



**CONSTITUTION OF THE
ASSOCIATED STUDENT GOVERNMENT OF SAN BERNARDINO VALLEY COLLEGE
APPROVED APRIL 3, 2008
EFFECTIVE JUNE 1, 2008**

PREAMBLE

We, the students of San Bernardino Valley College (SBVC), in order to establish an effective student government to represent students' interests, practice the democratic process, promote personal and civic growth, and to recognize the inherent rights and responsibilities of self-government, do hereby establish this Constitution of the Associated Student Government of San Bernardino Valley College as provided for by the State Legislature through the California Education Code and Title 5 of California's State Code, and as delegated by the Board of Trustees of the San Bernardino Community College District.

ARTICLE I. Title of Organization and Framework

Section A. Title

The organization established herein shall be known as the Associated Student Government of San Bernardino Valley College, hereafter referred to as ASG.

Section B. Purpose

The purpose of the organization shall exist to serve the collective needs of the students at SBVC. Furthermore, the ASG shall endeavor to achieve these goals with excellence, and impart that standard to future ASG members.

Section C. Composition

The Associated Student Government shall consist of the Board of Directors, the Inter Club Council, and the Judicial Branch.

ARTICLE II. Membership & Eligibility

SECTION A. Members

All registered students at SBVC shall be members of the ASG and shall be subject to this Constitution, By-Laws, and Code of Ethics.

1. Privileges:

- a. The right to seek and hold office if all other qualifications are met as set forth in this document, in the ASG Election By-Laws.
- b. The right to vote in all elections held under the authority of the ASG.
- c. The right to seek an appointment from the ASG Board of Directors to serve on Shared Governance, Standing, and Procedural Committees.
- d. Any other rights and privileges as determined by the ASG Board of Directors.

SECTION B. Officer Eligibility

Officers include ASG Board of Directors positions, and Judicial positions.

1. Officer Eligibility:
As a prerequisite to entering office, all elected or appointed officers shall:
 - a. Be registered students in good standing as defined by Admissions and Records
 - b. Maintain a cumulative 2.0 minimum G.P.A and 5 units (except Summer semester)
 - c. Have an active ASG Sticker

Section C. New Officers

New positions can be created by the President with a two-thirds (2/3) affirmative vote by the Board of Directors.

ARTICLE III. The Board of Directors

SECTION A. Paraphrase

The ASG Board of Directors may be referred to as the Board of Directors within this document.

SECTION B. Composition

The ASG Board of Directors shall consist of all elected and appointed officers.
For Specific Duties of the Board of Directors see the ASG By-Laws.

1. President:
 - a. Role:
 - i. Shall serve as the official representative of the students of San Bernardino Valley College, and therefore represents the student body and the ASG on appropriate occasions.
 - ii. Be responsible for all executive functions of the ASG Board of Directors, and be responsible for carrying out all legislation, sanctions, and resolutions as effectively as possible.
 - iii. Serve as a liaison between the college administration and the ASG and ensure students play a role in participatory governance.
 - iv. Be responsible for filling vacant ASG and committee positions as stipulated in the ASG Constitution.
2. Vice President:
 - a. Role:
 - i. Shall, in the temporary absence of the President, assume all the responsibilities and powers of the President's office.
 - ii. Serve as the chairperson of the Board of Directors and carry out the administrative functions of the Board of Directors.
 - iii. Manage the day-to-day operations of the Board of Directors and report to both the ASG President and Advisor.
 - iv. Assist all committees and members of the Board of Directors in ASG matters.
3. Executive Assistant:
 - a. Role:
 - i. Assist the President, Vice President, and Board of Directors with secretarial functions of the ASG.
 - ii. Be responsible for coordinating, managing, and maintaining all records and materials generated by the ASG.
 - iii. Work to establish proper and responsible record keeping, internal office procedures, and general ASG office support.
4. Administrative Support Services Director:
 - a. Role:
 - i. Serve as a liaison to Administrative Services departments and provide feedback that will help to enhance and improve such services.
 - ii. Collaborate with Administrative Services departments on potential services and

