Submitted By: Harry Khanna, President

Subject: Dissolution of ASUCSD Constitution and adoption of the Constitution of the Associated Students of the University of California, San Diego

The ASUCSD Council approved the dissolution of ASUCSD Constitution and adoption of the Constitution of the Associated Students of the University of California, San Diego. Document attached.

Approved: 22
Against: 2
Abstain: 0

Council Approval;
Certified by:

___________________________________  _____________________
Chair of the Council      Date

___________________________________  _____________________
President of the Council     Date
CONSTITUTION
OF THE ASSOCIATED STUDENTS
OF THE UNIVERSITY OF CALIFORNIA, SAN DIEGO

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 II
Object
The object of this Association shall be to exercise the rights and responsibilities of students to participate in the governance of the University; to manage, invest and maintain the assets of the Association; to create and execute programs which serve the collective interests of the undergraduate population; and to advocate for students within the University, the community, the state, and the nation.

ARTICLE III
Members
Any person enrolled as an undergraduate student at the University of California, San Diego shall be a member of the ASUCSD.

ARTICLE IV
Officers
Section 1. Officers
The Officers of the ASUCSD, hereinafter referred to as “the Officers,” shall be a President, a Vice-President Student Life, a Vice-President External Affairs, and a Vice-President Finance and Resources.

Section 2. Eligibility
The Officers shall be members of the ASUCSD and shall not hold any other voting position on the Council. The Officers shall have no less than a 2.5 cumulative grade point average.

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.
The President 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) Associate Vice-President Academic Affairs
(2) Associate Vice-President College Affairs
(3) Associate Vice-President Student Advocacy

In the event of a vacancy in any Associate Vice-President listed in the previous subsection, the President may appoint a replacement on an interim basis for a maximum of twenty-five academic days, provided, however, that this power may only be used once per vacancy.

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) 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.
(c) 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) 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) The Vice-President Student Life shall perform other duties applicable to the office as prescribed by the Council.

Section 3. Vice-President External Affairs
(a) The Vice-President External Affairs shall serve as the University of California Student Association (UCSA) representative and voting board member from ASUCSD.
(b) The Vice-President External Affairs 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 Local Affairs
(c) In the event of a vacancy in any Assistant Vice-President listed in the previous subsection, the Vice-President External Affairs 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.
(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
(a) The Vice-President Finance and Resources shall advise the President and the Council on all financial matters.
(b) The Vice-President Finance and Resources shall oversee the enforcement of all ASUCSD policies and procedures concerning expenditures of the activity fee.
(c) The Vice-President Finance and Resources 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 Student Organizations
   (2) Assistant Vice-President Enterprise Operations
   (3) Assistant Vice-President Student Services
(d) In the event of a vacancy in any Assistant Vice-President listed in the previous subsection, the Vice-President Finance and Resources 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) The Vice-President Finance and Resources shall perform other duties applicable to the office as prescribed by the Council.

ARTICLE VI
Council

Section 1. Composition
The voting membership of the Associated Students Council, herein referred to as “the Council,” shall consist of:
(a) the Officers;
(b) two Senators from each College elected at-large by the students of that College;
(c) one Senator from each of the academic divisions that have undergraduate programs elected at-large by the students who are enrolled in a major in that academic division;
(d) eight Senators elected at-large by the ASUCSD;
(e) three Senators from the Freshman class, appointed in the Fall Quarter by a committee prescribed by the Council to a term of one academic year with the consent of the Council; and
(f) one Senator that is a transfer student, appointed in the Fall Quarter by a committee prescribed by the Council to a term of one academic year with the consent of the Council.

Section 2. Eligibility
The voting membership of the Council shall be members of the ASUCSD and shall not hold more than one voting position on the 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.

**Section 4. Duties and Powers**
The Council shall have the power to:
(a) control all ASUCSD funds and appropriate those funds as they see fit unless the students, through the fee referendum process, lock-in portions of ASUCSD funds to certain financial areas;
(b) supervise and maintain the properties and investments of the ASUCSD;
(c) write and maintain the rules, policies, and procedures of the ASUCSD or any office thereof;
(d) represent the interests and opinions of UCSD undergraduate students;
(e) establish any number of non-voting positions on the Council and the process for their selection;
(f) take any action that is for carrying into execution the foregoing powers and all other powers vested by this Constitution in the Council or in any member thereof; and
(g) delegate and revoke the delegation of any of the aforementioned powers to other entities within the ASUCSD.

**Section 5. Campus-based Student Fees**
To establish, increase, reduce, or eliminate any campus-based student fee, 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.

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 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 6. Vacancies**
In the event of a vacancy in the voting membership of the Council except the Senators from the Colleges, the President may appoint a replacement for the remainder of the term with the advice and consent of the Council. In the event of a vacancy in any of the Senators from the Colleges, the College Council thereof may appoint a replacement for the remainder of the term; however, the College Council may notappoint an individual that was previously removed from that office in that same term.
In the event of a vacancy in any of the Officers, the President may appoint a replacement on an interim basis for a maximum of twenty-five academic days, provided, however, that this power may only be used once per vacancy.

**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.

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.

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**

The Council shall hold regular meetings weekly during the academic year at a time prescibed 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.

A majority of the voting membership of the Council shall constitute quorum.

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, or real property negotiations.

**Section 9. Review Referendum**

The ASUCSD may review an action of the Council in the following manner:

(a) A petition must be submitted to the President with the signatures of at least ten percent of the members of the ASUCSD. This petition must clearly state which action of the Council is being petitioned for review by the ASUCSD, and the petition must be submitted within twenty-one academic days of the action of the Council. Each signature on the petition must include a printed name, a signature, and the last four digits of the student’s UCSD PID number.

(b) Upon receipt of a valid petition, the President shall call a campus-wide special election within thirty academic days where the members of the ASUCSD shall vote on the question of whether to uphold the decision of the Council, unless an election is already scheduled to take place within fifty academic days, in which case the question shall instead appear on that
ballot. The Council shall establish the rules and procedures of the election, provided, however, that voting must take place for at least five academic days.

(c) During the interval between the submission of the petition and the election, all related actions and any associated expenditure of funds shall be suspended.

(d) If a majority of students voting disapprove of the action of the Council, the action of the Council is reversed, and the members of the Council shall make a good faith effort to honor the result of the referendum for at least one academic year. If a decision of the Council has been reversed, the Council may not take any action for one academic year that would have the same effect as the action that was reversed.

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
(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.

A voting member of the Council or a member of the Associated Students Judicial Board may not be removed from office by any means other than the procedures in this section.

ARTICLE VII
Judiciary

Section 1. Authority
The judicial authority for the ASUCSD shall be vested in one Associated Students Judicial Board and shall extend to all cases and controversies arising under this Constitution or any of the rules of the ASUCSD or its subordinate bodies.

Section 2. Composition
There shall be five 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.

Section 3. Rules of Procedure
The Council shall, with the consent of the Associated Students Judicial Board, establish the governing rules and procedures of the same.
ARTICLE VIII
Parliamentary Authority
The rules contained in the current edition of Robert’s Rules of Order Newly Revised shall govern the Association in all cases to which they are applicable and in which they are not inconsistent with this Constitution and any other rules the Association may adopt.

ARTICLE IX
Amendments

Section 1. Proposing Amendments
The Council may, by a two-thirds vote of the entire voting membership, propose amendments to this Constitution.

Section 2. Ratification of Amendments
Amendments to this Constitution shall be ratified upon approval of two-thirds of the College Councils or a majority vote of the ASUCSD. Amendments must be ratified within one academic year of the date the amendment was proposed.
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.

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.