

# The Constitution of the Associated Student Government



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## **ARTICLE I**

### NAME, COLORS, AND SYMBOL

#### **Section 1: Name, Colors, and Symbol.**

- I. The name of this Organization shall be the Associated Students of Palomar College, hereafter referred to as the ASPC. The sobriquet shall be the Comets.
- II. The official colors of the ASPC shall be the school colors.
- III. The symbol of the ASPC is the Associated Student Government logo.

## **ARTICLE II**

### OBJECTIVE

The mission of the Associated Student Government of Palomar College is to provide quality service to students and the community that enhances the safety, educational diversity, environment and health of the campus where all parties can thrive in an atmosphere of courtesy, integrity, and respect.

## **ARTICLE III**

### **MEMBERSHIP**

**Section 1:** The presiding body of the ASPC shall be the Associated Student Government, hereafter referred to as the ASG.

**Section 2:** All currently enrolled students of Palomar College shall be members of the ASPC, and shall be entitled to vote in ASG General and Special Elections.

**Section 3:** Composition.

- I. The composition of the ASG Board shall be as follows: ASG President, Executive Vice President, Vice President of Internal Affairs, Vice President of Club Affairs, Vice President of Finance, Vice President of Communications, Vice President of Events, fifteen (15) Senators, eight (8) Delegates, and two (2) ICC Ambassadors.
- II. The Student Trustee shall also serve on the ASG Board as an ex-officio member.
- III. The Student Trustee, ASG President, and Vice Presidents shall be considered “executive members.”

**Section 4:** Term of Office.

- I. The term of office for the ASG Board members will be one (1) academic year beginning at the final meeting of the Spring Semester, except for the Delegates and ICC Ambassadors, who shall be appointed during the academic year which they serve.

## **ARTICLE IV**

### ORGANIZATION

#### **Section 1: Meetings.**

- I. The ASG Shall abide by a schedule of no less than two (2) meetings per calendar month during the Fall and Spring semesters. Meetings must be open and accessible to the public.
- II. The President and Executive Vice President shall have the authority to call Regularly scheduled meetings.
- III. Special meetings may be called by the President, or by any voting member of the Board with a two-thirds ( $\frac{2}{3}$ ) vote.
- IV. Special meetings may be called during non instructional days.
- V. Board members who are unable to attend special meetings that do not occur at the regular time shall not have the absence counted against them in terms of discipline.
- VI. Board members may have the opportunity to participate in the meeting through teleconferencing technology.

#### **Section 2: Parliamentary Authority and Quorum.**

- I. All meetings shall be conducted according to Robert's Rules of Order, newly revised.
- II. A quorum for ASG Board meetings should be established before any business can be acted upon by the ASG. A quorum shall consist of fifty (50) percent of the voting members, plus one (1).

## **ARTICLE V**

### NOTICE OF NON-DISCRIMINATION AND EQUAL OPPORTUNITY

It is the policy of Palomar College and their Governing Board that there will be no discrimination or harassment on the grounds of sex, race, color, marital status, sexual orientation, religion, national origin, age or disability in any educational programs, activities or employment.

**ARTICLE VI**  
**QUALIFICATIONS**

**Section 1: General Qualifications.**

- I. All Executive, Senator, and Delegate candidates for these offices must be in a non-probationary status (academic or disciplinary) as determined by Palomar College Policy.
- II. All Executive, Senator, and Delegate candidates for these offices must maintain the requisite qualifications, failure to do so will result in the office being declared vacant.

**Section 2: Qualifications for Executives and Senators.**

- I. Must be enrolled in a minimum of seven (7) units of Palomar College credit per semester throughout their term of office, with the exception of Disability Resource Center students, who shall serve with a minimum of five (5) units.
- II. Must have a minimum 2.5 cumulative college GPA throughout their term of office. If there is no established college GPA, a minimum unweighted 3.0 high school GPA will be required.
- III. The Student Trustee must also fulfill the requirements outlined in California Education Code 72103.

