

BYLAWS OF
ASSOCIATED STUDENTS OF
CALIFORNIA STATE UNIVERSITY, BAKERSFIELD
A CALIFORNIA NONPROFIT BENEFIT CORPORATION

MISSION STATEMENT

The mission of Associated Students, Incorporated at California State University, Bakersfield (CSU Bakersfield) is to provide an official voice through which students' opinions and issues may be expressed regarding university and statewide affairs. Associated Students, Incorporated seeks to assist in the protection of the rights and interests of individual students and the student body as a whole. Associated Students, Incorporated provides resources and programs that encourage leadership development and broaden social, education, political, and cultural awareness for the betterment of the students.

Statement on Diversity, Equity, Inclusion, and Social Justice.

California State University, Bakersfield is a collegiate community that serves a diverse population of students, faculty, staff, and administration. These facets of diversity encompass but are not limited to race, ethnicity, nationality, sex, sexual orientation, gender, gender identity, creed, religion, age, social class, socio-economic status, physical and cognitive differences, political views, and veteran status. The University is intent on engaging with all its community members in meaningful ways that support the values and strengths that everyone brings to this campus. In building a community inclusive of everyone, more than recognition, tolerance, acceptance, and celebration are required; CSU Bakersfield also strives to teach, incorporate, mediate, and promote issues of diversity that go beyond the surface.

The ways in which the University actively embodies diversity include:

- Offering courses that are centered on or incorporate material for our diverse student, faculty, and staff populations, as well as educating us about one another.
- Recruiting and hiring administrators, faculty, staff, and students to create a diverse campus community through employment practices and faculty/staff development opportunities.
- Acknowledging the historical significance of land occupied by California State University, Bakersfield before every meeting of Associated Students Incorporated, CSUB.
- Encouraging, organizing, funding, and promoting workshops, trainings, clubs, lectures, forums, orientations, and other events that allow our community of students, administrators, staff, and faculty to come together to learn about and support one another and discuss experiences, understandings, and values en masse.
- Assembling services, activities, and committees that continually gauge the ways in which diversity is honored and promoted on campus and in neighboring communities.
- Offering targeted methods of outreach toward the recruitment, retention, and graduation of a diverse student body.
- Understanding that creating an inclusive community is an ongoing project, thus always requiring reassessment.

Through these various strategies, California State University, Bakersfield and ASI seek to do more than merely acknowledge its invaluable members and local constituents. We wish also consistently to demonstrate equity in status, rights, and opportunities through the establishment of purposeful conversations that inspire our students to reach out to each other and beyond. This thread of respect should also resonate through the attitudes of campus administrators, students, staff, and faculty. We believe this type of environment will continue to attract and to retain a socially-just image of what we represent and who we are.

ARTICLE I BILL OF RIGHTS FOR STUDENTS

Section 1 Student Rights. All CSU Bakersfield students have organizational, academic, and individual rights which include:

Organizational Rights

- A. The right to assemble.
- B. The right to self-govern.
- C. The right to shared governance in decision making.
- D. The right to dissent.
- E. The right to protest without recourse.

Academic Rights

- A. The right to evaluate courses and faculty according to procedures set forth by the University.
- B. The right to the academic, social, and financial support of the University
- C. The right to accurate and timely academic advising
- D. The right to competent and student-oriented faculty and staff
- E. The right to an open learning environment
- F. The right to a safe and clean campus environment
- G. The right to programs and services designed to enhance the University experience.
- H. The right to accessible classrooms, buildings, and pathways
- I. The right to entrance into any program or field upon meeting the requirements set forth by the department and/or University.
- J. The right to sufficient course sections to meet student demand.
- K. The right to appropriate use of university facilities
- L. The right to intellectual property rights.

Individual Rights

- A. The right to petition the University and Associated Students for a redress of grievances.
- B. The right to privacy
- C. The right to full equity regardless of political beliefs race, religion, color, sex, age, disability, marital status, sexual orientation, gender identity and expression, national origin, pregnancy, medical condition, and covered veteran status.
- D. The right to be free from harassment.
- E. The right to freedom of speech
- F. The right to recreational, cultural and sports activities
- G. The right to due process

ARTICLE II GENERAL CORPORATE PROVISIONS

- Section 1 Name of the Organization. The name of the organization is the Associated Students California State University, Bakersfield, Incorporated, and shall be referred to throughout these Bylaws as ASI.
- Section 2 Legal Standing of ASI. The ASI is a student body organization and an auxiliary organization as defined in the California Education Code. The ASI is organized and operated pursuant to the provisions of the California Education Code and regulations adopted by the Trustees of the California State University (Trustees) contained in Title 5 of the California Code of Regulations.
- a) The ASI is a nonprofit public benefit corporation, which is organized and operated pursuant to the California Nonprofit Public Benefit Corporation Law.
- Section 3 Student Body Organization Statuses. ASI has been formed and operates as a student body organization pursuant to the California Education Code §89300 et seq. and is subject to the regulations of the State of California, the Trustees of the California State University and University policies.
- Section 4 Powers and Authority. The corporate powers, business, and affairs of the ASI shall be exercised, controlled, and conducted by the Board of Directors and ASI Executive Officers. The Board may delegate the management of the day-to-day activities of ASI to the management staff of ASI.
- Section 5 Duties and Responsibilities. All duties and responsibilities of the Board of Directors and Executive Officers shall be delineated in these Bylaws and ASI Policies.
- Section 6 The President of CSU Bakersfield is responsible for the educational effectiveness academic excellence, and general welfare of the University. As a student body organization and an auxiliary organization at the University, ASI recognizes that it is an integral part of the University and is subject to the oversight and authority of the University President. ASI agrees to conduct its operation in accordance with guidelines and policies established by the Trustees and the University President.
- Section 7 Supremacy of ASI Bylaws. All codes and policies of the ASI shall be, in form and interpretation, consistent with these Bylaws.
- Section 8 Interpretations of ASI Bylaws. To the extent possible, these Bylaws shall be interpreted so as to be consistent with applicable law, including the California Corporations Code, California Education Code and California Code of Regulations, Title 5. In the event that a provision of these Bylaws cannot be construed consistently with applicable law, such provisions shall be severed from the remainder of the Bylaws and considered to be of no force and effect. Such action shall not affect the remainder of these Bylaws, which shall remain in full force and effect.

Section 9 Nonpartisan Activities. ASI is organized for charitable purposes within the meaning of sections 501(c)3 of the Internal Revenue Code. No substantial part of the activities of ASI shall consist of carrying on propaganda, or otherwise attempting to intervene in any political campaign, including the publishing or distribution of statements on behalf of any candidate for public office.

Section 10 Principle Place of Business. The principle place of business for the transaction of business of ASI shall be:

California State University, Bakersfield
9001 Stockdale Highway, SU 56
Bakersfield, California 93311-1099

Section 11 Viewpoint Neutrality. All funds given out by ASI that involve ASI reallocating mandatory student association fees for viewpoint expressive events will use viewpoint neutrality. Viewpoint Neutrality is a process in which all funding or allocation decisions governing the allocation of mandatory student association fees are made pursuant to narrow, objective, and definite standards, and which does not involve the exercise of judgment or formation of an opinion concerning the content of the event or is otherwise affected in any way by the viewpoint of a student organization or the proposed event.

