

PREAMBLE

to the Constitution

of the

Associated Student Union

WE, THE MEMBERS OF THE ASSOCIATED STUDENT UNION OF LOS ANGELES VALLEY COLLEGE, in order to recognize and fulfill the needs of fellow students and in seeking fair and equal representation on this campus for all students (regardless of sex, race, color, religious beliefs, or sexual orientation) do so in accordance with the laws pertained within this body, hereby ordain this constitution.

THE ASSOCIATED STUDENT UNION CONSTITUTION

ARTICLE I - NAME

The name of this organization shall be the Associated Student Union of Los Angeles Valley College, herein referred to as the ASU.

ARTICLE II - PURPOSE

The purpose of the Associated Student Union of Los Angeles Valley College shall be to promote cultural awareness, student leadership, academic improvement, student well-being, and to increase positive campus/community relations, empowering student rights and student representation to serve their best interests.

ARTICLE III - MEMBERSHIP

The membership of the ASU shall consist of all registered students at Los Angeles Valley College who have paid the ASU membership fee during the semester they are enrolled.

ARTICLE IV - OFFICERS

Section 1.

The elected officers of the ASU Executive Council (as established under Article V. Section 1A.) shall be the following:

1. President
2. Vice-President
3. Treasurer
4. Commissioner of Campus Environment Affairs
5. Commissioner of Ethnic and Cultural Affairs
6. Commissioner of Fine Arts
7. Commissioner of Health and Wellness Affairs
8. Commissioner of Political Affairs
9. Commissioner of Publicity and Social Media
10. Commissioner of Student Life

Section 1 A.

The officers listed above shall have the right to present a motion to the Executive Council.

Section 2.

The appointed officers of the ASU shall be the following:

1. One (1) Inter-Club Council Representative
2. Parliamentarian

Section 2A.

The Parliamentarian shall be the only non-voting position of the ASU; however, these officers shall have the right to present a motion to the Executive Council. The ICC Representative shall have the right to vote based on any affirmed motions or general consensus made by the ICC that concerns any Executive Council items. If there has been no forthright or indirectly related decision made on how to vote on any given motion in the Executive Council, the ICC shall be given the right to vote on behalf of the ICC and shall be responsible to act in their best interests.

Section 2B.

The positions listed above under Section 2 shall be appointed and approved as provided for the Bylaws of the ASU (as defined under Art. XVI, Section 2).

Section 3.

The Executive Council/ICC Secretary shall be a paid student worker and not an officer. However, they shall participate in any officer related training, activity, event as a regular officer.

ARTICLE V - ORGANIZATIONAL STRUCTURE

Section 1.

The organizational structure of the ASU shall consist of the following:

- A. Executive Council, consisting of all elected and appointed officers (as stipulated under Article IV).
- B. Judicial Branch, as defined in Article X, Section 1.
- C. Inter-Club Council (I.C.C., formerly the Senate), as established under Article XII.
- D. Standing Committees, as specified in the Bylaws.
- E. Special Committees, as specified in the Bylaws.

ARTICLE VI- ELIGIBILITY

Section 1.

A candidate for elected or appointed office must conform with the LACCD Administrative Regulations (S-9) and the ASU Constitution and Bylaws for eligibility to hold student office.

Section 1A.

All candidates must have been enrolled at Los Angeles Valley College the semester prior and have completed a minimum of 5 unit with a cumulative and current GPA of at least 2.0 (“current” means the most recently completed semester).

Section 1B.

Elected or appointed officers must be actively enrolled and must be attending classes to meet these requirements. They must maintain at least a 2.0 GPA.

Section 1C.

Failure of students to comply with the above standards will require immediate forfeiture of their offices. The vacancy created by such disqualification shall be filled by appointment (as established under Article VII, Section 4).

Section 2.

A candidate for elected or appointed office must be an ASU member both during the semester in which they is running for office and during the semester in which they is to hold office.

ARTICLE VII - ELECTIONS

Section 1.

Any Valley College student, during the time they are enrolled in classes, may vote in any ASU election.

Section 2.

ASU elected officers and Constitutional amendments shall be elected by secret ballot in the following manner: In accordance with Administrative Regulation S-10, the candidate with the most votes will be elected to office, whether or not the candidate receives a majority vote.

Section 2A.

All violations and complaints of a violation must be submitted to the Commissioner of Political Affairs or any of the election committee members to be resolved before the close of elections. All decisions made in the electoral review of all election complaints will be final pending the decision of the VP of Student Services.