**Section 3: Qualifications for Delegates**

- I. Must be enrolled in a minimum of five (5) units of Palomar College credit per semester throughout their term of office.
- II. Must have a minimum 2.0 cumulative GPA and maintain this GPA throughout their term of Office. If there is no established college GPA a minimum unweighted 2.5 high school GPA will be required.

**Section 4: Qualifications for ICC Ambassadors**

- I. Must be a representative for the ICC throughout their term.
- II. Must be enrolled in a minimum of five (5) units of Palomar College credit per semester throughout their term of office.
- III. Must have a minimum 2.0 cumulative GPA and maintain this GPA throughout their term of office. If there is no established college GPA, a minimum unweighted 2.5 high school GPA will be required.

## **ARTICLE VII**

### NOMINATIONS

#### **Section 1: Nominations**

- I. All candidates for the Offices of the ASG must be nominated by a Candidacy Endorsement Form, containing the signatures of at least fifty (50) ASPC members for a Senator position and at least seventy-five (75) ASPC members for Executive positions. All petitions must be verified by current student registration and identification number.
- II. Petitions must be filed with the Office of Student Life & Leadership, hereafter referred to as the SLL, at the time set by the Election Board or as defined in the Election Code.
- III. All candidates for Executive, Senator, and Delegate positions must meet all qualifications for their Office of the ASG at the time of their nomination.
- IV. No student may run for more than one (1) ASG office simultaneously.

## **ARTICLE VIII**

### **OFFICERS**

#### **SECTION I**

##### **PRESIDENT**

The President shall be the primary representative of the ASG, on behalf of the ASPC. President- To preside at executive committee and general meetings; appoint special committees with the approval of the Executive Board; to present an annual report; and perform other such duties as may be required by the By-Laws or resolutions of the Executive Committee.

#### **SECTION II**

##### **EXECUTIVE VICE PRESIDENT**

Executive Vice President- To preside in the President's absence and perform other such duties as may be required by the By-Laws or resolutions of the Executive Committee; plan and organize publicity for activities and special events.

#### **SECTION III**

##### **STUDENT TRUSTEE**

Student Trustee – To preside as the student advocacy vote on the Palomar College Governing Board; serve as the official student representative of the ASPC at the District Level, an ex-officio executive of the ASG Board, and student representative of Palomar College at the Region X Delegate Assembly. The Student Trustee shall serve as the official student representative of the ASPC at the District level, as well as serve as an ex-officio Executive of the ASG.

#### **SECTION III**

##### **VICE-PRESIDENT OF INTERNAL AFFAIRS**

Vice-President of Internal Affairs – To maintain relationships with legislators and ASPC on legislative issues. Keep students informed on civic engagement and political issues relevant to the ASG. Shall oversee disciplinary action in regard to all members through written warning and cases of impeachment.

#### **SECTION V**

##### **VICE PRESIDENT OF CLUB AFFAIRS**

Vice-President of Club Affairs- The Vice-President of Club Affairs shall be responsible for chairing the Inter-Club Council. Will provide financial help to all clubs, and host workshops for clubs that will help benefit them.

## **SECTION VI**

### VICE PRESIDENT OF FINANCE

Vice-President of Finance shall be responsible for all ASG finances and keep the Executive Committee and membership apprised on the financial state of affairs. Report on the condition of the organization, be in charge of all student financial affairs pertaining to ASG, and perform all duties laid out per the bylaws.

## **SECTION VII**

### VICE PRESIDENT OF COMMUNICATIONS

Vice-President of Communications-shall be responsible for all of the ASG official communications and keep the Executive Committee apprised of any such communications, perform all other duties as required by the By-Laws or resolutions of the Executive Committee.

## **SECTION VIII**

### VICE PRESIDENT OF EVENTS

Vice-President of Events - Shall be in charge of hosting all campus wide events relating to the ASPC and ASG. Coordinate activities with the VP of Club Affairs, and coordinate with VP of Communications for social media advertising.