ARTICLE III MEMBERSHIP

Section 1 One Class of Members. The ASI shall have only one class of members within the meaning of Section 5056(a) of the California Corporations Code. Members shall be limited to individuals regularly admitted and enrolled as matriculating students at the University. Faculty, staff, and non-student employees of the University or University auxiliaries are not members, unless they are also regularly admitted and enrolled as matriculating students at the University.

- a) Non-Discrimination. ASI does not discriminate in its membership on the basis of race, color, sex, religion, national origin, ethnic group identification, sexual orientation, marital status, pregnancy, age, physical or mental disability, medical condition or veteran status.

Section 2 Term of Membership. Members of ASI are expected to familiarize themselves with and abide by the following terms under penalty of removal proceedings:

- a) Membership shall commence on the first day of the semester for which the member was admitted and enrolled as a matriculating student by the University and shall end immediately prior to the first day of the next academic semester, unless renewed by continuing admission and enrollment at the University. If a member's admission and enrollment as a matriculating student at the University is terminated during an academic semester, membership in ASI is immediately terminated.
- b) Members will commit to attend at least 80% of all regularly held ASI Board of Directors meetings, and 80% of all committee or subgroup

meetings, as scheduled.

- c) Members commit to participating in their assigned duties and responsibilities in a manner that demonstrates their willingness to meaningfully contribute to the goals of ASI.
- d) Members commit to faithfully executing the duties of their office as described by the ASI Bylaws.
- e) Members commit to carrying out their duties without prejudice to person based on their race or ethnicity (including color and ancestry), religion (or religious creed), nationality, citizenship, age, medical condition, genetic information, gender (or sex), gender identity (including transgender), gender expression, sexual orientation, marital status, veteran or military status, or disability.
- f) Members commit to demonstrate the highest levels of honesty and integrity in their work as members of ASI, student-leaders of CSUB, and residents of the community.

Section 3 Rights and Privileges of Membership. Only members are entitled to vote, call for Special Elections, be appointed or elected as Officers, be appointed as an ASI delegate to a committee, inspect corporate books and records, and otherwise exercise the rights of a member under the California Corporations Code.

ARTICLE IV MEMBERS OF ASI

Section 1 Elected Executive Officers shall be:

- a) President;
- b) Executive Vice-President
- c) Vice President of Campus Life
- d) Vice President of Finance
- e) Vice President of Legislative Affairs
- f) Vice President of University Affairs

Section 2 Qualifications for Executive Officers.

Qualifications in General. In order for a student to run for an Executive Officer position, the student must be in good judicial standing with the University, have attended two Board of Directors meetings and two ASI committee meetings or submitted no less than two professional letters of recommendation by faculty or employer with the addition of an executive officer seminar which shall be administered by the election coordinator or ASI Executive Director.

- a) Academic Qualifications. Each person seeking to become or remain an Executive Officer of ASI must comply with academic requirements established by the Trustees and the University President, as well as maintain a minimum 2.5 cumulative GPA. Undergraduate candidates for office must maintain 12 semester units per term. Graduate and credential

student candidates must maintain 6 semester units per term. Under certain circumstances, the University President in their discretion may make an exception to these requirements.

- b) Election of Elected Executive Officers. The Executive Officers shall be elected by a majority vote of the members voting at the duly held Annual Spring Election conducted in accordance with these Bylaws and the Election Code.

Section 3 Term of Office for Elected Executive Officers.

- a) Ordinary Term of Office. The term of office for Executive Officers shall be one year, commencing at a Board of Directors meeting held the last week of instruction in the Spring Semester and ending at a Board of Directors meeting held the last week of instruction in the Spring Semester the following year.
- b) Successive Terms. Executive Officers shall be entitled to seek election and hold office for successive terms of office.

Section 4 Elected Directors of the Board shall be:

- a) Academic Directors:
 - i. Director of the School of Arts & Humanities;
 - ii. Director of the School of Business & Public Administration;
 - iii. Director of the School of Natural Sciences, Mathematics, and Engineering;
 - iv. Director of the School of Social Sciences and Education;
 - v. Director of Transfer Students;
 - vi. Director of Graduate Students.
- b) Special Interest Directors:
 - i. Director of ASI Outreach;
 - ii. Director of Athletic Engagement;
 - iii. Director of Clubs & Organizations Outreach;
 - iv. Director of Community Outreach;
 - v. Director of Diversity and Inclusion;
 - vi. Director of Greek Relations;
 - vii. Director of International Student Relations;
 - viii. Director of Special Populations;
 - ix. Director of Student Housing Relations;
 - x. Director of Student Support;
 - xi. Director of Students with Disabilities
 - xii. Director of Sustainability;
 - xiii. Director of Veterans Affairs
- c) Appointed Directors:
 - a. Director from CSUB Antelope Valley;
 - b. Director of Greek Relations;
 - c. Director of Student Housing Relations;
 - d. Director of Veterans Affairs

Section 5 Qualifications for Academic Directors.

- a) Qualifications in General. All persons seeking to become or remain an Academic Director must be in good judicial standing with the University and majoring in the Academic School, which that member seeks to represent on the ASI Board of Directors.
- b) Academic Qualifications. Each person seeking to become or remain an Academic Director must comply with academic requirements established by the Trustees and the University President, as well as maintain 2.5 cumulative GPA. Undergraduate candidates for office must maintain 12 semester units per term. Graduate and credential student candidates must maintain 6 semester units per term. Under certain circumstances, the University President in their discretion may make an exception to these requirements.
- c) Election of Academic Directors. The Directors shall be elected by a majority vote of the members voting at the duly held Annual Spring Election conducted in accordance with these Bylaws and the Election Code.

Section 6 Qualifications for Special Interest Directors.

- a) Qualifications in General. All persons seeking to become or remain an Special Interest Director must be in good judicial standing with the University.
- b) Academic Qualifications. Each person seeking to become or remain an Academic Director must comply with academic requirements established by the Trustees and the University President, as well as maintain 2.5 cumulative GPA. Undergraduate candidates for office must maintain 12 semester units per term. Graduate and credential student candidates must maintain 6 semester units per term. Under certain circumstances, the University President in their discretion may make an exception to these requirements.
- c) Election of Special Interest Directors. The Directors shall be elected by a majority vote of the members voting at the duly held Annual Spring Election conducted in accordance with these Bylaws and the Election Code.

Section 7 Term of Office for Directors.

- a) Ordinary Term of Office. The term of office for Directors shall be one year, commencing at a Board of Directors meeting held the last week of instruction in the Spring Semester and ending at a Board of Directors meeting held the last week of instruction in the Spring Semester of the following year.
- b) Directors shall be entitled to seek election and hold office for successive terms of office.

Section 8 Appointed Executive Officer

- a) Qualifications in General. Each person seeking to become an appointed Executive Officer of ASI must be in good judicial standing with the

University and submit no less than two professional letters of recommendation by faculty/staff/employer.

- b) Academic Qualifications. Each person seeking to become or remain an Appointed Executive Officer/Chief Justice of ASI must comply with academic requirements established by the Trustees and the University President, as well as maintain a minimum 2.5 cumulative GPA. Undergraduate candidates for office must maintain 12 semester units per term. Graduate and credential student candidates must maintain 6 semester units per term. Under certain circumstances, the University President in their discretion may make an exception to these requirements.
- c) Selection of Appointed Executive Officer/Chief Justice. The appointed Executive Officer shall be interviewed by the appropriate body, appointed by the ASI President and approved by a two-thirds (2/3) vote of the ASI Board of Directors.
- d) Term of Office for the Appointed Executive Officer/Chief Justice. The term of office for an appointed Executive Officer/Chief Justice shall start once they have been appointed and end at a Board of Directors meeting held the last week of instruction in the Spring Semester of the academic year.

