

# **Constitution of Associated Students of the University of California – Hastings**

## **Article I. Name and Purpose**

### **Section 01 Name**

This Organization shall be known as Associated Students of the University of California – Hastings (ASUCH).

### **Section 02 Purpose**

The purpose of this organization shall be to govern the affairs pertaining to the welfare and activities of the associated students.

## **Article II. Membership**

All registered students at Hastings College of the Law shall be deemed, upon payment of their membership fee, to be members of ASUCH.

## **Article III. General Council**

### **Section 01 Membership**

- (a) The General Council of ASUCH shall be comprised of the following members: President, Internal Vice-President, External Vice-President, Secretary, Treasurer, Director of Community Affairs, Director of Communications, First Year Representatives, Second Year Representatives, Third Year Representatives and an LL.M. Representative.

### **Section 02 President**

- (a) The President shall be elected by the procedure set forth in Article IV, Section 3, at a general election held in the Spring Semester.
- (b) The President shall serve as the chief executive officer of ASUCH.
- (c) The President shall preside over meetings of ASUCH and the General Council.
- (d) The President shall have all appointive power, subject to the provisions of Article VI, Section 9.
- (e) The President shall be an ex-officio member of all committees of ASUCH.

### **Section 03 Internal Vice-President**

- (a) The Internal Vice-President shall be elected in the same manner as the President.
- (b) In the absence of the President, the Internal Vice-President shall preside at meetings of ASUCH and the General Council.
- (c) In the event of the permanent incapacitation or removal of the President, the Internal Vice-President shall succeed to the duties and powers of the President.
- (d) In the event of Presidential succession, the General Council shall appoint, by a vote of three-fourths of its members present, a new Internal Vice-President.
- (e) The Internal Vice-President shall have the following duties:
  - (1) Chair the Elections Committee;
  - (2) Allocate space to student groups with the consent of the General Council;
  - (3) Manage student facilities; and
  - (4) Be a liaison to student organizations.

### **Section 04 Secretary**

- (a) The Secretary shall be elected in the same manner as the President.

- (b) The Secretary shall:
  - (1) Keep a written account of all proceedings of ASUCH and the General Council;
  - (2) Be responsible for the custody of the Constitution and all other documents possessed by ASUCH;
  - (3) Cause to be published an annual report of faculty performance (“The Headnotes”), provided the General Council approves such publication pursuant to the Bylaws of ASUCH; and
  - (4) Manage the office of ASUCH.

Section 05      Treasurer

- (a) The Treasurer shall be elected in the same manner as the President.
- (b) The Treasurer shall:
  - (1) Be responsible for all monies of ASUCH;
  - (2) Chair the Finance Committee;
  - (3) Make a report at each General Council meeting as to the balance of the student organization account and ASUCH account;
  - (4) Make a report at the second General Council meeting of each month as to the current balance of each student organization’s ASUCH funding allocation;
  - (5) Cause to be published in the Weekly or otherwise make publicly available, the initial funding allocation for each student organization;
  - (6) Oversee the implementation of the Smith v. Regents guidelines.

Section 06      Director of Community Affairs

- (a) The Director of Community Affairs shall be elected in the same manner as the President.
- (b) The Director of Community Affairs shall be responsible for:
  - (1) Planning, supervision, and implementation of social events;
  - (2) Coordination and oversight of athletic programs;
  - (3) General oversight of the Fitness Center; and
  - (4) Other recreational activities for the benefit of ASUCH

Section 07      External Vice-President

- (a) The External Vice-President shall be elected in the same manner as the President.
- (b) The External Vice-President shall:
  - (1) Develop, manage, and maintain the relationship between ASUCH and entities outside the College.
  - (2) Actively pursue external opportunities to enhance the quality of life for ASUCH members.

Section 08      Director of Communications

- (a) The Director of Communications shall be elected in the same manner as the President.
- (b) The External Vice-President shall be responsible for:
  - (1) Transmitting information about pending and completed ASUCH resolutions, committees and task forces to the student body by means of a weekly ASUCH announcement in the Hastings Weekly publication, the [www.asuch.org](http://www.asuch.org) website, or another information transmitting mediums;
  - (2) Ascertaining student needs, desires, and concerns by polling or other methods;
  - (3) Publicizing ASUCH events by way of posters, email transmissions and chalking boards;
  - (4) Maintaining and updating the [www.asuch.org](http://www.asuch.org) website;

- (5) Checking and responding to the ASUCH@uchastings.edu and askASUCH@uchastings.edu mailing addresses and ASUCH listservs; and
- (6) Maintaining the ASUCH bulletin boards with updated Events Calendars and other information of interest to the student body.

#### Section 09 First Year Representatives

- (a) There shall be two representatives from each section of the First Year Class.
- (b) An election for such representatives shall be held in the Fall Semester as provided in Article IV, Section 5.
- (c) First Year Representatives shall represent the interests of their section and act as a liaison between the General Council and their section.

