

ByLaws

ASUCH Bylaws

Current as of September 2010

ASSOCIATED STUDENTS OF THE UNIVERSITY OF CALIFORNIA, HASTINGS COLLEGE OF THE LAW ("ASUCH")

(Adopted Spring 2000; Amended by the General Council August 27, 2003; Amended by the General Council April 12, 2006; Amended by the General Council September 10, 2008; Amended by the General Council April 1, 2009)

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SECTION 1. GENERAL PROVISIONS

1.10 Adoption of By-Laws

(a) The General Council shall by majority vote, at the beginning of every session, adopt these By-Laws to govern its conduct for the life of the term. Nothing in these Bylaws shall conflict with the ASUCH Constitution.

(b) Any provisions of the Bylaws may be amended or suspended by a vote of two-thirds (2/3) of the General Council.

1.20 Execution of Powers
(c) Pursuant to Article 6, Section 9 of the ASUCH Constitution, the General Council shall have the power to enact legislation necessary and proper to exercise its powers, and to delegate the authority required to execute these powers.

SECTION 2. INTERPRETATION OF THE ASUCH CONSTITUTION AND BYLAWS

2.10 Interpretative Power

(a) The powers of interpretation of the ASUCH Constitution and Bylaws shall be vested in the Parliamentarian, designated by the President at the beginning of the session.

(b) The President may designate a new Parliamentarian only when a vacancy arises.

SECTION 3. MEMBERSHIP

3.10 Removal

(a) A Member of the General Council may be removed from office without discretion in the following instances:

- (1) Failure to satisfy the attendance requirement;
- (2) Failure to satisfy the service hour requirement.

3.20 Proper Notice

(a) Before removal, the Secretary must provide proper notice to the General Council, Student Body, and to the Member facing pending removal.

3.30 Upon Removal

(a) The Secretary must properly notify the General Council, Student Body, and the Member Removed.

3.40 Reinstatement

(a) Member may be reinstated by requesting the Internal Vice-President to conduct an election for the student body for her or his reinstatement. A majority of those voting must approve of her or his reinstatement.

3.50 Attendance

(a) Attendance at ASUCH General Meetings is governed as follows:

(1) After missing three meetings in one semester or two consecutive meetings, the Secretary shall notify the member of pending removal.

(2) After the fourth absence or third consecutive absence in one semester, the member is automatically removed.

3.60 Service Hour Requirement

(a) All Members of the General Council shall serve a minimum of 15 hours in their respective capacities per semester.

(b) Certification of service hours shall be vested with the President. However, he or she may delegate such power to Executive Board Members and Committee or Task Force Chairs.

SECTION 4. ADMINISTRATION

4.10 Rules of Order

(a) Except as provided in this subsection, all General Council meetings shall be conducted pursuant to Robert's Rules of Order.

(b) After debate is closed, the maker of a motion may have one minute to restate and clarify the motion.

(c) During debate of a resolution, no member shall speak a second time until everyone has had a chance to speak a first time.

(d) Governing Council meetings shall not exceed two hours but may be extended by motion.

4.20 Parliamentarian

(a) At the first General Council meeting of the year the President shall appoint a Parliamentarian.

(b) The Parliamentarian shall provide an outline of the rules of order to the General Council at the first meeting where all classes are represented.

4.30 Historian

(a) At the first General Council meeting of the year the President shall appoint a Historian or Co-Historians.

(b) A Historian shall document by photographs and video student life here at Hastings and make them accessible to the Student Body.

4.40 Minutes

(a) The Secretary shall keep written minutes of each meeting. The minutes shall include the meeting agenda, all resolutions submitted, a summary of significant arguments raised regarding each resolution, a copy of all resolutions as adopted, and all other pertinent information at the discretion of the Secretary.

(b) The minutes shall reflect the vote of each member of the General Council for every Resolution brought to a vote.

(c) The Secretary will post all minutes on the ASUCH Bulletin Board and Website.

4.50 Meals at General Council Meetings

(a) All meals served at General Council meetings shall provide a vegetarian option, and, upon request, a vegan option.

(b) The Director of Community Affairs shall execute this provision, unless designated to another member of the General Council by the Director of Community Affairs.