Section 9 Appointed Directors/Justice.

- a) Academic Qualifications. Each person seeking to become or remain an Appointed Director/Justice of ASI must comply with academic requirements established by the Trustees and the University President, as well as maintain a minimum 2.5 cumulative GPA. Undergraduate candidates for office must maintain 12 semester units per term. Graduate and credential student candidates must maintain 6 semester units per term. Under certain circumstances, the University President in their discretion may make an exception to these requirements.
- b) Selection of Appointed Director/Justice. The appointed Director/Justice shall be interviewed by the appropriate body, appointed by the ASI President and approved by a two-thirds (2/3) vote of the ASI Board of Directors.
- c) Term of Office for the Appointed Director/Justice. The term of office for an appointed Director shall start once they have been appointed and end at a Board of Directors meeting held the last week of instruction in the Spring Semester of the academic year.

Section 10 Verification. Any student elected or appointed for the Board of Directors must have their eligibility verified before officially taking office. All matters involving verification of a student's academic eligibility to serve shall be submitted to the Executive Director of ASI for final determination. Academic eligibility shall be verified after each academic term.

Section 11 Signature Forms. Any students elected or appointed to the Board of Directors are required to sign and abide by the Acknowledgement of Responsibilities, the

Conflict of Interest Policy, the Code of Ethics and Values, and the Commitment to the Organization Agreement. The Executive Director shall have official responsibility of these documents and the ASI office shall maintain on file a current copy of each student voting members' signed agreement.

Section 13 Resignations. Any member of ASI may resign by giving written notice to the ASI President. The resignation shall be effective immediately, unless the notice specifies a later time for the effectiveness of such resignation.

Section 14 Holding More than One Office. One person may not concurrently hold more than one appointed or elected office.

a) Employees of ASI. A member who is an employee of ASI may not hold an officer position, as defined in this section, or other appointed position for which remuneration is given.

Section 15 Remuneration of Members. All Executive Officers and Directors shall receive remuneration, as established by the ASI Board of Directors at the beginning of each fiscal year. Any increase or decrease in such remuneration recommended by the ASI Executive Committee, and approved by the ASI Board of Directors, shall not become effective until the date of transition for the incoming session of the ASI Board of Directors following approval.

a) Status of ASI Board of Directors. All categories of members are not employees of ASI. All officers are classified as statutory non-employees.

ARTICLE V ASI BOARD OF DIRECTORS

Section 1 ASI Board of Directors. The ASI Board of Directors shall be the sole governing body of the ASI.

Section 2 Voting. Board members shall be entitled to one vote and shall not be allowed to vote by proxy or secret ballot.

Section 3 Composition of the ASI Board of Directors. The ASI Board of Directors shall be comprised of voting and nonvoting members, liaisons and advisors. Voting members shall be the Directors from each of the Academic Schools, Special Interest Directors, and Executive Officers, as determined below:

a) Non-Voting Members:

- i. President
- ii. Chief Justice
- iii. Chair of the Board

b) Voting Members:

- i. Executive Vice-President;
- ii. Vice President of Campus Life;
- iii. Vice President of Finance;

- iv. Vice President of Legislative Affairs;
- v. Vice President of University Affairs;
- vi. Director from the School of Arts & Humanities;
- vii. Director from the School of Business & Public Administration;
- viii. Director from the School of Natural Sciences, Mathematics, & Engineering;
- ix. Director from the School of Social Sciences and Education;
- x. Director from CSUB Antelope Valley;
- xi. Director of Transfer Students;
- xii. Director of Graduate Students;
- xiii. Director of Clubs & Organizations Outreach;
- xiv. Director of Community Outreach;
- xv. Director of Diversity and Inclusion;
- xvi. Director of Student Support;
- xvii. Director of Greek Relations;
- xviii. Director of International Student Relations;
- xix. Director of ASI Outreach;
- xx. Director of Athletic Engagement;
- xxi. Director of Special Populations;
- xxii. Director of Student Housing Relations;
- xxiii. Director of Students with Disabilities
- xxiv. Director of Sustainability; and
- xxv. Director of Veterans Affairs

c) Liaisons to the ASI Board of Directors shall consist of:

- i. Academic Senate Liaison;
- ii. Alumni Association Liaison;
- iii. Campus Programming Liaison;
- iv. Student Union & Organization Governance Liaison;
- v. Campus Recreation and Well-Being Liaison; and
- vi. University President or designee.

d) Advisors to the ASI Board of Directors shall consist of:

- i. ASI Executive Director; and
- ii. ASI Administrative Support Coordinator.

ARTICLE VI JUDICIAL COUNCIL

Section 1 **Purpose.** The Judicial Council of ASI is responsible for the maintenance, updating and the interpretation of the internal-structural policies, bylaws, charters and/or codes of the organization. The Judicial Council has primary jurisdiction over the internal review and mediation of grievances, interpretations of observed inconsistencies or conflicts of written internal policies or governing documents of

the organization, or grievances arising during the course of the execution of the official duties brought against an ASI executive officer, board/committee member.

Section 2 Membership. The Judicial Council shall consist of a total of five (5) members, who shall be as follows:

One (1) student-at-large, subject to eligibility requirements specified in these bylaws, appointed by the ASI President as Judicial Council Chief Justice through an application process to be completed by the end of the spring semester before the academic year of the desired term begins.

Four (4) students-at-large, subject to eligibility requirements specified in these bylaws, appointed by the ASI President as Judicial Council Justices through an application process to be completed by the end of the spring semester before the academic year of the desired term begins.

The Chief Justice shall serve as Chair of the Judicial Council for a one-year term. Two (2) Justices shall serve for a two-year term and Two (2) Justices shall serve for a one-year term.

The ASI Executive Director or designee shall serve as a designated non-voting member.

Section 3 Jurisdiction. The Judicial Council shall be responsible for the following:

- a) Assist in the efficient functioning of the governance structure of ASI as described in Article Six, Section One;
- b) Shall include an up-to-date filing of any changes to or revisions of official ASI documents;
- c) Review the Bylaws, board, commission, committee or council, codes and other organizational internal structural policies, and make recommendations to the respective councils, commissions, boards, sub-boards or committees regarding all proposed revisions;
- d) Shall receive, review and adjudicate, in a timely manner, any and all revisions, amendments, or grievances regarding these Bylaws, board, commission, committee or council, codes or other organization internal-structural policies;
- e) Shall receive, review and adjudicate any and all grievances or complaints; especially the adherence to the principles of due process, including votes of no confidence, recall or other complaint, brought against any ASI executive officer, board, council, or committee member and/or member of the Judicial Council, or any sub-board, committee, or council;

- f) Receive and review any complaint that an ASI executive officer, board/committee member, or member of any ASI entity, has violated or breached any provision of previously noted agreements, as well as any complaint of violations of the Bylaws, Codes or other organization internal-operational policies.
- i) Prepare, execute, and manage the applications process and distribution of ASI Student Scholarships to ensure successful outcomes for each of these functions.