Section 2B.

If any of the winning candidates are deemed ineligible from after the close up to two weeks after the census date, the runner up shall be proclaimed.

Section 3.

Elections for president, vice president, treasurer, and commissioners shall be held during the spring semester and the term of each office shall be for one (1) fiscal year commencing July 1st through June 30th, including the summer and winter intersessions.

Section 3A.

The appointed officers stated in Section II shall be held for a term of one (1) fiscal year, beginning July 1st and ending June 30th, including summer and winter intersessions.

Section 4.

All vacant ASU positions, except those of president and vice-president, shall be appointed by the Executive Council, with a 2/3 vote of the members present needed for approval. This shall be done in accordance with the The Ralph M. Brown Act.

Section 4A.

Should the office of ASU President become vacant for any reason, the vice president shall become the president, assuming not only the duties and powers of that office but also the title. The Executive Council shall then appoint a vice president, with an absolute majority vote needed for approval.

Section 4B.

In the event that the office of the vice president shall become vacant, the Executive Council shall appoint a vice president, with an absolute majority vote needed for approval.

Section 4C.

In the event that both offices of ASU President and Vice-President become vacant, the Executive Council will convene an emergency 'Section 4C meeting' chaired by the, Parliamentarian, or Commissioner of Political Affairs (in that line of succession) to appoint an interim vice president with an absolute majority vote needed for approval. There must be a minimum of four voting members left in the Executive Council to have quorum in that meeting. During that time, the offices of president and vice president along with any other office vacancies will be appointed.

Section 4D.

In the event that both offices of Parliamentarian, and Commissioner of Political Affairs are vacant during the necessity of an Emergency Section 4C Meeting, the Executive Council shall appoint the chair with an absolute majority vote needed for approval after quorum is established. If quorum cannot be established for a Section 4C Meeting, the interim vice president will be appointed by the ASO Advisor.

Section 5.

Appointed and elected Executive Council officers can hold an office in a club, with the exception of club ICC Representative. No person shall serve on both the Executive Council and the ICC except for the Executive Council Vice President and the ICC Representative.

Section 6.

Rules governing elections not covered in the Constitution shall consist of the rules set forth in both the Election Code and S-10 Regulations for LACCD, with the approval of the Executive Council, rules set by the Commissioner of Political Affairs and by the Elections Committee and shall all be adhered to alongside the constitution therein (as established in the Bylaws.)

Section 7.

Any ASU officer wishing to resign shall deliver their letter of resignation to the ASU President. Resignation will take effect 48 hours after delivery unless, during that time, said officer delivers a letter to the ASU President in which they revoke(s) their letter of resignation.

ARTICLE VIII- MEETINGS AND PROCEDURES

Section 1.

The Executive Council shall meet once a month during the Winter and Summer intersessions and will meet at least twice a month during the Fall and Spring semesters, unless a conflict arises

Section 1A.

Special meetings of the Executive Council, for a stated purpose, may be called for 24 hours in advance by the ASU President, or at the written request of any three (3) Executive Council members.

Section 2.

All official meetings of the Executive Council shall be conducted following The Ralph M. Brown Act, Robert's Rules of Order, and by a quorum, consisting of a fifty percent plus one (50% + 1) of voting positions filled.

Section 3.

Regular attendance of Executive Council members shall be required at all official Executive Council meetings. Any Executive Council member with more than three (3) unexcused absences (those recognized by the President) shall retroactively need the approval of the Executive Council to determine whether said absence was justified or not.

Section 4

Meetings may be canceled by written consent of an absolute majority of the Executive Council members.

Section 5.

Votes on motions before the Executive Council shall be done by open vote.

Section 6.

Any three (3) voting members of the Executive Council may request that a Roll-Call vote be taken on a motion.

Section 7.

Robert's Rules of Order Newly Revised (most current version) shall be followed in all cases where superseding documents do not specify: ASU Constitution and ASU Bylaws.

ARTICLE IX - LEGISLATIVE AND EXECUTIVE POWERS

Section 1.

All ASU legislative powers shall be vested in the Executive Council. Legislation will originate in the Executive Council, except as called for in the Constitution.

Section 2.

Bylaws to this Constitution may be established by an absolute majority vote of the Executive Council.

Section 3.

