

# Associated Students of Copper Mountain College Bylaws

## Article I Rule Priority

**Section 1:** All other rules, laws, or regulations adopted by the ASCMC Senate must be subject to these Bylaws, Copper Mountain Community College District policies, and state and federal laws.

## Article II Constitutionality

**Section 1:** The provisions of the ASCMC Bylaws and other regulations are legal and constitutional. Any Section, sub-section, sentence, clause, or phrase that is held to be illegal or unconstitutional will not invalidate the entire document, article or section. It will invalidate only that which is held to be illegal or unconstitutional.

## Article III Executive Branch

### **Section 1 (Duties of the President):**

- a. Shall chair all meetings in accordance with Robert's Rules of Order.
- b. Shall, in conjunction with the advisor and Secretary, call the meetings, set the agenda, and notify the executive officers, as needed.
- c. Shall serve as the official spokesperson for the ASCMC Regional and State endeavors unless otherwise delegated by the President with Senate approval.
- d. Shall, as deemed appropriate and in accordance with the Brown Act, have the authority to call special and emergency meetings.
- e. Shall work with the Treasurer to ensure that the ASCMC adheres to the District's Policy on Finances.
- f. Must serve on College Council and Academic Senate or appoint a designee.
- g. Shall have the power to approve or veto all legislation, excluding position statements passed by the Senate, and if vetoed or not signed within 14 days the Secretary shall return the legislation to the Senate where the veto may be overridden by a two-thirds (2/3) vote.
- h. Shall have the power to appoint an ASCMC representative to college committees and boards.
- i. Have the power to fill by appointment, with Senate approval, vacancies that may occur in the Executive Branch for the remainder of office term.

- j. Shall have (1) vote on the ASCMC Senate if it will affect the outcome of the vote.

**Section 2 (Duties of the Vice President):**

- a. Shall serve as President in his/her absence, including chairing ASCMC meetings.
- b. Shall attend Shared Governance meetings as needed.
- c. Shall be the liaison between the ASCMC and clubs.
- d. Shall have (1) vote.

**Section 3 (Duties of the Secretary):**

- a. Shall be responsible for the recording, publishing, and posting of the minutes from Senate meetings by the third school day following a Senate meeting.
- b. Shall work with the President to draft ASCMC meeting agendas and post within three (3) days of the meeting.
- c. Shall maintain a complete and accurate file of all ASCMC records and documents.
- d. Shall conduct a roll call and keep an accurate attendance record for all ASCMC meetings.
- e. The outgoing Secretary shall provide all records and documents to the advisor and/or incoming Secretary.
- f. Shall have (1) vote.

**Section 4 (Duties of the Treasurer):**

- a. Shall be responsible for getting fund approvals moved, signed, and documented.
- b. Shall turn in necessary documents to the business office.
- c. Shall receive monthly reports from the business office and report to the ASCMC.
- d. Shall be responsible for establishing procedures for expending and receiving funds and remaining within budget.
- e. Shall have (1) vote.

**Section 5 (Duties of the Student Trustee):**

- a. Shall be responsible for representing the students of CMC at the Board of Trustee meetings and interfacing with the student body.
- b. Shall report to the Student Government following each Board of Trustees meeting, and as otherwise is necessary.
- c. Shall assume the role of Ombudsman for the college.
  - i. Serve as a guide for students through college policies and processes.
- d. Shall have (1) vote.

**Section 6 (Duties of the Ambassador):**

- a. Shall give guided tours to new students and others for the purpose of orienting them to the campus of Copper Mountain College.
- b. Shall serve as liaison to Student Services.
- c. Shall have one (1) vote.

## **Article IV**

### **Legislative Branch**

#### **Section 1 (Senators):**

- a. Shall sit on college-level committees as appointed by the President.
- b. Shall act as liaisons between the Executive Officers, clubs, and the general student population.
- c. Shall attend ASCMC general meetings, and special and emergency meetings as called by the President.
- d. Shall each have (1) vote.

## **Article V**

### **Region IX Representative**

#### **Section 1 (Duties of the Region IX Representative):**

- a. Shall represent the ASCMC at Region IX meetings and at the regional and state levels.
- b. Shall report to the ASCMC on a monthly basis.

## **Article VI**

### **Advisor**

#### **Section 1 (Duties of the Advisor):**

- a. Shall interface between the ASCMC and the administration of Copper Mountain Community College.
- b. Shall serve as the primary consultant for the ASCMC.