Section 4 Responsibilities and Duties. Each Justice, including the Chief Justice, of the Judicial Council shall:

- a) Attend all meetings of the Judicial Council; with the exception of a reasonable excuse.
- b) Serve at least four (4) office hours per week;
- c) Evaluate ASI Student Scholarship applications
- d) Evaluate any agreements pertaining to Confidentiality, Liability, Eligibility to Serve, Required Duties & Responsibilities, and Conflict of Interest of Directors;
- e) Ensure that each member of the ASI is aware of the official Grievance Process.

Section 5 Eligibility. Each person seeking to become or remain on the Judicial Council must comply with academic requirements established by the Trustees and the University President, as well as maintain 2.5 cumulative GPA. Undergraduate candidates for office must maintain 12 semester units per term. Graduate and credential student candidates must maintain 6 semester units per term. Under certain circumstances, the University President in their discretion may make an exception to these requirements

Section 6 Meetings. The Judicial Council shall meet once a week at least twice a month while classes are in session. The Judicial Council shall meet in special session called by the Chief Justice only in cases of emergency and/or time-sensitive matters, in which quorum must be met. All meetings shall be open to the public; except for complaint decisions, meetings shall be private.

- a) In the event that the Chief Justice is unavailable for a meeting, the Chief Justice may appoint a Justice as Presiding Officer
- b) In the event of an objection by a justice to aforementioned appointment, JC will be required to vote on appointment, majority vote required.

Section 7 Voting.

- a) Provided that a quorum is present, for a vote to take place, the Chief Justice shall call for a roll call vote;
- a) Provided that a quorum is present, a majority vote is defined as more than 50% of the votes cast by members present and legally eligible to vote at a regular or duly noticed special meeting of the Judicial Council;
- b) The Chief Justice shall serve as the Chair and preside over meetings of the Judicial Council. In the event of a tie vote, the Chief Justice shall serve as the

Section 8 Removal Procedures

- a) In the event of a removal hearing, the following procedure will be followed:
 - i. JC will set date, time, and location of hearing at regular meeting
 - ii. Quorum required at hearing
 - iii. JC will vote on hearing rules
- b) If no vote on hearing rules is conducted, default rules will apply:
 - i. Each party has up to and no more than thirty (30) minutes to state their case;
 - ii. The hearing will be public;
 - iii. JC deliberations will be private
 - iv. JC final vote is secret
 - v. Official JC opinion will be delivered to ASI board within 2 weeks after being voted on by JC.

Section 9 Grievance Procedures

What is an eligible grievance?

- a) To be eligible, a grievance must satisfy all of the following requirements.
 - i. A grievance must pertain to a violation of ASI bylaws, codes, or policies.
 - ii. The respondent must be a current member of ASI Board of Directors, Judicial Council, or any committees within ASI.

Filing period

- a) Officially filing a grievance with the Judicial Council is done utilizing the CSUB-ASI grievance form. This form may be submitted electronically through the CSUB-ASI website. An official CSUB-ASI grievance form may be retrieved from and submitted physically at the CSUB-ASI Administration office. Filing a grievance must occur within the same academic year, as defined in the ASI bylaws, as the event's occurrence. Grievances must be filed by no later than May 1st.
- b) Once the grievance is filed, the Chief Justice will review the form for completeness and assign it a number.
- c) Once reviewed and assigned, the Chief Justice must notify the Grievant that their grievance was received and will be processed. The Chief Justice must do this within 7 days of the filing of the grievance.
- d) Grievances cannot be filed against an individual who has left ASI or the University

Initial Review

- a) Any grievances received will be presented at the next regularly scheduled Judicial Council, where a review of merit will determine if the grievance is appropriate and worthy of a hearing.
- b) Review of a grievance will be conducted as a closed session.
- c) The Student Ombudsperson shall be present at the initial review meeting.
- d) The four Justices will deliberate the case and the Chief Justice will chair the meeting. The Chief Justice will be a voting member only in the case of a tie.
- e) If a simple majority (3 votes) of the Judicial Council vote to proceed, then the grievance will move to a formal hearing. As such both the Grievant and Respondent will be notified of the decision and will be given approximately 10 business days to prepare for the Grievance hearing.
- f) If the grievance does not receive the votes needed to proceed to a formal hearing, the Judicial Council may ask the Grievant to mediate their differences with the respondent through other avenues.
- g) The Chief Justice will also ask the Justices if they know the Grievant or the respondent. If a Justice has a relationship with either party of the grievance, they will be asked to recuse themselves. In case of a recusal, a designee may be appointed by the Chief Justice.

Formal Hearing Membership

- a) The formal hearing is comprised of the four Justices, Chief Justice, ASI Executive Director, and the Student Ombudsperson
- b) Voting members are the four Justices and the Chief Justice only in case of a tie
- c) Non-voting members are the ASI Executive Director and the Student Ombudsperson

Formal hearing/mediation

- a) The Chief Justice will call the meeting to order and outline the process and procedures of the grievance process.
- b) Opening statements:
 1. The Grievant will provide their main argument (five minutes maximum).
 2. The Respondent will provide their main argument (five minutes maximum).
- c) Presentation of Evidence and Witnesses
 1. The Grievant will present all the evidence that they have regarding the case (fifteen minutes maximum). They will also call upon witnesses from the incident to testify (five minutes for each witness).
 2. The Respondent will cross-examine the evidence and witnesses presented by the Grievant (eighteen minutes maximum).
 3. The Respondent will present all the evidence that they have regarding the case (fifteen minutes maximum). They will also call upon witnesses from the incident to testify (five minutes for each witness).
 4. The Grievant will cross-examine the evidence and witnesses presented by the Respondent (eighteen minutes maximum).
- d) Questions from the Formal Hearing Membership

1. The Formal Hearing Membership will then ask questions about any information presented by the Grievant or Respondent.
- e) Closing Remarks
 1. The Grievant will give their closing statement (five minutes maximum).
 2. The Respondent will give their closing statement (five minutes maximum).
 3. After both parties provide their closing remarks they will be excused from the meeting by the Chief Justice.
- f) Deliberation and Decision
 1. The Chief Justice will explain the process of deliberation and decision making
 2. The following conclusions can be made
 - a. Unanimous or majority vote in favor of grievance merit:
 - i. The Judicial Council will then enter deliberation to determine the appropriate course of action.
 - b. Unanimous or majority vote against grievance merit:
 - i. The Judicial Council will then inform both the Grievant and Respondent of the decision.
 - ii. The proceedings will end there.
 - c. No decision was reached.
 - i. The Judicial Council will vote to determine if the grievance process is to continue.
 - ii. The Judicial Council will continue with deliberation if the vote is unanimous in favor.
 - iii. If the Judicial Council isn't unanimous in favor of moving on with the proceedings. The hearing will be retired.
- g) Judicial Council Deliberation and Decision
 1. The members of the Judicial Council will discuss all evidence from the case.
 2. The Judicial Council will then decide what remedy is needed to correct the grievance.
 - a. If Judicial Council believes that the respondent should be removed from their position in ASI, they will write up their justification to the Board of Directors who will vote on removing the individual in a closed session.

Results

- a) The results of the grievance hearing will be shared with the Grievant and Respondent.
- b) The decision of the Formal Hearing Membership will be presented to the ASI Board of Directors by the Chief Justice, in a closed session.

Appeals

- a) Any appeals should be filed with the ASI-Executive Director and a successful appeal will require a supermajority ($\frac{2}{3}$) vote of the membership of the ASI Board of Directors.

