2006-2007 ASUCSD COUNCIL
MEETING # 17
Wednesday, January 24, 2007
Price Center, Ballroom A, 6:30 p.m.

Agenda

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

IV. MOMENT OF SILENCE

V. PUBLIC INPUT

VI. SPECIAL PRESENTATIONS
   A. Q & A with Joe Watson, Vice Chancellor, Student Affairs

VII. ITEMS OF IMMEDIATE CONSIDERATION
      Internal: __________________ Action: __________________
      Internal: __________________ Action: __________________
      Internal: __________________ Action: __________________
   D. VP Finance Recommended Allocation of $0.00 from Student Org Operating Unallocated to Venture Forth for Operating Costs. Submitted by Conrad Ohashi.
      Finance: __________________ Action: __________________
   E. SOFAB Recommended Allocation of $236.00 from Student Org Programming Unallocated to the Nikkei Student Union for Day of Remembrance to take place on February 16, 2007 at UCSD.
      Finance: __________________ Action: __________________
   F. SOFAB Recommended Allocation of $22.00 from Student Org Programming Unallocated to Muslim Student Association for Malcolm X to take place on February 8th, 2007 at UCSD. Submitted by Conrad Ohashi.
      Finance: __________________ Action: __________________
   G. SOFAB Recommended Allocation of $22.00 from Student Org Programming Unallocated to Muslim Student Association for One Struggle, One Cause to take place on February 22, 2007 at UCSD. Submitted by Conrad Ohashi.
      Finance: __________________ Action: __________________
   H. SOFAB Recommended Allocation of $22.00 from Student Org Programming Unallocated to Muslim Student Association for The Evolution of the Black Struggle to take place on February 15, 2007 at UCSD. Submitted by Conrad Ohashi.
      Finance: __________________ Action: __________________
   I. SOFAB Recommended Allocation of $25.00 from Student Org Programming Unallocated to Venture Forth for Social Entrepreneur Panel to take place on March 1, 2007 at UCSD. Submitted by Conrad Ohashi.
Finance: __________________ Action: __________________

J. SIORC Recommended Allocation of $6500.00 from SIORC Programs and Operating to M.E.Ch.A. for 17th Annual High School Conference to take place on February 17, 2007 at UCSD. Submitted by Conrad Ohashi.

Finance: __________________ Action: __________________

K. Allocation of $1146.10 from Student Org Travel Unallocated to Gamma Zeta Alpha for Gamma Zeta Alpha National Conference to take place from February 16 - 18, 2007 at Northridge, CA. Submitted by Conrad Ohashi.

Finance: __________________ Action: __________________

VIII. REPORTS

• President, Harry Khanna

• Associate Vice President College Affairs, Vacant

• Associate Vice President Academic Affairs, Rabia Paracha

• Associate Vice President Advocacy, Lindsay Root

• Vice President Student Life, Janine Dellomes

• Assistant Vice President Programming, Di Lam

• Assistant Vice President Diversity Affairs, Marco Murillo

• Assistant Vice President Athletic Relations, Kari Gohd

• Vice President Finance & Resources, Conrad Ohashi
  I have weekly budget reports now!!

• Assistant Vice President Student Organizations, Vacant

• Assistant Vice President Enterprise Operations, Sydney Goldberg

• Assistant Vice President Student Services, Kaveh Cyrus

• Vice President External Affairs, Long Pham

• Assistant Vice President Local Affairs, Vacant

• Campus Organizing Director, Long Pham

• Legislative Liaison, Dorothy Young

• Senators

• Senate Chair, Daniel Palay

• Committees members

• Ex-Officio members

• Associate members
  • LaCandice McCray, SAAC Representative
    Our SRRRC Summit on Saturday was a success! We are creating a Steering Committee to help write the charter for the center and language for a Lock-In Fee Referendum that is tentatively scheduled to run Week 2 of Spring Quarter. Special thanks to Marco, Conrad, and Harry for their attendance and useful knowledge at the summit. I will be missing this weeks council meeting due to R.A. commitments, but please feel free to email me if you have any questions.