Any student may present a motion or resolution to the Executive Council provided that the said motion/resolution has thirty (30) signatures of students, at least half of which must be from ASU members. The motion does not require a second.

Section 4.

Each Commissioner shall have the privilege of chairing a standing committee (if necessary), as set forth in the Bylaws.

Section 5.

General supervision over all ASU activities shall rest with the Executive Council.

ARTICLE X - JUDICIAL POWERS

Section 1.

The establishment of a Supreme Court is for purposes of the following:

- A. Impeaching an officer who has violated the ASU Constitution.
- B. Censoring/disciplining an officer for violating the ASU Constitution. This discipline does not replace the LACCD/LAVC student discipline process.

The judicial powers of the ASU shall be vested in a judicial branch, which consists of a Supreme Court and any lower court deemed appropriate by the Executive Council.

Section 1A.

The Supreme Court shall consist of the Parliamentarian as Chair, and a minimum of two (2) and maximum of six (6) Supreme Court Justices. These Justices shall be nominated by the Parliamentarian and confirmed in their appointments by an absolute majority vote of the Executive Council. These Justices shall also be required to meet the eligibility requirements set forth by Administrative Regulation S-9.

Section 2.

All official business of the Supreme Court shall be conducted by a quorum consisting of an even majority of Supreme Court Justices and the Parliamentarian. An ASU Advisor must be present.

Section 2A.

All Supreme Court members have voting rights, but the Parliamentarian shall be empowered to vote in matters before the Supreme Court only in the case of making or breaking a deadlocked vote.

Section 2B.

All Supreme Court meetings must be able to hear arguments brought forth by the petitioner, another speaker in opposition (if available), and any members of the public who wish to speak on the matter until the Chair declares that debate has been exhausted and can move to deliberation. A motion to deliberate may be objected to with an absolute majority. If the motion to deliberate

passes, the Supreme Court shall have a closed session where they will discuss and review how the constitution should be interpreted for an allotted amount of time which will not extend beyond 24 hours. After deliberation, a roll call vote will be held and the absolute majority shall vote shall affirm the decision.

Section 3.

The decisions of the Supreme Court made during official business shall be final at the student level, and at no time shall they be subject to review by the Executive Council or any other student organization.

Section 4.

It shall be the responsibility of the Parliamentarian to review the Secretary's minutes of every Executive Council, ICC, and Standing Committee meeting to deem the validity of every meeting and motion based on the interpretation of the Constitution, Bylaws, Robert's Rules of Order, and The Ralph M. Brown Act.

Section 4A.

Any student may petition the Parliamentarian's review with the signature of either thirty (30) signatures of students or a majority of voting members from the Executive Council (including ICC Representative). The decision shall be reviewed by the Supreme Court after arguments are brought forth by both sides. In such instances, the Parliamentarian who is presenting their case will not have a vote under said review and the quorum for said meeting will consist of an odd majority of Supreme Court Justices.

ARTICLE XI - DUTIES AND POWERS OF THE ASU PRESIDENT

Section 1.

The President shall be empowered to vote in matters before the Executive Council only in the case of making or breaking a deadlocked vote.

Section 2.

The President shall have the power to oversee and examine the activities of the Executive Council and the ICC, and they shall periodically report to these bodies about issues pertinent to the student body.

Section 3.

In the case of an emergency, the President shall be vested with the power to act and/or approve time-sensitive actions taken by other officers for the ASU as a whole and shall be responsible to act in the best interest of the student body.

Section 4.

The president shall be responsible for the continual evaluation of all ASU sponsored activities. They shall periodically report to the Executive Council concerning the compliance of each project with the procedures, policies (rules), and regulations set forth by the Executive Council, the ASU Constitution and the Community College Board of Trustees.

ARTICLE XII - INTER-CLUB COUNCIL (ICC)

Section 1.

The Inter-Club Council (ICC) shall be a synonym for the Senate for all intents and purposes.

Section 2.

The purpose of this body shall be to coordinate all on-campus club activities and act as liaison between club members and the Executive Council. The ICC shall provide each chartered club on campus a means by which it can advance its cause, voice opinions, and propose student legislation.

Section 3.

The membership of the ICC shall consist of all clubs and organizations whose constitutions have been approved by the ICC and to whom charters have been granted. Each club shall elect its own ICC representative (officer), whose duty would be to represent his/her club by regularly attending ICC meetings, and acting as a liaison between club members and the Executive Council.