ARTICLE VII ASI BOARD OF DIRECTORS MEETINGS

- Section 1 Meeting Pursuance. Meetings of the ASI shall be pursuant to the Gloria Romero Open Meeting Act of 2000.
- Section 2 Definition of Meeting. A meeting is defined as any congregation of a majority of the voting members at the same time and place to hear, discuss, or deliberate upon any time that is within the subject matter jurisdiction of the Board of Directors, as defined by the *California Education Code § 89305 et seq.*
- Section 3 Robert's Rules of Order. Unless otherwise specified in these Bylaws, Robert's Rules of Order, as amended, shall be the parliamentary guide for the conduct of the ASI Board of Directors and committee meetings.
- Section 4 Regular Meetings of the ASI Board of Directors. Regular meetings of the ASI Board of Directors shall be held at the annually established date, time and location for the academic year.
- a) The Board of Directors shall annually establish the date, time, and location for holding regular meetings at the first Board of Directors meeting of the academic year.
 - b) The Board of Directors must hold a minimum of 10 regular meetings per semester throughout the academic year.
 - c) No regular meetings shall be held during the week of final exams unless called by the Chair of the ASI Board of Directors.
- Section 5 Quorum and Voting Requirements. Quorum for the ASI Board of Directors meetings shall be a majority of the voting members in office.
- a) Acts of the ASI Board of Directors in General. Every act or decision done or made by a simple majority vote of the voting Board of Directors present at a duly held Board of Directors meeting at which quorum is present is the act of the ASI Board of Directors, except otherwise provided by these Bylaws.
 - i. For purposes of this section, a voting member of the ASI Board of Directors is not considered to be present at the meeting if the member disqualifies himself/herself from discussing or voting on a matter before the Board of Directors due to a conflict of interest as defined in these Bylaws.
 - ii. A meeting at which a quorum is initially present may continue to transact business notwithstanding the withdrawal of voting members, if any action taken is approved by at least a majority of the required quorum for that meeting, or a greater number required by these Bylaws.
 - b) Transactions Requiring a Two-Thirds (2/3) Vote of ASI Member in Office. The following acts require a two-thirds vote of the Board of Directors in office in

order to be effective:

- i. Adopting, repealing, or amending the Bylaws;
- ii. Removing members from office;
- iii. Approving appointments to fill vacant positions on the Board of Directors;
- iv. Approving appointments to fill vacant positions of Executive Officers, other than President;
- v. Reconsidering an Act of the ASI Board of Directors;
- vi. Approving the annual schedule of meetings.

Section 6 **Notification of Advisors and Liaisons.** All Advisors and Liaisons to the ASI Board of Directors are entitled to the same notice and rights to attend meetings of the ASI Board of Directors and Committees as the voting members, including the right to attend closed sessions unless otherwise determined by the President of ASI.

ARTICLE VIII EXECUTIVE OFFICERS

Section 1 **Duties of Elected Executive Officers.**

- a) **Duties of The President.** The President shall be the chief executive officer of ASI and shall have general supervision, direction, and control of ASI. The President shall have the general power and duties of management usually vested in the office of president of a corporation, together with such other powers and duties as may be prescribed by the ASI Board of Directors and the Bylaws, including:
 - i. Being the official representative of the ASI to all persons and organizations within and outside the University (e.g. California State Student Association, Hill Day, etc.);
 - ii. Be the sole CSSA Representative;
 - iii. Supervising and delegating the day-to-day management duties of ASI to the ASI Executive Director;
 - iv. Making appointments necessary to fill vacancies to the Board of Directors;
 - v.
 - vi. Appoint a Chair no later than the third week of school;
 - vii. Sitting on all ASI standing committees as an ex-officio member;
 - viii. Communicating to the student body goals, initiatives, and projects of the ASI;

- ix. Being a voting member of:
 - a) The Student Centered Enterprises Inc. Board;
 - b) Sponsored Programs Administration (SPA) Board;
 - c) The Foundation Board;
 - d) The Academic Senate and Budget Planning Committee;
 - e) The Strategic Planning and Budget Advisory Council;
 - f) Master Plan Committee;
 - g) The Campus Fee Advisory Committee.
- x. Be a member of:
 - a) The University Council;
 - b) ASI Audit Committee;
 - c) CSUB Police Advisory Council
- xi. Chairs:
 - a) The Executive Committee meetings;
 - b) The Student Leadership Council;
 - c) The Instructionally Related Activities (IRA) Committee.
- xii. Supervising all student-lobbying efforts and legislative visits;
- xiii. Overseeing the logistics and implementation of ASI retreats and trainings;
- xiv. Meeting regularly with the University's President and Vice President for Student Affairs;
- xv. Attending the week-long Panetta Institute, or choosing a designee;
- xvi. Reviewing, signing, and ensuring the execution of all business adopted by the Board of Directors;
- xvii. Responsible for the ASI Executive Director Evaluation after the ASI Spring Elections;
- xviii. Administering the Oath of Office to newly appointed/elected members;
- xix. Attending all leadership conferences/retreats;
- xx. Maintaining a minimum of ten office hours per week.

b) Duties of the Executive Vice-President. The Executive Vice President shall have the following duties and responsibilities:

- i. Serves as the Chief Operations Officer and second-in command of the ASI Board;
- ii. Serves as ASI President in the temporary absence of the ASI President;
- iii. Chairs the ASI Public Affairs Committee and shall be responsible for organizing projects and initiatives affecting the whole organization;

- a) The Public Affairs committee will have a cap of 4 members
 - iv. Oversee and/or communicates with the following Directors:
 - a) Director of ASI Outreach;
 - b) Director of Community Outreach; and
 - c) Director, CSUB Antelope Valley.
 - v. Serves as an ex-officio member of all ASI Committees;
 - vi. Serves as a member on the ASI Audit Committee;
 - vii. Organizes and oversees an orientation for new ASI members;
 - viii. Records and maintains an accurate log of Committee and ASI Board of Directors meeting (un)excused absences of the Board of Directors;
 - ix. Ensures that all ASI members meet responsibilities as set forth by all governing documents and enforces the accountability requirements;
 - x. Attends all leadership conferences/retreats;
 - xi. Maintains a minimum of ten office hours per week;
 - xii. Attend bi-weekly Academic Senate Academic Support and Student Services (AS&SS) Committee
- c) Duties of the Vice President of University Affairs. The ASI Vice President of University Affairs shall have the following duties and responsibilities:
- i. Chairs the ASI University Affairs Committee and shall be responsible for organizing all student-campus related issues;
 - a) The University Affairs committee will have a cap of 6 members
 - ii. Chairs the ASI Academic Advisory Assembly and shall be responsible for relaying this information to the Executive Committee and the Board of Directors;
 - iii. Establishes annual goals and responsibilities of the ASI University Affairs Committee;
 - iv. When necessary – and at the discretion of the ASI Board – attend CSSA meetings with the ASI President;
 - v. Serve to advance the organization’s image and student’s rights through advocacy and representation in issues regarding higher education.
 - vi. Oversee the development of policy position and student perspective resolutions and initiatives on behalf of organization and direct those resolutions to responsible individuals, the ASI Board of Directors and/or external organizations, as appropriate.