• Commissioner of Communications, Leo Bondar
IX. QUESTION TIME

X. COUNCIL CAUCUS

XI. OLD BUSINESS


*Internal: __________________ Action: __________________*

B. Amendment to Standing Policies to read as follows:

Policy #8 ASUCSD Cart
Members of the ASUCSD who serve as principal members of the following entities shall have access to the ASUCSD cart, through the A.S. Secretary, for official A.S. business:
1. A.S. Council
2. A.S. Elections Manager and Committee
3. A.S. Staff
4. A.S. Services and Enterprises
5. Campus Media

A valid Driver’s License is necessary in order to reserve and use the cart. The cart must be locked in the Price Center after being used. The party making the reservation is responsible for the condition of the cart after use.

For anyone to use the cart, that person must obtain written authorization from an Officer, except that the following people may use the cart without obtaining written authorization:
(1) the Officers
(2) Director of Associated Students Administration
(3) Associated Students Executive Assistant
(4) Assistant Vice-President Programming
(5) Festivals Coordinator
(6) Concerts Coordinator

The A.S. Administrative Assistant shall maintain the reservations and key to the cart. The driver must present a valid driver license and written authorization, if required, before the key is given to the driver. The party making the reservation is responsible for locking the cart in Price Center and for the condition of the cart after use.

Submitted by Harry Khanna.

*Internal: __________________ Action: __________________*

C. Approval of Amendment 1 to the Constitution of the Associated Students of the University of California, San Diego. *(Refer to Attachment # 02)* Submitted by Harry Khanna. Co-sponsored by Emil Achmad, Leo Bondar, Matthew Bright, Erik Rodriguez-Palacios, and Heidi Laidemitt.

*Internal: __________________ Action: __________________*

D. Approval of Amendment 2 to the Constitution of the Associated Students of the University of California, San Diego. *(Refer to Attachment # 02)* Submitted by Erik Rodriguez-Palacios. Co-sponsored by Emil Achmad, Matthew Bright, Leo Bondar, Heidi Laidemitt, and Harry Khanna.

*Internal: __________________ Action: __________________*

E. Approval of Amendment 3 to the Constitution of the Associated Students of the University of California, San Diego. *(Refer to Attachment # 02)* Submitted by Heidi Laidemitt. Co-sponsored by Emil Achmad, Matthew Bright, Leo Bondar, Harry Khanna, and Erik Rodriguez-Palacios.

Finance: __________________ Action: __________________

G. Allocation of $1132.80 from Stu Org Travel Unallocated to Camp Kesem for Camp Kesem National Conference to take place from February 16 - 18, 2007 at Loma Mar, CA. Submitted by Conrad Ohashi.

Finance: __________________ Action: __________________

H. Allocation of $1618.00 from Stu Org Travel Unallocated to Int'l Association for Exchange of Students for Tech Experience (IAESTE) for IEASTE National Conference to take place from February 8-11, 2007 at Washington D.C.. Submitted by Conrad Ohashi.

Finance: __________________ Action: __________________

I. V.P. Finance Recommended Allocation of $20.00 from Stu Org Operating Unallocated to Venture Forth for Operating Funds. Submitted by Conrad Ohashi.

Finance: __________________ Action: __________________

J. Allocation of $400.00 from General Unallocated to Administrative Supplies and Expenses for Cart Maintenance and Repair. Submitted by Conrad Ohashi.

Finance: __________________ Action: __________________

XII. NEW BUSINESS

A. Approval of the Standing Rules of the Associated Students of the University of California, San Diego. (Refer to Attachment # 03) Submitted by Harry Khanna. Co-sponsored by Emil Achmad, Leo Bondar, Matthew Bright, Heidi Laidemitt, Erik Rodriguez-Palacios.

Referred: __________________


Referred: __________________

C. Allocation of $400.00 from Student Org Travel Unallocated to Queer People of Color at UCSD for UCLGBTIA Western Regional Conference to take place from February 16 - 17, 2007 at Riverside, CA. Submitted by Conrad Ohashi.

Referred: __________________

D. Allocation of $400.00 from Student Org Travel Unallocated to LGBTQIA for UC LGBTQIA Western Regional Conference to take place on February 16 - 18, 2007 at Riverside, CA. Submitted by Conrad Ohashi.

Referred: __________________

E. Allocation of $641.60 from Student Org Programming Unallocated to Astrophysics Club for Operating Costs. Submitted by Conrad Ohashi.