## **Article VII**

### **Senate and College-Level Committees**

#### **Section 1 (Senate Standing Committees):**

Clause 1: These standing committees may establish subcommittees to assist in the performance of their duties and responsibilities.

Clause 2: The Chairperson of the standing committee(s) must be a voting member of the ASCMC.

Clause 3: The standing committees shall establish a time and place for public meetings. The Chairperson may also call special meetings and appoint Chairpersons for its subcommittees.

Clause 4: Committee membership shall be open to all ASCMC members.

**Section 2 (Subcommittees):**

Clause 1: Subcommittees may be convened by any standing committee, or by the desires of a majority of the voting members present at a regular or special meeting of the Senate. If the Senate establishes a subcommittee, the subcommittee must report its activities to its standing committee(s).

Clause 2: Membership of subcommittees is open to all ASCMC members, with the Chairperson being a member of the established standing committee.

Clause 3: The result(s) of a subcommittee's activities must be reported to its standing committee, which will initiate any legislative action as deemed necessary.

Clause 4: The subcommittee will be dissolved following the report of their activities to their standing committee.

**Section 3 (College-Level Committees):**

Clause 1: All assignments to college-level committees must be approved by the President. The President cannot assign positions already filled by these bylaws or the constitution. At least one Officer or Senator must be assigned to each college-level committee.

Clause 2: All members serving on committees must report to the ASCMC following the respective committee's meeting.

# **Article VIII**

## **Clubs**

### **Section 1 (Club Requirements):**

Clause 1: All clubs are required to have representation at a minimum of two ASCMC meetings per semester.

Clause 2: Failure to attend a minimum of two ASCMC meetings per semester will result in the suspension of club funds at the discretion of the ASCMC. Failure to attend the required ASCMC meetings for two consecutive semesters will result in the club receiving an 'inactive' status at the discretion of the ASCMC.

Subsection 1: Club representatives must be voted on by the members of the club. The President of a club may appoint an Interim or temporary Representative if a vacancy exists or if the current representative is unable to attend.

Subsection 2: Club attendance is essential for the operation of the ASCMC.

### Clause 3: Disciplinary Procedures

Subsection 1: Clubs may have their funds suspended for failure to comply with the rules outlined in the Constitution and Bylaws of the ASCMC.

Subsection 2: Clubs may be declared inactive for failure to comply with the rules outlined in the Constitution and Bylaws of the ASCMC.

Subsection 3: Upon a club being declared inactive, the funds shall be reallocated into the ASCMC General Fund and club property shall be taken into the custody of the ASCMC for a probationary period of one semester.

### Clause 4: Exception for School-Related Activity

Subsection 1: It is understood that mandatory school-related events take precedence over the ASCMC obligations. However, alternate means of participation must be pursued with the guidance of the ASCMC.

# **Article IX**

## **Meetings**

### **Section 1 (ASCMC Meetings):**

a. ASCMC meetings are comprised of all Officers, Senators, and Club Representatives.

- b. Regular ASCMC meetings shall convene weekly, while school is in session; excluding the summer session.
- c. Special ASCMC meetings may be called by a majority of the Senate.
- d. Unless excused, ASCMC members must attend all ASCMC meetings.
- e. All members are encouraged to work in conjunction with the ASCMC advisor and the ASCMC President to ensure compliance with the Brown Act.
- f. Excused absences include unavoidable circumstances and emergencies, as determined by the President with the approval of the Student Advisor.
- g. Unexcused absences include all absences that are not excused by the President with the approval of with the Student Advisor.

**Section 2 (Agenda and Minutes):**

(These procedures are applicable for all meetings of the ASCMC)

- a. The secretary shall be responsible for the recording, publishing, and posting of minutes of Senate meetings by the third school day following a Senate meeting.
- b. The President, in conjunction with the Secretary, shall make the agenda and call the meeting.
- c. All items moved to be on the next meeting's agenda must be placed on the agenda even if the item is moot or out of order. Such declarations must be made at the next meeting by the Chair.

**Section 3 (Club Meetings):**

- a. Clubs are encouraged to work in conjunction with their Faculty Advisor, the ASCMC advisor, and the ASCMC President to ensure compliance with the Brown Act.