- vii. Oversee and/or communicate with the following Directors and Liaisons:
 - a) Director of the School of Arts & Humanities;
 - b) Director of the School of Business & Public Administration;
 - c) Director of the School of Natural Sciences, Mathematics, & Engineering;
 - d) Director of the School of Social Sciences and Education;
 - e) Director of Transfer Students;
 - f) Director of Graduate Students;
 - g) Director of Student Support;
 - h) Director of Students with Disabilities; and
 - i) Director of Sustainability.
 - viii. Oversees the progression of various initiatives set forth by the Directors within the University Affairs Committee;
 - ix. Oversee Campus Campaign Projects such as Campus Sustainability Month, Recyclemania, etc.;
 - x. Communicate regularly with appropriate University staff (e.g. Residential Halls, Facilities, Food Services, etc.);
 - xi. Oversees the documentation and implementation of solutions regarding all Academic and University related issues and concerns of CSU Bakersfield students;
 - xii. Conducts student surveys pertinent to the ASI;
 - xiii. Attends all ASI leadership conferences/retreats;
 - xiv. Maintains a minimum of ten office hours per week;
 - xv. Attend bi-weekly Academic Senate Academic Affairs Committee
 - a) Attend CSUB Police Advisory Council
 - xvi. Abides by the University Affairs Code.
- d) Duties of the Vice President of Finance. The ASI Vice President of Finance (also known of the Chief Financial Officer) shall have the following duties and responsibilities:
- i. Chairs the ASI Finance Committee;
 - a) The Finance committee will have a cap of 4 members
 - ii. Establishes annual goals and responsibilities of the Finance Committee;
 - iii. Oversees and/or communicates with the following Director”
 - a) Director of Clubs & Organizations Outreach;
 - iv. Oversees the progression of various initiatives set forth by the Directors

- within the Finance Committee;
- v. Approves all expenditures from the ASI budget;
 - vi. Prepares a financial report for the Board of Directors at the beginning of each semester;
 - vii. Is a member of the ASI Audit Committee and co-chair of the Student Leadership Council;
 - viii. Can require a detailed financial report from any division, club, or activity of ASI;
 - ix. Proposes an annual fiscal budget to the Board of Directors at the beginning of each fiscal year, with consultation with the ASI President and ASI Executive Director;
 - x. Abides by the Club Funding Guidelines;
 - xi. Monitors the manner in which ASI funds are spent by clubs and organizations;
 - xii. Ensures all ASI funding decisions that involve ASI reallocating mandatory student association fees for viewpoint expressive events use the policies and procedures adopted by the Board of Directors of ASI regarding viewpoint neutral funding criteria;
 - xiii. Assists clubs/organizations in funding jointly sponsored activities;
 - xiv. Collaborates with other clubs, organizations, and departments to achieve an increase in student life on campus.
 - xv. Prepares funding requests and resolutions for consideration of the Finance Committee;
 - xvi. Communicates with all clubs/organization regarding funding requests;
 - xvii. Accurately logs and maintains a list of funding requests approved by the Finance Committee;
 - xviii. In collaboration with the ASI Executive Director, will monitor and recommend changes to the Finance Code and Guideline
 - xix. Maintains records/history of club/organization requests for assessment;
 - xx. Attends all leadership retreats/conferences i.e. Executive Officer training and Board orientation;
 - xxi. Maintains a minimum of ten office hours per week;

- xxii. Abides by the ASI Finance Code.
- e) Duties of the Vice President of Legislative Affairs. The ASI Vice President of Legislative Affairs shall have the following duties and responsibilities:
 - i. Chair the Legislative Affairs Committee;
 - ii. The Legislative Affairs committee will have a cap of 5 members.
 - iii. Represent and report to the Board of Directors on political matters involving student advocacy, including but not limited to: State Legislation, Federal Legislation, Local Legislation, CSSA Agenda Items, CSUB ASI Board of Directors items, and CSU Board of Trustees Agenda Items.
 - iv. Represent California State University, Bakersfield (CSUB) and Associated Students, Inc. (ASI) at the California State Student Association (CSSA) meetings and functions at the discretion of the ASI President.
 - v. Supervise student lobbying efforts and legislative visits.
 - vi. Report to the Board of Directors on policies that affect CSUB students.
 - vii. Organize at least one voter registration drive and/or campus civic engagement event each semester.
 - viii. Serve to advance the organization's image and student's rights through nonpartisan advocacy and representation in issues regarding higher education.
 - ix. Organize recruitment efforts for Lobby Corps during the Spring semester.
 - x. Planning lobbying and advocacy workshops/training when necessary for transparency of student advocacy initiatives and furthering the education of students.
 - xi. Shall be tasked to author resolutions to the Board regarding support for federal, state, and local bills/resolutions.
 - xii. Maintains a minimum of ten office hours per week.
 - xiii. Abides by the Legislative Affairs code
- f) Duties of the Vice President of Campus Life. The ASI Vice President of Campus Life shall have the following duties and responsibilities:
 - i. Chairs the Campus Life Committee;
 - ii. The Campus Life committee will have a cap of 7 members;
 - iii. Oversees and/or communicates with the following Directors:

- a) Director of Diversity and Inclusion;
 - b) Director of Greek Relations;
 - c) Director of International Student Relations;
 - d) Director of Athletic Engagement;
 - e) Director of Student Housing Relations;
 - f) Director of Students with Disabilities
 - g) Director of Veterans Affairs.
- iv. Oversees the progression of various initiatives set forth by the Directors within the Campus Life Committee;
- v. Establishes annual goals and responsibilities of the Campus Life Committee;
- vi. Conducts assessment of committee goals/activities;
- vii. Appoints a representative to sit on the Campus Programming Committees;
- viii. Represents ASI with campus programs to propose diversified, cultural and educational events, which recognize the interests and needs of all members of the student body;
- ix. Updates the Board on Campus Life recommendations;
- x. Coordinates ASI involvement in Campus Programming events to further the goals and programs set by the committee;
- xi. Publicizes all ASI-related services to CSU Bakersfield students;
- xii. Assists with publicizing all Campus Programming events and activities to students;
- xiii. Develops student surveys to assess student programming needs;
- xiv. Serves as a voting member on the Student Centered Enterprises Inc. Board;
- xv. Attends all leadership retreats/conferences;
- xvi. Maintains a minimum of ten office hours per week;
- xvii. Abides by the Campus Life code.

ARTICLE IX DIRECTORS

Section 1 **General Duties of Directors.**

- a) Each Director shall serve/represent the best interests of the constituents from their respective academic school(s) and/or the student body of CSU Bakersfield.

- b) Each Director shall serve as a voting member of the ASI Board of Directors.
- c) Each Director shall be responsible for all duties as articulated in the ASI Bylaws, Policies, Codes, etc. as passed by the ASI Board of Directors.
- d) Each Director shall be responsible for doing four (4) office hours per week.
- e) Attend weekly ASI Committee meetings
- f) Contribute to the goals of the ASI Board
- g) Attend/Assist with ASI events
- h) Adhere to the signed Board of Directors: Commitment to the Organization and Code of Ethics and Values
- i) Directors must attend 80% of meetings each semester unless prior approval is given. Requests should be submitted to the Executive Vice President 48 hours in advance.

ARTICLE X

VACANCIES, RESIGNATIONS, AND REMOVAL FROM OFFICERS

Section 1 **Vacancies in General.** A vacancy of any office of ASI shall be deemed to exist on the occurrence of any of the following:

- a) The death, resignation, departure, or removal of the Officer;
- b) One of the Officer positions is not filled through the duly held election or selection process.

