

**CONSTITUTION
OF THE ASSOCIATED STUDENTS
OF THE UNIVERSITY OF CALIFORNIA, SAN DIEGO**

[Ap 2006-11-16; Am 2007-02-01; Am 2007-04-17]

ARTICLE I

Name

The name of this Association shall be the Associated Students of the University of California, San Diego, hereinafter referred to as the "ASUCSD."

ARTICLE II

Object

The object of this Association shall be to exercise the rights and responsibilities of students to participate in the governance of the University; to manage, invest and maintain the assets of the Association; to create and execute programs which serve the collective interests of the undergraduate population; and to advocate for students within the University, the community, the state, and the nation.

ARTICLE III

Members

Any person enrolled as an undergraduate student at the University of California, San Diego shall be a member of the ASUCSD.

ARTICLE IV

Officers

Section 1. Officers

The Officers of the ASUCSD, hereinafter referred to as "the Officers," shall be a President, a Vice-President Student Life, a Vice-President External Affairs, and a Vice-President Finance and Resources.

Section 2. Eligibility

The Officers shall be members of the ASUCSD and shall not hold any other voting position on the Council. The Officers shall have no less than a 2.5 cumulative grade point average.

ARTICLE V

Duties of Officers

Section 1. President

- (a) The President shall be the chief executive officer of the ASUCSD.
- (b) The President shall serve as the official representative of the ASUCSD.
- (c) The President shall chair the Associated Students Cabinet, herein referred to as "the Cabinet," which consists of the President, the Vice-Presidents, and the Associate Vice-Presidents.
- (d) The President shall be an ex-officio member of all subordinate bodies of the ASUCSD, with such exceptions prescribed by the Council.

- (e) The President shall formulate and submit to the Council for consideration an annual executive budget recommended for the operation of the ASUCSD.
- (f) The President shall sign contracts on behalf of the ASUCSD with the consent of the Council. The President's signature is required to make any ASUCSD contract valid.
- (g) The President shall call and set the dates of a Special Election.
- (h) The President shall appoint or dismiss only the members of the Cabinet listed below in this subsection with the advice and consent of the Council. The term of office of each cabinet member listed below in this subsection expires when a successor is appointed.
 - (1) Associate Vice-President Academic Affairs
 - (2) Associate Vice-President College Affairs
 - (3) Associate Vice-President Student Advocacy
- (i) In the event of a vacancy in any Associate Vice-President listed in the previous subsection, the President may appoint a replacement on an interim basis for a maximum of twenty-five academic days, provided, however, that this power may only be used once per vacancy.
- (j) The President shall perform other duties applicable to the office as prescribed by the Council.

Section 2. Vice-President Student Life

- (a) In the event of a vacancy in the office of President, the Vice-President Student Life shall become President for the remainder of the term. The Council shall prescribe the line of succession for the event of a simultaneous vacancy in the offices of President and Vice-President Student Life.
- (b) Whenever the President transmits to the Vice-President Student Life a written declaration that the President is unable to discharge the powers and duties of office, and until the President transmits to the Vice-President Student Life a written declaration to the contrary, such powers and duties shall be discharged by the Vice-President Student Life as Acting President.
- (c) The Vice-President Student Life shall appoint or dismiss students representing the ASUCSD to campus committees as needed, with such exceptions as the Council may prescribe.
- (d) The Vice-President Student Life shall appoint or dismiss only the members of the Cabinet listed below in this subsection with the advice and consent of the Council. The term of office of each cabinet member listed below in this subsection expires when a successor is appointed.
 - (1) Associate Vice-President Diversity Affairs
 - (2) Associate Vice-President Athletic Relations
 - (3) Associate Vice-President Programming
- (e) In the event of a vacancy in any Associate Vice-President listed in the previous subsection, the Vice-President Student Life may appoint a replacement on an interim basis for a maximum of twenty-five academic days with the approval of the President, provided, however, that this power may only be used once per vacancy.
- (f) The Vice-President Student Life shall perform other duties applicable to the office as prescribed by the Council.

Section 3. Vice-President External Affairs

- (a) The Vice-President External Affairs shall serve as the University of California Student Association (UCSA) representative and voting board member from ASUCSD.

- (b) The Vice-President External Affairs shall appoint or dismiss only the members of the Cabinet listed below in this subsection with the advice and consent of the Council. The term of office of each cabinet member listed below in this subsection expires when a successor is appointed.
 - (1) Associate Vice-President Local Affairs
- (c) In the event of a vacancy in any Associate Vice-President listed in the previous subsection, the Vice-President External Affairs may appoint a replacement on an interim basis for a maximum of twenty-five academic days with the approval of the President, provided, however, that this power may only be used once per vacancy.
- (d) The Vice-President External Affairs shall perform other duties applicable to the office as prescribed by the Council.