Referred: __________________

XIII. ANNOUNCEMENTS

XIV. ROLL CALL

XV. ADJOURNMENT
RULES AND PROCEDURES
OF THE ASSOCIATED STUDENTS JUDICIAL BOARD
OF THE UNIVERSITY OF CALIFORNIA, SAN DIEGO

[Ap (date of approval)]

These rules and procedures govern the Associated Students Judicial Board, hereinafter referred to as the “Judicial Board.” As described in the Constitution of the University of California, San Diego, hereinafter referred to as the “Constitution,” these rules and procedures may only be amended by both a majority vote of the Associated Students Council and a majority vote of the Judicial Board. These rules and procedures may not be suspended.

SECTION 1
Powers and Responsibilities
The Judicial Board is vested with the judicial authority for the ASUCSD and has the power to resolve any case or controversy arising under the Constitution or any of the rules of the ASUCSD or subordinate bodies.

SECTION 2
Membership
Subsection A. Chair
The Officers shall appoint the Judicial Board Chair, hereinafter referred to as the “Chair,” from the membership of the Judicial Board with the consent of both the Council and the Judicial Board. The term of the Chair shall expire with the member’s term on the Judicial Board or upon the appointment of a successor, whichever is earlier.

If the Chair is not participating in a case, the Judicial Board shall elect an Acting Chair from its membership for the duration of the case, who shall execute all of the duties of Chair in connection with that case.

Subsection B. President Not a Member
The President shall not be an ex-officio member of the Judicial Board.

Subsection C. Clerk of the Judicial Board
The Clerk of the Council shall serve as the Clerk for the Judicial Board.

SECTION 3
Filing a Grievance
Subsection A. Standing
Any member of the ASUCSD may bring a grievance against a party alleging that the party has violated the rules of the ASUCSD.

Subsection B. Process to File and Assignment of Complainant’s Representative
To bring a grievance, the complainant must properly complete the “Judicial Board Grievance Form” and submit the form to the Clerk within twenty-one academic days of the incident. This form must include the complainant’s name and contact information, the appropriate accused
party, time, date, and place of specific violations, summary of relevant supporting evidence, the judicial relief sought, if the complainant is seeking a preliminary injunction, and the signature of the complainant.

The complainant shall assign one person to act on behalf of the complainant as their designated representative; this representative may be the complainant.

**Subsection C. Withdrawal of a Grievance**
The complainant may withdraw a grievance by notifying the Clerk in writing. A grievance may only be withdrawn up until the start of the formal hearing with the approval of the Chair.

**SECTION 4**
**Processing the Grievance**

**Subsection A. Notification of the Accused and Assignment of Accused’s Representative**
Upon submission of the Judicial Board Complaint Form, the Clerk shall notify the accused party of the charges including a copy of the Judicial Board Complaint Form within one academic day. If the accused party is the Associated Students, the Clerk shall notify the Associated Students Council within one academic day. The accused shall assign one person to act on the behalf of the accused as their designated representative; this representative may be the accused if the accused is a person.

**Subsection B. Scheduling of Formal Hearing**
The Clerk shall request copies of the schedules of the designated representatives of the parties involved for the next three weeks.

The formal hearing on the grievance must take place within fifteen academic days. A date for the formal hearing must be announced and all parties notified at least five academic days before the start of the hearing. Any request by either party to postpone the formal hearing must be submitted to the Chair, who may grant the request only with good cause.

**Subsection C. Request for Preliminary Injunction**
If the complainant is seeking a preliminary injunction, an order preserving the status quo, until a full hearing can be held, the Clerk shall schedule an informal hearing within the time needed for the preliminary injunction to have effect.

For a preliminary injunction to be granted, the complainant must show that there is probable cause the complaint is true and that the harm to be incurred by the complainant if the preliminary injunction is not issued is greater than the harm to be suffered by the accused if the preliminary injunction is issued.

**Subsection D. Jurisdictional Challenge**
Within five academic days of being notified of the charges, the accused may challenge the jurisdiction of the Judicial Board to hear the dispute by notifying the Clerk in writing. In this case, the Judicial Board shall hear brief arguments from both parties immediately before the start of the formal hearing.
If the Judicial Board determines that they do not have jurisdiction over the dispute, they shall notify both the complainant and the accused in writing, the case shall be dismissed and any issued preliminary injunction shall be vacated.

