



## **Associated Students of Merced College Constitution**

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**Constitution  
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# **The Official Constitution of the** **Associated Students of Merced College**

## **Preamble**

We, the students of Merced College, as represented by the Associated Students of Merced College (ASMC), have established the Associated Students Council, herein referred to as “the Council,” for the purpose of preserving, protecting, defending, and advancing students’ rights, academic freedom, and a representative student government; to promote the educational, social, and cultural opportunities of Merced College; to assist the enjoyment of the diversity of Merced College and the community at large; to advocate for full student participation in the affairs of Merced College, and to discharge the authority vested in the Associated Students by the State of California and the Board of Trustees of the Merced Community College District; do hereby establish and adopt this Constitution.

## **Article I – Name and Colors**

**Section 1.** The name of this organization shall be the Associated Students of Merced College (ASMC).

**Section 2.** The official colors shall be blue and gold.

## **Article II – Membership**

**Section 1.** Active membership shall be conferred upon students who are officially registered.-

**Section 3.** The Council shall determine what privileges and benefits shall be granted to members.

## **Article III - Government**

**Section 1.** ASMC has the right to self-government pursuant to the California Education Code and subject to the regulations of the State of California, the Board of Governors of the California Community College System, and Merced College policies.

**Section 2.** The authority of ASMC shall be vested in the Associated Student Council. The Council shall consist of a President, Executive Vice President, Vice President of Judicial Affairs, Treasurer, Student Trustee, six (6) area senators elected at large including a senator representing Los Banos, and one (1) representative from each officially chartered student organization (SO) on campus.

**Section 3.** The Council shall have the rights and powers, as granted by this Constitution and as defined in the Bylaws, to execute the purpose of ASMC as stated in the preamble of this Constitution.

**Section 4.** Parliamentary authority shall be vested in the latest edition of Roberts Rules of Order (newly revised) The Parliamentary authority shall only govern in the absences of any provision in Federal law, State law, local laws, District or College rules, the Constitution, or Bylaws,

**Section 5.** A minimum of one (1) ASMC council meeting shall be held on Los Banos campus per semester.

#### **Article IV – Officers and**

**Section 1.** The executive officers of the Council shall be the President, Executive Vice President, Vice President of Judicial Affairs, Trustee, and Treasurer. The executive officers shall serve terms of one academic year commencing with their inauguration at the final council meeting of the academic year. Executive officers shall each have one vote. All executive officers are required to make monthly reports to the Council on their activities. All executive officers shall be required to attend a minimum of one (1) Board of Trustees meeting per semester.

**Section 2.** The legislative officers of the Council shall be no less six (6) area senators at large, including one senator representing the Los Banos Campus. Senators shall be responsible for representing the students from their respective areas as well as the student body in general. The Areas of the senators shall correspond to Areas one (1) through seven (7) of Merced College. Area duties shall be stated within the Bylaws. Legislative Officers shall be required to report to the council regarding their activities and duties on a regular basis. All Legislative Officers shall attend a minimum of one (1) Board of Trustees meeting per semester. All Legislative Officers shall serve a term of one (1) full year commencing with their inauguration at the final council meeting of either the fall or spring academic semester. Legislative officers shall each have one vote. Additional representatives shall be added as determined by the Council with no less than a 2/3 vote.

**Section 2.1.** The Representative members of the council shall be one (1) representative from each officially chartered student organization on campus. Representative members of the Council shall each have one vote. Representatives shall not be counted as part of the quorum.

#### **Clause A. Senators:**

Six (6) Area Senators, including one Area Senator representing the Los Banos Campus shall represent ASMC at large; shall be responsible for presenting student concerns to the Council; matters pertaining to publicity, coordination of events, and promotion of student involvement in ASMC; and all shall fulfill other tasks as assigned by the President or the Council. All are required to be on one shared governance committee and one ASMC Committee. The Los Banos senator must be enrolled in at least one (1) credit course located at the Los Banos Campus.

#### **Clause B. Representatives:**

Each student organization which has been officially chartered by the Council shall have the right to send one representative to the Council. Representatives shall present their organization's concerns and interests to the Council, and shall fulfill other tasks as assigned by the President or the Council. Representatives shall be the president of their respective organization or the President's designee approved by the organization's executive body.

**Section 3.** The Council's executive officers, senators, and all candidates for election or appointment to the Council shall be required to fulfill certain qualifications for holding or seeking office.

**Clause A.** The executive officers and senators shall have completed twelve (12) units prior to seeking election or appointment to office.

**Clause B.** All individuals seeking election or appointment to an Executive position shall be required to hold current membership in ASMC, carry a minimum of five (5) units, and have and maintain a cumulative GPA of 2.5. All Senator positions shall be required to hold current membership in ASMC, carry a minimum of five (5) units, and have and maintain a GPA of 2.0.

**Clause C.** All executive officers and senators shall be encouraged to enroll in and attend Student Government (STGV-33) for the duration of their term.