4.60 ASUCH Updates

(a) ASUCH shall publish or cause to be published, in hard copy or electronic form, an update of its activities, meetings, other relevant information in order to improve student participation in and understanding of ASUCH.

4.70 Transparency

(a) The General Council shall strive to maintain transparency in all of its activities. All members of ASUCH shall have the right to access and review the following documents:

- (1) The ASUCH Constitution and Bylaws;
- (2) Any and all Resolutions adopted by the General Council;
- (3) Committee rules and regulations;
- (4) A reasonably current statement indicating the financial condition of ASUCH and a report of budget allocations made to student organizations; and
- (5) Copies of the Minutes of all General Council meetings of the current academic year.

(b) The General Council must make every reasonable effort to:

- (1) Post the proposed agenda for each student meeting two days in advance of the meeting on either the website or in a publicly viewable location on campus
- (2) Post a reasonably current statement of the financial condition of ASUCH as well as a report of all budget requests and awards online or in a public location at least once a semester
- (3) Publicly announce and remind the student body of upcoming ASUCH meeting times and room location by doing any or all of the following:
 - (i) Posting the calendar of ASUCH meetings in a public location on campus
 - (ii) Submitting the meeting times and proposed agenda for inclusion in weekly update emails from the Administration or
 - (iii) Posting this information on the website
- (4) Encourage dialogue with the student body outside meetings by taking actions to ensure the student body can at all times easily find out who their representatives are and how to contact them

4.80 ASUCH Office Key

(a) A key to the ASUCH office shall be kept at the security desk of 200 McAllister for use only by authorized users.

(b) The Secretary shall provide UC Hastings security personnel with a list of names of authorized users of the key.

SECTION 5. GENERAL AUTHORITY: RESOLUTIONS

5.10 Resolutions Generally

(a) The resolution process is the means by which ASUCH speaks to its members, Hastings College of the Law, and the public.

(b) Any matter that affects the quality of legal education or student life, or that pertains to the ASUCH Constitution or By-Laws or any action taken under their authority, is a proper subject for a resolution.

(c) Regular Consideration of Resolutions. For regular consideration, resolutions shall be submitted to the Secretary in hard copy or electronic form no later than forty-eight hours prior to each General Council meeting.

(d) The Secretary shall establish formatting rules for proper submission of resolutions.

5.20 Emergency Resolutions

(a) Emergency Consideration of Resolutions. Pursuant Article V, Section 5(a) of the ASUCH Constitution, an Emergency Resolution may be considered immediately upon the approval of two-thirds of the General Council present at a General Council meeting.

5.30 Required Components

(a) Financial Report Requirement.

(1) All resolutions shall include a "Financial Report" disclosing the financial impact of the resolution on ASUCH. If the resolution will not require any financial expenditure if passed, the financial report should read as follows: "This resolution will not require any financial expense for ASUCH." If following reasonable inquiry, such expenditure is unknown, the financial report shall state that such expenditure is unknown.

(b) Disclosure Requirement.

(1) If an ASUCH member is sponsoring or co-sponsoring an ASUCH resolution that directly effects through finances or resources, an organization in which he or she is a member, the ASUCH member shall disclose his or her position within that student organization.

(c) Executive Provision.

(1) If a resolution requires action on the part of the General Council, it must include an enforcement provision. It must vest such action in an Executive Board Member or Committee.

SECTION 6. APPROPRIATIONS

6.10 Budget Process

(a) The Treasurer shall, at the beginning of every session, propose regulations for the budget process (Budget Regulations). The General Council shall adopt the Budget Regulations by a majority vote. The budget process shall be conducted according to the Budget Regulations. These rules shall include, but not be limited to, the following:

(1) Applications for funding shall be distributed and/or available to those student organizations registered or contemplated at the first mandatory student organization meeting of the academic year. Applications shall be due no more than two weeks after distribution, but shall be due at least one week after the published deadline to register a student organization with Student Services for eligibility for ASUCH funding.

(2) The Finance Committee shall meet and develop a proposed distribution of funds within one week of the application deadline, distribute the proposal to all student organizations by the Monday before the next General Council meeting, and to the General Council for review, revision and approval at that meeting.

