

Bylaws  
Associated Students  
of San José State University



<b>Article I: Intent.....</b>	<b>1</b>
Section I - Names and Colors.....	1
Section II - Mission Statement.....	1
Section III - Purpose.....	1
Section IV- Land Acknowledgement.....	1
<b>Article II: Membership.....</b>	<b>2</b>
Section I - Members of Association.....	2
Section II - Rights of Members.....	2
<b>Article III: Board of Directors.....</b>	<b>2</b>
Section I - Functions.....	2
Section II - Membership.....	3
Section III - General Duties and Responsibilities.....	4
Section IV - Specific Duties.....	7
Section V – Types of Legislation.....	14
<b>Article IV: Committee.....</b>	<b>16</b>
Section I – Defining Committees.....	16
Section II - Executive Committee.....	17
Section III – Academic Affairs Committee.....	18
Section IV – Audit Committee.....	19
Section V – Campus Life Affairs Committee.....	20
Section VI - Finance Committee.....	21
Section VII - Internal Affairs Committee.....	23
Section VIII - Lobby Corps.....	24
Section IX- Multicultural Advisory Committee.....	26
Section X - Operations Committee.....	28
Section XI - Personnel Committee.....	29
Section XII - Programming Board.....	30
Section XIII - Spartan Community Fund.....	32

Section XIV - Students' Election Commission.....	33
Section XV - Ad Hoc Committees.....	38
<b>Article V: Elections, Qualifications, and Election Appeals Board.....</b>	<b>39</b>
Section I – Elections.....	39
Section II - Qualification.....	39
Section III – Election Appeals Board.....	40
<b>Article VI: Removal, Recalls, Line of Succession, and Vacancies.....</b>	<b>40</b>
Section I - Removal.....	41
Section II – Recalls.....	41
Section III - Line of Succession.....	42
Section IV - Board of Director Vacancies Other Than Recall.....	42
<b>Article VII: Meetings.....</b>	<b>42</b>
Section I - Procedure.....	43
Section II - Voting.....	43
Section III. Quorum.....	44
Section IV. Abstention Votes.....	44
Section V. A.S. Board and Committee Meetings.....	44
Section VI. - Minutes.....	46
Section VII. - The Chair at a Committee or Board Meeting.....	46
Section VIII. - Parliamentary Authority.....	47
Section IX. - Officers of the Board.....	48

# Associated Students Bylaws

## **Article I: Intent**

### **Section I - Names and Colors**

- A. The name of the organization shall be Associated Students (A.S.) of San José State University (SJSU), otherwise referred to herein as Associated Students.
- B. The colors of this organization shall be Gold, White, and Blue.

### **Section II - Mission Statement**

- A. Associated Students' mission is to support and represent the students of San José State University ("University" or "SJSU") by continuing the organization's legacy of student advocacy and leadership; to enhance SJSU students' education through high-quality programs and services; and to prepare students as they move toward a thoughtful and purposeful life after graduation.

### **Section III - Purpose**

- A. We, the students of San José State University, in order to promote educational, social, and cultural opportunities; to govern and finance student activities; to facilitate participation in the University community; and to discharge the authority vested in the Association by the State of California and the President of the University, do hereby declare that equal opportunities shall be afforded to all students without regard to race, religion, creed, gender, sexual or affectional preference, age, ethnic origin, nationality, physical disability, or any other basis protected by law.

### **Section IV- Land Acknowledgement**

- A. The Land Acknowledgement statement is to be read at all Associated Students-related events on campus; Examples include but are not limited to: Board of Director Meetings, Board Retreats, Committee Meetings, and A.S events.
- B. "The San José State University community recognizes that the present-day Muwekma Ohlone Tribe, with an enrolled Bureau of Indian Affairs documented membership of over 550, is comprised of all of the known surviving American Indian lineages aboriginal to the San Francisco Bay region who trace their ancestry through the Missions Santa Clara, San José, and Dolores, during the advent of the Hispano-European empire into Alta California; and who are the successors and living members of the sovereign, historic, previously Federally Recognized Verona Band of Alameda County.  
Furthermore, the San José State University community recognizes that the university is established within the Tha'mien Ohlone-speaking tribal ethnohistoric territory, which based upon the unratified federal treaties of 1851-1852, includes the unceded ancestral lands of the Muwekma Ohlone Tribe of the San Francisco Bay Area. Some of the enrolled Muwekma lineages are descended from direct ancestors from the Tha'mien Ohlone tribal territory whose ancestors had affiliation with Mission Santa Clara. The

San José State University community also recognizes the importance of this land to the indigenous Muwekma Ohlone people of this region, and consistent with our principles of community and diversity strives to be good stewards on behalf of the Muwekma Ohlone Tribe whose land we occupy.”

## **Article II: Membership**

### **Section I - Members of Association**

- A. All students registered at San José State University who have paid the Association fee shall be student members of the Association. All such members shall hold equal voting rights in campus-wide elections. There are no members of the Association as that term is defined in the California Corporations Code section 5056, or any successor thereto. Any action that would otherwise require approval by a majority of all members, as that term is defined in the California Corporations Code, shall only require approval by the Board of Directors.

### **Section II - Rights of Members**

#### **A. Initiatives**

1. Student members of the Association shall have all rights and responsibilities as granted by the Associated Students Bylaws.
2. The procedures for an initiative petition from the student body shall be identical to those for recall, as defined in Article VI, Section II. The petition shall be signed by twenty-five percent (25%) of the student body votes in the previous election.
3. A majority of the votes cast in the said election shall be sufficient for the enactment of the said initiative measure.

## **Article III: Board of Directors**

### **Section I - Functions**

- A. The Board of Directors (also referred to herein as “Board”) shall be empowered to protect the interests and respond to the needs of the Associated Students, and to adopt measures necessary for its general welfare. In general, it shall perform all legislative functions on matters within the jurisdiction of the organization.
- B. The functions and powers of the Board of Directors are:
1. To operate as the supreme policy-making body of the organization.

2. To delegate specific authority to the Executive Committee, group, or committee under the jurisdiction of the Board of Directors.
3. To approve by two-thirds (2/3) vote of the voting membership of the Board of Directors the appointment of all Associated Students Officers and members of the Associated Students Committees or Student/Faculty Committees in accordance with Article VII, Section II.
4. To establish and determine the functions of the Associated Students Committees, including boards, commissions, and agencies as necessary to provide services to the organization.
5. To oversee the financial affairs of the Association, including approval of Association budgets and accountability of allocated funds.
6. To hear student recommendations concerning the revision of University and Associated Students policies and to make appropriate recommendations to the Associated Students President and/or the University President regarding the same.
7. To enforce the provisions of this document by means of appropriate rules and regulations as may be necessary.
8. To approve the hiring of the Executive Director by a two-thirds (2/3) vote of the Board, as recommended by the A.S. President.
9. To enact legislation as authorized by the Association's Constitution and not in conflict with campus policy, the California Education Code, and/or Title 5 of the California Code of Regulations.
10. To review the Associated Students' Bylaws.
11. To have such additional authority to enact such other legislation as may be deemed necessary for the general welfare of the Associated Students.

## **Section II - Membership**

A. The members of the Board of Directors shall be:

- A.S. President
- A.S. Vice President
- A.S. Controller
- A.S. Director of Academic Affairs
- A.S. Director of Business Affairs

A.S. Director of Co-Curricular Affairs  
A.S. Director of Communications  
A.S. Director of Intercultural Affairs  
A.S. Director of Internal Affairs  
A.S. Director of Legislative Affairs  
A.S. Director of Student Resource Affairs  
A.S. Director of Student Rights and Responsibilities  
A.S. Director of Sustainability Affairs

- B. Each member of the Board of Directors shall carry one (1) vote in accordance with Article VII, Section II, Subsection B.
- C. The University President shall appoint a University Representative to the Board of Directors to advise on policy and be a liaison between the Board of Directors and the campus. The University Representative shall serve an advisory role only and he/she is not to be considered to be a member of the Board of Directors.
- D. The Chair of the Board of Directors shall be the Vice President in accordance to Article III, Section IV, 2.

### **Section III - General Duties and Responsibilities**

#### **A. Assuming Office**

1. The oath of office must be taken before someone elected or appointed to the Board of Directors starts that term of office. In the event that all members do not take the oath of office at the first meeting, the total membership of the Board is reduced accordingly pursuant to A.S. Bylaws.
2. All members of the Board of Directors shall read, sign, and adhere to the conflict of interest statement and required paperwork prior to the receipt of the first legislative stipend.
3. Members of the Board of Directors shall contact the Chairs of their prescribed university committees immediately upon being sworn in or upon appointment.

#### **B. Maintaining Office**

1. Each member of the Board of Directors must fulfill all duties prescribed unless extenuating circumstances occur and the Director is excused by the Chair of the Committee (s) on which the Director serves or the A.S. Vice President. Unexcused absences from duty are amendable and debatable and must be passed by a majority vote of the A.S. Executive Committee or Board of Directors.
2. Regular attendance is essential to the Associated Students' efficient operation and

proper representation of the students of San José State University. All members of the Board of Directors including Executives, are expected to conduct themselves in a professional manner during the course of their service and to fully participate in the activities of Associated Students. Members of the Board of Directors shall abide by the following attendance policy (in which semesters shall be defined as the first day of instruction and concluding the last day of finals, with the exception of the Fall semester):

- a. Attendance at retreats is mandatory, including overnight hours. Attendance at A.S. In-Service is mandatory. Should extenuating circumstances arise for a board member, a director shall submit to the A.S. Executive Committee the reason for the director's absence in order to distinguish its excusableness. "Attendance through teleconferencing through phone calls, zoom, or other services is acceptable when extenuating circumstances arise, teleconferencing may be used as a means to attend the meeting."
  - b. Each member of the Board of Directors is allowed a limited number of excused absences from a combination of regularly scheduled A.S Board meetings, A.S Committee meetings, and University Committee meetings on which the Board member serves.
  - c. It is within the jurisdiction of the Board of Directors to declare a position vacant if a member:
    - i. Has two (2) unexcused absences
    - ii. Exceeds their maximum of two (2) excused absences.
  - d. An unexcused absence is defined as any absence from A.S Board meetings, Committee meetings, Academic Senate, retreat, In-Service, training, etc. that is determined by the A.S Executive Committee to be unexcused.
  - e. Any excuses or explanations for absences shall be submitted in writing by the Board Member to the A.S Vice President within seven (7) calendar days before or three (3) calendar days after an absence.
  - f. It is within the jurisdiction of the Board of Directors to declare a position vacant if it is determined that the attendance policy has been breached. Should the position become vacant by a two-thirds (2/3) vote of the Board of Directors, normal operating procedures for vacancies would take effect immediately, pursuant to Article VI Section III.
3. Members of the Board of Directors are required to keep a minimum of three (3) office hours a week during regular academic semesters, excluding meeting times.  
The office



hours shall be posted on the A.S. Government website for the purpose of student accessibility.

4. With the exception of the A.S. President and A.S. Controller, members of the Board of Directors are required to meet with the A.S. Vice President at least once a month unless deemed otherwise by the A.S. Vice President for the purpose of direction, support, and feedback regarding issues related to their respective position and A.S. at large.
5. Members of the Board of Directors are required to attend and participate in each regular and special Board meeting.
6. Members of the Board of Directors are required to provide a written report for each regular Board meeting of the areas of their responsibility. Board members who serve as a liaison to the university or departments shall meet with an appropriate representative at least twice a semester and report on its status and activities at the following A.S. Board meeting.
7. Members of the Board of Directors shall be provided adequate knowledge of SJSU matters and of the corporate affairs of A.S. to discuss issues concerning their areas of responsibility prior to making decisions or voting.
8. Members of the Board of Directors shall be subject to Legislative Directives pursuant to Article III, Section V.
9. The Board of Directors may censure a Board member by a two-thirds (2/3) vote of the voting members present for violation of policies and procedures which may include but are not limited to: the Gloria Romero Open Meeting Act of 2000, California Education Code, CSU Auxiliary Organizations Compliance Guide, A.S. Bylaws, A.S. and CSU Executive Orders, and Robert's Rules of Order.