## **SECTION IX**

### SECRETARY

Secretary-To attend all general correspondence of the organization; to keep the minutes of all Executive committee and general meetings; and to preserve the records of the organization.

They will also perform other such duties as may be required by the By-Laws or resolutions of the Executive Committee.

## ARTICLE IX

### VICE PRESIDENTS

**Section 1:** The Vice Presidents shall be responsible for directing their respective areas, and assisting the ASG President upon their request.

**Section 2:** Election of the Vice Presidents

- I. The Vice Presidents shall be elected by the ASPC in an election, except in the case of an in-term vacancy, in which case they may be appointed by the voting members of the ASG Board, by a two-thirds ( $\frac{2}{3}$ ) majority vote.
- II. The Vice Presidents will assume office upon swearing in at the last meeting of the Spring Semester, except in the case of an in-term vacancy for the Vice Presidents who may swear in at the ASG meeting during which they are appointed.

**Section 3:** The Vice Presidents shall:

- I. The Vice Presidents will have the ability to make and second motions.
- II. The Vice Presidents will have the ability to vote in ASG meetings.

**Section 4:** Incentives.

- I. The Vice Presidents shall receive a Staff parking permit for each semester in office.
- II. The Vice Presidents shall be eligible for in and out of District travel.

## ARTICLE X

### SENATORS

**Section 1:** General legislation of affairs and finances of the ASG shall be directed by the Senators.

**Section 2:** Elections of Senators

- I. The term of office for Senators will be one (1) academic year beginning at the end of the Spring Semester.
- II. Senators will assume office upon swearing in at the last meeting of the Spring Semester, except in the case of an in-term vacancy for the Senators who may swear in at the ASG meeting during which they are appointed.

## ARTICLE XI

### DELEGATES

**Section 1:** Shall assist the Executives and Senators as deemed fit by the ASG.

**Section 2:** Appointments of Delegates

- I. Delegates who are appointed at the last meeting of the Spring semester shall serve for the next academic year.
- II. Delegates may be appointed by the ASG Board without the Delegate completing an endorsement packet.
- III. See the bylaws for all general duties of Delegates

**Section 3:** Duties of Delegates

- I. Must attend ASG Meetings as stated in the Bylaws
- II. Must attend Board, Council, and Committee meetings as stated in the Bylaws.
- III. Take whatever additional action they deem necessary to conduct the affairs on the ASG.

**Section 4:** Incentives

- I. All Delegates shall be eligible for District travel, subject to travel eligibility.

## ARTICLE XII

### ELECTIONS

**Section 1:** ASG Election Practices

- I. The ASG shall hold a regular election every year, in the month of April
- II. The ASG shall establish an Election Board no later than within the first two weeks of the Spring Semester
- III. The Election Board will be comprised of the Election Board Chairperson (who shall be appointed by the ASG Board by a majority vote), and no less than two (2) other ASG Board members
- IV. No person who is running in the ASG election shall be deemed qualified to sit on the Election Board
- V. The Election Board shall be governed by the rules of the Election Code, which are established in the Bylaws

#### Election of the Student Trustee:

- I. The term of office for the Student Trustee will be one (1) academic year Commencing in June.
- II. The Student Trustee must be elected by the ASPC in an election.
- III. The Student Trustee will assume office upon swearing in at a June meeting of the Governing Board, except in the case of an in-term vacancy.
- IV. If the Student Trustee position becomes vacant during the academic year, a special election shall be held, due to the importance of the position, the special election may be held without a candidate forum for expediency, but shall otherwise follow the rules of ASG elections.
- V. The Student Trustee will complete duties as laid out by the Bylaws.