Section 4. Vice-President Finance and Resources

- (a) The Vice-President Finance and Resources shall advise the President and the Council on all financial matters.
- (b) The Vice-President Finance and Resources shall oversee the enforcement of all ASUCSD policies and procedures concerning expenditures of the activity fee.
- (c) The Vice-President Finance and Resources shall appoint or dismiss only the members of the Cabinet listed below in this subsection with the advice and consent of the Council. The term of office of each cabinet member listed below in this subsection expires when a successor is appointed.
 - (1) Associate Vice-President Student Organizations
 - (2) Associate Vice-President Enterprise Operations
 - (3) Associate Vice-President Student Services
- (d) In the event of a vacancy in any Associate Vice-President listed in the previous subsection, the Vice-President Finance and Resources may appoint a replacement on an interim basis for a maximum of twenty-five academic days with the approval of the President, provided, however, that this power may only be used once per vacancy.
- (e) The Vice-President Finance and Resources shall perform other duties applicable to the office as prescribed by the Council.

**ARTICLE VI
Council**

Section 1. Composition

The voting membership of the Associated Students Council, herein referred to as “the Council,” shall consist of:

- (a) the Officers;
- (b) two Senators from each College elected at-large by the students of that College;
- (c) one Senator from each of the academic divisions that have undergraduate programs elected at-large by the students who are enrolled in a major in that academic division;
- (d) eight Senators elected at-large by the ASUCSD;
- (e) three Senators from the Freshman class, appointed in the Fall Quarter by a committee prescribed by the Council to a term of one academic year with the consent of the Council; and
- (f) one Senator that is a transfer student, appointed in the Fall Quarter by a committee prescribed by the Council to a term of one academic year with the consent of the Council.

Section 2. Eligibility

The voting membership of the Council shall be members of the ASUCSD and shall not hold more than one voting position on the Council.

Section 3. Election Procedure and Terms of Office

The elected voting membership of the Council shall be elected annually to a term that begins at noon on Friday of Sixth Week Spring Quarter and ends when their successors' terms begin. The Council shall establish the rules and procedures of the election, provided, however, that voting must end on Friday of Second Week Spring Quarter and take place for at least five academic days.

These election rules and procedures may not be amended or suspended during the time period between when the first candidate has filed for office and the certification of the results for that election; additionally, these election rules and procedures may not be amended during the time period between when a Special Election has been called by the President and the certification of the results for that election.

Section 4. Duties and Powers

The Council shall have the power to:

- (a) control all ASUCSD funds and appropriate those funds as they see fit unless the students, through the fee referendum process, lock-in portions of ASUCSD funds to certain financial areas;
- (b) supervise and maintain the properties and investments of the ASUCSD;
- (c) write and maintain the rules, policies, and procedures of the ASUCSD or any office thereof;
- (d) represent the interests and opinions of UCSD undergraduate students;
- (e) establish any number of non-voting positions on the Council and the process for their selection;
- (f) take any action that is for carrying into execution the foregoing powers and all other powers vested by this Constitution in the Council or in any member thereof; and
- (g) delegate and revoke the delegation of any of the aforementioned powers to other entities within the ASUCSD.

Section 5. Campus-based Student Fees

To establish, increase, reduce, or eliminate any campus-based student fee through the process of a student fee referendum, the Council must, by a two-thirds vote, place a fee referendum on a ballot for the undergraduate students to vote on.

If the change in the campus-based student fee would affect both undergraduate and graduate students, the Council, by a two-thirds vote, and the Graduate Student Association must both agree to place a fee referendum on a ballot for both undergraduate and graduate students to vote on.

For any fee referendum to be approved, a majority of votes cast in the fee referendum election must approve the change in the campus-based student fee. Additionally, the number of students

casting ballots must equal or exceed 20% of the registered students affected by the fee at the time the election is held.

If the fee referendum is approved in the election and approved and implemented by the administration, the language of the referendum is binding on the Council unless it conflicts with this Constitution. In this way, the students may lock-in portions of a campus-based student fee to certain financial areas by placing language to that effect in the referendum question.

Section 6. Vacancies

In the event of a vacancy in the voting membership of the Council except the Senators from the Colleges, the President may appoint a replacement for the remainder of the term with the advice and consent of the Council. In the event of a vacancy in any of the Senators from the Colleges, the College Council thereof may appoint a replacement for the remainder of the term; however, the College Council may not appoint an individual that was previously removed from that office in that same term.

In the event of a vacancy in any of the Officers, the President may appoint a replacement on an interim basis for a maximum of twenty-five academic days, provided, however, that this power may only be used once per vacancy.

Section 7. Speaker

The Council shall elect a Speaker of the Council, herein referred to as “the Speaker,” who shall serve as the presiding officer until a successor is elected. If the presiding officer is a voting member of the Council, that person may vote only when it will change the outcome or in any secret ballot vote.