Section 3A.

The ICC Representative shall be selected by an absolute majority vote of all eligible voting members of the ICC.

Section 4.

The Vice President of the ASU Executive Council shall serve as the Chair of this Senate.

Section 5.

Any officers of the ICC may initiate student-related legislation during a scheduled ICC meeting, in the form of a motion or resolution. A motion or resolution may be passed by an absolute majority, and it shall then be transmitted to the Executive Council by the ASU Vice President or ICC designee, for final approval (as specified in Section 6 below.)

Section 6.

Upon receipt of said motion or resolution, the Executive Council has two regular meetings in which it can act. The Council may approve, disapprove, or recommit a motion. In the event that Executive Council disapproves or recommits said legislation to the ICC, the Council must stipulate as to why such actions were taken. If no action is taken by the Executive Council in the allotted period, the said legislation stands approved.

Section 7.

All powers and duties of the ICC granted under the ICC Constitution must be in accordance with those outlined in the ASU Constitution and Bylaws.

Section 8.

The ICC shall be given an opportunity to participate in all conferences. A minimum of $\frac{1}{3}$ of all ASU conference seats must be extended to the ICC.

ARTICLE XIII CONFERENCE ELIGIBILITY

Section 1.

Conference attendance is a privilege which shall be earned. To be eligible to participate in a conference (defined as off-campus events) an Executive Council officer must adhere to the following:

- A. Complete the required office hours per week.
- B. Attend Shared Governance/Standing/External Committee meeting/s as assigned. If the committee has not met during the semester, the student shall attend a college sponsored workshop(s). The hours for the workshop(s) must be equal to the number of hours the committee would have met.
- C. Not missed more than one (1) Executive Council Meeting as unexcused.
- D. Actively working on a project(s).
- E. Make progress towards meeting Bylaw requirements.
- F. Submit application by due date.

Section 2.

An ICC member (non-executive officer) may be eligible to participate in a conference as long as the faculty club advisor can verify they actively participate in club meetings and events.

ARTICLE XIV - IMPEACHMENT

Section 1.

Any one of the following may constitute grounds for impeachment for an ASU Officer:

- A. Having more than three (3) unexcused absences from an official Executive Council meeting.
- B. Failure to actively fulfill one's duties as a position holder in the ASU.
- C. Gross misconduct while carrying out ASU related activities as defined in the Los Angeles Community College District regulations and the Code of Student Conduct.
- D. Acting in a manner which contradicts the spirit of this Constitution, as reflected in the Preamble and/or the Code of Student Conduct.

Section 2. – Process of Impeachment

Impeachment proceeding may be initiated against any ASU officer by a petition bearing the signatures of 220 students currently registered and enrolled into a class at LAVC during impeachment process. The validity of the petition signatures shall be verified by the Dean, ASU Advisor or Office Secretary who has access to such data. The petition must contain the reasons for the recall action. It shall be put to a vote on the Executive Council agenda within two (2) weeks from delivery said petition to the Executive Council, with 2/3 of the votes cast needed for approval.

Section 3 – Impeachment Trial

- A. The case hearing shall take place on the scheduled date presented to the Executive Council in which all Justices shall be present to hear case presented by the Impeachment Committee and officer in question. The Supreme Court shall hear all sides of the case to insure an unbiased impeachment proceeding.
 - a. The charged officer or commissioner is required to attend Supreme Court hearing otherwise they forfeit their right to defend/appeal the impeachment.
 - b. In absence of a Supreme Court quorum, the case will be referred to the ASU Advisor for final determination by the College President.
- B. The Supreme Court shall come to a binding decision as reached by the majority (2/3) of the Justices to impeach the Officer in question. If the case fails, the accused remains in office.
 - a. The Officer on trial for impeachment shall be asked to step out and not be present in the room while voting process is being taken by the Supreme Court. The accused shall be asked to return to courtroom for final deliberation.

C. Supreme Court shall announce their final deliberation on the next Executive Council meeting following the impeachment Supreme Court hearing. An impeachment item should be included on agenda as an action item, or it can be placed on the table as an emergency item that needs to be voted on immediately. The Executive Council shall take a Roll Call vote to finalize impeachment of officer or commissioner in question.

Section 4 –Impeachment Appeals Process

The accused Officer is allowed no more than one (1) appeal to be presented in written form to the College President. The decision of the College President is final.