(3) Finance Committee meetings shall be open to any silent observers subject to the sole discretion of the Treasurer.

(4) Finance Committee members shall be required to attend the General Council meeting at which the budget proposal is addressed to comment on the rationale behind specific allocations.

i. Any student organization wishing to appeal an appropriations decision by the ASUCH General Council or asking for an appropriation of funds shall submit this motion to the

Secretary and Treasurer in hard copy or electronic form no later than forty-eight hours prior to each General Council meeting.

ii. The ASUCH General Council requires that a representative of the student organization appealing an appropriations decision or asking for an appropriation of funds attend the meeting of the General Council where the appeal will be heard. The representative must be ready to answer any questions that the General Council asks the representative regarding the organization's budget and other financial matters.

(6) Funding shall be allocated in a manner consistent with state and federal law.

a. ASUCH Constitution Art.III Sec.5(b)(6) shall be presumed to refer to Smith v. Regents, 4 Cal.4th 843, and shall be interpreted as being equivalent to Bylaw 6.10(a)(5).

SECTION 7. ELECTIONS

7.10 Election Guidelines

(a) The Internal Vice-President shall issue regulations for all student body elections and referendums.

(b) At the beginning of every session, the General Council shall adopt the elections regulations by a majority vote.

7.20 Public Notice of Candidacy Statements.

(a) Any statement of candidacy that was timely submitted shall be posted.

(b) Such posting shall be made in a public place likely to be seen by members of the student body, such as in the lobby of the 198 or 200 McAllister buildings.

(c) Such posting shall occur no later than three days before the first scheduled day of the Spring General Election, and shall remain posted until the polls are closed.

(d) Additional measures may be taken to provide the student body with the opportunity to view candidacy statements and other election materials.

(e) All statements of candidacy shall include a picture of the candidate.

7.30 Tied Elections

(a) In the event of a tied vote, the winner shall be determined by flipping a coin.

(1) The flipper of the coin shall be the President, subject to the consent of both candidates.

(2) Both candidates shall be present for the coin flip.

7.40 Voter Turnout Required

(a) No student shall be elected as class representative unless he or she receives the vote of five percent (5%) of the class from which he or she was elected. The size of the class shall be determined by final registration figures immediately preceding the election.

SECTION 8. STUDENT SERVICES

8.10 Student Organization Meetings

(a) The Internal Vice-President shall call a student organization meeting at least once a semester during an academic free hour.

(b) The Internal Vice-President shall distribute or make available copies of the Budget Regulations to every student organization representative in attendance.

(c) The Internal Vice-President may, at any time, call other student organization meetings during any academic free hour.

(d) A representative from each student organization shall attend each such meeting.

(e) The Internal Vice-President, per counsel from the Treasurer, shall inform student organizations both via a SIC drop and at the initial student organization meeting of the fall semester of potential funding sanctions.

SECTION 9. APPOINTMENTS

9.10 Application

(a) The President shall solicit applications from Members of the ASUCH General Council for appointment to ASUCH Committees, Task Forces, and Student-Faculty Committees before the beginning of every session.

9.20 Student-Faculty Appointments

(a) Pursuant to Article 6, Section 8 of the ASUCH Constitution, the President shall submit appointments to the Committee on Committees for student representation on the student-faculty committees.

9.30 Vacancies

(a) The President shall fill vacancies in the General Council pursuant to Article 3, Section 11 of the ASUCH Constitution.

SECTION 10. COMMITTEES

10.10 ASUCH Committees and Task Forces Generally

(a) Committees and Task Forces may be formed by the General Council, Executive council, or President as needed to address specific needs of ASUCH.

(b) The President shall appoint and fill vacancies for all task force and committee members, including a chair.

(c) At least one General Council member shall serve on each task force or committee.

(d) Each committee and subcommittee shall be chaired by a member of the ASUCH Executive Board or General Council.

(e) All committees and task forces shall consist of an odd number of voting members.

(f) The ASUCH President shall serve as an ex-officio member on all committees and task forces.

(g) Nonmembers or students at-large may serve in an ex-officio capacity.

(h) All committees and task forces shall be governed by parliamentary procedure as detailed in Robert's Rules of Order.