## **Article X**

### **Events**

- a. A Supervisor shall be assigned for each event at the discretion of the ASCMC President.
- b. Supervisors are responsible for general event coordination.
- c. A budget shall be assigned, with Senate approval, for the event to which the Supervisor is assigned. Supervisors shall have the discretion to spend funds, as necessary. Increases to the budget may be requested during ASCMC meetings.

## **Article XI**

### **Election Code**

**Section 1 (Election Board):**

Clause 1: The Coordinator of Elections will be appointed by the ASCMC President at which time the appointment must be ratified by a simple majority vote of the ASCMC Senate.

Clause 2: The Coordinator of Elections must appoint the Election Board at least thirty (30) school days prior to any election.

## **Section 2 (Nominations):**

Clause 1: Candidates must be nominated by a duly authorized petition containing the signatures and printed names of ten (10) currently registered students, to include students in the Developmental Education, Continuing Education, Community Service classes, and any other programs on campus that students are enrolled in.

Clause 2: Each petition submitted will have the following statement of compliance: “I, *name*, declare that I meet all the qualifications for an ASCMC position and assume the responsibility for becoming familiar with the Election Code and the ASCMC Constitution and Bylaws.”

Clause 3: Petitions must be submitted to the Election Coordinator or ASCMC Advisor no later than four o'clock (4:00) p.m., seven (7) school days prior to the first election date.

Clause 4: Petitions must be reviewed and their legitimacy determined by the Vice President of Student Services, seven (7) school days prior to the first election date. All petition and election documentation shall stay on file with the Advisor for ten (10) school days following the announcement of the election's results.

## **Section 3 (Campaigning and Publicity Regulations):**

Clause 1: All campaigning and publicity done on behalf of a candidate or group of candidates must meet the official school policies governing the students at Copper Mountain College, in conjunction with the provisions entailed in this Election Code.

Clause 2: All candidates who choose to become involved with a group or affiliation for mutual benefit and shared publicity with other candidates shall be subject to any consequences resulting from the actions of that group or affiliation.

Clause 3: Electronic campaigning may not occur on public forums.

Clause 4: All campaign, publicity, and advertising materials must be approved and initiated by the Coordinator of Elections and the Student Government Advisor.

Clause 4: During the Elections:

Subsection 1: There is to be no campaigning at or within the marked thirty (30) feet of the polls at the main campus, and fifteen (15) feet at the Base campus. Campaigning includes flyers, posters, and verbal or otherwise recognizable support for a candidate, including on electronic devices.

Subsection 2: There shall be no campaign, publicity, or advertising materials within the marked polling areas. Campaign, publicity, or advertising materials are hereby defined as any materials which are campaign-related, and those individuals shall be turned away from the polls and asked to vote at a later time.

Subsection 3: Any student approaching the polls while visibly carrying campaign, publicity, or advertising materials will be asked to discard the materials or else be turned away from the polls and asked to vote at a later time.

Clause 5: Posting of Campaign Materials

Subsection 1: Main Campus: Areas open to the posting of campaign, publicity, or advertising materials shall consist of all outside walls of buildings on the interior of the campus except for the library and administrative complexes.

Subsection 2: Base Campus: Areas open to posting of campaign, publicity, or advertising materials will consist of all outside walls of buildings, except those directly facing the street, and those outside walls directly adjacent to the main office and student services entrances.

Subsection 3: Main and Base Campuses: Campaign, publicity, or advertising materials will not be displayed in a place where they may cause



damage or injury to persons, plants, animals, or property.  
Campaign, publicity, or advertising materials shall not be affixed to glass, wood, painted surfaces, foliage, planters, roofs, or overhanging support structures.

Subsection 4: Campaign, publicity, or advertising materials cannot be displayed off-campus.

Subsection 5: Each candidate must be responsible for the removal of his/her own campaign, publicity, or advertising materials no later than twenty-four (24) hours following the polls' closing.

Clause 6: The maximum amount of assets a candidate may expend cannot supersede one hundred dollars (\$100.00) in his/her pursuit of any office. Those assets are hereby defined as:

- 1 Personal monies spent.
- 2 Contributions (money and materials).
- 3 Value of campaign materials for which the candidate was not charged.

#### **Section 4 (Voting Procedures):**

Clause 1: The date of all ASCMC elections will be determined by the Election Board. There must be at least one (1) poll on the main campus, and at least one (1) poll on the base campus. All efforts should be made to have each poll managed by two students. The Election Board will schedule workers accordingly. Poll workers not previously briefed as to their responsibilities will have a Board member sitting with them. One member of the Election Board will be available to contact at all times.

