



Associated Students of Cuyamaca College

900 Rancho San Diego Parkway
El Cajon, California 92019

ASCC Constitution

Table of Contents

Article I - Name	1
Article II - Membership	2
Article III - Organizational Structure	2
Section 1 - General Structure.....	2
Section 2 - The Executive Branch.....	2
Section 3 - The Legislative Branch.....	2
Section 4 - The Judicial Branch.....	3
Section 5 - The ASG Club Representatives.....	4
Section 6 - The ASGCC Board.....	4
Article IV - Qualifications for Office	5
Section 1 - ASGCC Officer Qualifications.....	5
Section 2 - Enforcement.....	5
Article V - Officer Terms of Service	5
Section 1 - ASGCC Officer Terms of Service.....	5
Section 2 - Enforcement.....	6
Article VI - Meetings	6
Section 1 - General Meeting Scheduling and Publicizing.....	6
Section 2 - Adherence to Robert's Rules of Order.....	6
Section 3 - Closed Meetings.....	6
Section 4 - Specific Meetings.....	6
Article VII - Recognized Student Clubs and Organizations	7
Section 1 - ASCC Support and Recognition of Student Clubs and Organizations.....	7
Section 2 - Expectation of ASCC Recognized Clubs and Organizations.....	7
Article VIII - Budget and Finances	8
Article IX - Student Rights	8
Section 1 - General Student Rights.....	8
Section 2 - Limitations of the ASCC Constitution.....	8
Section 3 - No Discrimination Clause.....	8
Article X - Appointments, Vacancies, Elections, and Succession	8
Section 2 - Appointments to Vacant Positions.....	8
Section 3 - Elections.....	9
Section 4 - Succession of Officers By Branch.....	9
Article XI - Bylaws, Initiative, Referendum, and Recall	9
Section 1 - Adoption of Bylaws.....	9
Section 2 - Policies and Procedures.....	9
Article XII - Amendments, Ratification and Minor Changes	9
Section 1 - Amendments.....	9
Section 2 - Minor Changes to the ASCC Constitution.....	10
Section 3 - Ratification.....	11

Constitution

Preamble

We, the students of Cuyamaca College, in order to promote intellectual and social growth, personal and academic freedom, student interests and general welfare, and to foster a spirit of campus unity, do ordain and establish this Constitution and assume the responsibilities of self-governance.

Article I

Name

Section 1

The name of this organization shall be the Associated Students of Cuyamaca College, hereafter referred to as the ASCC.

Article II

Membership

Section 1

- A. All students registered at Cuyamaca College are members of the ASCC.
- B. All members of the ASCC shall be accorded the right to vote in campus-wide elections of the Associated Student Government, the presiding body of the ASCC.

Article III

Organizational Structure

Section 1 – General Structure

- A. The affairs and properties of the ASCC shall be administered by the Associated Student Government of Cuyamaca College, hereafter referred to as the ASGCC.
- B. The ASGCC shall be composed of the Executive Branch, Legislative Branch, Judicial Branch, the ASG Club Representatives, and the ASGCC Board.

Section 2 - The Executive Branch

- A. The executive powers of the ASGCC are vested in the Executive Branch.
- B. The primary duty and responsibility of the Executive Branch is to accurately and expeditiously execute and administer all official business, legislation and affairs that are passed and approved by the ASGCC Board.
- C. The Executive Branch is composed of the following elected officers:
 - 1. President
 - 2. Executive Vice-President
 - 3. Vice-President of Equity and Inclusion
 - 4. Treasurer

- 39 5. Secretary
40 6. Chief of Staff
41 7. Director of Public Relations
42 8. Director of Activities
43 9. Historian
44 10. Club Coordinator.
- 45 D. The voting membership of the Executive Branch shall be the President, Executive Vice-
46 President, Vice President of Equity and Inclusion, Treasurer, Director of Public
47 Relations, Director of Activities, and Club Coordinator.
48 a. The President shall serve as chair of the ASGCC and of the Executive Branch and
49 shall vote only in the case of a tie.
50 E. The individual duties of all officers within the Executive Branch shall be enumerated in
51 the ASCC Bylaws.