(i) All committees (including task forces and the 3L Council) shall have the authority to promulgate regulations governing their activities. Committee regulations shall not be inconsistent with the ASUCH Constitution and Bylaws.

(j) All committee regulations shall be published and available for inspection by any ASUCH member.

(k) Committee regulations may be amended by a majority vote of the General Council.

10.20 Finance Committee

(a) This committee will review all student organization budget requests and propose student allocations to the General Council for approval. This committee shall propose allocations once per semester.

(b) The Treasurer shall chair this committee and shall appoint the committee members from among the General Council. The Treasurer's appointments shall be subject to the President's approval.

(c) For fall semester the committee shall be comprised of one-half 3Ls and one-half 2Ls. For spring semester the committee shall be comprised of an equal number of 1Ls, 2Ls and 3Ls.

10.30 Committee on Committees

- (a) The Secretary shall chair this committee.
- (b) This committee shall approve appointments, including interim appointments, submitted by the President.
- (c) The committee shall also approve appointees to the Student-Faculty Committees and for any vacancies in the ASUCH Executive Board or General Council upon submission by the President.
- (d) Vacancies shall not include designating a parliamentarian and an historian.

10.40 Elections Committee

- (a) The Internal Vice-President shall chair this committee.
- (b) This committee will manage the 1L elections in the fall, the ASUCH elections in the spring, and any other referendums during the year.

10.50 Community Service Committee

- (a) The External Vice-President shall chair this committee.
- (b) The committee will coordinate volunteer activities and provide an efficient and effective way of presenting community service opportunities to Hastings students, known as Hastings Helps!
- (c) The Hastings Helps! program shall include at least a day per month when this committee organizes Hastings students to volunteer on a project in the community.
- (d) This committee will pursue efforts to introduce a mandatory pro bono hours requirement for Hastings students and faculty.

10.60 Student Life Committee

- (a) The Director of Community Affairs shall chair this committee and oversee all subcommittees under its jurisdiction.
- (b) This committee will plan social and athletic events for Hastings students.
- (c) Subcommittees: The following subcommittees shall be responsible for assisting the Director of Community Affairs.
 - (1) Social Events
 - (2) Athletic Services
 - (3) Hastings Hosts
- (d) The Social Events Subcommittee shall be responsible for planning Beer-on-the-Beach, biweekly Bar Reviews and Barrister's Ball
- (e) The Athletics Services subcommittee shall be responsible for the athletic and fitness programs at Hastings, including but not limited to gym equipment and scheduling.
- (f) The Hastings Hosts subcommittee is responsible for organizing an event every semester that brings together student, staff, faculty, alumni and their families to enjoy cultural and sporting events in the Bay Area.

10.70 Outreach Committee

- (a) The Director of Communications shall chair this committee.
- (b) This committee shall organize the Town Hall Meeting between Students and Administration, maintain the ASUCH website, and will be in charge of planning other publicity for ASUCH-sponsored programs and events.

10.80 Installation and Awards Dinner Committee

- (a) The secretary shall chair this committee.
- (b) This committee will plan and coordinate a dinner at the end of the year, early April, to recognize the new ASUCH members and to present various awards, including but not limited to the following: ASUCH Member of the Year, Student Organization Leader of the Year, Faculty Member of the Year, Alumni of the Year, and Administrator of the Year.

(c) The purpose behind of this event is to create a system of transferring power to new ASUCH Members, and more importantly, to recognize the work of student organizations that contribute, often times thanklessly, to student life here at Hastings.

10.90 Professional Development Committee

(a) The External Vice-President shall chair this committee.

(b) This committee shall be responsible for cultivating professional opportunities for students by working on issues with the Office of Career Services and the Office of Alumni Services.

(c) The committee shall work with the administration in coordinating the Legacy Dinners and managing the business cards program.

10.91 Health Services Committee

(a) This committee shall voice student concerns and interests to the administration as they relate to the programs offered by the Office of Health Services.

(b) Members will work directly with the Health Services.

10.92 Bylaws Committee

(a) The parliamentarian shall chair this committee.

(b) This committee shall review the ASUCH Bylaws and propose amendments as needed.