If the Speaker is not able to be present at a meeting or is temporarily unable to serve as the presiding officer, the Speaker should designate a member of the Council to serve as the presiding officer for the period of time in which the Speaker is unable to preside. If the position of Speaker is vacant or if the Speaker is not present at a meeting and did not designate a member of the Council to serve as the presiding officer, the President shall serve as the presiding officer or designate a member of the Council to serve as the presiding officer.

In addition to the duties as presiding officer, the Speaker shall have any other powers the Council may assign.

Section 8. Meetings

The Council shall hold regular meetings weekly during the academic year at a time prescribed by the Council. The Council may, by a majority vote, cancel a regular meeting. Special meetings may be called by the President or by a petition presented to the Speaker containing the signatures of a majority of the voting membership of the Council.

A majority of the voting membership of the Council shall constitute quorum.

All meetings of the Council shall be open to the public except when dealing with matters of personnel, existing or anticipated litigation, license or permit determination, threat to public services or facilities, labor negotiations, investments, contracts, or real property negotiations.

Section 9. Review Referendum

The ASUCSD may review an action of the Council in the following manner:

- (a) A petition must be submitted to the President with the signatures of at least ten percent of the members of the ASUCSD. This petition must clearly state which action of the Council is being petitioned for review by the ASUCSD, and the petition must be submitted within twenty-one academic days of the action of the Council. Each signature on the petition must include a printed name, a signature, and the last four digits of the student's UCSD PID number.
- (b) Upon receipt of a valid petition, the President shall call a campus-wide special election within thirty academic days where the members of the ASUCSD shall vote on the question of whether to uphold the decision of the Council, unless an election is already scheduled to take place within fifty academic days, in which case the question shall instead appear on that ballot. The Council shall establish the rules and procedures of the election, provided, however, that voting must take place for at least five academic days.
- (c) During the interval between the submission of the petition and the election, all related actions and any associated expenditure of funds shall be suspended.
- (d) If a majority of students voting disapprove of the action of the Council, the action of the Council is reversed, and the members of the Council shall make a good faith effort to honor the result of the referendum for at least one academic year. If a decision of the Council has been reversed, the Council may not take any action for one academic year that would have the same effect as the action that was reversed.

Section 10. Removal From Office

The Council may, by a two-thirds vote, impeach a voting member of the Council or a member of the Associated Students Judicial Board on one or more of the following grounds:

- (a) misuse of funds
- (b) unsatisfactory attendance
- (c) failure to perform duties
- (d) improper or unethical use of authority
- (e) willful violation of ASUCSD rules, policies, or procedures

If a member is impeached, the Associated Students Judicial Board shall convene to determine removal of the member. If the Associated Students Judicial Board finds the member responsible of any of the charges, the Associated Students Judicial Board shall remove the member from office.

If a member other than the President is ineligible to serve in the position the member currently serves in, the President shall, after giving the member the opportunity to resign, declare the member ineligible for office by informing the Council, and the position shall become vacant five academic days thereafter. If the President is ineligible to serve in the office of President, the Vice-President Student Life shall, after giving the President the opportunity to resign, declare the

President ineligible for office by informing the Council, and the position shall become vacant five academic days thereafter.

A voting member of the Council or a member of the Associated Students Judicial Board may not be removed from office by any means other than the procedures in this section.

ARTICLE VII

Judiciary

Section 1. Authority

The judicial authority for the ASUCSD shall be vested in one Associated Students Judicial Board and shall extend to all cases and controversies arising under this Constitution or any of the rules of the ASUCSD or its subordinate bodies.

Section 2. Composition

There shall be seven members of the Associated Students Judicial Board appointed by the Officers with the consent of the Council to a term that expires when the person ceases to be a member of the ASUCSD. Only members of the ASUCSD shall be eligible to serve as a member of the Associated Students Judicial Board. No member of the Associated Students Judicial Board shall also serve in the Cabinet or as a voting member on the Council.

Section 3. Rules of Procedure

The Council shall, with the consent of the Associated Students Judicial Board, establish the governing rules and procedures of the same.

ARTICLE VIII

Parliamentary Authority

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Association in all cases to which they are applicable and in which they are not inconsistent with this Constitution and any other rules the Association may adopt.

ARTICLE IX

Amendments

Section 1. Amendments by the Council

The Council may, by a three-fourths vote of the entire voting membership, propose amendments to this Constitution.

Amendments proposed in this manner shall be ratified within one academic year of their proposal upon the approval of two-thirds of the College Councils or a majority vote of the ASUCSD.

Section 2. Amendments by Petition

To propose an amendment to this Constitution by petition, a petition containing the signatures of at least fifteen percent of the members of the ASUCSD must be submitted to the President. This petition must contain the text of the proposed amendment, and each signature must include a printed name, a signature, and the last four digits of the student's UCSD PID number.

In the subsequent election, the members of the ASUCSD shall vote on the ratification of the proposed amendment. If sixty percent of students voting approve the amendment, the amendment is ratified.