52
53 Section 3 - The Legislative Branch

- 54 A. The legislative powers of the ASGCC shall be vested in the Legislative Branch.
55 B. The primary purpose and responsibility of the Legislative Branch is to advocate for
56 student needs and concerns, speaking as the voice of the general student body.
57 C. The Legislative Branch has the power to draft amendments to the ASCC Constitution and
58 Bylaws, to draft resolutions, and recommend legislation to the ASGCC Board.
59 D. The Legislative Branch shall consist of the following student officers
60 1. Eight (8) Senators, elected.
61 2. Legislative Secretary, appointed by the chairs of the Legislative Chamber.
62 a. The Legislative Secretary must be one of the enumerated officers of the
63 Legislative Branch who shall serve both roles in the Legislative Branch
64 concurrently.
65 3. Executive Vice-President, ex officio
66 4. Vice-President of Equity and Inclusion, ex officio
67 5. Treasurer, ex officio
68 E. The voting membership of the Legislative Branch shall be the Senators.
69 a. The Executive Vice-President and Vice-President of Equity and Inclusion shall
70 serve as co-chairs of the Legislative Branch and may submit one vote in the case
71 of a tie.
72 b. The Treasurer shall serve an advisory role to the Legislative Officers and thus be
73 a nonvoting member of Legislative Branch.
74 F. The individual duties of all officers within the Legislative Branch shall be enumerated in
75 the ASCC Bylaws.
76

77 Section 4 - The Judicial Branch

- 78 A. The judicial power of the ASGCC shall be vested in the Judicial Branch.

- 79 B. The Judicial Branch shall have the power of judicial review, which is defined as the
80 power to interpret the ASCC Constitution, ASCC Bylaws, and any other legislation or
81 business of the ASGCC.
- 82 C. The primary duties of the Judicial Branch shall be judicial review and disciplinary action.
- 83 D. The Judicial Branch shall consist of the following appointed officers:
- 84 1. The Magistrate, appointed by the ASGCC Board.
- 85 2. Three (3) Associate Magistrates, appointed by the ASGCC Board.
- 86 3. Judicial Secretary, appointed by the Magistrate.
- 87 a. The Judicial Secretary must be selected from one of the acting Associate
88 Magistrates, who shall serve both roles concurrently.
- 89 E. The voting membership of the Judicial Branch shall be the Associate Magistrates.
- 90 a. The Magistrate shall serve as chair of the Judicial Branch.
- 91 F. The Judicial Officers are non-voting members of the ASGCC Board.
- 92 G. The Magistrate shall reserve the power to consider the constitutionality of a piece of
93 business or legislation that is being considered or has been passed by the ASGCC.
- 94 1. This decision can be overridden by the unanimous agreement of all acting
95 Associate Magistrates.
- 96 H. The individual duties of all officers within the Judicial Branch shall be enumerated in the
97 ASCC Bylaws.
- 98

99 Section 5 - The ASG Club Representatives

- 100 A. The ASG Club Representatives shall be a body of students representing the ASCC
101 student clubs and organizations.
- 102 B. All student clubs and organizations recognized by the ASCC shall elect, appoint or otherwise
103 designate an ASG Club Representative according to processes established by the individual
104 student clubs and organizations. Alternate ASG Representatives may be appointed by
105 student clubs and organizations as deemed necessary by said club or organization.
- 106 C. The primary purpose of the ASG Club Representatives is to represent student club and
107 organization needs and concerns and to advise and support the ASCC.
- 108 D. The primary responsibility of the ASG Club Representatives is to provide representation
109 of their club or organization to the ASGCC and to actively and collectively promote the
110 accomplishment of ASCC goals.
- 111 E. All ASG Club Representatives shall serve in an advisory role only and have no voting
112 rights within the ASGCC whatsoever.
- 113 F. If serving as a voting officer of the ASGCC concurrently, the ASG Club Representative
114 must abstain from voting on any business concerning or affecting the club they represent.
- 115 G. The inherent duties of the ASG Club Representatives shall be enumerated in the ASCC
116 Bylaws.
- 117

118 Section 6 - The ASGCC Board

- 119 A. The purpose of the ASGCC Board shall be to serve as the presiding body and primary
120 voice of the ASCC.
121 B. The responsibilities of the ASGCC Board shall be to report on the activities of all
122 ASGCC Committees, Branches and Officers, to actively and publicly represent the
123 concerns of all students regarding college and state business, and to vote on business and
124 legislation or otherwise take action on matters under its jurisdiction that will support and
125 serve all members of the ASCC.
126 C. The ASGCC Board shall consist of all officers of the ASGCC and the Cuyamaca College
127 Student Trustee.
128 D. The voting membership of the ASGCC Board shall consist of all voting members of each
129 branch of the ASGCC excluding the Magistrate, Associate Magistrates, Secretary and the
130 Cuyamaca College Student Trustee .
131
132