### **C. Conclusion of Term of Office**

1. The individual members of the Board of Directors must maintain a semester and cumulative on-campus (SJSU) GPA of at least 2.0 while in office. Failure to meet these qualifications will result in immediate forfeiture of the position.
2. The Board of Directors may declare a seat vacant by two-thirds (2/3) vote of the total voting membership as recommended by consensus of the Board if a member fails to complete their prescribed duties.
3. A.S. will place a registration hold on the records of any member of the Board of Directors who fails to return all A.S. property, which may include but is not limited

to keys, laptops, iPads, binders, and confidential materials, upon completion of the term.

## **Section IV - Specific Duties**

### **1. A.S President**

- a. To be Chief Executive Officer of this Association.
- b. To serve as the Chair of the A.S Executive Committee.
- c. To serve as the Chair of the A.S Personnel Committee.
- d. To serve as an ex-officio member of the A.S. Lobby Corps.
- e. To serve as a Student Senator on the Academic Senate.
- f. To serve as a member of the Executive Committee of the Academic Senate
- g. To serve as a member of the Committee on Committees of the Academic Senate.
- h. To serve as a member of the Instruction and Student Affairs Committee.
- i. To serve as a member of the Student Union Board.
- j. Membership on the following committees may be delegated by the A.S. President to a Board member designee:
  - i. Accreditation Review Committee (ex officio) of the Academic Senate
  - ii. Athletics Board of the Academic Senate
  - iii. Budget Advisory Committee of the Academic Senate
  - iv. Strategic Planning Steering Committee (ex officio) of the Academic Senate
  - v. University Library Board (ex officio) of the Academic Senate
  - vi. Spartan Shops Board of Directors
- k. To be responsible for the implementation of all legislation, including the co-ordination of the Associated Students committee system.
- l. To make such nominations for vacant Board positions, in accordance with Article VI, Section IV, subject to two-thirds (2/3) approval of the voting membership of the Board of Directors, and to fill all vacancies unless otherwise provided for in these Bylaws.
- m. To dismiss with stated cause any individuals in positions which require nomination by the University President, subject to two-thirds (2/3) approval of the voting membership of the Board of Directors.
- n. To work in consultation with the A.S. Controller and the A.S. Executive Director in the preparation of the budget for the subsequent fiscal year. This shall be submitted no later than the first Board meeting in April.
- o. To assist the A.S. Vice President in the planning, coordination, and implementation of the training program for the incoming Board of Directors and Executive Officers.
- p. To maintain regular attendance and engagement at the California State Student Association (“CSSA”) meetings in coordination with the Director of Legislative Affairs.

- q. To work in coordination with the A.S. Director of Legislative Affairs to promote the interests of SJSU and its students with local government officials and legislative offices.
- r. To work in coordination with the A.S. Director of Legislative Affairs to submit recommendations concerning CSSA proposals from the California State-Wide Academic Senate, the California State University system, the California State Legislature, and U.S. Congress that affect the interests of SJSU and its students to the Board of Directors.
- s. To issue Executive Orders.
  - i. An Executive Order is defined as an order issued by the A.S. President concerning the implementation of a provision of legislation or fiscal action adopted by the Board.
  - ii. An Executive Order is effective immediately and shall remain in effect until the end of the issuing term on May 31<sup>st</sup> or rescinded in writing by the A.S. President or by a two-thirds (2/3) vote of the voting membership of the Board.
- t. To provide a liaison report on the status and activities of the University President and the Vice President for Student Affairs.

## 2. A.S Vice President

- a. To be the Chief Administrative Officer of the Association.
- b. To serve as the Vice-Chair of the A.S. Executive Committee.
- c. To serve as the Vice-Chair of the A.S. Personnel Committee.
- d. To serve as a Student Senator on the Academic Senate.
- e. To serve as a member of the Professional Standards Committee of the Academic Senate.
- f. To serve as the Chair of the Board of Directors. Duties as Chair shall be:
  - i. To preside over the Board of Director meetings.
  - ii. To be responsible for the proper enforcement of these Bylaws with the assistance of the Director of Internal Affairs.
  - iii. To sign all legislation passed by the Board of Directors.
  - iv. To prepare all legislation in the proper form after the Board has taken final action and to present all legislation to the A.S. President no more than five (5) business days after the meeting in which the final action was taken. This section shall not apply in the event that the business is carried over to the next regular meeting.
- g. To perform the duties of the A.S. President during the President's in-capacity or "extended absence."
- h. To keep a complete and permanent record of the A.S. Bylaws and legislation passed by the Board of Directors.
- i. To plan, coordinate, and implement the training program for the Board of

Directors.

- j. To administer the Oath of Office to the newly elected Board of Directors.
  - i. If the Chair is not available at the time of installation, the current Director of Internal Affairs (Vice-Chair) shall be responsible for this duty.
  - ii. If the Director of Internal Affairs is not available, the A.S. President shall be responsible for this duty.
- k. To report on proposed changes in retention, tenure, promotion (“RTP”), and other policies pertaining to faculty affairs and professional standards to the Board of Directors.
- l. Responsible for planning the A.S. 55 award process.
  - i. Work alongside Government Staff to assemble a selection committee. The selection committee is responsible for selecting 12 awardees to be recognized at the Student Leadership Gala.
- m. To provide a liaison report on the status and activities of the Vice-President for Strategy and Institutional Affairs.

### 3. A.S. Controller

- a. To be the Chief Financial Officer of the Association - providing leadership, direction, and management of the finances of the organization.
- b. To serve as the Chair of the A.S. Finance Committee.
- c. To serve as the Vice-Chair of the A.S. Operations Committee.
- d. To serve as a member of the A.S. Executive Committee.
- e. To serve as a member of the A.S. Personnel Committee.
- f. To serve as a member of the Scholarship Selection Group.
- g. To serve as a member of the Campus Fee Advisory Committee.
- h. To serve as a member of the Spartan Community Fund
- i. To serve as a member of the Budget Advisory Committee.
- j. To have signing authority for fiscal matters for the Operating Fund.
- k. To administer the financial affairs of the Association.
- l. To plan and facilitate Funding Orientation Sessions throughout the fiscal year.
- m. To plan and facilitate the A.S. Scholarships Reception.
- n. To plan and facilitate the Spartan Showcase, in collaboration with the Finance Committee.
- o. To be responsible for the implementation of all fiscal legislation.
- p. To submit to the Board of Directors a report of the Student Organization Fund of the Associated Students on a bi-weekly basis.
- q. To work in consultation with the A.S. President and the A.S. Executive Director in the preparation of the budget and budget assumptions for the subsequent fiscal year budget,
- r. To ensure the financial reports are publicized to the general student body annually.

- s. To assume all duties of the Secretary/Treasurer position as required by the California Corporations Code. To report on decisions of the California State Legislature affecting student fees to the Board in coordination with the A.S. Director of Legislative Affairs.
- t. To provide a liaison report on the status and activities of the Vice President of Administration and Finance of San Jose State University. To work with the A.S. Director of Business Affairs on developments to the budget.

#### 4. A.S. Director of Academic Affairs

- a. To serve as the Chair of the A.S. Academic Affairs Committee.
- b. To serve as a Student Senator on the Academic Senate.
- c. To serve as a member of the Curriculum and Research Committee of the Academic Senate.
- d. To serve as a member of the Undergraduate Studies Committee of the Academic Senate.
- e. To serve as a member of the Faculty Diversity Committee of the Academic Senate.
- f. To serve as a member of the University of General Education Advisory Committee
- g. To advocate and serve by promoting University activities affecting the student educational experience.
- h. To work in coordination with the College Representatives to provide feedback to the Board of Directors and the Academic Senate to initiate changes in academic policies relating to academic advising, continuing education, curriculum and research, faculty affairs, and general education.
- i. To provide a liaison report on the status and activities of the Provost and Senior Vice President for Research and Innovation
- j. To provide an all-encompassing orientation that enumerates the necessary tasks to be completed by College Representatives.

#### 5. A.S. Director of Business Affairs

- a. To serve as the Chair of the A.S. Operations Committee.
- b. To serve as the Vice-Chair of the A.S. Finance Committee.
- c. To serve as a member of the A.S. Executive Committee.
- d. To serve as a member of the A.S. Personnel Committee.
- e. To serve as the A.S. Board representative for hiring committees unless otherwise deemed exempt.
- f. To serve as a member of the Campus Planning Board of the Academic Senate.
- g. To provide a liaison report on the status of the A.S. Department Goals.
- h. To work with the A.S. Controller on developments to the budget.

#### 6. A.S. Director of Co-Curricular Affairs

- a. To serve as the Chair of the A.S. Programming Board.
- b. To serve as the Vice-Chair of the A.S. Campus Life Affairs Committee
- c. To serve as a member of the University Homecoming Selection Committee.
- d. To serve as a member of the Spartan Community Fund.
- e. To advocate and serve by promoting and enhancing outreach and accessibility of co-curricular involvement on campus through collaborations with the University.
- f. To advocate for the A.S. Board member participation in campus-wide events and activities.
- g. To attend, if possible, the National Association for Campus Activities conference or other event annually as determined by the A.S. Leadership and Government Coordinator.
- h. To provide a liaison report on the status and activities of the Department of Intercollegiate Athletics, and Student Involvement (including Fraternity and Sorority Life, or “FASL”) to the Board to advocate a sense of community for San Jose State University students.

#### 7. A.S. Director of Communications

- a. To serve as the Vice-Chair of the A.S. Lobby Corps.
- b. To serve as the Vice-Chair of the A.S. Programming Board.
- c. To serve as a member of the A.S. Operations Committee.
- d. To serve as a member of the SJSU Cares Steering Committee.
- e. To serve as a member of the University Library Board of the Academic Senate.
- f. To serve as a member of the Spartan Community Fund.
- g. To advocate and serve by increasing awareness of A.S. resources and establishing connections within the campus and surrounding community.
- h. To provide a liaison report on the status and activities of University Marketing and Communications.

#### 8. A.S. Director of Intercultural Affairs

- a. To serve as a member of the A.S. Campus Life Affairs Committee.
- b. To serve as a member of the Faculty Diversity Committee of the Academic Senate.
- c. To serve as a member of the International Programs and Students Committee of the Academic Senate.
- d. To serve as the chair of the Spartan Community Fund.
- e. To serve as a member of the Veterans Advisory Committee.
- f. To report Academic Senate policies affecting ethnic/cultural, international, and non-traditional student groups at San José State University to the Board of Directors.
- g. To advocate for ethnic/cultural, international, and non-traditional student groups, which may include but are not limited to disabled, LGBT, re-entry, veteran, and graduate students.
- h. To provide a liaison report on the status and activities of the Associate Vice President for Student Success and the Chief Diversity Officer.

9. A.S. Director of Internal Affairs

- a. To serve as the Chair of the A.S. Internal Affairs Committee.
- b. To serve as the Vice-Chair of the A.S. Board of Directors.
- c. To serve as a member of the A.S. Academic Affairs Committee.
- d. To serve as a member of the A.S. Executive Committee.
- e. To serve as a member of the A.S. Operations Committee.
- f. To serve as a Student Senator on the Academic Senate.
- g. To serve as a member of the Organization and Government Committee of the Academic Senate.
- h. To report on proposals of the Academic Senate affecting the University governance, including revisions of the Academic Senate Constitution and Bylaws, to the Board of Directors.
- i. To work in coordination with the Student Senators to submit proposals to the Board and the Academic Senate recommending changes in policies regarding university governance.
- j. To assist the A.S. Vice President with the enforcement of these Bylaws
- k. To serve as a member of the Records Management Advisory Council.