- programs to increase persistence and retention of students.
5. Campus Events Director:
 - a. Role:
 - i. Develop and implement a strategic plan of campus events and activities that serve a diverse student population to create a positive campus community.
 - ii. Serve as the chairperson of the Campus Events Committee and lead the committee in their annual goals and objectives.
 6. Finance Director:
 - a. Role:
 - i. To provide general supervision and management of all ASG finances.
 - ii. Shall have primary responsibility for the preparation and development of the fiscal year budget for the ASG.
 - iii. Shall be an authorized signatory on all financial processes and procedures related to the ASG finances.
 7. Instructional Support Services Director:
 - a. Role:
 - i. Serve as a liaison to Instructional Services departments and provide feedback that will help to enhance and improve such services.
 - ii. Collaborate with Instructional Services departments on potential services and programs to increase persistence and retention.
 8. Legislative Affairs Director:
 - a. Role:
 - i. Assist the President and Board of Directors in coordinating advocacy efforts on behalf of student interests and shall represent the ASG to off-campus entities as delegated by the President or the Board of Directors.
 - ii. Serve as the ASG representative to Statewide Student Senate and Region IX.
 9. Public Relations Director:
 - a. Role:
 - i. Create and implement a strategic marketing plan that will promote the ASG, its programs and services.
 - ii. Maintain a positive public image for the ASG, nurture good will and mutual understanding with the SBVC and SBCCD community.
 10. Student Center Affairs Director:
 - a. Role:
 - i. Serve as the chairperson to the Student Center Committee and lead efforts in implementing services to increase persistence and retention.
 - ii. Ensure that areas within the Student Center that are under the purview of the ASG are functioning and operating efficiently.
 11. Student Organizations Director:
 - a. Role:
 - i. To serve as a liaison between the ASG Board of Directors and all registered student organizations at SBVC and provide assistance and guidance to those organizations.
 - ii. To serve as the Chair of the Inter Club Council and facilitate programs and services that would benefit all registered student organizations.
 12. Student Support Services Director:
 - a. Role:
 - i. Serve as a liaison to Student Services departments and provide feedback that will help to enhance and improve such services.
 - ii. Collaborate with Student Services departments on potential services and programs to increase persistence and retention.

SECTION C. Legislative Authority

The Board of Directors shall have the legislative authority to:

1. Create and amend the By-Laws of the ASG.
2. Create and act upon motions, proposals, and resolutions.
3. Fix and collect membership fees for the ASG.
4. Sponsor, plan, and/or implement activities on behalf of the ASG.
5. Determine the annual Budget for the forth-coming year.
6. Authorize expenditures as specified in the Finance By-Laws and to develop new sources of income for the ASG.
7. Develop policies and procedures that are not delegated or otherwise prohibited by this document or the current laws, and to change these policies and procedures as determined necessary by the Board of Directors.
8. Take a position on pending local, state, and federal legislation on behalf of the students enrolled at SBVC.
9. Hold the Board of Directors and any appointed officer within the Board of Directors accountable to uphold all federal, state, university, and ASG policies and procedures.
10. Approve the annual Budget, which shall be made public.
11. Approve all appointments made to the Board of Directors in accordance with the process outlined in the By-Laws.
12. Stay informed of SBVC issues and policies by attending meetings, performing research, contacting members of the SBVC community, and any other means that are necessary to carry out this responsibility.
13. Perform all other duties that may be assigned by the Constitution or By-Laws.
14. The ASG is created with the approval of, and is subject to the control and regulation of, the Board of Trustees of the San Bernardino Community College District and the California Education Code. The Board of Directors shall not violate any rules or regulations of these entities/documents or any other laws of the State of California and/or the laws of the United States of America. All laws, regulations, codes, policies, and procedures shall be followed from the highest to the lowest level of authority.
15. The Board of Directors shall keep a record of all meetings and decisions.

SECTION D. Appointments

Only those individuals appointed by the Board of Directors to fill vacant elected positions, as provided for in this document, shall be considered appointed officers.

SECTION E. Voting

All officers of the ASG, in both elected and appointed positions, shall have only one vote each on the Board of Directors.