Article IV **Qualifications for Office**

Section 1 – ASGCC Officer Qualifications

- 136
137 A. Students seeking, campaigning or holding any office with the ASGCC must meet the
138 following minimum qualifications:
139 1. Be a member of the ASCC.
140 2. Have a non-probationary status at Cuyamaca College.
141 3. As per Education Code 76061, maintain a minimum of five (5) units at
142 Cuyamaca College throughout their term and at the time of election.
143 4. As per Education Code 76061, maintain at least a 2.0 cumulative GPA.
144 5. Maintain a course load of at least five (5) units at Cuyamaca College
145 6. Have attended at least one (1) ASGCC Board, Branch or Committee Meeting
146

Section 2 - Enforcement

147 If at any time during their term an ASGCC Officer fails to meet the above qualifications, then the
148 ASGCC President shall declare their office vacant.
149

- 150 1. This declaration shall be subject to confirmation by a majority vote of the
151 ASGCC Board where a quorum must be present.
152

Article V **Officer Terms of Service**

Section 1 – ASGCC Officer Terms of Service

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156 A. If elected as an officer of the ASGCC, the ASCC member may not exceed four (4)
157 semesters in the same officer position of the ASGCC.
158

- 159 B. The term for all offices shall be, at most, two (2) consecutive semesters in the same
160 Academic Year.
- 161 C. After four (4) semesters of service in the same office, the ASGCC officer shall become
162 ineligible to run for that same officer position again.
- 163 D. After four (4) semesters of an individual ASCC member serving in the same officer
164 position, the ASGCC officer's position shall become vacant and thus be subject to be
165 filled through the appointment process under Article VI of the ASCC Bylaws.
166

167 Section 2 - Enforcement

168 If at any time an ASGCC officer fails to follow these terms of service, then the ASGCC
169 President shall declare their office vacant. This declaration shall be subject to confirmation by a
170 majority vote of the ASGCC Board where a quorum must be present.
171

172 **Article VI**
173 **Meetings**
174

175 Section 1 - General Procedure for Scheduling and Publicizing ASGCC Meetings

- 176 A. The ASGCC, in accordance with the Ralph M. Brown Act (California State Government
177 Code Section 54950, et seq.), shall establish and publish a schedule of regular meetings.
- 178 B. All ASGCC meetings shall take place in publicly accessible spaces which shall be
179 determined at the discretion of the chairperson in conjunction with the ASGCC Advisor;
180 said location shall be made known in any and all distributed agendas.
- 181 C. If applicable, an agenda shall be posted on the doors of the ASGCC Club Room and on
182 both the Cuyamaca College and ASGCC websites for all students to see. Any agendas
183 shall also be emailed to all individuals who request such notice.
- 184 D. In accordance with procedures established in the ASCC Bylaws, special meetings may be
185 called by the acting chairperson of a body within the ASGCC or by a majority vote of
186 said body's voting membership
- 187 E. All meetings of the ASGCC Board, the ASGCC Branches, and ASGCC Committees shall
188 adhere to the procedure established in this article.
189

190 Section 2 - Adopted Parliamentary Procedure

191 The ASGCC will adhere to *Robert's Rules of Order*, newly revised, during all meetings unless
192 otherwise specified in the ASCC Constitution.
193

194 Section 3 - Closed Meetings

195 The ASGCC may close any of its meetings to discuss personnel and litigation issues by a two-
196 thirds [$\frac{2}{3}$] majority vote. A quorum must be present. Only voting officers and the acting ASGCC
197 Advisor may attend closed meetings. Furthermore, the reason for a closed meeting shall be stated

198 in the motion calling for the meeting. No action may be taken in closed meetings; only
199 discussion shall take place.

200

201 Section 4 - Specific Meetings of the ASGCC

202 A. Meetings of the Executive Branch:

203 1. The Executive Branch and all committees under its jurisdiction shall meet as
204 needed or as otherwise stipulated in the ASCC Bylaws.