10. A.S. Director of Legislative Affairs

- a. To serve as a CSSA member with a term that commences on June 1.
- b. To serve as the Chair of the A.S. Lobby Corps.
- c. To serve as a Student Senator on the Academic Senate.
- d. To serve as a member of the Instruction and Student Affairs Committee of the Academic Senate.
- e. To work with local government officials and legislative offices to promote the interests of San José State University and its students in coordination with the A.S. President.
- f. To organize all Associated Students, SJSU voter registration, education, and mobilization efforts
- g. To fulfill the role of the CSSA Representative with sole voting rights.
- h. To submit recommendations concerning CSSA proposals from the California State-Wide Academic Senate, the California State University system, the California State Legislature, and the U.S. Congress that affect the interests of San José State University and its students to the Board of Directors in coordination with the A.S. President.
- i. To provide a liaison report on the status and activities of the University Government Relations.
- j. To work in coordination with the A.S. Controller to report on decisions of the California State Legislature affecting student fees to the Board.

11. A.S. Director of Student Resource Affairs

- a. To serve as the Chair of the A.S. Campus Life Affairs Committee.

- b. To serve as a member of the A.S. Academic Affairs Committee.
- c. To serve as a member of the A.S. Internal Affairs Committee.
- d. To serve as a Student Senator on the Academic Senate.
- e. To serve as a member of the Student Success Committee of the Academic Senate.
- f. To serve as a member of the Instruction and Student Affairs Committee of the Academic Senate.
- g. To serve as a member of the Spartan Community Fund.
- h. To serve as a member of the Student Health Advisory Committee.
- i. To provide a liaison report on the status and activities of University Information Technology, Health, Wellness, and Student Services.

#### 12. A.S. Director of Student Rights and Responsibilities

- a. To serve as the Vice-Chair of the A.S. Internal Affairs Committee
- b. To serve as the Vice-Chair of the A.S. Academic Affairs Committee
- c. To serve as a Student Senator on the Academic Senate
- d. To serve as a member of the Instruction and Student Affairs Committee of the Academic Senate.
- e. To serve as a member of the Alcohol and Drug Abuse Prevention Committee (ADAPC) of the Academic Senate.
- f. To serve as a member of the SJSU Basic Needs Advisory Committee
- g. To serve as a member of the Campus Fee Advisory Committee
- h. To submit proposals to the Board of Directors and the Academic Senate recommending changes in academic policies pertaining to student rights and responsibilities, in coordination with the Student Senators.
- i. To promote awareness of the academic responsibilities of students and the various University grievance procedures available to them.
- j. To provide a liaison report on the status and activities of the University Ombudsperson, Office of Student Conduct and Ethical Development, University Police Department (“UPD”), Gender Equity, and Title IX
- k. To serve as a member of the University Police Chief Search Committee.
- l. To serve as a member of the Violence Prevention Committee

#### 13. A.S. Director of Sustainability Affairs

- a. To serve as a member of the A.S. Lobby Corps.
- b. To serve as a member of the A.S. Campus Life Affairs Committee.
- c. To serve as a member of the A.S. Programming Board.
- d. To serve as a member of the Spartan Shops Board of Directors
- e. To serve as a member of the Campus Planning Board of the Academic Senate.
- f. To serve as a member of the Sustainability Board of the Academic Senate.
- g. To serve as a member of the Traffic, Transit, and Parking Committee of the Academic Senate.
- h. To serve as a member of the Spartan Community Fund.



- i. To advocate and educate A.S. on campus issues pertaining to sustainability, recycling, and related activities.
- j. To raise, address, and report on issues concerning sustainability
- k. pertaining to the campus, the surrounding community, the nearby region, and/or the global environment.
- l. To provide a liaison report on the status and activities of the A.S. Cesar E. Chavez Community Action Center (“CCCAC”) Community Garden, Environmental Resource Center, Facilities Development and Operations (“FD&O”), Spartan Shops, and A.S. Transportation Solutions.

## **Section V – Types of Legislation**

### **A. General Definitions of Legislation**

- 1. A legislative resolution is a statement expressing the opinion, position, or recommendation of the Board of Directors to an *external* party.
- 2. A Fiscal Resolution is a statement by the Board of Directors concerning the use of previously allocated Associated Students’ funds by an *external* recipient of said funds.
  - a. A Fiscal Resolution does not change the General Fund balance.
- 3. A Legislative Directive is an internal instruction by the Board of Directors to the A.S. Executive Committee or to a single member of said committee, to itself as a group or to members thereof, to an Associated Students Committee, or to legal counsel to adopt a course of action.
  - a. A Legislative Directive has the force of law for Associated Students.
  - b. A Legislative Directive has a permanent and binding effect on the parties concerned until amended, repealed, or superseded by the Board of Directors.
- 4. A Fiscal Directive is a statement by the Board of Directors, directed *internally* to Associated Students personnel and/or leadership, concerning the allocation of currently approved Associated Students funds.
  - a. A Fiscal Directive may set or change the General Fund balance for the current fiscal year.
- 5. A Legislative Action is any other non-fiscal action of the Board of Directors, including but not limited to *amendments* to these Bylaws.
- 6. A Budget Amendment is legislation, which changes the current Associated Students budget, including stipulations and budgeted amounts.

### **B. Introducing Legislation**

- 1. The introduction of any legislation shall follow all general procedures and shall

have a minimum of two (2) readings, as specified below. All proposed legislation must be distributed to the legislative body at least seventy-two (72) hours prior to the meeting.

2. Legislation may be introduced by a member of the Board of Directors or Committees of the Associated Students.
3. Legislation shall be provided to members of the Committee in electronic format at least five (5) business days prior to the meeting at which the proposed legislation will be considered. The name(s) of the introducer(s) and the date of introduction or revision shall be included in the measure. The Chair of the Committee may refuse any proposed legislation that is not in proper form.

### **C. First Reading of Legislation**

1. Proposed legislation that is introduced at an A.S. Committee meeting can be designated as an information, discussion, or action item.
  - a. If the proposed legislation is introduced at a Board of Directors meeting, it may only be an information or discussion item in keeping with the provisions of the California Education Code.

### **D. Final Reading of Legislation**

1. The proposed legislation shall be read in full on the final reading at the Board of Directors meeting. The Board of Directors may debate and amend the proposed legislation at the final reading.

### **E. Passage of Legislation**

1. A two-thirds (2/3) vote of the voting membership of the Board of Directors shall be necessary for the adoption of the proposed legislation. The vote shall be taken by roll call vote.

### **F. Amendments**

1. When an amendment to the existing legislation is presented to the Board of Directors, words to be added shall be *bolded*, *underlined*, and *italicized*; omission of words shall be indicated by a line passing through the words.
2. To amend legislation, the proposed amendment must follow the procedures, as outlined in Article III, Section V, Sub-sections C-E with the exception that it does not need to be taken by roll call vote.
3. Upon petition by ten percent (10%) of the number of student members of the Associated Students who cast ballots in the last Associated Students Presidential election,

a proposed amendment shall be placed before the Board of Directors for consideration.

4. A majority of the Board of Directors present may decline to consider an amendment presented by its author, which proposes to change a substantial portion of existing legislation.

## **Article IV: Committee**

### **Section I – Defining Committees**

#### **A. Purpose of Committees**

1. The purpose of A.S. Committees is to carry out the specific duties of the Board of Directors.

#### **B. Types of Committees**

1. The following are currently recognized A.S. Committees:
  - a. Executive Committee
  - b. Academic Affairs Committee
  - c. Audit Committee
  - d. Campus Life Affairs Committee
  - e. Finance Committee
  - f. Internal Affairs Committee
  - g. Lobby Corps
  - h. Multicultural Advisory Committee
  - i. Operations Committee
  - j. Personnel Committee
  - k. Programming Board
  - l. Spartan Community Fund
  - m. Students' Election Commission
  - n. Ad Hoc Committee

#### **C. Membership of Committees**

1. Committee membership shall be comprised of a combination of Board members, Students-at-Large, and the A.S. Executive Director or Designee.
  - a. Except for the Student Election Commission, student staff members may also serve as a Student-at-Large on Committees.

#### **D. Committee Appointments for Student-at-Large**

1. The following are the procedures for appointing a Student-at-Large on an A.S. Committee:

- a. Interested applicants will submit their completed A.S. application with their desired Committee choice.
  - b. The Chair of said Committee will send applications of all eligible applicants to the committee for review and decision, with the Chair's recommendation. The Chair's recommendation will be decided through consultation with the A.S. President.
    - i. Upon a majority approval from the current present voting members of the Committee, the recommendation for student(s)-at-large will be sent to the Board of Directors for approval. Students-at-Large shall serve from the time of appointment until the last Board of Directors meeting in May.
2. When a recommendation cannot be given by the Committee due to a lack of quorum, applications can then be sent to the A.S. Executive Committee or the A.S. Board of Directors for final approval.
  3. All A.S. Committees will follow the appointment procedures, with the exception of the A.S. Programming Board and Multicultural Advisory Committee.
    - a. Students-at-Large for the A.S. Programming Board shall be appointed by the A.S. Director of Co-Curricular Affairs (Chair) and the A.S. Director of Communications (Vice Chair). Appointments must be reported to the Board of Directors through the Director Report at the following Board of Directors meeting.

## **Section II - Executive Committee**

### **A. Purpose and Duties**

1. The purpose of the A.S. Executive Committee is to administer the affairs of the Associated Students and implement all legislation passed by the Board of Directors. It shall coordinate relations with other student associations and with the University administration.
2. The duties of the A.S. Executive Committee are to:
  - a. Implement legislation passed by the Board of Directors.
  - b. Spend reserve funds in times of emergency where the Board of Directors cannot convene consistent with A.S. Budget policies.
  - c. Resolve Board issues relating to complaints, suggestions for training, and violations of Board policies.
  - d. Hear and investigate any issues pertaining to the Board of Directors and Committee conduct.
3. Determine excused or unexcused absences by board members.

### **B. Committee Membership**

1. The A.S. Executive Committee shall be comprised of :
  - a. A.S President (Chair, Non-Voting)
  - b. A.S Vice President (Vice-Chair, Voting)
  - c. A.S Controller (Voting)
  - d. A.S Director of Business Affairs (Voting)
  - e. A.S Director of Internal Affairs (Voting)
  - f. A.S Executive Director or Designee (Non-Voting)

### **C. Duties of Committee Chair and Vice Chair**

1. The Chair shall be the A.S. President. The duties of the Chair are to:
  - a. Preside over all meetings of the A.S. Executive Committee and provide an agenda in accordance with the Gloria Romero Open Meetings Act of 2000 and the A.S. Bylaws.
2. The Vice-Chair shall be the A.S. Vice President. The duties of the Vice-Chair are to:
  - a. Assume the duties of the Chair in the absence of the Chair.
  - b. Assist the Chair in carrying out meeting duties.
  - c. Determine excused or unexcused absences by board members.
3. In the event that the A.S. President is subject to removal, causing the A.S. Vice President to become Chair of the A.S. Executive Committee, the A.S. Director of Internal Affairs shall be the Vice Chair.
4. In the event that the A.S. Vice President is subject to removal, the Director of Internal Affairs shall be the Vice-Chair.
5. In the event that the A.S. President and A.S. Vice President are simultaneously subject to removal, the Director of Internal Affairs shall be the Chair, and the Director of Business Affairs shall be the Vice-Chair.