1. No proxy voting will be permitted.
2. The President, Vice President and Executive Assistant shall not vote in the Board of Directors meeting. In the event of a tie, the Vice President may cast one vote to break the tie.
3. All legislation that has been passed by the Board of Directors shall be subject to Presidential approval. If the President approves, the legislation shall be signed and enacted. If the Presidential veto is used and the President provides the Board of Directors with the required written documentation of his or her objections, the Board of Directors may override the veto by a two-thirds (2/3) vote of the Board of Directors and enact the legislation.

SECTION F. Responsibilities

The Board of Directors shall have the responsibility for conducting the day-to-day business of the ASG.

SECTION G. Distribution of Powers

All legislative, financial, and executive powers of the ASG-SBVC shall be vested in the Board of Directors, with the guidance of the Board’s Advisor.

SECTION H. Representation

The Board of Directors shall be the sole representative and decision-making unit of the students enrolled at San Bernardino Valley College to all on and off campus entities.

ARTICLE IV. Inter Club Council

SECTION A. Purpose

The purpose of the Inter Club Council (hereby referred to as “ICC”) is to encourage student life, diversity, and learning outside of the classroom. The Inter Club Council will serve as the representative body to coordinate, and promote communication and cooperation among student clubs & organizations on campus. Furthermore, the ICC serves as an outlet to locate important information they need to be effective advocates for their clubs, campus, and community.

SECTION B. Composition

The ICC shall be composed of the Student Organizations Director, ICC Assistant Director, ICC Secretary, and an ICC Representative from each of the actively registered clubs & organizations on campus. For Specific Duties see the ASG By-Laws.

- 1. Student Organizations Director – See Article III
- 2. ICC Assistant Director:
 - a. Role:
 - i. Chair the ICC in the absence of the Student Organizations Director and to assist all clubs and organizations in ASG matters.
- 3. ICC Secretary:
 - a. Role:
 - i. Assist the Student Organizations Director and ICC Assistant Director with secretarial functions of the ICC.

SECTION C. ICC Legislative Authority

- 1. Elect an ICC Assistant Director and ICC Secretary from within the Inter Club Council.
- 2. The ICC has the ability to make written resolutions and recommendations to the Board of Directors on club or event funding issues by a majority vote of the ICC.
- 3. No representative of the ICC shall represent more than one club. The strict policy of one club, one vote shall adhere to at all times.
- 4. All clubs and organizations that are actively registered and expect to receive ASG funds must be in compliance with the attendance policy.

ARTICLE V. Judicial Branch

SECTION A. Paraphrase

The judicial powers of the ASG are vested in the Student Supreme Court.

SECTION B. Composition

The Student Supreme Court shall consist of five (5) following appointed Officer positions referred to as the Justices.

For Specific Duties see the ASG By-Laws.

- 1. Chief Justice:

- a. Role:
 - i. Chair and facilitate all business of the Student Supreme Court.
- 2. Court Clerk:
 - a. Role:
 - i. Coordinate, manage, and maintain all records, communications, and materials generated by the Student Supreme Court.
- 3. Associate Justices:
 - a. Role:
 - i. To address all issues brought forth to the Student Supreme Court.

SECTION C. Purpose & Jurisdiction

The purpose of the Student Supreme Court shall be to ensure that there is adequate, equal, and fair student representation in the judicial process for the ASG. The judicial power of the Student Supreme Court shall extend to all cases related to but not limited to:

- 1. Questions of the constitutionality of actions by ASG groups, organizations, and/or their representatives.
- 2. Violations of the ASG Constitution and By-Laws.
- 3. Conflicts between student groups.
- 5. Violations of the ASG ethics code.
- 6. Appeals from the ASG Elections Committee.
- 7. Advisory opinions, which may be requested by any member of the ASG.
- 8. Issuing any writ necessary and proper to the complete exercise of the Student Supreme Court jurisdiction.

SECTION D. Student Supreme Court Authority

The Student Supreme Court shall:

- 1. Elect a Chief Justice and Court Clerk from within the court.
- 2. Upon the request of a member of the ASG, interpret the constitution and review the constitutionality of any legislation which is enacted.
- 3. Decide all matters brought before it, as designated in the Constitution and By-Laws, and in accordance with district policy.
- 4. Coordinate all ASG election processes including the actual voting, advertising, and the planning of candidate forums.
- 5. Review and make recommendations to all club Constitutions before submission to the Board of Directors.
- 6. Have the final decision on all impeachment proceedings.
- 7. All issues and grievances that relate directly to ASG must be in writing and presented to Student Supreme Court for appropriate action. In so doing, the Student Supreme Court has the ability to approve certain disciplinary actions, if deemed appropriate.