205 B. Meetings of the Legislative Branch:

206 1. The Legislative Branch and all committees under its jurisdiction shall meet as
207 needed or as otherwise stipulated in the ASCC Bylaws.

208 C. Meetings of the Judicial Branch:

209 1. The Judicial Branch and all committees under its jurisdiction shall meet as needed
210 or as otherwise stipulated in the ASCC Bylaws.

211 D. Meetings of the ASG Club Representatives:

212 1. The ASG Representatives shall meet at least once per semester.
213 2. The ASG Club Representative Meetings shall be coordinated and chaired by the
214 ASG Club Coordinator.

215 E. Meetings of the ASGCC Board:

216 1. Unless notice is given otherwise, the ASGCC Board shall meet once per week on
217 Fridays during the regular Fall and Spring Semesters of Cuyamaca College.
218 2. Any action taken during the Winter or Summer Intercessions must be ratified at
219 the next regularly scheduled, Brown-Act compliant ASGCC Board meeting.
220 3. Any action taken during holidays or other occasions when the college is closed or
221 classes have ceased must be ratified at the next regularly scheduled, Brown-Act
222 compliant ASGCC Board meeting.

223 F. Committee Meetings:

224 1. All committee meetings shall meet as needed or as otherwise stipulated in the
225 ASCC Bylaws.
226 2. All committees shall be coordinated by the appropriate branch of the ASGCC as
227 stipulated in the ASCC Bylaws.

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Article VII

Recognized Student Clubs and Organizations

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233 Section 1 - ASCC Support and Recognition of Student Clubs and Organizations

234 A. The ASCC shall support the establishment of student clubs and organizations on campus
235 by ASCC members as long as no adopted charters or constitutions conflict with the
236 ASCC Constitution and Bylaws.

- 237 B. In order for a student club or organization to be officially recognized by the ASCC, the
238 club or organization must first be approved by the ASGCC Board according to
239 procedures developed in conjunction with the Student Affairs Department of Cuyamaca
240 College.
- 241 C. All student charters and constitutions may be reviewed by the Judicial Branch if
242 requested by the ASGCC Board during a meeting on the approval or discussion of said
243 club or organization.

244

245 Section 2 - Expectation of ASCC Recognized Clubs and Organizations

- 246 A. The ASGCC's expectations of all ASCC recognized student clubs and organizations shall
247 be enumerated in the ASCC Bylaws.
- 248 B. All ASCC recognized student clubs and organizations that fulfil these expectations shall
249 be considered to be in Good Standing with the ASGCC.
- 250 C. All ASCC recognized student clubs and organizations in Good Standing with the ASGCC
251 shall be accorded rights and benefits which shall be enumerated in the ASCC Bylaws.

252

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Article VIII

Budget and Finance

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256 Section 1 - General Budget and Finance

257 The budget and financial procedures of the ASGCC will be in accordance with the Grossmont-
258 Cuyamaca Community College District policies as described in the ASCC Bylaws.

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Article IX

Student Rights

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264 Section 1 - General Student Rights

265 The ASGCC, or any other agency on its behalf, may not take action restricting an individual's
266 right to freedom of speech, expression, press, assembly and privacy, provided that those
267 exercising their rights are not violating the same equal rights of others.

268

269 Section 2 - Limitations of the ASCC Constitution

270 No rights or powers bestowed by this organization's Constitution or Bylaws shall be exercised so
271 as to abridge the constitutional rights or others.

272

273 Section 3 - No Discrimination Clause

274 All individuals shall be considered equal before the ASCC's Constitution and Bylaws. No rights
275 or privileges may be denied to any individual on the basis of, but not limited to, race, skin color,
276 ethnicity, disabilities, spoken language, age, religious beliefs and practices, marital status,

277 parental status, political affiliation or persuasions, status as a veteran, citizen-immigration status,
278 sexual orientation, gender identity, gender expression, or sexual identity. All students shall have
279 equal representation and importance to the ASGCC. In addition, the ASGCC shall not take any
280 action to favor or disfavor any of the aforementioned groups or any that may have been left out.
281
282