If the Judicial Board determines that they do have jurisdiction over the dispute or there is no jurisdictional challenge, the case shall proceed normally.

**Subsection E. Disqualification of Members**
Members of the Judicial Board are disqualified to sit on any case to which they are a party or testifying as a witness. Members of the Judicial Board are expected to use good judgment in determining if they have a conflict of interest in a case to which they have a personal connection and disqualify themselves accordingly.

**Subsection F. Other Requests**
Either party may make any other request relating to the case or grievance by submitting the request in writing to Clerk or to the Chair before the start of the formal hearing. The Chair shall determine whether or not an informal hearing is necessary. If so, the request shall be handled pursuant to informal hearing procedure. If the Chair determines that an informal hearing is not necessary, the Chair shall rule on the request.

**SECTION 5**
**Informal Hearing Procedure**

**Subsection A. Informal Hearing Officer**
The informal hearing officer shall be appointed by the Chair and may be any member of the Judicial Board. The informal hearing officer shall preside over the informal hearing.

**Subsection B. Exchange of Evidence**
The complainant must provide the accused with a comprehensive list of all the evidence to be presented at the hearing at least two hours before the scheduled hearing. The accused may waive this right.

The accused must provide the complainant with a comprehensive list of all evidence to be presented at the hearing at least one hour before the scheduled hearing. The complainant may waive this right.

If the informal hearing officer determines that waiving the requirement for exchange of evidence in the interest of time would not harm due process, the informal hearing officer has the right to waive the requirement for exchange of evidence.

**Subsection C. Objections to Procedures During the Hearing**
Either party’s designated representative may raise an objection to informal hearing proceedings at any time during the informal hearing including but not limited to admissibility of evidence. The informal hearing officer shall rule on any such objections.

**Subsection D. Quorum for Informal Hearings**
The only requirement for quorum for informal hearings is that the informal hearing officer must be present.

**Subsection E. Failure of Either Party to Appear**
If the designated representative of the party that is not making the request that resulted in the informal hearing fails to appear to the informal hearing, then the decision will be made based upon the case presented by the designated representative of the party making the request that resulted in the informal hearing.

If the designated representative of the party making the request that resulted in the informal hearing fails to appear to the informal hearing, then the request shall be denied.

**Subsection F. Hearings Open to the Public**
All informal hearings will be open to the public unless requested otherwise by one of the parties. Hearings may only be closed with good cause, including but not limited to the safety of either of the parties. The informal hearing officer shall have the final judgment on any such requests.

**Subsection G. Authority of the Informal Hearing Officer to Conduct a Fair and Proper Informal Hearing**
If at any time during the informal hearing there is disruptive behavior, the informal hearing officer has the authority to adjourn and reconvene the informal hearing within two academic days. The informal hearing officer has the final authority to take any other appropriate actions necessary for the proper and fair conduct of the informal proceedings.

**Subsection H. Order of Presentation**
The order of presentation for an informal hearing shall be at the discretion of the informal hearing officer. No witnesses are allowed to speak during informal hearings and only the designated representatives of the parties may speak. If either party is not their own designated representative, they may not speak during an informal hearing. The informal hearing officer may establish reasonable, equitable time limits for both parties if necessary.

**Subsection I. Questioning by the Board During a Hearing**
The informal hearing officer will have the right to ask questions to clarify any testimony at any time.

**Subsection J. Decision on Informal Hearing**
Within five academic days of the informal hearing, the informal hearing officer shall issue a ruling on the question that resulted in the informal hearing based on the information presented in the hearing only.

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**SECTION 6**
**Formal Hearing Procedure**

**Subsection A. Exchange of Evidence**
The complainant must provide the accused with a comprehensive list of all the evidence and witnesses to be presented at the hearing at least forty-eight hours before the scheduled hearing. The accused may waive this right.
The accused must provide the complainant with a comprehensive list of all evidence and witnesses to be presented at the hearing at least twenty-four hours before the scheduled hearing. The complainant may waive this right.

Subsection B. Objections to Aforementioned Procedures
If any of the aforementioned procedures are not followed, any objections must be made in front of the Judicial Board before the start of the formal hearing. The Judicial Board will rule on the objection and may offer any proper remedy including but not limited to a postponement of the formal hearing.