Clause 2: A candidate's legal name (as registered for classes) will appear on the ballot with nickname or pseudonym in parenthesis, if required.

Clause 3: All voters must register before voting. Registration must have a printed name and signature of the registrar.

Clause 4: Voters are to include those currently enrolled in college courses, Developmental Education, Continuing Education, Community Service, and any other programs on the CMC campuses in which students can be enrolled.

## **Section 5 (Determination of Election Results):**

Clause 1: Election of the Officers will be determined by a majority vote. Majority is hereby defined as the greatest number of votes. In the event of a tie among the winning candidates, a one-day run-off election will be held between those candidates on the third school day following the determination of the tie.

Clause 2: Election of Senators will be determined by a percentile vote. In order to be elected to the ASCMC Senate, a candidate must receive a one-third (1/3) majority of the votes cast for that office. For example, if a total of 1000 ballots were cast, but only 300 indicate preferences for the Senate, then 100 votes would be required for a candidate to take office.

Subsection 1: In the event that more than sixteen (16) candidates receive the necessary number of votes, the sixteen candidates receiving the highest number of votes will be declared the winners.

## **Section 6 (Write-In Candidates):**

Clause 1: All persons who miss the petition deadline, but still wish to run for office may become write-in candidates, if eligible under Section 2 of the ASCMC Election Code. Votes received by ineligible write-in candidates will be omitted in determining the election outcome.

Clause 2: All write-in candidates must submit a completed ASCMC election packet at least forty-eight (48) hours before the official opening of the election polls in order to verify eligibility. Write-in candidates must also go through an orientation with the election coordinator before the candidates will be allowed to post and/or disperse any election material on campus.

Clause 3: An eligible write-in candidate for a contested position will be declared elected according to Section 5 of the Election Code. For an uncontested position, the write-in candidate must receive a one-fifth (1/5) majority or more of the total votes cast in order to be elected.

## **Section 7 (Violations):**

Clause 1: In the event of a violation of the Election Code, it is the responsibility of the Coordinator of Elections to identify the violations, and take the appropriate measures to resolve them.

- Clause 2: If the Coordinator of Elections has not resolved the violation, any individual may present the violation in writing to the Election Board within twenty-four (24) hours of the violation.
- Clause 3: When presented with a violation, the Election Board must convene within forty-eight (48) hours to review the complaint. At that time the person presenting the complaint and the candidate in question must appear before the Election Board with any witnesses. The Election Board will review the complaint, determine its merit, and decide what actions shall be taken at that time.
- Clause 4: Any infraction of the Election Code by a candidate or a member of his/her campaign staff will result in holding in abeyance all votes until a determination is made by the Election Board as to the appropriate course of action.
- Clause 5: The Election Board has the authority to impose sanctions upon candidates for violating the Election Code. Those sanctions range from verbal warnings or written citations to disqualification from the election.
- Clause 6: All complaints must be submitted and heard by the Election Board prior to counting the ballots. The Election Board must keep the ballot boxes locked at least one (1) hour following the closing of the polls to ensure that all complaints have been submitted. The Election Board will not accept complaints after the ballot boxes have been opened.

**Section 8 (Election Board Duties and Responsibilities):**

- Clause 1: The responsibilities and authority for all ASCMC-sponsored elections will lie with the Election Board. The Election Board is the interpreter for the Election Code, but is bound by the provisions in the ASCMC Constitution and Bylaws.
- Clause 2: The Election Board has the responsibility for policing the campaign. It is the responsibility of the Election Board to sit as a judicial body as deemed necessary.
- Clause 3: The Election Board will be responsible for the general adherence of the candidate's campaign to the Election Code. If a violation is not rectified immediately, the violation will be brought before the Election Board.

Clause 4: The Election Board may make decisions by majority vote regarding election issues not covered by the Election Code.

**Section 9 (Coordinator of Elections Responsibilities):**

Clause 1: The Coordinator of Elections is responsible for appointing the members of the Election Board. The Coordinator of Elections is responsible for informing all members of the time and place of the meetings. It is the responsibility of the Coordinator of Elections to see that elections are run fairly and is responsible for the conduct of the members of the Election Board during the election.

Clause 2: The safekeeping of the ballots, ballot boxes, and marking devices will be the sole responsibility of the ASCMC Advisor and the Coordinator of Elections.