SECTION E. Voting

- 1. No proxy voting will be permitted.
- 2. A simple majority vote is required for the adoption of Student Supreme Court decisions.
- 3. The Court Clerk and Associate Justices shall have one (1) vote each. In the event of a tie, the Chief Justice may cast one (1) vote to break the tie.

SECTION F. Appointments and Terms

- 1. Justices of the Student Supreme Court shall be appointed by the President of the ASG and subject to the confirmation of the Board of Directors.
- 2. All Justices shall serve in accordance with Article XIII.

ARTICLE VI. General Duties & Responsibilities of all Officers

SECTION A. General Responsibilities

All members of the ASG shall assume the duties of the office he/she was elected or appointed to as defined in the By-Laws of the ASG. In addition, each officer shall:

1. Attend all regularly scheduled ASG meetings relative to their position and shall attend all other meetings required by their position.
2. Make an honest attempt to make all other meeting/activities at which their presence/participation is required.
3. Take on individual commitments for projects, activities, special events, committees, and/or other work necessary to fulfill the goals and objectives set by the ASG for the current year.
4. All officers shall provide a written report of ASG and committee activities, if any, to the Board of Directors at least once (1) a month.

ARTICLE VII. Seating, Succession, and Resignations

SECTION A. Seating

If the office of the President is vacant for any reason, the Vice President shall assume the office and duties of the President. In this event, a Vice President may be appointed or elected as provided for in Article VI. Section B.

SECTION B. Succession

If any elected position is not filled in a general election, or if it is left vacated by resignation or dismissal of the office holder, then it may be deemed an appointed position and shall be filled by a nomination from the President and two-thirds (2/3) majority vote of the remaining members of the Board of Directors, or it may be filled in a special election, if desired, by the Board of Directors as shown by a two-thirds vote.

SECTION C. Resignations

All resignations must be submitted in writing to the President of the ASG.

ARTICLE VIII. Elections

SECTION A. General Elections

General elections shall be conducted no later than April 30 of the Spring semester.

SECTION B. Term Duration

The term of office shall run from June 1 of the Associated Student Government's general election year through May 30 of the following year. Any mid-term appointments will serve through May 30th of the current term.

SECTION C. Ineligibility

With the exception of Shared Governance Committees, no officer shall serve more than three (3) terms, with no more than two (2) terms in the position of President, Vice President or Executive Assistant. A student may only serve in one office in the ASG concurrently. If at any time, before election, appointment, or during term in office, an officer fails to meet any of the qualifications set forth in this Constitution, he/she will be disqualified from holding office in the ASG.

SECTION D. Special Elections

Special elections may be called at the discretion of the Board of Directors for any purpose provided for in this document and the ASG By-Laws.

SECTION E. Special Election Authorization

A two-thirds (2/3) vote of the Board of Directors is required to authorize a Special Election, and a majority vote is required to set the dates for the Special Election, with the exception of recall elections.

ARTICLE IX. Impeachment & Recall

SECTION A. Impeachment

The Board of Directors shall have the power to enact impeachment proceedings against the President and all other elected and appointed officers of the ASG with a two-thirds (2/3) majority vote of the total Board of Directors. Impeachment proceedings shall be referred to the Student Supreme Court for the adjudication of the impeachment process. The following actions shall be regarded as grounds for impeachment:

1. Failure to meet all qualifications, as dictated by the Constitution.
2. Three (3) or more unexcused absences per semester.
3. Inability to perform duties as outlined in the Constitution and By-Laws.
4. Violation of the Oath of Office.