#### Section 10 Second Year Representatives

- (a) There shall be ten representatives from the Second Year Class.
- (b) An election for such representatives shall be held in the Spring Semester as provided in Article IV, Section 6.
- (c) Second Year Representatives shall represent the interests of their class and act as a liaison between the General Council and the Second Year Class.
- (d) Classification as a Second Year student shall be based on the date of matriculation.

#### Section 11 Third Year Representatives

- (a) There shall be ten representatives from the Third Year Class.
- (b) An election for such representatives shall be held in the Spring Semester as provided in Article IV, Section 7.
- (c) Third Year Representatives shall represent the interests of their class and act as a liaison between the General Council and the Third Year Class.
- (d) All Third Year Representatives shall constitute the members of the Elections Committee.
- (e) All Third Year Representatives shall constitute the Third Year Class Council.
  - (1) Third Year Class Council shall be responsible for coordinating graduation events and other third year activities.
  - (2) Third Year Class Council shall be chaired by the Third Year Class President.
- (f) Classification as a Third Year student shall be based on the date of matriculation.

#### Section 12 LL.M. Representative

- (a) There shall be one representative from the LL.M. Class.
- (b) An election for such representative shall be held in the Fall Semester as provided in Article IV, Section 8.
- (c) The LL.M. Representative shall represent the interests of the LL.M. class and act as a liaison between the General Council and that class.

#### Section 13 Vacancies

- (a) Subject to the provisions of this section, vacancies in the General Council shall be filled through appointment by the President with approval by a majority of the General Council.
- (b) When vacancies arise, the President shall take nominations from both the General Council and the student body.
- (c) The Secretary shall provide for a notice of each vacancy to appear in the *Hastings Weekly* for one week prior to any appointment.
- (d) Members of the General Council appointed to fill a vacancy shall serve until the end of the current term of the position vacated.

- (e) The above provisions shall not apply to vacancies in the office of the President.

## Article IV. Elections

### Section 01 General Election

- (a) A general election shall be held each year in the Spring Semester to fill the offices of President, Internal Vice-President, External Vice-President, Director of Community Affairs, Director of Communications, Secretary, Treasurer, and the Second and Third Year Representative positions.
- (b) A general election shall be held in the Fall to fill the First Year Representative positions.
- (c) The general elections shall be administered by the Elections Committee.

### Section 02 Eligibility to Vote

- (a) All members, in good standing, of ASUCH, may vote in any election governed by the General Council.
- (b) For each class representative election, only members of that class, based on date of matriculation, may vote.

### Section 03 Special Election

- (a) The General Council may provide for a special election by a vote of a majority of its members present.
- (b) Upon presentation to the President of a petition signed by at least fifteen percent of the members of ASUCH, the General Council shall provide for a Special Election.
- (c) A Special Election shall be administered by the Elections Committee.

### Section 04 Election of Executive Positions

- (a) When only two candidates are seeking election to an office, a simple majority is required.
- (b) When three or more candidates are running for an office, each voter is to rank the candidates in order of preference.
  - (1) If one candidate is listed as first preference on a majority of the ballots, that candidate is elected.
  - (2) If no candidate is elected by simply majority, the candidate with the least number of first preference ballots is eliminated and his/her ballots are redistributed to the candidates ranked next on those ballots.
  - (3) This process of elimination of the candidate with the lowest count and redistribution to the remaining candidates is continued until one candidate receives a majority count of ballots.

### Section 05 Election of First Year Representatives

- (a) Subject to the provisions of this section, the election of first year representatives will be through the same procedure under Article IV, Section 4.
- (b) Each First Year section shall elect two representatives.
- (c) When only two candidates are seeking election both shall automatically be the representatives of that section
- (d) When three or more candidates are running for office, each voter shall rank the candidates in order of preference.
  - (1) The ballots shall be counted and redistributed until one candidate has acquired a majority. This candidate shall be one representative.
  - (2) To determine the second representative, the first preference ballots of the already elected representative shall be redistributed to the second preference on those

ballots.

#### Section 06 Election of Second Year Representatives

- (a) Each voter shall vote for up to ten candidates.
- (b) The ten candidates receiving the highest number of votes are elected as representatives.

#### Section 07 Election of Third Year Representatives

- (a) Each voter shall vote for up to ten candidates.
- (b) The ten candidates receiving the highest number of votes are elected as representatives.
- (c) The third year representative candidate receiving the highest number of votes shall be the Third Year Class President.
- (d) In the event of a tie, the newly elected Third Year Representatives shall vote to elect the Third Year Class President.
  - (1) If this vote yields a second tie, those candidates who tied shall be co-Class Presidents.

#### Section 08 Election of LL.M. Representative

- (a) Only LL.M. students may vote in the LL.M. election.
- (b) Each voter shall vote for one candidate.
- (c) The candidate receiving the highest number of votes is elected as the LL.M. representative.