## **Section III – Academic Affairs Committee**

### **A. Purpose and Duties**

1. The purpose of the A.S. Academic Affairs Committee is to cultivate the academic needs and growth of SJSU students through inclusive representation.
2. The duties of the A.S. Academic Affairs Committee are to:
  - a. Review University policy related to academic needs.
  - b. Implement programming in regard to the academic needs of students
  - c. Nurture positive interactions among faculty and students.

### **B. Committee Membership**

1. The A.S. Academic Affairs Committee shall be comprised of:
  - a. A.S. Director of Academic Affairs (Chair; Non-Voting)
  - b. A.S. Director of Student Rights and Responsibilities (Vice-Chair; Voting)
  - c. A.S. Director of Internal Affairs (Voting)
  - d. A.S. Director of Student Resource Affairs (Voting)
  - e. College of Health and Human Sciences Representative (Voting)
  - f. College of Humanities and the Arts Representative (Voting)
  - g. College of Professional and Global Education (Voting)
  - h. College of Science Representative (Voting)
  - i. College of Social Sciences Representative (Voting)
  - j. Connie L. Lurie College of Education Representative (Voting)
  - k. Charles W. Davidson College of Engineering Representative (Voting)
  - l. Lucas College and Graduate School of Business Representative (Voting)
  - m. College of Graduate Studies Representative (Voting)
  - n. A.S. Executive Director or Designee (Non-Voting)

### **C. Duties of the Committee Chair and Vice-Chair**

1. The Chair shall be the A.S. Director of Student Resource Affairs. The duties of the Chair are to:
  - a. Preside over all meetings of the A.S. Campus Life Affairs Committee and provide an agenda in accordance with the Gloria Romero Open Meetings Act of 2000 and the A.S. Bylaws.
  - b. Inform the A.S. Board of Directors of all actions taken by the A.S. Campus Life Affairs Committee at the ensuing Board of Directors meeting.
  - c. Ensure College Representatives understand the scope of their role.
  - d. Perform other duties as necessary.
2. The Vice-Chair shall be the A.S. Director of Co-Curricular Affairs. The duties of the Vice-Chair are to:
  - a. Assume the duties of the Chair in the absence of the Chair.
  - b. Assist the Chair in carrying out duties.
  - c. Perform other duties as necessary.

### **C. Committee Operations**

1. The A.S. Campus Life Affairs Committee shall meet on the first and third Fri- day of each month during the academic year, or as deemed necessary by the Committee.
2. All matters shall be decided by a majority vote of those present and voting.

### **A. Purpose and Duties**

1. In compliance with the Nonprofit Integrity Act of 2004, A.S. shall have an Audit Committee appointed by the Board of Directors.
2. The purpose of the A.S. Audit Committee is to review the audit conducted by the outside auditing firm.
3. The duties of the A.S. Audit Committee are to:
  - a. Make recommendations to the Board of Directors on the hiring and firing of the outside auditing firm.
  - b. Negotiate the compensation of the auditor on behalf of the Board of Directors.
  - c. Confer with the auditor to ensure that the financial affairs of the charitable organization are in order to the satisfaction of Committee members.
  - d. Review the audit and determine whether to recommend acceptance of the audit by the Board of Directors.
  - e. Approve any non-audit services to be performed by the auditing firm.
4. The A.S. Audit Committee shall be separate from the A.S. Finance Committee.

### **B. Committee Membership**

1. The A.S. Audit Committee shall be comprised of:
  - a. University Faculty Representative (Chair, Non-Voting)
  - b. A.S. Finance Committee Member (Voting)
  - c. University President's Designee (Voting)
  - d. A.S. Director-at-Large (Voting)
  - e. A.S. Director-at-Large (Voting)
  - f. Student-at-Large (Voting)

### **C. Duties of the Committee Chair and Vice-Chair**

1. The A.S. Audit Committee shall be comprised of:
2. The Vice-Chair shall be elected from the Committee membership by a majority vote of the voting membership of the A.S. Audit Committee. The Vice-Chair shall:
  - a. Assume duties of the Chair in the absence of the Chair.
  - b. Assist the Chair in carrying out duties.
  - c. Provide written and/or oral reports to the A.S. Board.
  - d. Perform other duties as necessary)

## **Section V – Campus Life Affairs Committee**

### **A. Purpose and Duties**

1. The purpose of the A.S. Campus Life Affairs Committee is to address the concerns in a student's life and find creative ways to enhance the awareness of the resources available.
2. The duties of the A.S. Campus Life Affairs Committee are to:

- a. Collaborate with respective University liaisons to cultivate an inclusive campus climate.
- b. "Create initiatives to strengthen the campus community as a whole through the promotion of (the) existing resources."

## **B. Committee Membership**

1. The A.S. Campus Life Affairs Committee shall be comprised of:

- a. A.S. Director of Student Resource Affairs (Chair; Non-Voting)
- b. A.S. Director of Co-Curricular Affairs (Vice-chair; Voting)
- c. A.S. Director of Intercultural Affairs (Voting)
- d. A.S. Director of Sustainability Affairs (Voting)
- e. Student-at-Large (Voting)
- f. Student-at-Large (Voting)
- g. A.S. Executive Director or Designee (Non-Voting)

## **C. Duties of Committee Chair and Vice Chair**

1. The Chair shall be the A.S. Director of Student Resource Affairs. The duties of the Chair are to:

- a. Preside over all meetings of the A.S. Campus Life Affairs Committee and provide an agenda in accordance with the Gloria Romero Open Meetings Act of 2000 and the A.S. Bylaws.
- b. Inform the A.S. Board of Directors of all actions taken by the A.S. CampusLife Affairs Committee at the ensuing Board of Directors meeting.
- c. Perform other duties as necessary.

2. The Vice-Chair shall be the A.S. Director of Co-Curricular Affairs. The duties of the Vice-Chair are to:

- a. Assume the duties of the Chair in the absence of the Chair.
- b. Assist the Chair in carrying out duties.
- c. Perform other duties as necessary.

## **D. Committee Operations**

1. The A.S. Campus Life Affairs Committee shall meet on the first and third Friday of each month during the academic year, or as deemed necessary by the Committee.

2. All matters shall be decided by a majority vote of those present and voting.

## **Section VI - Finance Committee**



## **A. Purpose and Duties**

1. The purpose of the A.S. Finance Committee is to ensure student fees are being directed and allocated appropriately across various A.S. programs and services to help serve and support student success. Responsibilities include but are not limited to approving funding requests from recognized student organizations and individual students and developing, reviewing, and forwarding the annual A.S. Operating Budget to the Board of Directors for final approval.
2. The duties of the A.S. Finance Committee are to:
  - a. Approve, monitor, and provide oversight and strategic recommendations to A.S. department managers to help plan and develop A.S. departments' budget (A.S. Operating Budget) and General Fund for the subsequent fiscal year
  - b. Managing the processes for financial forecasting and budgets, and overseeing the preparation of all financial reporting with the support of the A.S Executive Director and A.S Finance and Accounting Manager
  - c. Recommend changes to the A.S. Budget Policies and ensure their adherence during the budget request and funding request process.
  - d. Award funding to eligible organizations and individual students, per the annual Budget Policies, Guidelines, and Assumptions.
  - e. Seek direction from the Board of Directors regarding policy statements related to the expenditure of A.S. funds.
  - f. Advising and communicating with the Board on long-term operations and financial planning of funds
  - g. Establishing and developing relations with stakeholders (A.S departments, recognized student organizations, and students)

## **B. Committee Membership**

1. The A.S. Finance Committee shall be comprised of:
  - a. A.S Controller (Chair, Non-Voting)
  - b. A.S. Director of Business Affairs (Vice-Chair, Voting)
  - c. A.S. Director-at-Large (Voting)
  - d. A.S. Director-at-Large (Voting)
  - e. Minimum of one (1) to six (6) and a maximum of eight (8) Students-at-Large (Voting)
  - f. Director of Student Involvement (Non-Voting)
  - g. University Vice President of Administration and Finance or Designee (Non-Voting)
  - h. A.S. Executive Director or Designee (Non-Voting)
2. Designee Staff appointments will be determined by the A.S. Executive Director.

## **C. Duties of Committee Chair and Vice-Chair**

1. The Chair shall be the A.S. Controller. The duties of the Chair are to:
  - a. Preside over all meetings of the A.S. Finance Committee and provide an agenda in accordance with the Gloria Romero Open Meetings Act of 2000 and the A.S. Bylaws.
  - b. Inform the A.S. Board of Directors of all actions taken by the A.S. Finance Committee at the ensuing Board of Directors meeting.
  - c. Perform other duties as necessary.

#### **D. Committee Operations**

1. Under the authority of the Education Code, Sections 89300, 89301, and 89302, of the State of California, all monies collected from the mandatory student activities fees shall be collected by the Chief Financial Officer of the University and shall be transferred to the Associated Students for deposit.
2. The allocation of Student Activity Fees is as follows:
  - a. Student Activity Fees shall be governed under the same provisions established under the California Education Code Section 89300, et seq. b. A.S. may use fees collected in accordance with all programs listed in Title 5, Section 42659 of the California Code of Regulations.
  - b. The general student body shall be informed through various mediums, such as print media, and the Office of Student Involvement, as to the availability of funding and the process in which to be considered for funding.

### **Section VII - Internal Affairs Committee**

#### **A. Purpose and Duties**

1. The purpose of the A.S. Internal Affairs Committee is to maintain accurate copies and effectively propose changes to the Articles of Incorporation, A.S. Bylaws, and Elections Regulation Manual (i.e. Governing Documents) to the Board of Directors and regulate issues pertaining to Board accountability.
2. The duties of the A.S. Internal Affairs Committee are to:
  - a. Meet and review the Governing Documents.
  - b. Make recommendations to the Board of Directors on revisions to the Governing Documents, as well as any proposed changes in the University governance structure. The Board of Directors may accept these recommendations and act upon them according to the procedures outlined in the Bylaws.
  - c. Review processes and procedures of Associated Students.

#### **B. Committee Membership**

1. The A.S. Internal Affairs Committee shall be comprised of:
  - a. A.S. Director of Internal Affairs (Chair, Non-Voting)

- b. A.S. Director of Student Rights and Responsibilities (Vice-Chair, Voting)
  - c. A.S. Director of Student Resource Affairs (Voting)
  - d. A.S. Director-at-Large (Voting)
  - e. Student-at-Large (Voting)
  - f. Student-at-Large (Voting)
  - g. Student-at-Large (Voting)
  - h. A.S. Executive Director or Designee (Non-Voting)
2. Designee Staff appointments will be determined by the A.S. Executive Director.
  3. The A.S. legal counsel could serve as an ex-officio member of this committee and may be consulted upon the request of the A.S. President or A.S. Executive Director.

### **C. Duties of Committee Chair and Vice-Chair**

1. The Chair shall be the A.S. Director of Internal Affairs. The duties of the Chair are to:
  - a. Preside over all meetings of the A.S. Internal Affairs Committee and provide an agenda in accordance with the Gloria Romero Opening Meetings Act of 2000 and the A.S. Bylaws.
2. The Vice-Chair shall be the A.S. Director of Student Rights and Responsibilities The duties of the Vice-Chair are to:
  - a. Assume the duties of the Chair in the absence of the Chair.
  - b. Assist the Chair in carrying out duties.
  - c. Perform other duties as necessary.

### **D. Committee Operations**

1. The A.S. Internal Affairs Committee shall meet on the first and third Wednesdays of each month during the academic year, or as deemed necessary by the Committee.
2. All matters shall be decided by a majority vote of those present and voting

## **Section VIII - Lobby Corps**

### **A. Purpose and Duties**

1. The purpose of the A.S. Lobby Corps is to make recommendations to the A.S. President and the Board of Directors concerning the impact of pending legislation in the state legislature and the U.S. Congress concerning San José State University, the California State University system, education in general and higher education in particular, and the legislation's impact on individual San José State University students.