#### **Section 2: General Duties of the Election Board**

- I. The Chair of Elections and the Election Board are hereby authorized, to ensure the certification of pertinent form(s) and to determine the exact dates of the elections.
- II. The Election Board is hereby conferred the authority to conduct the ASG General Elections and is hereby charged with the responsibility of policing candidates' campaigns and ensuring the equitable adherence to the Election Code by all candidates.
- III. The Election Board has the authority to remove and impose sanctions on candidates for the election, based on a two-thirds (2/3) vote. During ASG General Elections, the Election Board will act as a decision-making body regarding interpretations and inadequacies within the Election Code.
- IV. Distribute pertinent form(s) to the ASPC through the Office of Student Life & Leadership.
- V. Host a minimum of one (1) Public Forum in which candidates will discuss their platforms and be available for questions, which will occur in accordance with Election Code as described in the Bylaws (except in the case of a special election held for the ASG President or Student Trustee).
- VI. Host a minimum of one (1) Candidates Orientation to review the Election Code and authorize the initialization of the campaign period, which will occur in accordance with the Election Code as described in the Bylaws.

### **Section 3: The Duties of the Chair of Elections**

- I. Chairing the Election Board.
- II. Responsible for the conduct of the members of the Election Board during ASG General Elections.
- III. Responsible for the conduct and equitable adherence to the Election Code by all candidates.
- IV. In the event of a vacancy on the Board, measures must be taken by the Chair of Elections to fill the position before the next regularly scheduled Election Committee meeting.

### **Section 4: Election Code Violations**

- I. Any individual may report an Election Code violation to the Chair of Elections, an Election Board Officer, or the Office of Student Life & Leadership
- II. The Chair of Elections, any Election Board Officer, or the Office of Student Life & Leadership may inform the parties involved when an Election Code violation occurs and require them to adhere to the Election Code.
- III. In the event of a claim of an Election Code violation, it is the responsibility of the Election Board to identify the violation and take the appropriate measures to resolve it.
- IV. All candidates reserve the right to appeal the resolution of any violation by presenting the appeal to the Elections Board.

### **Section 5: Chair of Elections and Election Board Accountability**

- I. If any individual feels the Chair of Elections or the Election Board have not carried out their responsibilities in direct accordance with the Election Code, the matter will be taken to the ASG Board for review and decision.

### **Section 6: Abeyance of ASG General Election Results**

- I. All candidates shall have two (2) academic days, after official notice of results, to submit a written complaint to the Election Board, this time which shall be referred to as the final complaint period.
- II. Shall the Election Board receive a claim of an infraction of the Election Code, the Election Board must be convened within five (5) academic days and the ASG General Election results will be held in abeyance until all matters are resolved.
- III. Shall the ASG receive a complaint against the Chair of Elections or the Election Board, the ASG must be convened within five (5) academic days and the ASG General Election results will be held in abeyance until all matters are resolved.

## ARTICLE XIII

### OATH OF AFFIRMATION

#### Section 1: Text of Oath

- I. It shall be the policy of the ASG that all elected ASG members will take the following Oath of Affirmation prior to assuming office:

“I, (Applicant’s Name), do solemnly swear that I shall maintain the qualifications; perform the duties; accept and fulfill the responsibilities of (state position) of the ASG; and shall defend, abide by, and uphold the ASG Constitution; its Bylaws, and the ASG’s Policies and Procedures.”

## ARTICLE XIV

### FINANCIAL CODE

**Section 1:** The ASG will manage its financial affairs through an annual budget prepared for each of the three funds for which it has responsibility:

- I. General ASG Budget (Fund 71)

These funds shall be used for general activities that facilitate the functioning of ASG and support the activities of the ICC, student organizations, and student events.

The ASG shall allocate at least twenty percent (20%) of the ASG annual revenue income in Fund 71 to the ICC

Monetary requests can be made according to procedures established in the ASG Bylaws.

- II. Student Representation Fee (Fund 72)

These funds shall be used for advocacy-based events and travel to:  
Increase awareness of current legislation or policies affecting the ASPC.  
Advocate for new legislation or policies affecting the ASPC.

Money used from this Fund must conform to requirements outlined in California Education Code 76060.5

- III. Student Body Center Fee (Fund 73)

These funds shall be used for the purpose of financing the construction, operation, enlargement, remodeling, and refurbishing of the Student Body Center.