Subsection C. Objections to Proceedings During the Hearing
Either party’s designated representative may raise an objection to hearing proceedings at any time during the hearing including but not limited to admissibility of evidence. The Chair shall rule on any such objections.

Subsection D. Quorum for Formal Hearings
A majority of the membership of the Judicial Board must be present to conduct a formal hearing.

Subsection E. Failure of Either Party to Appear
If the designated representative of the accused party fails to appear to the formal hearing, then the case will be decided based upon the evidence presented at the hearing. If the designated representative of the complainant fails to appear to the formal hearing, then the case will be dismissed.

Subsection F. Hearings Open to the Public
All formal hearings will be open to the public unless requested otherwise by one of the parties. Hearings may only be closed with good cause, including but not limited to the safety of either of the parties. The Chair shall have the final judgment on any such requests.

Subsection G. Audio Record of Formal Hearing
An audio recording of all formal hearings shall be made and maintained by the Clerk.

Subsection H. Authority of the Chair to Conduct a Fair and Proper Formal Hearing
If at any time during the hearing there is disruptive behavior, the Chair has the authority to adjourn and reconvene the hearing within five academic days. The Chair has the authority to take any other appropriate actions necessary for the proper and fair conduct of the proceedings, except that either party’s designated representative may appeal such actions to the Judicial Board.

Subsection I. Order of Presentation
The Chair may establish reasonable, equitable time limits for both parties if necessary. If either party is not their own designated representative, they may only speak as a witness. The order of presentation for a formal hearing is as follows.

1. Chair introduces case
2. Designated representative of complainant presents case, including witnesses.
3. Designated representative of accused cross-examines complainant and witnesses.
4. Designated representative of complainant requestions any witness concerning issues discussed during cross-examination
5. Designated representative of accused presents case, including witnesses
6. Designated representative of complainant cross-examines accused and witnesses
7. Designated representative of accused requestions any witness concerning issues discussed during cross-examination
8. Closing statements by designated representative of complainant
9. Closing statements by designated representative of accused
10. Chair adjourns hearing and the Judicial Board goes into closed deliberations

Subsection J. Questioning by the Board During a Hearing
Any member of the Judicial Board will have the right to ask questions to clarify any testimony at any time.

SECTION 7
Decision

Subsection A. Determining the Outcome
The decision on the grievance will be based on the preponderance of the evidence that was presented at the formal hearing only. All deliberations shall be open only to the membership of the Judicial Board.

The Board will make its decision by majority vote of those members participating in the case.

Subsection B. Written Opinions
The members on the prevailing side shall designate someone to write the Opinion of the Board. The Opinion of the Board must be endorsed by at least a majority of the members on the prevailing side. The Judicial Board, in issuing the Opinion of the Board, may issue an injunction or any other judicial remedy deemed appropriate to enforce its judgment. The Opinion of the Board shall serve as binding precedent for future cases and controversies.

Any member on the prevailing side who disagrees with the Opinion of the Board or wishes to add to it may issue a concurring opinion. This concurring opinion shall not serve as binding precedent. A member that issues a concurring opinion may or may not endorse the Opinion of the Board.

Any member not on the prevailing side may issue a dissenting opinion.

In delivering a decision and opinion, members must adhere to precedent unless they explicitly reverse themselves or the circumstances are significantly different.

Judicial Board members may use other campus judicial board decisions and federal and state court decisions as an aid in their decision-making, but shall not be required to use those decisions as binding precedent.
Subsection C. Notification and Publication of Decision
The Opinion of the Board along with any concurring and dissenting opinions shall be published within five academic days of the formal hearing. All parties to the dispute and the Associated Students Council shall receive a copy of the Opinion of the Board along with any concurring and dissenting opinions.

The official copy of the Opinion of the Board shall bear the signatures of the members who endorse it. The official copies of any concurring and dissenting opinions shall bear the signatures of the members who issued them. These official opinions shall be filed with the Clerk within five academic days of the formal hearing. All decisions and opinions of the Judicial Board shall be open to the public for viewing.

SECTION 8
Rehearing a Case
All decisions of Judicial Board are final; however, if extraordinary circumstances arise, either party may submit a formal written request for a rehearing or reconsideration to the Clerk within twenty-one academic days of the publication of the official opinions from the formal hearing. The Judicial Board shall decide on any such requests within ten academic days of its submission.

