman, ASB President

Further changes to the Election Code were authored October 15, 2004, by a committee consisting of: Advisor Bernadette Chavez, President Sandy Edeauch, Secretary Chris Sullivan, Senator Orrin Winton, and Senator/CalSACC Representative Darrell Betz. On November 9, 2004, at the ASB regular 1:00 p.m. meeting, these changes to the Election Code were presented, voted upon, and passed by majority vote.

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Sandy Edeauch, ASB President