2. The duties of the A.S. Lobby Corps are to:
  - a. Be responsible for implementing Associated Students' lobby efforts in coordination with the A.S. President. These shall include but are not limited to: rallies, letter-writing campaigns, and legislative office visits.
  - b. Discuss, debate, propose, and promote legislative issues that affect
    - i. students at San José State University.
  - c. Organize and carry out annual voter education, registration, and mobilization.

## **B. Committee Membership**

1. The A.S. Lobby Corps shall be comprised of:
  - a. A.S. Director of Legislative Affairs (Chair, Non-Voting)
  - b. A.S. Director of Communications (Vice-Chair, Voting)
  - c. A.S. Director of Sustainability Affairs (Voting)
  - d. Voter Registration Captain (Student-at-large, Voting)
  - e. Local Campaign Manager (Student-at-large, Voting)
  - f. State Campaign Manager (Student-at-large, Voting)
  - g. Federal Campaign Manager (Student-at-large, Voting)
  - h. Student-at-Large (Voting)
  - i. Student-at-Large (Voting)
  - j. Student-at-Large (Voting)
  - k. Student-at-Large (Voting)
  - l. Student-at-Large (Voting)
  - m. A.S. President (Ex-Officio)
  - n. A.S. Executive Director or Designee (Non-Voting)
2. Designee Staff appointments will be determined by the A.S. Executive Director.

## **C. Duties of Committee Chair and Vice-Chair**

1. The Chair shall be the A.S. Director of Legislative Affairs. The duties of the Chair are to:
  - a. Preside at all meetings of the A.S. Lobby Corps and provide an agenda in accordance with the Gloria Romero Open Meeting Act of 2000 and the A.S. Bylaws.
  - b. Report on the activities of the A.S. Lobby Corps to the Board of Directors at least monthly.
  - c. Research and bring to the A.S. Lobby Corps, legislation that would be consistent with the purpose of the Committee.
  - d. Fulfill the role of the California State Student Association ("CSSA") Representative. These duties include:
    - i. Attend each CSSA meeting
    - ii. Actively participate in CSSA meetings and business/activities by

- holding leadership positions and promoting CSSA events.
      - iii. Provide a report on the actions taken at CSSA meetings to the Board of Directors.
      - e. Perform other duties as necessary.
- 2. The Vice-Chair shall be the Director of Community and Outreach. The duties of the Vice-Chair are to:
  - a. Assume the duties of the Chair in the absence of the Chair.
  - b. Assist the Chair in carrying out duties.
  - c. Forward information discussed in meetings to Committee members who were absent.
  - d. Perform other duties as necessary.
- 3. The duties of the Voter Registration Captain are to:
  - a. Attend each meeting of the A.S. Lobby Corps.
  - b. Coordinate voter registration drives on campus and in the campus community.
  - c. Assist in the other programming and education efforts of the A.S. Lobby Corps.
  - d. Perform other duties as necessary.
- 4. The duties of Lobby Corps Campaign Managers (local, state, and federal) are to:
  - a. Attend each meeting of the A.S. Lobby Corps.
  - b. Provide a liaison report to the A.S. Lobby Corps of actions, events, and legislation pertinent to their area, local state, or federal.
  - c. Implement lobbying events and efforts pertinent to their area (local, state, or federal). These include but are not limited to: rallies,
  - d. letter-writing campaigns, speakers, and legislative office visits.
  - e. Perform other duties as necessary.

#### **D. Committee Operations**

1. The A.S. Lobby Corps shall meet on the first and third Wednesdays of each month during the academic year, or as deemed necessary by the Committee.
2. All matters shall be decided by a majority vote of those present and voting.

### **Section IX- Multicultural Advisory Committee**

#### **A. Purpose and Duties**

1. The purpose of the Multicultural Advisory Committee is to serve as a space where students from different centers on campus could address cross-cultural concerns, mitigate existing gaps in space, and representation for the student voice in conversations surrounding diversity, equity, and inclusion as it relates to to Associated Students as well

as University & Academic practices, policies, and procedures. The Multicultural Advisory Committee shall serve as an advisory council to inform the President and other Senior Levels accountable on the Cabinet level.

## **B. Committee Membership**

1. The Multicultural Advisory Committee shall be comprised of
  - a. Director of Intercultural Affairs (Chair, Non-voting)
  - b. Director of Student Resource Affairs (Vice-Chair, voting)
  - c. Director of Legislative Affairs (At-large, voting)
  - d. University Chief Diversity Officer or Designee (Non-voting)
  - e. Black Leadership Opportunity Center Student Representative, (At large, voting)
  - f. Gender Equity Center Student Representative, (At-large, voting)
  - g. PRIDE Center Student Representative (At-large, voting)
  - h. Chicana/Latina Student Success Center Student Representative, (At-large, voting)
  - i. MOSAIC-Cross Cultural Center Student Representative (At-large, voting)
  - j. Undocu/Latino Resource Center Student Representative, (At-large, voting)
  - k. Veterans Resource Center Student Representative (At-large, voting)
  - l. International House Student Representative, (At-large, voting)
  - m. Accessible Education Center Student Representative (At-large, voting)
  - n. Center for Asian Pacific Islander Student Empowerment (At-large, voting)
  - o. Native American Indigenous Student Success Center (At-large, voting)

## **C. Duties of the Committee Chair and Vice-Chair**

1. The Chair shall be the A.S. Director of Intercultural Affairs
2. The Duties of the Chair are to:
  - a. Preside over all meetings of the Multicultural Advisory Committee and provide an agenda in accordance with the Gloria Romero Open Meetings Act of 2000 and the A.S. Bylaws.
  - b. Advocate for ethnic/cultural, international, and non-traditional student groups, which may include but are not limited to Disabled, International, LGBTQIA+, Veteran, and Graduate students.
  - c. Provide periodic written and oral reports to the Board of Directors as to the actions taken by the Committee.
  - d. Perform other duties as necessary.
3. The Vice-Chair shall be the Director of Student Resource Affairs
  - a. Assume duties of the Chair in the absence of the Chair.
  - b. Assist the Chair in carrying out duties.
  - c. Provide periodic written and/or oral reports to the A.S. Board.
  - d. Perform other duties as necessary.

## **D. Committee Operations**

1. The A.S. Multicultural Advisory Committee shall meet once a month during the academic year, or as deemed necessary by the Committee Chair.
2. All matters shall be decided by a majority vote of those present and voting.

## **Section X - Operations Committee**

### **A. Purpose and Duties**

1. The purpose of the A.S. Operations Committee is to assess the programs, services, and strategic plan of Associated Students, as an evaluation of the organization's needs and effectiveness.
2. The duties of the A.S. Operations Committee are to:
  - a. Review the strategic plan to evaluate its alignment with Associated Students' goals, mission statement, and projects.
  - b. Provide program service recommendations for future strategic considerations of the Board of Directors.
  - c. Analyze, evaluate, and present to the Board of Directors the results of data acquired from students, which reflect the assessment of needs and satisfaction through tools (i.e. surveys).

### **B. Committee Membership**

1. The A.S. Operations Committee shall be comprised of:
  - a. A.S. Director of Business Affairs (Chair, Non-Voting)
  - b. A.S. Controller (Vice-Chair, Voting)
  - c. A.S. Director of Communications (Voting)
  - d. A.S. Director of Internal Affairs (Voting)
  - e. Student-at-Large (Voting)
  - f. Student-at-Large (Voting)
2. Designee Staff appointments will be determined by the A.S. Executive Director.

### **C. Duties of Committee Chair and Vice-Chair**

1. The Chair shall be the A.S. Director of Business Affairs. The duties of the Chair are to:
  - a. Preside over all meetings of the A.S. Operations Committee and provide an agenda in accordance with the Gloria Romero Open Meetings Act of 2000 and the A.S. Bylaws.
  - b. Provide written and oral reports to the Board of Directors as to the actions taken by the Committee.
  - c. Perform other duties as necessary.
2. The Vice-Chair shall be the A.S. Controller. The duties of the Vice-Chair are to:
  - a. Assume the duties of the Chair in the absence of the Chair.

- b. Assist the Chair in carrying out meeting duties.
- c. Perform other duties as necessary.

#### **D. Committee Operations**

- 1. The A.S. Operations Committee shall meet at least once a month as determined by the Committee membership.

### **Section XI - Personnel Committee**

#### **A. Purpose and Duties**

- 1. The duties of the A.S Personnel Committee are to:
  - a. Serve as oversight to the operational functions of the Association by ensuring compliant labor practices for all employees.
  - b. Make recommendations to the A.S. Executive Director regarding operational improvements, employee benefits, and wage distribution strategies necessary for budget planning purposes.
  - c. Recommend personnel policy for all employees, to the Board of Directors, in conjunction with the A.S. Executive Director.
  - d. Adopt all rules and procedures necessary to execute all personnel affairs of Associated Students.
  - e. Provide consultation and support when called upon in a grievance the matter brought to the attention of the Personnel Committee pursuant to the Employee Handbook.
  - f. Assist the A.S. President in completing periodic evaluations of the A.S. Executive Director, in accordance with the provisions of this Section and the employment contract of the Executive Director.
  - g. Approve and recommend to the Board of Directors the annual performance review of the A.S. Executive Director.
  - h. Establish the personnel selection processes of the A.S. Executive Director with the approval of the Board of Directors. For the selection of an A.S. Executive Director, the Committee shall:
  - i. Recruit, select, and recommend a final candidate for the position of A.S. Executive Director to the Board of Directors for approval. In the event that the Board of Directors does not approve the recommendation of the A.S. Personnel Committee, it will be the duty of the A.S. Personnel Committee to select and recommend another candidate.

#### **B. Committee Membership**

- 1. The A.S. Personnel Committee shall be comprised of:
  - a. A.S. President (Chair, Non-Voting)
  - b. A.S. Vice-President (Vice-Chair, Voting)



- c. A.S. Controller (Voting)
- d. A.S. Director of Business Affairs (Voting)
- e. University President's Designee (Voting)
- f. Faculty or Staff Representative (Voting)
  - i. This person shall be approved by the Executive Committee of the Academic Senate.
  - ii. This person shall serve a two (2) year term coinciding with the A.S. fiscal year. Consecutive terms are permitted at a maximum of two (2) terms.
- g. University Personnel Officer or Designee (Non-Voting)
- h. A.S. Executive Director (Non-Voting)

**C. Duties of Committee Officers and Members**

1. The Chair shall be the A.S. President.
2. The duties of the Chair are to:
  - a. Preside over all meetings of the A.S. Personnel Committee and provide an agenda in accordance with the Gloria Romero Open Meeting Act of 2000 and the A.S. Bylaws.  
Act as the official spokesperson for the A.S. Personnel Committee.
  - b. Appoint members of the Committee to complete specific duties such as research, evaluation, and assessment of procedures and practices as determined.
  - c. Complete periodic evaluations of the A.S. Executive Director in accordance with the provisions of this Section and the employment contract of the Executive Director.
3. The duties of the A.S. Executive Director are to:
  - a. Ensure consistency, compliance, and appropriate documentation in all matters of employee relations as an at-will employer for the corporation.
  - b. Fulfill all responsibilities of the position as defined in the employment contract and job description.