**Section 2:** Expenditures must conform with PCCD Governing Board Policies and Administrative Policies, ASG Bylaws, the decision of the United States Supreme Court in Board of Regents v. Southworth, 529 U.S. 217, 120 S. Ct. 1346 (2000), existing California Statutes, and the Attorney General's opinion.

## ARTICLE XV

### INITIATIVE, REFERENDUM, RECALL, AND IMPEACHMENT

#### **Section 1: Initiative**

- I. Members of the ASG shall have the authority to initiate legislation by means of a petition signed by at least three (3) percent of the San Marcos Campus Fall enrollment of the ASPC. The ASG will call a special election within two (2) weeks of the filing of a petition. A majority of those voting shall be necessary for passage of an initiative measure.

#### **Section 2: Referendum**

- I. All legislation passed by the ASG except financial measures, may be subject to a referendum vote by the ASPC.
- II. A written petition, signed by a number of students equaling at least three (3) percent of the San Marcos Campus Fall enrollment of the ASPC, must be necessary to request a referendum vote. A special election will be called by the referendum petition. A majority of those voting shall be necessary to pass a referendum measure.
- III. Upon a two-thirds (2/3) majority vote of the ASG, a measure may be referred to the ASPC. A special election will be called within two (2) weeks of the ASG vote. A majority of those voting shall be necessary to pass the referendum measure.

#### **Section 3: Recall**

- I. Recall of an Executive or Senator must require a petition signed by three (3) percent of the San Marcos Campus Fall enrollment of the ASPC.
- II. A recall election will be called within fifteen (15) days by the ASG. If the Executive or Senator in question receives a two-thirds (2/3) vote against them at a recall election, they must be removed from Office.

#### **Section 4: Impeachment**

- I. Members of the ASG may be impeached on the grounds of malfeasance, misfeasance, or nonfeasance of assigned duties; activities that have exposed the ASG to legal liability; acting in a manner that would harm the welfare of the ASPC or any of its members; or any other grounds the Board deems necessary and proper for removal by a two-thirds (2/3) vote.
- II. An agenda item may be called for by any member (plaintiff) of the ASG to Impeach by written notification to the President, Executive Vice President, and Vice President of Internal Affairs with the charge explicitly stated.

- III. An agenda item must be put on the ASG meeting agenda for a Preliminary Hearing.
- IV. The Preliminary Hearing will provide the plaintiff an opportunity to present the accusations laid against the defendant. A majority vote of the ASG will be required to move the item forward to a Hearing.
- V. If a Hearing is called, the item must be placed on the following ASG Meeting agenda. During the hearing, both the plaintiff and the defendant will have equal opportunity to present their case. Should either member be absent once, the item may be postponed until the following meeting. If the plaintiff is again absent, the charges shall be dismissed. If the defendant is again absent, they shall be immediately removed from Office.
- VI. Following the Hearing, a two-thirds (2/3) majority vote of the ASG shall be required to remove the defendant from Office, the President may not overturn this vote.
- VII. If impeachment charges are brought against the President, the Vice President of Internal Affairs shall have the authority to call meetings for the specific purpose of fulfilling the process of impeachment, as laid out in this section of the Constitution.

## **ARTICLE XVI**

### AMENDMENTS, REVISIONS, AND RATIFICATION

#### **Section 1: Amendments and Revision**

- I. Amendments or revisions may be proposed by the ASG or by petition signed by three (3) percent of the San Marcos Fall enrollment of the ASPC.
- II. A petition for Constitutional amendments must be in the hands of the Election Board fourteen (14) days before a regularly scheduled ASG election.
- III. A special election may not be called for a Constitutional amendment or revision.
- IV. All proposed amendments and revisions must be made public no less than five (5) academic days before the regularly scheduled ASG election.

#### **Section 2: Ratification**

- I. The ASG Constitution must be effective upon approval of a majority vote of those voting in the General Election of the ASPC.