Clause 3: Anything not specified in the Election Code must be cleared and approved by the Coordinator of Elections prior to action by the candidate. Failure to adhere could result in the candidate being disqualified.

## **Article XII**

### **Financial Code**

**Section 1:** The Financial Code is established to define policies and procedures for the financial transactions of the ASCMC and its affiliated clubs and organizations.

**Section 2:** The ASCMC Senate must:

Clause 1: Formulate policies relating to the collection and disbursements of ASCMC monies.

Clause 2: Review reports on collections and disbursements.

Clause 3: Approve or reject the distribution of ASCMC monies to clubs or organizations.

**Section 3 (Source of Funds):**

Clause 1: ASCMC has established a student representation fee of one dollar (\$1) maximum per student, per semester to be paid at the time all other fees are collected. This fee shall be deposited in a restricted fund, and shall be used only to provide for the governmental affairs representative(s) who may be stating their positions and viewpoints before city, county, and district governments, and before offices and agencies of the state government.

Clause 2: The ASCMC Senate shall be authorized to raise funds and hold fundraising events at times during the year as it deems appropriate. Any fundraising will be conducted with the highest moral standards and will represent the best interest of the students of Copper Mountain College.

#### **Section 4 (Principles):**

Clause 1: ASCMC funds must be expended primarily and directly for the benefit of the students through purchase of equipment, supplies, and services (such as conference attendance and representation activities).

Clause 2: All school functions sponsored by a club or organization may be backed by ASCMC funds after receiving Senate approval.

Clause 3: The ASCMC may lend funds to clubs and/or organizations explicitly for the function of the club or organization. Any ASCMC funds used under this condition will be repaid in full to the ASCMC under the terms of the established contract.

#### **Section 5 (Budget):**

Clause 1: All ASCMC finances must be apportioned and executed by the ASCMC Treasurer under an annual budget system. He/she will compile a preliminary budget and all itemized budget requests for the following year for submission to the ASCMC Senate.

Clause 2: Final approval and adoption of the budget must occur no later than the second meeting of the new Senate in the Spring semester.

Clause 3: To begin each budgeted year, a minimum of twenty percent (20%) of the total approved budget must be kept in an appropriate account.

Clause 4: Approval by simple majority of the ASCMC Senate is required to approve all budgetary revisions. Request for funds in excess of an approved budget must be submitted to the ASCMC Senate.

#### **Section 6 (Deposits):**

Clause 1: All monies collected must be substantiated by pre-numbered receipts and deposited with the Business Office no later than the first week of school following collection. A receipt must be issued and the monies deposited to the appropriate account.

## **Section 7 (Expenditures):**

- Clause 1: Purchases of supplies and equipment involving ASCMC funds must meet the guidelines outlined in this section.
- Clause 2: An individual or group requesting funds for any purpose must complete and return an ASCMC purchase requisition in triplicate.
- A. The following signatures must be on the voucher form:
    - 1. ASCMC Treasurer, President, and Advisor
    - 2. For Clubs: Club Treasurer, President, and Advisor
  - B. Receipts for all expenditures must justify all payments.
  - C. The ASCMC will assume no responsibility for expenditures made in advance of Senate approval.
- Clause 3: Expenditures on any and all items of a personal nature, defined as those which will not remain as ASCMC assets, must always require approval of the ASCMC Senate.
- Clause 4: No ASCMC funds will be spent on any activity, workshop, seminar, conference, or event related to the function of the Student Trustee without the approval of the majority of the ASCMC Senate.

## **Section 8 (Maintenance of Records)**

- Clause 1: Maintenance of all ASCMC financial records will be the duty of the ASCMC Treasurer.
- Clause 2: All clubs and organizations must open their books to be audited by the ASCMC Senate as requested.
- Clause 3: Each organization or club must maintain an accurate record of all income and expenditures.

# **Article XIII**

## **Oath of Office**

All Officers and Senators shall take the oath of office within thirty days after being elected or appointed to office. The oath is as follows: "I \_\_\_\_\_ so hereby swear and/or affirm to serve and represent the interest of the entire Associated Students of Copper Mountain College, and uphold the Constitution, Bylaws, and Senate House of Rules of the ASCMC to the best of my ability."

## **Article XIV**

### Parliamentary Authority

**Section 1:** The Rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the ASCMC in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the ASCMC may adopt.

**President:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Vice President:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Advisor:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Board of Trustees:**

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**Date:** \_\_\_\_\_

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