Section 2 **Resignation of an Officer.** Any Officer of ASI may resign by giving written notice to the President of ASI and ASI Executive Director. The resignation shall be effective upon delivery of the notice, unless the notice specifies a later time for the effectiveness of such resignation. If the resignation is effective at a future time, a successor may be designated to take office when the resignation becomes effective.

Section 3 **Filling Vacancies of an Officer of ASI.**

- (a) **Filling Vacancies of Appointed Officers.** Vacancies of any Appointed Executive Officer or other Appointed Director shall be filled according to the processes outlined in the ASI Bylaws.
- (b) **Filling a Vacancy of the ASI President.** In the event that the President is unable to perform the functions of the office, is removed or resigns, the Executive Vice President shall become ASI President with all the rights and responsibilities therein.
 - i. In the event that the Executive Vice President is unable, unwilling or

unavailable to perform the duties of the President, the Vice-President of Finance shall become ASI President with all the rights and responsibilities therein.

Section 4 Removal of a Board Member or Officer for Just Cause

- a) A Board Member or any other officer of ASI may be removed from office for fraudulent or dishonest acts or gross abuse of authority or discretion, or breach of any duty arising under the provisions of the ASI Elections Code or Terms of Membership (Art. III, Section 2). Any Board Member found to be in violation of Article III Section 2 of these bylaws will immediately be entered into removal proceedings in front of the Judicial Council. A Board Member so removed may be barred from reelection.
- b) Removal of Members must go through the following process:
 - i. Upon submission of a petition for removal of a Board Member or any other officer of ASI to the Executive Director of ASI signed by at least two-thirds (2/3) of the Board of Directors' total voting membership, the petition must be verified and presented to the Judicial Council within 48 hours. Members may only be removed for just cause as prescribed by the preceding subsection.
 - ii. Pending a Judicial Council hearing of petition for removal, any person being petitioned for removal is barred from: attending ASI Board of Directors Meetings; conducting any business in their official capacity as a member of CSUB ASI; issuing any statements regarding an impending hearing or related incidents; contacting any parties or witnesses to any alleged misconduct; or any other acts which may be in violation of these standards or any other Terms of Membership as described in Article III, Section 2 of these bylaws.
 - iii. Once the Judicial Council has been presented by the Executive Director with a petition bearing the sufficient number of signatures, a Judicial Council hearing will commence within five (5) business days to hear the petition and offer a recommendation for removal. No Member shall be removed from office without opportunity of a hearing in an open meeting at the Judicial Council.
 - iv. The Judicial Council will publicly hear arguments from both a designee representing the corporation (to be selected by the Executive Director in consultation with the Executive Officers) who will present the charges in the petition, and the defendant, who will have equal time to offer their explanation or defense; any related witnesses; or parties to the incident and, within five (5) working days after the close of arguments, render a recommendation regarding removal. Time allotted for each side to explain their case will be no more than 20 minutes, including a period of no more than five minutes for the Judicial Council to ask questions of the petitioner and defense. The Judicial Council will give their recommendation to the Board of Directors within five (5) working days.
 - v. A vote to remove the Member will take place in a closed sessions at the following Board of Directors meeting, where the recommendation of the Judicial Council will be read by the Executive Director before the vote is held.
- c) Causes for Removal of Members
 - i. Failure to Meet Attendance Requirements
 - a) A Board Member may be removed from office for failure to adhere to the Board of Directors meeting attendance policies of the Corporation as stated in these Bylaws.
 - ii. Failure to Participate

- a) A Board Member may be removed from office for gross lack of participation where the member exhibits no desire to meaningfully contribute toward the goals and pursuits of the Corporation. The Executive Officers will determine this.
- iii. Failure to Carry Out Responsibilities
 - a) A Board Member may be removed from office for repeated failure to exercise due diligence and discretion in carrying out expected duties, or failure to carry out any duty associated with their respective office as stated in these Bylaws.
- iv. Instances of Misconduct
 - a) A Board Member may be removed from office for any misconduct or behavior exhibited while in office that is detrimental to the Corporation, its members and/or officers, or its public image as an organization chartered to serve and support the student body; particularly acts which demonstrate disregard for the Character Standard as articulated in Section 1.8 of the ASI Elections Code; including behavior both online and off.
- v. Instances of Dishonesty
 - a) A Board Member may be removed from office for committing fraudulent or dishonest acts while in office or gross abuse of the authority of their office.
- vi. Breach of Article III, Section 2
 - a) A Board Member may be removed for violating their agreed to terms of office as stated in Article III Section 2, “Terms of Membership” in these bylaws.

ARTICLE XI COMMITTEES

Section 1 **Standing Committees.** Standing Committees shall consist of University Affairs, Finance, Public Affairs, Legislative Affairs, and Campus Life. Each committee shall follow the procedures and policies prescribed by their Codes.

- a) The standing committees of the ASI shall have the same general duties as the ASI Board of Directors set forth in these Bylaws.

Section 2 **Executive Committee.** The Executive Committee shall serve as a management group that operates solely for the benefit of ASI and its members.

- a) The Executive Committee shall consist of the President, the Executive Vice President, the Vice President of University Affairs, the Vice President of Finance, the Vice President of Campus Life, the Vice President of Legislative Affairs, and Chief Justice.
 - i. The ASI Executive Director, upon approval by the ASI President or majority vote of the Executive Officers, shall serve as advisor to the Executive Committee.

- b) The Executive Committee shall have the same general duties as the ASI Board of Directors set forth in these bylaws.
- c) During the summer and winter breaks when the ASI Board of Directors does not hold regular meetings, the Executive Committee shall be responsible for the execution of all ASI programs and all emergency matters concerning the ASI that arise. The Executive Committee may take action on financial matters, so long as such action is approved by a two-thirds (2/3) vote prior to the summer or winter break by the ASI Board of Directors.
 - i. When action is taken by the Executive Committee, minutes explaining the action will be posted to all members of the ASI Board of Directors.
 - ii. The Executive Committee may not adopt or amend the ASI bylaws or make appointments to the Board of Directors during periods when they are acting on behalf of the Board of Directors.

Section 3 Ad Hoc Committees. The ASI Board of Directors shall have the authority to establish Ad Hoc Committees. The President shall have the authority to appoint the Chairs to those committees. The action establishing an Ad Hoc or advisory committee shall include the following:

- i. The purpose of the committee;
- ii. The date by which its work should be concluded and reported to the ASI Board of Directors;
- iii. The membership of the committee, including whether persons who are of members of the Board of Directors may serve on the Committee;
- iv. Such Committees shall act in advisory capacity to the Board of Directors only.

ARTICLE XII

ADVISORY LIAISONS AND OTHER MEMBERS OF ASI

Section 1 Composition and Responsibilities. The Administrative and Advisory liaisons, listed below, are responsible for the advisement of the ASI Board of Directors on issues either before the ASI Board of Directors, or that may be of interest to the Board of Directors.

- i. ASI Executive Director;
- ii. Administrative Support Coordinator;
- iii. University President or designee;
- iv. Academic Senate Liaison;
- v. Alumni Association Liaison;
- vi. Campus Programming Liaison;
- vii. Student Recreation Center Liaison;
- viii. Student Union and Student Organizational Governance Liaison;

Section 2 Chair of the ASI Board of Directors. The ASI Chair shall conduct ASI Board of Directors meetings in an objective manner that preserves

decorum, facilitates the conducting of business, and ensures fair and adequate debate in accordance with Robert's Rules of Order.