SECTION B. Recall

1. Any elected or appointed officer may be the subject of a recall special election, and removed from office. This process requires a petition that has been signed by 12% of the student headcount. The petitions must state specific charges and have signatures and student identification numbers in order to be valid.
2. The following actions shall be regarded as grounds for a recall petition:
 - a. Failure to meet all qualifications, as dictated by the Constitution.
 - b. Three (3) or more unexcused absences per semester.
 - c. Violation of the oath of office.
3. The Student Supreme Court has the responsibility to verify and confirm the petitions and its charges. Only verifiable charges can be used as grounds to initiate a recall election. A recall election shall be organized by the Student Supreme Court within fifteen (15) school days. A majority of two-thirds (2/3) votes cast in the affirmative shall be required to recall and remove any elected or appointed officer.

ARTICLE X. Initiative, Referendum & Amendments

SECTION A. Initiative

Any member of ASG may initiate legislation by petition. The petition must have the signatures and student identification numbers of at least ten (10) percent of the current headcount. This Petition shall be submitted to the Board of Directors for verification and further action. The Board of Directors shall consider the legislation within ten (10) school days. A majority of votes cast favor by the Board of Directors shall enact the initiative into laws.

Section B: Referendum

Any member of the ASG may initiate a petition. The petition must have the signatures and student identification numbers of at least ten (10) percent of the current enrollment. The petition for a referendum shall be submitted to the Board of Directors for verification and shall be considered within ten (10) school days.

Section C: Amendments

Amendments to the Constitution may be proposed by a three quarters (3/4) vote of the Board of Directors or by a petition signed by at least (10) percent of the headcount of the ASG of San Bernardino Valley College and presented to the Board of Directors.

1. Headcount shall be determined by the previous Fall semester.
2. Proposed amendments to this Constitution shall be posted on campus in at least three (3) different areas for at least (3) school days and no more than seven (7) school days before submission to the students for adoption in a special or general election. Simple majority of votes cast shall be necessary for adoption.
3. By-Laws of the Constitution shall be considered procedural matters. Any substantive changes require an amendment to the Constitution.
4. The Board of Directors may pass By-Laws to the Constitution with a two-thirds (2/3) vote in the affirmative.

ARTICLE XI. Parliamentary Authority/Rules

SECTION A. Meetings

The Board of Directors shall meet regularly throughout the term of office and at times that may be called by the Vice President.

SECTION B. Parliamentary Authority

All business shall be conducted according to Parliamentary Procedure as outlined in Robert's Rules of Order, Newly Revised Edition and according to the procedures established by this Constitution. The regulations of the Brown Act shall apply to the ASG.

SECTION C. Quorum

All meetings must have quorum present to conduct official business. Quorum is defined as fifty percent plus one (50% +1) of the total voting members needed.

SECTION C. Rules

All other rules and policies shall be contained in the By-Laws of this organization and, if not otherwise specified in this document or in the By-Laws, the By-Laws shall be amendable by a majority vote of the Board of Directors.

ARTICLE XII. Advisor

SECTION A. Advisor

The ASG shall have an official SBVC staff Advisor. The Advisor shall serve as a non-voting ex-officio member of the ASG.

SECTION B. Purpose

The Advisor is expected to provide structure to the ASG through mentorship, leadership training, transitions, and the resources to help foster an environment for ASG Officers and Representatives to successfully serve the students' needs and interests of SBVC.

ARTICLE XIII. Legal Conflicts

SECTION A. Legality

Should any portion of this document be found illegal, the remainder of this document shall remain in effect, until otherwise changed by amendment.

SECTION B. Conflicts

Should any local, state or federal law, regulation, or code be found to be in conflict with this document, then the portion in this document which is in question shall be considered to be null and

void, however the remainder of the document will remain in full force. The law, regulation, or code from highest-ranking authority shall take precedence over all others and will be obeyed by the ASG.

ARTICLE IXV. Oath of Office

SECTION A. Recitation

All office holders of the ASG shall recite the Oath of Office within one week after their election or appointment, in public or private ceremonies administered by the Student Supreme Court or the President of the ASG.

SECTION B. Oath of Office

I, (Name), due hereby swear to adhere and uphold the Constitution and the By-Laws of the Associated Student Government of San Bernardino Valley College, the State of California, and the Constitution of the United States of America, I understand that by doing so, that I am to oversee and conduct myself in accordance with these documents, and promote through example the principles that are instilled in them. I swear to promote the issues and concerns of all students, to provide the necessary independent action; as well as cooperation with constituencies of this college, to provide services and coordinate activities for the entire student body.