**Clause D.** Students who have not yet completed one (1) semester are exempt from the GPA requirement.

**Clause E.** No person shall hold more than one voting position on the Council at any one time.

#### **Section 4. Order of Succession**

The order of succession shall be President, Executive Vice President, Vice President Judicial Affairs, Treasurer, and Student Trustee.

In the event no one is elected to any position, the President of Merced College or their representative will appoint an interim Executive Council until emergency general elections can be held. New elections must be held within fifteen (15) instructional days from the date of the interim appointments.

#### **Article V – Student Organizations**

**Section 1.** All student organizations which have been officially chartered shall belong to the Council and shall have the right to send one representative to the Council.

**Section 2.** The constitutions, bylaws, and any other regulation governing student organizations shall not contain any provisions contradictory to the ASMC Constitution and Bylaws.

**Section 3.** The rights and privileges, organizational requirements, and provisions for council membership shall be provided for in the Bylaws.

#### **Article VI – Rules of Accountability**

**Section 1.** In the event of malfeasance, misfeasance, or nonfeasance on the part of any member of the Council, the Council may reprimand or censure, by means of a two-thirds (2/3) vote of the Council voting, the offending member. The censure or reprimand shall be a formal written statement presented to, and approved by, the Council showing cause. This statement, if approved, shall be publicly posted for a period of thirty (30) calendar days and shall be made part of the Council's permanent files.

**Section 2** The Ethics Code governing Article VI shall be contained in the Bylaws.

**Section 3.** All Merced College policies and procedures guaranteeing due process shall apply to Article VI.

#### **Article VII – Referendum, Initiative, and Recall**

**Section 1.** The Council may submit proposed legislation to a referendum of the student body. This referendum shall occur within fifteen (15) calendar days upon public notification unless there is a regular or special election already scheduled. The student body may submit a petition to the Council, signed by three percent (3%) of the student body, requesting a vote on any proposed legislation. Following verification that the signatures on said petition are valid, an election shall be scheduled within fifteen (15) calendar days of the referendum. Should an election already be scheduled, the petition must be submitted ten (10) calendar days prior to that election. A two-thirds (2/3) majority of the votes cast in the affirmative shall be required to pass said legislation.

**Section 2.** Merced College students shall have the right to initiate legislation by means of a petition signed by three percent (3%) of the student body. Said petition shall be presented to the Council with the proposed legislation stated in full. Following verification that the signatures on said petition are valid, an election shall be held within fifteen (15)-calendar days of receipt of said petition. Should an election already be scheduled, the petition must be submitted ten (10)-calendar days prior to the election. A two-thirds (2/3) majority of the votes cast in the affirmative shall be required to pass said legislation.

**Section 3.** All executive officers and senators are subject to recall by the student body. A petition requesting a recall shall be submitted to the Council signed by three percent (3%) of the student body. Following verification that signatures on the petition are valid, the Council shall schedule an election within fifteen (15)-calendar days. Should an election already be scheduled, the petition must be submitted ten (10) calendar days prior to that election. The office shall be vacated immediately should two-thirds (2/3) of the votes cast be in the affirmative. The affected officer shall be notified in writing by the Council.

In the case of gross neglect of duty or wrongdoing, any member of the Council may be removed from office only upon notification following a hearing, and for cause, by approval of three-fourths (3/4) of the Council voting. The Council shall be the sole judge of cause and shall represent the final decision of ASMC.

#### **Article VIII – Elections**

**Section 1** All Merced College students who are officially registered, credit or non-credit, shall be entitled to vote in all elections sponsored by ASMC.

**Section 2.** The procedures for governing elections shall be contained in the Bylaws.

#### **Article IX – Amendments**

**Section 1.** Amendments to the ASMC Constitution may be proposed by the Rules Committees or by the student body.

**Clause A.** Amendments proposed by the Rules Committee must be approved by a simple majority vote (anything over half) of the members voting and sent to the Council for a vote. Two-thirds (2/3)

of the Council voting in the affirmative shall be required to place the amendment on the ballot for an election.

**Clause B.** Amendments proposed by the student body shall fall under Article VII, Section 2, of this Constitution.

**Section 2.** Each proposed amendment shall require an affirmative vote of two-thirds (2/3).

**Section 3.** No amendment to this Constitution shall be retroactive unless said provision is stated within the amendment.

**Section 4.** All amendments are subject to the approval of the Board of Trustees. Provided the Board of Trustees ratifies the proposed amendments, they shall then take effect for the next ASMC election.

#### **Article X – Quorum**

A Quorum shall be defined as the majority of the filled positions of the Board. A majority shall be defined as anything over half.

#### **Article XI – Ultimate Authority**

##### **Section 1.**

Ultimate Authority shall be vested in the California Education Code 76060, the California Code of Regulations Title V 51023.7, and the Student Body of Merced College. The Superintendent/President of the Merced Community College District shall be the ultimate authority in all matters pertaining to ASMC.

Any decision made by the Superintendent/President may be appealed to the Board of Trustee.