- a) The Chair of the ASI Board of Directors shall be appointed by the ASI President and confirmed by two-thirds (2/3) majority vote.
- b) The Chair of the ASI Board of Directors shall be in charge of organizing and compiling agenda items with the management team of ASI.
- c) The Chair shall follow the ASI Chair of the Board Policy and all responsibilities specified.

ARTICLE XIII OATH OF OFFICE

Section 1 Elected and Appointed Members. The Oath of Office of the ASI shall be affirmed by all newly elected or appointed members of ASI. The Oath of Office shall be a statement to defend the actions of the ASI, support its governing documents, and execute the duties of the office.

Section 2 Oath. "I, (name), as duly elected, or appointed, member of the CSUB ASI, shall to the best of my ability fulfill the duties of my office as provided by the ASI Bylaws. I will uphold this representative government, maintain academic freedom and defend student rights. I will continue to enhance my leadership qualities, scholastic standards and work to improve the University, I so solemnly swear."

Section 3 Administration of the Oath. The Oath of Office shall be administered to the succeeding ASI President by the retiring ASI President, or designee. After the new ASI President is sworn in, they shall then administer the Oath of Office to the newly elected ASI members. Members that are appointed following the annual election shall be sworn in at the Board of Directors meeting in which they are appointed.

ARTICLE XIV EMPLOYEES

Section 1 In General. Salaried employees, including the Executive Director, shall assist the ASI Board of Directors in their duties. Salaries, working conditions, and benefits shall be set in accordance with applicable provisions of the California Education Code and the California Code of Regulations, Title 5.

- a) Salaried employees of the ASI are State employees under the Division of Student Affairs.

Section 2 ASI Executive Director. The ASI Executive Director shall have the following duties and responsibilities:

- a) Serves as the Chief Administrative Officer and Secretary of the Corporation;

- b) Supports the ASI Board of Directors in fulfilling their duties, responsibilities, and goals of the ASI;
- c) Shall keep a full and complete record of the proceedings of the Board of Directors and shall supervise the keeping of the records of meetings;
- d) In cooperation with the Board of Directors, serves as the University Administrator in charge responsible for the financial, legal, and administrative management of the ASI;
- e) Have general oversight responsibilities of all ASI employees;
- f) Serves as a member of the Student Affairs management team and reports directly to the Vice President for Student Affairs.

ARTICLE XV FINANCE AND AUDIT

Section 1 Standards of Investment. All ASI funds shall be held, deposited, or invested in accordance with the provisions of applicable law, including without limitation the provisions of California Education Code section 89301 and California Corporations Code section 5240.

Section 2 Audit. The ASI shall annually contract for and receive an audit of the funds of ASI conducted by a certified public accountant, in accordance with California Education Code Section 89900. The audited financial statement shall be submitted and published as required by law.

- a) The ASI shall have an audit committee.

Section 3 Acceptance of Gifts. The ASI shall not accept and grant, contract, bequest, trust or gift unless it can be accepted and used for purposes consistent with policies adopted by the Trustees and the University.

Section 4 Use of Funds. The ASI Board of Directors, in accordance with the policies adopted by the Trustees and the University, shall approve all ASI expenditures and fund appropriations.

- a) The Board of Directors shall approve an annual budget based upon campus-based fees and submit to the University President for approval.
- b) Requirements for the adjustment of campus-based fees are outlined in Executive Order of the CSU Chancellor. The ASI Board of Directors must approve any adjustments to the Student Body Fee prior to being submitted for referendum.

ARTICLE XVI REFERENDUM

- Section 1 Referendum Process. The ASI Board of Directors shall be empowered to place certain matters, questions, or initiatives before the student body.
- a) A majority vote of the Board of Directors shall be sufficient to bring matters to a referendum.
 - b) All referendums shall take place during the regularly scheduled Spring elections, unless otherwise noted.
 - c) All increases to Student Body Fee shall require a referendum before the student associates.
 - d) A referendum shall be successful when approved by a majority of the members casting votes in a general or special election.
 - e) Any successful referendum under this Section shall take effect at the beginning of the next fiscal year after the election.

ARTICLE XVII BYLAWS

- Section 1 Copies of the Bylaws.
- a) An up-to-date copy of these Bylaws shall be maintained by the ASI Office and the Executive Vice President.
 - b) A copy of the current Bylaws shall be maintained on the ASI website for public viewing.
 - c) The ASI shall provide a complete copy of the ASI Bylaws to the CSU Chancellor's Office through the University's Vice President for Business and Administrative Services.

- Section 2 Amendments.
- a) Except as otherwise provided by these Bylaws, the ASI Board of Directors may adopt, amend, or repeal these Bylaws, or any governing documents, at any regular meeting of the ASI Board of Directors by a two-thirds (2/3) vote.
 - b) Should an amendment to the Bylaws severely and adversely affect the rights and privileges of students, the Board of Directors may approve to put the matter before the students for an advisory vote.

ARTICLE XVIII MISCELLANEOUS PROVISIONS AND DEFINITIONS

- Section 1 Definitions.

- a) Legal days shall be defined as the business hours of the Corporation, 8:00 a.m. to 5:00 p.m., Monday through Friday, with the exception of holidays or as required by the University.
- b) Fiscal Year shall begin on the first day of July and shall terminate on the last day of June of the following year.
- c) Majority shall constitute fifty percent plus one (50%+1) of the voting members present.
- d) Two-Thirds vote shall be defined as two-thirds of the total number of Board members regardless of the number of members present.
- e) In situations where campus issues may not be recorded in person, ASI will resort to a digital form to receive campus issues and grievances. Grievances will be reviewed to address student complaints regarding academics, student life, and campus events. The information will help assist the Executive Officers and Judicial Council work on how to better represent the needs and concerns of their constituents. Grievances shall contain a statement setting forth the nature and basis of the grievance, specifying who or what unit(s) have violated a specific policy, procedure, bylaws, or regulation and/or its various sub-unit(s); the remedy requested; and shall indicate whether, and the manner in which, all available remedies at the executive level have been exhausted.

ARTICLE XXIX

VIEWPOINT NEUTRALITY PRINCIPLES APPLICABLE TO REALLOCATION OF STUDENT FEES

- a) All ASI decisions reallocating Student Association Fees for viewpoint expressive events shall be done in a viewpoint neutral way. Further details on the viewpoint neutral principles can be found within the Finance Code and the Club Funding Guidelines. The Board of Directors of ASI shall adopt policies and procedures to ensure implementation of this standard.

Approved:

Daisy Alamillo, ASI President

Mike Kwon, ASI Executive Director

(REVISED: 6/30/98; rev. Fall 1998; rev. 3/12/99; rev. 1/14/00; rev. 3/10/00; rev. 5/12/00; rev. 5/19/00; rev. 9/22/00; rev. 6/1/01; rev. 11/16/01; 1/03, 3/04; 4/04; 7/04; 9/04; 10/04; 02/08; 03/08; 8/08; 10/08; 3/09; 04/09; 08/09; 10/09; 04/10; 10/10; 04/11; 1/12, 5/13; 6/13; 11/14; 1/15; 3/16; 2/17; 2/18; 2/19; 1/20; 5/20; 9/20; 4/21; 5/22; 5/23; 5/3/24)