#### Section 09 Referendum

- (a) Upon the presentation to the President of a petition signed by at least fifteen percent of the members of ASUCH, any act of the General Council must be submitted to a vote by the members of ASUCH.
- (b) The deadline for submission of a referendum petition shall be the date thirty days before the last day of instruction for that semester.
- (c) Any petition submitted after the date 30 days prior to the last day of instruction in any semester shall be deemed to have been submitted on the first day of the following semester.
- (d) A referendum submitted in a timely manner shall be put to a vote within twenty days of submission.
- (e) A referendum must be voted on by at least twenty-five percent of the members of ASUCH.
- (f) A two-thirds majority of those voting is required to pass a referendum.

#### Section 10 Recall

- (a) A recall vote may be initiated by a petition signed by at least fifteen percent of one of the following:
  - (1) For recall of a member of the Executive Board, the petition shall be signed by at least fifteen percent of the members of ASUCH.
  - (2) For recall of a second or third year representative, the petition shall be signed by at least fifteen percent of the members of the class of the representative sought to be removed.
  - (3) For recall of a first year representative, the petition shall be signed by at least fifteen percent of the members of the representative's section.
- (b) A recall vote may be initiated by a two-thirds vote of the entire General Council.
- (c) To recall a member of the Executive Council, two-thirds of the members of ASUCH voting must vote to remove the member.

- (d) To recall a second or third year representative, two-thirds of members voting from the representative's class must vote to remove the representative.
- (e) To recall a first year representative, two-thirds of members voting from the representative's section must vote to remove the member.

#### Section 11 Constitutional Amendments

- (a) A proposed amendment to this Constitution may be initiated by a two-thirds vote of the General Council.
- (b) A proposed amendment to this Constitution may be initiated by a petition signed by at least fifteen percent of the members of ASUCH.
- (c) A proposed amendment must be voted on by at least twenty-five percent of the members of ASUCH.
- (d) A two-thirds majority of those voting is required to pass a proposed amendment.

#### Section 12 Student Activity Fee Changes

- (a) Upon presentation to the President of a petition to impose, adjust, or eliminate a student activity fee signed by at least 250 students, or at least one-fourth of the members of ASUCH, or by a two-thirds vote of the General Council, the fee shall be submitted to a vote by the members of ASUCH.
- (b) A proposed fee or fee change must be voted on by at least twenty-five percent of the members of ASUCH.
- (c) Two-thirds of those voting is required to impose, adjust, or eliminate a student activity fee.

### Article V. Meetings

#### Section 01 Frequency

- (a) The General Council shall meet no less than every other week during each semester until the beginning of the exam period, or more frequently at the call of the President.
- (b) The President may call for a general meeting of ASUCH.

#### Section 02 Closed Session

The General Council shall have the power to hold closed sessions upon a majority vote of members present.

#### Section 03 Proxy Voting

Proxy voting will not be allowed.

#### Section 04 Quorum

Forty percent of the General Council shall constitute a quorum.

#### Section 05 Resolutions

- (a) All resolutions must be submitted to the Secretary before consideration by the General Council, in the case of an emergency, this provision can be overridden by two-thirds vote of the General Council.
- (b) The President has the power to act on an interim basis, provided the General Council consents at the next meeting of the General Council.
- (c) A majority of those voting is required to pass a resolution.

### Article VI. Responsibilities of the General Council

Section 01     General Authority

All legislative authority shall be vested in the General Council.

Section 02     Appropriations

The allocation of student activity fees must be approved by a majority of the General Council.

Section 03     Elections

- (a) The General Council shall govern all elections.
- (b) The Elections Committee shall administer all elections.

Section 04     Activities

- (a) The General Council shall maintain and govern student activities for the members of ASUCH.
- (b) The General Council shall work with student organizations and the Student Activities offices to govern student activities.

Section 05     Athletics

The General Council shall maintain and govern athletic activities for the members of ASUCH.

Section 06     Academic Affairs

The General Council shall encourage any reasonable activity which may broaden the academic well being of the members of ASUCH.

Section 07     Student Services

The General Council shall promote legislation and aid the College's administration in providing programs for the welfare of the members of ASUCH.

Section 08     Appointments

- (a) The President shall make all appointments to all General Council committees and committees with student membership, except for Student-Faculty Committees.
- (b) All appointments made by the President must be submitted to the General Council for approval by majority vote.
- (c) The President may appoint persons to committees on an interim basis provided the appointments are submitted for approval to the General Council at the next meeting.
- (d) The President may make all other necessary appointments for ad hoc committees.

Section 09     Execution of Powers

The General Council shall have the power to enact the legislation necessary and proper to exercise its powers, and to delegate the authority required to execute these powers.

Article VII.    Interpretation

All questions of interpretation of this Constitution shall be decided by a majority vote of the General Council.

Article VIII.   Bylaws

The General Council may adopt bylaws to regulate its internal affairs and for the administration and implementation of the Constitution.