Extraordinary circumstances include, but are not limited to newly discovered important evidence not known at the time of the hearing; the decision of the Judicial Board is not supported by the findings; misapplication or misinterpretation of the Constitution or rules made pursuant to it; or unfairness in the proceedings including but not limited to the denial of due process that prejudiced the result.

SECTION 9
Meeting to Conduct Business
The President shall convene the Judicial Board for the purpose of conducting business, including but not limited to, approving the appointment of a Chair or approving changes to these Rules and Procedures.
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 V
Duties of Officers
Section 1. President
(d) The President shall be an ex-officio member of all subordinate bodies of the ASUCSD, with such exceptions prescribed by the Council.
(h) 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.
(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.
(b) (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.
(e) (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) Assistant Vice-President Diversity Affairs
(2) Assistant Vice-President Athletic Relations
(3) Assistant Vice-President Programming
(d) (e) In the event of a vacancy in any Assistant 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.
(e) (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
(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
(e) The Vice-President Finance and Resources shall perform other duties applicable to the office as prescribed by the Council.

ARTICLE VI
Council

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 for one academic year or 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.

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.

Provisos Relating to Transition

The cabinet positions that are newly created and will be vacant should be filled in the normal manner prescribed by the Constitution.

The voting membership of the Council shall be only four Senators from each College until the new Council takes office in the Spring Quarter.

AMENDMENT 2 – Minor Substantive Changes

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 or Assistant 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.

(reletter following subsections appropriately)

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.

ARTICLE VI
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 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 a majority of votes cast in the fee referendum approve the change in the campus-based student fee, and if the change in the fee is Is 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.

For any fee referendum to be valid, 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.

Section 7. Speaker
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 the power to appoint the chair and the membership of the Council committees and have any other powers the Council may assign.

Section 8. Meetings
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 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) ineligibility for office
(reletter subsections appropriately)
(d) failure to perform duties
(e) improper or unethical use of authority
(f) 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.
ARTICLE VII
Judiciary

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.

AMENDMENT 3 – Technology Safety Amendment
Provisos Relating to Transition

The members of cabinet take office immediately under the new cabinet structure. The
(a) President remains the President
(b) Vice President: Internal becomes the Vice-President Student Life
(c) Vice President: External becomes the Vice-President External Affairs
(d) Vice President: Finance becomes the Vice-President Finance and Resources
(e) Vice President: Academic Affairs becomes the Associate Vice-President Academic Affairs
(f) Commissioner of Communications remains the Commissioner of Communications until the new council takes office in the Spring, at which point the position will be eliminated
(g) Commissioner of Programming becomes the Assistant Vice-President Programming
(h) Commissioner of Student Services becomes the Assistant Vice-President Student Services
(i) Commissioner of Diversity Affairs becomes the Assistant Vice-President Diversity Affairs
(j) Commissioner of Athletic Relations becomes the Assistant Vice-President Athletic Relations
(k) Commissioner of Enterprise Operations becomes the Assistant Vice-President Enterprise Operations
(l) Commissioner of Student Advocacy becomes the Associate Vice-President Student Advocacy

The cabinet positions that are newly created and will be vacant should be filled in the normal manner prescribed by the Constitution.

The voting membership of the Council shall be only four Senators from each College until the new Council takes office in the Spring.

During the Spring 2007 Election, the Election Manager shall have the power to allow the five Academic Division Senators to be elected at-large by the ASUCSD.

When the transition is complete, the President shall certify it so and these provisos shall be removed from the document and the Constitution takes effect in full.
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- TITLE II..........................................President
- TITLE III......................................Student Life
- TITLE IV........................................External Affairs
- TITLE V........................................Finance and Resources
- TITLE VI..........................................Council
- TITLE VII........................................Career Staff
- TITLE VIII........................Documentation and Recordkeeping
- TITLE IX.......................................Election Code
- APPENDIX A.................................Glossary
Chapter 1. Authority and Purpose
§1.1. Authority for the “Standing Orders of the Associated Students,” hereinafter referred to as “the Standing Orders,” is vested in the same by Article VI, Section 4 of “The Constitution of the Associated Students of the University of California, San Diego”, hereinafter referred to as “the Constitution.”
§1.2. The purpose of the Standing Orders is to exercise the authority delegated to the Associated Students Council, hereinafter referred to as “the Council,” by the Constitution.