**D. Committee Operations**

1. The employment and termination of the A.S. Executive Director must follow proper procedures and be recommended by a majority of the total membership of the Personnel Committee.
2. All policy recommendations must be approved by a two-thirds (2/3) vote of the Board of Directors.
3. A quorum shall consist of a majority of currently appointed voting members, with a minimum of three (3) members of the Board of Directors

**Section XII - Programming Board**

## **A. Purpose and Duties**

1. The purpose of the A.S. Programming Board is to create, organize, facilitate, and execute programs that spark the desire in students to get involved with the campus community. Such programs shall understand the diversity of the students and may even target specific interests.
2. The duties of the A.S. Programming Board are to:
  - a. Coordinate and/or facilitate on behalf of Associated Students for the following events:
    - i. Fall Event
    - ii. Spring Event
  - b. Approve Homecoming Court selection protocol.

## **B. Committee Membership**

1. The A.S Programming Board shall be comprised of:
  - a. A.S Director of Co-Curricular Affairs (Chair, Non-Voting)
  - b. A.S Director of Communications (Vice-Chair, Voting)
  - c. A.S Director of Sustainability (Voting)
  - d. A minimum of four (4), a maximum of twenty (20) Student-at Large (Voting)
  - e. A.S Executive Director or Designee (Advisor, Non-Voting)
2. The A.S Programming Board shall supervise only its own volunteers. Paid assistants of other departments of A.S. or the University shall report to their respective supervisors.

## **C. Duties of Committee Officers and Members**

1. The Chair shall be the A.S. Director of Co-Curricular Affairs.
2. The duties of the Chair are to:
  - a. Preside over all meetings of the A.S. Programming Board and provide an agenda in accordance with the Gloria Romero Open Meetings Act of 2000 and the A.S. Bylaws.
  - b. Provide an educational in-service to the committee relevant to event planning no later than the 3rd week of October.
  - c. Provide written and oral reports to the Board of Directors as to the actions taken by the Committee.
  - d. Perform other duties as necessary.
3. The Vice-Chair shall be the A.S. Director of Communications.
4. The duties of the Vice-Chair are to:
  - a. Assume the duties of the Chair in the absence of the Chair.
  - b. Assist the Chair in carrying out duties.

- c. Forward information discussed in meetings to committee members who were absent.
  - d. Perform other duties as necessary.
5. The duties of the Students-at-Large are to:
    - a. Serve as a member of one (1) sub-committee, as appointed by the A.S. Director of Co-Curricular Affairs.
    - b. Report on the activities of their sub-committee to the A.S. Programming Board on a regular basis.
  6. The duties of the A.S. Executive Director or Designee are to:
    - a. Work in coordination with A.S. Programming Director as determined.
    - b. Serve as the advisor to the A.S. Programming Board.
    - c. Assist, coordinate, and oversee programs and activities of the A.S. Programming Board.
    - d. Coordinate the activities of all the other A.S. Programming Board members and the support staff.

#### **D. Committee Operations**

1. The A.S. Programming Board shall meet at least weekly between the months of September and April.
2. The A.S. Programming Board should have a collaborative and supportive relationship with the A.S. Events. This committee is an implementing committee to the Board of Directors.

### **Section XIII - Spartan Community Fund**

#### **A. Purpose and Duties**

1. The Purpose of the Spartan Community Fund is to enhance the educational experience outside of the classroom while improving the campus climate of San José State University. The fund is only open to MOSAIC Cross-Cultural Center, PRIDE Center, Gender Equity Center, Accessible Education Center, International House, African American/Black Student Success Center, Chicanx/Latinx Student Success Center, UndocuSpartan Resources Center, the Veterans Resource Center, Center for Asian Pacific Islander Student Empowerment, and the Native American Indigenous Student Success Center. Applicants must have a minimum of two (2) San José State University matriculated students as employees and one staff member.

#### **B. Committee Membership**

1. The Spartan Community Fund shall be comprised of:
  - a. Director of Intercultural Affairs (Chair, Non-Voting)
  - b. Director of Student Resource Affairs (Vice-Chair Voting)
  - c. Executive Director (Non-Voting)
  - d. Controller (Voting)

- e. Director of Communications(Voting)
- f. Director of Co-Curricular Affairs (Voting)
- g. Director of Sustainability Affairs (Voting)
- h. Student at Large (Voting)
- i. Student at Large (Voting)

### **C. Duties of the Committee Chair and Vice-Chair**

1. The Chair shall be the A.S. Director of Intercultural Affairs.
2. The Vice-Chair shall be the Director of Student Resource Affairs.
  - a. Assume duties of the Chair in the absence of the Chair.
  - b. Assist the Chair in carrying out duties.
  - c. Provide written and/or oral reports to the A.S. Board.
  - d. Perform other duties as necessary.

### **D. Committee Operations**

1. The Spartan Community Fund amount is \$20,000.00. A single proposal may not exceed \$2,000. Full funding of the proposal is not anticipated, therefore, departmental cost-sharing/collaboration is encouraged.
2. Failure to abide by the stated Associated Student's policies, procedures, and/or stipulations may result in the ineligibility of the Spartan Community Fund in the upcoming academic year(s). However, other consequences shall be considered by the Spartan Community Fund in consultation with other SJSU authorities.

## **Section XIV - Students' Election Commission**

### **A. Purpose and Duties**

1. The purpose of the A.S. Students' Election Commission ("SEC") is to oversee the manner in which all A.S. general, special, and run-off elections are conducted under the purview of the Elections Regulation Manual.
2. The duties of the A.S. SEC are to:
  - a. Oversee all aspects of the A.S. general elections and any special election.
  - b. Inform the student body of all causes, issues, and candidates, which are relevant to the election process, in collaboration with the appropriate A.S. Department.
  - c. Facilitate meetings, forums, debates, and the overall election process in an unbiased and fair manner.
  - d. Codify suggestions or recommendations regarding this section and ERM issues after election operations have concluded.
  - e. Forward the suggestions or recommendations to the A.S. Director of Internal Affairs after the conclusion of elections.
    - i. A formal meeting between the Chief Elections Officer and the A.S. Director

of Internal Affairs is advised.

## **B. Students' Election Commission Membership**

1. The SEC shall be comprised of:
  - a. Chief Elections Officer (Chair, Non-Voting)
  - b. Ethics Officer (Vice-Chair, Voting)
  - c. Events Officer (Voting)
  - d. Marketing Officer (Voting)
  - e. Election Consultant (Voting)
  - f. Election Consultant (Voting)
  - g. Student-at-Large (Voting)
  - h. Student-at-Large (Voting)
  - i. SEC Advisor (Non-Voting)
  - j. Student Volunteers (Unlimited Number, Non-Voting)
  
2. The qualifications to take part in the SEC shall be that:
  - a. All SEC officers and members shall adhere to University Policy S05-04 (Academic Qualifications for Student Office Holders, *Minor Representative Offices*).
  - b. No member of the SEC shall be a candidate for any elective office appearing on the ballot, nor shall any member engage in any activity promoting or campaigning for or against:
    - i. Any candidate seeking an A.S. Office.
    - ii. Any cause or issue appearing on the ballot.
  
3. The selection process for SEC officers and members shall be as follows:
  - a. The Chief Elections Officer shall be hired as a temporary student assistant, the selection committee should be composed of an SEC advisor, AS Marketing manager, Events Coordinator, and a representative from the Student Conduct and Ethical Development office.
  - b. Election Officers and Election Consultants shall be chosen through an interview process with the Chief Elections Officer and a representative from the appropriate area. This position does not have to be affirmed by the Board of Directors.
  - c. Student-at-Large members shall be appointed by the Chief Elections Officer in consultation with the SEC members.
  
4. Terms of Office shall be:
  - a. The Chief Elections Officer shall be hired as a temporary student assistant from November 1 until May 1st.
  - b. Election Officers (i.e. Events, Ethics, and Marketing) shall be appointed within thirty (30) days of the Chief Elections Officer hiring and serving until the conclusion of elections.
  - c. Students-at-Large and Election Consultants must be appointed before the availability of candidate applications and serve until the conclusion of elections.
    - i. Students-at-Large Members of the SEC can be removed with a two-thirds (2/3) vote of the Students' Election Commission.

### **C. Duties of Students' Election Commission Officers and Members**

1. For each A.S. election, the duties of the SEC members are to:
  - a. Manage and oversee all the logistics of student elections.
  - b. Conduct elections as authorized and outlined by the A.S. Bylaws and the ERM.
  - c. Advertise activities about Associated Students and elections to potential candidates and voters in collaboration with the A.S. Marketing Department, including but not limited to:
    - i. Creating a theme for the marketing of elections.
    - ii. Coordinating all election media efforts.
    - iii. Managing a communication and promotion plan in accordance with the SEC budget.
    - iv. Overseeing the design and developing themed publicity materials, including but not limited to: signs, posters, pamphlets, and banners in collaboration with the A.S. Marketing Department.
  - d. Publicize election dates and candidate filing deadlines to the students of SJSU.
  - e. Clearly provide orientation to all candidates concerning policies, procedures, and requirements to campaign for A.S. Office in accordance with this Section and the ERM.
  - f. Establish and supervise polling and polling locations.
  - g. Declare election results.
  - h. Prepare, codify, and maintain all election files, including, but not limited to decisions and information pertinent to the expeditious performance of SEC activities.
  - i. Attend an educational training session with the Office of Student Conduct and Ethical Development on ethical behavior in student-led elections.
  - j. Attend an educational training and planning session with A.S. Marketing and A.S. Events to develop the marketing and events for the elections calendar.
  - k. To maintain two office hours per week.
  
2. The duties of the Chief Elections Officer are to:
  - a. Serve as the Chair of the SEC. This includes calling members together for any election events and meetings.
  - b. Preside over all meetings of the SEC and provide an agenda in accordance with the Gloria Romero Open Meetings Act of 2000 and A.S. Bylaws.
  - c. Prepare the annual SEC Budget request in accordance with A.S. Budget Policies and in collaboration with the SEC Advisor.
  - d. Submit the SEC Budget Request to the A.S. Controller and SEC Advisor.
  - e. Serve as budget authority for the SEC.
  - f. Coordinate and delegate the design of voting materials and information necessary for each polling area.
  - g. Develop instructions for poll watchers.
  - h. Coordinate and delegate the development and implementation of the Electronic Ballot/ online voting application system in collaboration with the A.S. PTC ("IT") Manager.
  - i. Submit a written report and oral report on the status and activities of the SEC to the A.S. Board of Directors at regular Board meetings
  - j. Maintain office hours during all election cycles.

3. The duties of the Ethics Officer are to:
  - a. Serve as the Vice-Chair of the SEC. This includes assuming all the duties of the Chair in the absence of the Chair.
  - b. Coordinate Candidate Orientations and Ethics Meetings.
  - c. Coordinate the supervision of polling and scheduling of poll watchers.
  - d. Provide voting materials and information necessary for each polling area.
  - e. Prepare instructions for poll watchers.
  - f. Serve as Recording Secretary. This includes recording accurate and detailed minutes, as well as disseminating and maintaining accurate records.
  - g. Serve as a liaison to the Office of Student Conduct and Ethical Development.
  - h. Serve as a liaison to Facilities Development and Operations (“FD&O”).
  - i. Set up a meeting with FD&O to agree upon campaigning locations.
  - j. Set up an in-service with the Office of Student Conduct and Ethical Development to discuss the grievance process and SEC’s role in the grievance process.
  - k. Review any election grievances.
  - l. Maintain office hours during all election cycles.
  