Section 5 –Impeachment involving ASU Parliamentarian

The process outlined in Article XIV, section 1, 2, 3, and 4 shall remain the same except the chair will be nominated and appointed by the Inter Club Council.

ARTICLE XV - AMENDMENTS

Section 1.

Constitutional amendments may be initiated after obtaining the signatures of at least 30 registered students at LAVC. The validity of the petitions shall be verified by the Supreme Court.

Section 2.

Constitutional amendments may be initiated by a 2/3 absolute majority vote of the Executive Council.

Section 2A.

Constitutional amendments may be initiated by a 2/3 absolute majority vote of the ICC.

Section 3.

No constitutional amendment shall take effect until such time as it has been presented to the students in an election and approved by a majority vote (50% plus one) of all votes cast. This vote shall be taken by secret ballot.

ARTICLE XVI - RECOGNITION OF LEADERSHIP ON TRANSCRIPTS

Section 1.

Elected and appointed ASU officers, who have consistently and faithfully performed their duties representing the students by devoting their time, knowledge, and experience, shall have their job title and dates of service recorded on their transcripts contingent on the sufficient performance of their duties. Officers must have served a minimum of two months in a semester to qualify for a transcript notation. Documentation of work performed shall be presented to the ASU Advisor for final approval.

ARTICLE XVII - SUPREMACY OF THE CONSTITUTION

Section 1.

This Constitution is recognized in its own right. It shall take precedence over the Bylaws and ICC Constitution, and will take over other student-originated legislation. It must, however, comply with The Ralph M. Brown Act and District/ and College regulations.

Section 2.

While this Constitution is to be regarded as the framework of the ASU, the Bylaws shall elaborate on the content herein.

Section 3.

The activities of all ASU Officers, individuals, groups, and other entities under the purview of the ASU shall be in compliance with this Constitution.

ARTICLE XVIII: STIPENDS FOR OFFICERS AND COMMISSIONERS

Section 1.

ASU board members who have made valuable contributions or have participated authentically in events and their office hours may receive a stipend at the end of each month during their given term in office. Compensation and eligibility will be determined by the rules/regulations listed below. In order for officers to receive their stipend they must first fulfill their duties and responsibilities as ASU board members. Duties, rules and regulations include:

- A. Refer to LACCD District Regulation S-9
- B. Refer to ASU Constitution [Article VI - Eligibility]
- C. Refer to ASU Constitution [Basic Duties and Responsibilities]
- D. Refer to ASU Bylaws [Article II - Duties & Powers]

Section 2. - Getting Compensated

- A. Board Members will be awarded stipends based on their performance and completion of

duties as stated above and in this constitution.

- B. If there are vacancies in the Executive Council or board members do not meet requirements to be compensated, then the stipends will revert back to the ASU General Contingency Budget. Additionally, to receive a stipend, officers must have served a minimum of four weeks.
- C. Officers must turn in the stipend compensation form one week after the end of each month. It is to be thoroughly and truthfully filled out for it shall be checked upon by ASU's staff and advisors.
 - All officers will be asked to fill out questions regarding participation, office hours, events, valuable contributions and/or anything regarding District Regulation S-9 or ASU Bylaws.
 - If and when board members turn in their stipend compensation forms, ASU Staff/Advisors will read and check each board members eligibility and therefore grant the approval or veto of the stipend via a month by month basis.

Section 3. Misconduct:

- A. A board member's stipend payment may be docked for inappropriate behavior or anything not complying to District Regulations, Student Code of Conduct, and/or the ASU Constitution. ASU Advisors and/or the Dean of Student Life will handle and make final decisions regarding stipends and behavior.

For more district rules and regulations on ASU Stipends refer to LACCD Regulation S-14.

This Constitution was amended by the student body in Spring of 2020. Elections dates May 11, 2020 to May 15, 2020.

Dania Castillo

Dania Castillo (Jun 26, 2020 14:52 PDT)

Dania Castillo, Interim ASU President

Jun 26, 2020

Date

Commissioner of Political Affairs (Vacant)

Elizabeth Negrete

Dr. Elizabeth Negrete, Dean of Student Life

Date

Jun 29, 2020

Date

Florentino Manzano

Florentino Manzano (Jun 30, 2020 10:26 PDT)

Florentino Manzano, Vice President of Student Services

Jun 30, 2020

Date

Barry Gribbons

Dr. Barry Gribbons, College President

Jun 30, 2020

Date