283 Article X

284 **Appointments, Vacancies, Elections, and Succession**

285 Section 2 - Appointments to Vacant Positions

- 286 A. The appointment process for filling vacant officer positions is stipulated in the ASCC
287 Bylaws.
288
- 289 1. If the appointment process is not covered in the ASCC Bylaws, the acting
290 ASGCC President and ASGCC Advisor may together recommend a member of the
291 ASCC to the ASGCC Board for appointment to any vacant offices.
 - 292 2. Interim appointments to temporarily fill vacant executive officer positions may be
293 made by the ASGCC President, with candidates selected from any one of the
294 acting ASGCC Senators.
295

296 Section 3 - Elections

- 297 A. All elections shall be held in accordance with the Election Code of the ASCC Bylaws.
298

299 Section 4 - Succession of Officers By Branch

- 300 A. Each of the ASGCC branches shall have their own line of succession in reflection of their
301 unique infrastructure which shall be outlined in the ASCC Bylaws.
302

303 Article XI

304 **Bylaws, Initiative, Referendum, and Recall**

305 Section 1 - Adoption of Bylaws

306 Bylaws must be adopted and rescinded by a two-thirds [$\frac{2}{3}$] vote of the ASGCC, in a Brown-Act
307 compliant meeting. A quorum must be present. Bylaws become effective five [5] schools days
308 after adoption unless a different date is stated in the bylaws and or the present motion.
309
310

311 Section 2 - Policies and Procedures

- 312 A. The procedures for Initiative, Referendum, Recall and Impeachment shall be included in
313 the ASCC Bylaws.
- 314 B. All other policies and procedures, including - but not limited to - those governing ASCC
315 Finance, Student Clubs and Organizations, Public Relations, and campuswide Elections,
316 shall also be outlined in the ASCC Bylaws.

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Article XII

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Amendments, Ratification and Minor Changes

Section 1 - Amendments

- 320
- 321 A. Amendments to the ASCC Constitution may be proposed by a resolution adopted by a
- 322 two-thirds (2/3) majority vote of the ASGCC.
- 323 B. Amendments to the ASCC Constitution may also be proposed by a petition signed by a
- 324 number of ASCC members equal to at least three percent (3%) of the Cuyamaca College
- 325 Campus total Fall Semester enrollment.
- 326 C. A proposal containing the proposed amendments shall be submitted to the ASCC as
- 327 provided for by the Election Code of the ASCC Bylaws and stands approved if, and only
- 328 if, a two-thirds (2/3) majority of the total votes cast are in favor of the proposed
- 329 amendments.

Section 2 - Minor Changes to the ASCC Constitution

- 330
- 331 A. A change to the ASCC Constitution may be considered Minor if it does not change the
- 332 meaning, effect or purpose of any article within the ASCC Constitution. Minor changes
- 333 shall include, but are not necessarily limited to, updated and/or corrected nomenclature,
- 334 room numbers, meeting dates, and corrections to grammar, structure or syntax.
- 335 B. Amendments, additions or deletions to the ASCC Constitution may be declared Minor
- 336 upon the unanimous declaration of the President, Vice-Presidents and Magistrate and
- 337 shall be subject to confirmation by a two-third ($\frac{2}{3}$) majority vote of the ASGCC Board.
- 338 1. If the ASGCC fails to confirm the declaration, then the change shall not be
- 339 considered Minor and thus be subject to the regular amendment process.
- 340 C. Changes to the ASCC Constitution that are declared Minor shall not be subject to
- 341 approval by the ASCC membership in a campuswide election as stipulated under the
- 342 Election Code of the ASCC Bylaws.
- 343 D. The status of a constitutional change as Minor shall be made public to the ASCC at least
- 344 two (2) weeks prior to the meeting in which the ASGCC votes on adopting the change
- 345 into the ASCC Constitution.
- 346 E. In order to be adopted, Minor Changes to the ASCC Constitution shall require a two-
- 347 thirds ($\frac{2}{3}$) majority vote of all voting ASGCC members present during a regularly
- 348 scheduled, Brown-Act compliant meeting with quorum.
- 349 F. Both the decision of the President, Vice-Presidents and Magistrate to declare a
- 350 constitutional change as Minor and the confirmation of this decision by the ASGCC
- 351 Board can be challenged by a petition signed by a number of ASCC members equal to at
- 352 least three percent (3%) of the Cuyamaca College Campus total Fall Semester
- 353 enrollment.
- 354 1. If the ASCC successfully files a petition to the ASGCC with the required
- 355 number of signatures, then the change shall no longer be considered Minor
- 356 and thus be subject to the regular amendment process.