4. The duties of the Marketing Officer are to:
  - a. Work with A.S. Marketing to deliver Voter Information Guide content and to create the online and print version of the Voter Information Guide by the deadline on the Elections Calendar/ Timeline.
  - b. Distribute Voter Information Guides to appropriate campus constituents, as well as voter instructions and materials necessary to cast a vote at each polling location.
  - c. Confirm that a current version of the Electronic Ballot/ online voting application is available with the Chief Elections Officer and the A.S.PTC Manager.
  - d. Serve as a poll watcher during scheduled election dates.
  - e. Perform other SEC duties as designated by the SEC.
  - f. Collaborate with the SEC and A.S. Marketing Department to design apparel for the SEC.
  - g. Plan and execute a marketing plan and theme in collaboration with the A.S. Marketing Department.
  - h. Serve as a liaison to the A.S. Marketing Department.
  - i. Coordinate distribution of marketing materials for all related elections events and voting.
  - j. Set up an in-service training with A.S. Marketing to discuss a marketing plan for the election cycle.
  - k. Maintain office hours during all election cycles.
  
5. The duties of the Events Officer are to:
  - a. Collaborate with the SEC and A.S. Events to plan and execute election events.
  - b. Attend and facilitate a minimum of four (4) election events.
  - c. Ensure that marketing materials are available at all election events.
  - d. Learn A.S. event planning process with A.S. Marketing and Events.
  - e. Serve as a poll watcher during scheduled election dates.

- f. Perform other SEC duties designated by the SEC.
  - g. Maintain office hours during all election cycles.
6. The duties of the Election Consultants are to:
    - a. Provide input and consultation about all areas of the election process, voter engagement, and interpreting and applying election rules and regulations.
    - b. Help market and execute any candidate or election event alongside the SEC Marketing Officer and the Events Officers.
    - c. Serve as a voting member on the SEC meetings.
    - d. Serve as a poll watcher during scheduled election dates.
    - e. Maintain office hours during all election cycles.
    - f. Perform other SEC duties as designated by the Students' Election Commission.
  7. The duties of the Students-at-Large are to:
    - a. Help with the execution of any election events and marketing.
    - b. Serve as a voting member on the SEC meetings.
    - c. Serve at the discretion of and be responsive to requests from the Election Officers of the SEC.
  8. The duties of the SEC Advisor are to:
    - a. Ensure compliance with the A.S. Governing Documents, Gloria Romero Open Meetings Act of 2000, Robert's Rules of Order, and University policy.
    - b. Provide guidance to the Chief Elections Officer concerning SEC training, meeting agendas and procedures, and any goals and expectations set by the Board of Directors for that election cycle.
    - c. Serve as an advisor to the SEC on meeting procedures, and the interpretation, and application of the A.S. Bylaws and ERM as they pertain to elections activities and decisions of the SEC.
    - d. Remain neutral and unbiased with regard to all candidates, candidate activities, and grievances, as well as have no undue influence over SEC decisions.
    - e. Serve as the Chair of the Elections Appeals Board.

#### **D. Students' Election Commission Operations**

1. The provisions of Article IV, Section XII shall be in effect for all elections authorized by the Board of Directors or the A.S. Bylaws. Amendments shall be made in accordance with the A.S. Bylaws.
  - a. Article IV, Section XII shall apply to all areas recognized as SJSU.
  - b. Article IV, Section XII shall apply to all matriculated SJSU students.
2. Decisions by the SEC shall occur without undue influence by or from the A.S. non-student/student staff or A.S. Board.
3. All matters of action shall be decided by a majority vote of currently appointed voting members.
4. Elections Officers and the Election Consultants shall maintain officer hours during all



election cycles.

- a. Election Officers shall maintain a minimum of two (2) office hours per week during all election cycles.
  - i. Office hours can include tabling around campus to promote election activities.
- b. Election Consultants shall maintain a minimum of two (2) office hours per week during all election cycles.

## **Section XV - Ad Hoc Committees**

### **A. Creating an Ad Hoc Committee**

1. Ad Hoc Committees of the Board of Directors shall be created by any member of the Board, with a majority vote of the Board members present and voting, when, and if, the need arises.
2. Ad Hoc Committee Chairs shall be designated by a majority vote of the Board of Directors present and voting.
3. In the event that an election between two (2) or more individuals for an Ad Hoc Committee Chair is necessary, the runner-up candidate shall be designated Vice-Chair.
4. The Chair of the Ad Hoc Committee may designate Committee composition, purpose, and duties so long as the composition follows the parameters set in this Section and is passed with a majority vote by the Board of Directors.
5. In the event that no candidate is appointed for an Ad Hoc Committee Chair or Vice-Chair position, the Board of Directors Chair shall serve in the position or select a designee, who need not be a member of the Board of Directors.

### **B. Committee Operations**

1. No Ad Hoc Committee shall be comprised of more than seven (7) members of the Board of Directors as voting members, but Students-at-Large may be a large part of Ad Hoc Committees.
2. The Ad Hoc Committee Chair shall be responsible for communicating the appropriate individual's information regarding the time and place of public hearings.
3. The Chair will preside over all meetings of the A.S. Ad Hoc Committee and provide an agenda in accordance with the Gloria Romero Open Meeting Act of 2000 and the A.S. Bylaws.
4. A report to the Board of Directors shall be mandatory at the conclusion of an Ad Hoc Committee's task. The Board may require interim reports on the committee's progress. The Chair of the Board of Directors places these reports on the Board Agenda.

## **Article V: Elections, Qualifications, and Election Appeals Board**

### **Section I – Elections**

#### **A. General Rules**

1. Candidates for Associated Students offices shall file separately.
2. The elections of the Associated Students Board of Directors shall be held during the month of April.
3. General election voting shall be no less than forty-eight (48) hours and no more than one (1) full week.
  - a. Should the SEC determine that accommodations for lost time from an unexpected event be necessary, it can extend election voting for up to one (1) full week. An unexpected event can be, but is not limited to, the following:
    - i. Natural Disaster
    - ii. Campus Shutdown
    - iii. Faculty Strike
    - iv. Resignation of Chief Elections Officer
4. The candidate with the most votes in the general election shall be declared the winner of the office.
5. Should a tie vote result in no winner among the candidates for an elected office, there shall be a runoff election for that office during that same semester held no later than ten (10) days before the last day of instruction.
6. Newly elected officers shall be sworn-in office at the last Board of Directors meeting of the spring semester as further clarified in Article III, Section III.

### **Section II - Qualification**

#### **A. General Rules**

1. Each individual seeking to become or remain an officer must comply with the academic requirements established by the Trustees of California State University and San José State University. (See Trustees Academic Qualifications for Student Officers and University Policy S05-4, Academic Qualifications for Student Office Holders).
2. No student shall hold more than one (1) Associated Students office, excluding Committee membership, during the tenure of office.
  - a. If an A.S. student employee is elected or appointed, they must forfeit their A.S. staff position.
3. Executive officers shall have attended San José State University at least two (2) of the preceding three (3) semesters before the first day of October following elections.

4. All officers shall maintain at least six (6) units of credit at the time of election and during the entire tenure of office.
5. No student shall hold any one (1) position on the Board of Directors for more than two (2) academic years.
6. No student shall serve in any office in the Associated Students, exclusive of A.S. committees and boards, for more than three (3) academic years.
7. If a Board member is appointed at or after the last fall semester Board meeting, their service will not count as a full term and will not be held against their term limits for the position and the Board of Directors. A full term will be considered for anyone elected or appointed before the last Board meeting of the fall semester.

### **Section III – Election Appeals Board**

#### **A. Duties of the Election Appeals Board**

1. The duties of the Election Appeals Board are to hear, investigate, and adjudicate appeals of the Students' Election Commission.

#### **B. Composition of the Election Appeals Board**

1. The Election Appeals Board shall be comprised of:
  - a. SEC Advisor (Chair, Non-Voting)
  - b. Chief Elections Officer (Voting)
  - c. A representative from the Office of Student Conduct and Ethical Development (Non-Voting)
  - d. Student-at-Large (Voting)
  - e. Student-at-Large (Voting)
2. Members of the Election Appeals Board may not hold dual membership on any other A.S. committee, or on the Board of Directors.
3. Students-at-Large on the Election Appeals Board shall be selected by the Students' Election Commission Advisor before Election applications are made available.

#### **C. Operations of the Election Appeals Board**

1. All matters of action shall be decided by a majority vote of currently appointed voting members.
2. In the case the Election Appeals Board cannot or will not make a decision, the Vice President of Student Affairs or designee will make the final decision.

### **Article VI: Removal, Recalls, Line of Succession, and Vacancies**

## **Section I - Removal**

### **A. Procedures for Removal**

1. The following are the procedures for removing a Board member from the Board of Directors as a result of the Director's failure to uphold duties prescribed by the A.S. Bylaws:
  - a. Any issues pertaining to a Board member subject to removal will first be heard and investigated by the A.S. Executive Committee. The Board member will be notified by the A.S. Executive Committee Chair that the Committee will be voting on a recommendation of his/her removal from the Board of Directors, no less than seventy-two (72) hours prior to the meeting during which the vote will take place. The Board member is to be provided with an opportunity to make their case.
  - b. After the Chair has deemed that all the evidence and arguments have been presented, a two-thirds (2/3) majority vote from the A.S. Executive Committee is required to move forward with a recommendation for removal.
  - c. The final vote for the Board members' removal shall occur at the next scheduled Board of Directors meeting, in which a two-thirds (2/3) majority vote of the present and voting members of the Board of Directors is required.
2. In the event that a Board member wishes to resign, the Director shall submit written notice of their resignation to the A.S. Vice President and the A.S. Executive Director. A majority vote of the present and voting members of the Board of Directors is required to accept the resignation.

## **Section II – Recalls**

### **A. Procedures**

1. A recall election shall refer to the right of removal of an elected or appointed officer from their position:
  - a. A recall election shall be called for by:
    - i. A two-thirds (2/3) majority vote of the voting membership of the Board of Directors.
    - ii. A petition signed by twenty-five percent (25%) of the student body votes in the previous election. The signers' student identification number must accompany the signatures.
    - iii. The petition shall be submitted to the Students' Election Commission. This Commission shall determine within three (3) school days if the petition fulfills the requirements as established in this article.
    - iv. If the petition fulfills the stated requirements, the recall election shall be held within fifteen (15) school days of receipt of the petition by the Students' Election Commission.
    - v. In the event the Students' Election Commission is unable to function as

provided above, the A.S. Internal Affairs Committee shall immediately convene to examine the petition and compel an election, subject to the relevant provisions of this Article.

2. A vacancy created by recall shall be filled by appointment of the Board of directors.

### **Section III - Line of Succession**

#### **A. Line of Succession for A.S. President, A.S. Vice President, and A.S. Controller**

1. If the office of the A.S. President is vacated, the A.S. Vice President shall succeed to Presidency.
2. If the office of A.S. Vice President is vacated, the Vice Chair of the Board of Directors (i.e. A.S. Director of Internal Affairs) shall succeed Vice Presidency.
3. If the office of the A.S. Controller is vacated, the A.S. Director of Business Affairs shall succeed the Controller.
4. If simultaneous vacancies occur within the office of the A.S. President and Vice President, the line of succession shall be the following: the A.S. Director of Internal Affairs will become the A.S. President and the A.S. Director of Business Affairs will become the A.S. Vice President.

### **Section IV - Board of Director Vacancies Other Than Recall**

#### **A. General Procedures**

1. In the event that a Board of Director position becomes vacant, the application should be posted immediately.
2. To be eligible for appointment to any vacant office, the candidate must meet the same qualifications as set forth in Article III, Section III (General Duties and Responsibilities) of the A.S. Bylaws.
3. All applications and the A.S. President's nominations for vacant positions must be made available to the Board of Directors, at no less than seventy-two 72 hours prior to the Board meeting at which the appointment process will take place.
4. Elections or appointments to vacated offices shall be effective for the remainder of the current term.
5. At the time that the A.S. President's nomination is rejected, the Board of Directors may appoint individuals other than those nominated by the President only by a two-thirds (2/3) majority vote of the voting membership of the Board of Directors.

### **Article VII: Meetings**

## **Section I - Procedure**

### **A. General**

1. All A.S Committees will follow the procedures and rules listed in this Article
2. All Board and Committee meetings will comply with the Gloria Romero Open Meetings Act of 2000 (California Education Code, Sections 89305, et seq.).

### **B. Legal Consultation Procedures**

1. All consultation of the attorney must be approved by the A.S. Executive Director or A.S. President.
2. The A.S. Vice President may consult A.S. Legal Counsel on matters pertaining to the Board and its operations.
3. The A.S. Controller may consult A.S. Legal Counsel on matters pertaining to the finances and budget.
4. Anyone with permission to consult A.S. Legal Counsel shall report the general topic(s) being considered by the attorney to the Board of Directors at the following Board of Directors meeting.

## **Section II - Voting**

### **A. Committees**

1. All matters shall be decided by a majority vote of those appointed committee members that are present and voting.

### **B. Board of Directors**

1. Each member of the Board shall carry one (1) vote.
2. Two-thirds (2/3) vote is defined as two-thirds of the present and voting members of the Board of Directors.
3. The following actions must be approved by a two-thirds (2/3) vote of the Board of Directors:
  - a. Any type of legislation not listed below
  - b. Appointment and removal of A.S. Committee members
    - i. Excludes Programming Board
  - c. Approval of the hiring of the A.S. Executive Director
  - d. Removal of a Board of Member and declaration of the Director position vacant.
  - e. Veto an A.S. Presidential Executive Order
  - f. Approval of policy recommendation from the A.S. Personnel Committee

- g. Call for a recall election of a member of the Board of Directors
  - h. Appointment of any Board member to a vacancy
  - i. Appointment of a candidate to the Board of Directors not nominated by the A.S. President
  - j. Amendment of legislation including the A.S. Bylaws, the proposed amendment must follow the procedures as outlined in Article III, Section V, with the exception that it does not need to be taken by roll call vote
  - k. Censure of a Board member for violation of policies and procedures
  - l. The passing of a proposal to include as an action item on the agenda
  - m. Adoption of legislation
4. A majority vote is defined as 50% +1 of the currently present and appointed members of the Board of Directors.
  5. The following actions must be approved by a majority vote of the Board of Directors:
    - a. Any other non-legislative items that are not listed below
    - b. A Board member's excusal from their assigned duties
    - c. Creation of an Ad Hoc Committee
    - d. Appointment of a Chair of an Ad Hoc Committee

### **Section III. Quorum**

#### **A. General Rules**

1. A quorum shall consist of a majority of currently appointed voting members.
2. Actions requiring a majority or two-thirds (2/3) vote will only count voting members who are present. Vacant officers shall not be included in determining the voting membership.

### **Section IV. Abstention Votes**

#### **A. General Rule**

1. All abstentions shall carry an effective null weight. The majority and/or two-thirds (2/3) will be determined by the total number of votes cast for or against the issue.

### **Section V. A.S. Board and Committee Meetings**

#### **A. General Rules**

1. Every agenda for regular and special meetings shall provide an opportunity for the public to address the Board of Directors or Committee on any item affecting and/or impacting students.
2. Any person desiring to have an item placed on a Board of Directors or Committee agenda shall do so in writing and present it to the Chair of the Board of Directors or the Committee at least five (5) business days prior to the meeting in which the agenda

shall be used. If this procedure is not followed, the Board of Directors or Committee is not obligated to consider acting upon the request or proposal.

3. Agendas for Board of Directors and Committee meetings shall be publicly posted in an area that is freely accessible to the public at least seventy-two (72) hours prior to the scheduled meeting with a brief description of the items (around twenty (20) words or less) to be discussed or transacted. The Chair of the said meeting or the A.S. Government Administrative Assistant may post the agenda. No other items may be discussed or acted upon by the members of the Board of Directors unless otherwise provided for by the California Education Code.
4. Regular Board of Directors meetings shall be held on the second and fourth Wednesdays of each month of each regular academic semester and shall convene at three o'clock in the afternoon (3:00 p.m.) or as otherwise specified in the call of the meeting.
5. A.S. standing and Ad Hoc Committee meetings shall not conflict with any regular meetings of the Board of Directors.
6. No action or discussion shall take place on any item not on the posted agenda unless that item of business fulfills one of the conditions specified in California Education Code, Sections 89305.5(c). However, Board members, Committee members, or staff may ask a question for clarification, make a brief announcement, or make a brief report on their own activities, either on their own initiative or in response to questions posed by the public, a member of the legislative body, or a member of his or her staff.
7. Should there be a proposal to include an action item on the agenda through Sections 89305.5(c)(2) of the Gloria Romero Opening Meetings Act of 2000, it must pass by a two-thirds (2/3) vote of the members present at the meeting. If less than two-thirds (2/3) of the members are present, then a unanimous vote of those members present is required for the proposal to be approved.
8. During Board of Directors and Committee meetings, student members of the audience may be allotted a period of time (not to exceed five (5) minutes per action item) in which they will be given the opportunity to speak on the current agenda item. This opportunity will occur during discussion and prior to voting as regulated by the acting Chair.
9. No action shall be taken by secret ballot, whether preliminary or final. Teleconferencing may be permitted. Proxies shall not be accepted by this body. Refer to Article III, Section III, Sub point 2A.
10. In the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible, and the order cannot be restored by the removal of individual(s) who are willfully interrupting the meeting, the members of the Board of Directors, by a majority of those present and voting, may order the meeting room cleared and continue in session. The Board of Directors may re-admit any individual(s) not responsible for willfully disturbing the orderly conduct of the meeting. Duly accredited representatives of the press or other news



media, except those participating in the disturbance, shall be allowed to attend any session held under the circumstances described in this section.

11. Special meetings may be called by the Chair or by a majority of the membership of the Board of Directors or committee pursuant to the California Education Code Sections 89306.5. Special meetings must be called and conducted in compliance with these Bylaws, the California Education Code, and all other pertinent governing documents.
12. Closed sessions may be held in accordance with the provisions of the California Education Code Sections 89307.
13. The Board of Directors shall conduct a public hearing of its proposed annual budget on the second week of April prior to its adoption.
14. Any person may, upon written request, receive copies of Legislation and other communications, including items placed on the agenda for a particular meeting.

## **Section VI. - Minutes**

### **A. General Rules**

1. The Board shall keep minutes of its proceedings, and a record of all transactions of the Board will be set forth in the Minutes Book of the Board. The Minutes Book will be kept by the Board Secretary as a permanent official record of the Board business and will be open to inspection by the public.
2. The Recording Secretary shall prepare the minutes and enter the record of each meeting's proceedings, including all questions of order, which are decided on appeal. The decision shall be recorded in the minutes.
3. Every motion entertained by the Chair shall be entered in the minutes with the last name of the person that made the motion. The last name of a member seconding a motion and the vote on the motion shall also be recorded. Voting will be by way of hand, voice, or roll call of the members present.
4. The Recording Secretary shall enter the hour of commencement and adjournment in the minutes of each meeting of the Board of Directors.
5. The written opinion of any member of the Board, not exceeding one hundred (100) words, may be entered in the minutes by request.

## **Section VII. - The Chair at a Committee or Board Meeting**

## **A. General Rules**

1. At each meeting, the Chair shall present an agenda.
2. The Chair shall have control of the Council Chamber and all who enter.
3. The Chair shall be responsible for the reading and approval of the minutes of the previous meeting.
4. The Chair shall preserve order and decorum, shall decide all points of order, subject to appeal to the Board of Directors, may speak to points of order in preference to other Board members, and may vote only to break a tie vote on any matter considered by the Committee or Board of Directors.
5. The Chair shall be responsible for the communication of the actions of the committee/Board to the appropriate parties.
6. The Chair shall provide notice of regular Board of Directors or committee meetings to any person who requests such notice in writing. Said notice shall be in the form of the agenda for the meeting and shall be made available to the public for inspection at least seventy-two (72) hours prior to the regular Board of Directors or Committee meeting. Said notice will be available through the A.S. Government Administrative Assistant.
7. In the absence of the Recording Secretary or assigned minute taker, the Chair may appoint an acting secretary to perform the delegated duties.
8. The Chair shall conduct and declare all votes. If any member doubts the vote, a roll call may be requested. All Resolutions and Legislative Directives must be passed by roll call vote.
9. The Chair shall be responsible for the preparation of the agenda, which will include all pertinent legislation, petitions, and communications. These same materials shall be delivered to members of the Board or Committee at least forty-eight (48) hours before the regular Board or Committee meeting.

## **Section VIII. - Parliamentary Authority**

### **A. General Rules**

1. Robert's Rules of Order, latest edition, shall be the parliamentary authority of the Board of Directors and its committees. In cases of conflict between Robert's Rules of Order and Board Rules as adopted in these Bylaws, Board Rules shall prevail.
2. No member shall speak for more than five (5) minutes or two (2) times on any question except when an extension is granted by the Chair, subject to appeal. A member rising to speak in protest shall be allowed to speak after the deciding vote for a period not to exceed three (3) minutes. A Board of Directors or committee member

may yield to anyone who wishes to speak on an issue during a period of discussion.

3. The Chair may call upon a member of the gallery to speak on an issue during a period of debate. Members of the gallery are subject to the same limitations as members of the Board of Directors. This opportunity will occur during discussion and prior to voting as regulated by the acting Chair.

## **Section IX. - Officers of the Board**

### **A. Chair**

1. The Chair will have such responsibilities as listed in Section VII of this Article.

### **B. Vice-Chair/Parliamentarian**

1. The Vice-Chair/Parliamentarian shall be the A.S. Director of Internal Affairs.
2. The duties of the Vice-Chair are to:
  - a. Assume Duties of the Chair in the absence of the Chair.
  - b. Assist the Chair in carrying out his/her duties.
  - c. Maintain accurate meeting minutes if the recording secretary is absent.
  - d. Be able to reference Robert's Rules of Order, Gloria Romero Open Meeting Act of 2000 and relevant Rules of Order during times of a parliamentary inquiry.

### **C. Recording Secretary**

1. The Associated Students Board shall appoint a designee from the Government Administration Department to be the Recording Secretary. The Recording Secretary:
  - a. Shall prepare such memoranda and other materials as the Board or the Chair shall direct.
  - b. Shall prepare and distribute to each Board of Directors unapproved minutes on a timely basis. The Board of Directors may approve its minutes at the next meeting unless an objection is made by a member of the Board or a member of the public.
  - c. Shall be responsible for the grammatical accuracy of the minutes.
  - d. Shall enter in the minutes the absence or tardiness of the Board of Directors during a meeting.
  - e. Shall prepare and distribute to each Board of Director any special meeting notices twenty-four (24) hours prior to such meeting.

Introduced by: 2011 Ad Hoc Committee  
Effective date: December 15, 2011  
Date of Revision: May 23, 2012  
Date of Revision: November 14, 2012  
Date of Revision: April 24, 2013  
Date of Revision: September 25, 2013  
Date of Revision: December 11, 2013  
Date of Revision: December 10, 2014  
Date of Revision: May 13, 2015  
Date of Revision: May 4, 2016  
Date of Revision: October 12, 2016  
Date of Revision: December 14, 2016  
Date of Revision: May 10, 2017  
Date of Revision: September 27, 2017

Date of Revision: December 11, 2017  
Date of Revision: April 25, 2018  
Date of Revision: December 11, 2018  
Date of Revision: May 9, 2019  
Date of Revision: October 23, 2019  
Date of Revision: April 22, 2020  
Date of Revision: May 12, 2020  
Date of Revision: May 11, 2022  
Date of Revision: May 10, 2023