



The Associated  
Students of  
Grossmont College  
Constitution  
(A Nonprofit Organization)

8800 Grossmont College Drive  
El Cajon, CA 92020

Adopted June 23, 2016

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## **PREAMBLE**

We, the students of Grossmont College, in order to establish an effective student government to represent students' interests, practice the democratic process, promote personal and civic growth, and to recognize the inherent rights and responsibilities of self-government, do hereby establish this Constitution of the Associated Students of Grossmont College as provided for by the State Legislature through the California Education Code and Title 5 of California's State Code, and as delegated by the Board of Trustees of the Grossmont-Cuyamaca Community College District (GCCCD).

### **ARTICLE I. TITLE OF ORGANIZATION AND FRAMEWORK**

#### **SECTION A. Title**

The organization established herein shall be known as the Associated Student of Grossmont College, hereafter referred to as *ASGC* or *Board*.

#### **SECTION B. Purpose**

The organization shall exist to serve the collective needs of the students at Grossmont College, is a nonprofit public benefit organization and is not organized for the private gain of any person. Furthermore, the ASGC shall pursue endeavors to achieve these goals with excellence, and impart that standard to future ASGC members.

#### **SECTION C. Authority**

The decision-making authority of the ASGC shall be vested in the Board of Directors.

#### **SECTION D. Composition**

The Board of Directors shall consist of the following:

Three Executive Officers: President, Executive Vice President, and Vice President of Finance.

Five Directors: Director of Campus Activities, Director of Student Legislation, Director of Publicity and Student Outreach, Director of Board Affairs and Director of Website Development.

Board Members: The Board shall not exceed a ratio of one (1) Board Member per every one-thousand (1,000) students enrolled by the first census date of each fall semester. Each Executive Officer and Director are included in this ratio.

#### **SECTION E. Political Limitation**

No substantial part of the activities of this organization shall consist of carrying on propaganda or otherwise attempting to influence legislation, and the organization shall not participate or intervene in any political campaign (including the publishing or distribution of statements) on behalf of any candidate for public office.

#### **SECTION F. Property Irrevocably Dedicated**

The property of this organization is irrevocably dedicated to charitable purposes and no part of the net income or assets of the ASGC shall ever inure to the benefit of any director, officer, or private person.

#### **SECTION G. Distribution on Dissolution**

Upon the dissolution or winding up of the ASGC, its assets remaining after payment, or provision for payment, of all debts and liabilities of this organization shall be distributed to a nonprofit fund, foundation, or corporation, which is organized and operated exclusively for charitable purposes and which has established its tax-exempt status under Internal Revenue Code Section 501(c)(3).

## ARTICLE II. MEMBERSHIP & ELIGIBILITY

### SECTION A. Members

All registered students at Grossmont College shall be members of the ASGC and shall be subject to this Constitution, Bylaws and GCCCD Student Code of Conduct and vested with the following privileges:

1. The right to seek and hold office if all other qualifications are met as set forth in this document, and in the *ASGC Election Bylaws*.
2. The right to vote in all elections held under the authority of the ASGC.
3. The right to seek an appointment from the ASGC Board of Directors to serve on participatory governance, standing, and ad Hoc Committees.
4. Additional rights and privileges as determined by the ASGC Board of Directors.

### SECTION B. Board of Directors Eligibility

As a prerequisite to entering office, all elected or appointed members of the Board of Directors shall satisfy the requirements stated by Board of Trustees of the Grossmont-Cuyamaca Community College District and:

1. Maintain a cumulative 2.5 minimum grade point average.
2. Maintain a minimum current enrollment of five (5) units or more at Grossmont College (except summer semester and winter intersession).
3. Be free of all GCCCD academic and disciplinary restrictions.
4. Be a current ASGC Benefit Card holder.
5. Be able to attend mandatory Board of Directors meetings.

In addition to the requirements above, to be eligible to run for the office of President, candidates shall:

1. Have completed one (1) full semester at Grossmont College.
2. Have completed a minimum of six (6) units at Grossmont College.
3. Be seated on the Board by the third week of the spring semester, and serve on the Board up to the time of elections, unless such candidates for President are unavailable.

### SECTION C. Ineligibility

The Student Affairs Office shall conduct monthly eligibility verifications of members of the Board.

When it is verified by the Office of Student Affairs that any member of the Board has fallen below the preceding standards, the student shall be contacted and the situation given five school days to rectify. If not rectified, immediate removal from the Board shall result and the position declared vacant.

A member of the Board, who has been removed for failure to maintain the required standards, shall not be considered for membership until the following election, provided they meet the preceding standards.

## ARTICLE III. THE BOARD OF DIRECTORS

### **SECTION A. Paraphrase**

The ASGC Board of Directors may be referred to as the *ASGC* or *Board* within this document.

### **SECTION B. Composition**

The Board shall consist of all elected and appointed members. For specific roles and responsibilities of the Board see the *ASGC Bylaws*.

### **SECTION C. Legislative Authority**

The Board shall have the legislative authority to:

1. Create and amend the *ASGC Bylaws* as necessary.
2. Create and act upon motions, proposals, and resolutions.
3. The Board may establish standing committees, ad hoc committees, task forces or working groups it deems necessary to achieve its goals and interests.
4. Develop policies and procedures that are not delegated or otherwise prohibited by this document or the current laws, and to change these policies and procedures as determined necessary by the Board.
5. Fix and collect membership fees for the ASGC.
6. Determine and approve the annual budget for the forthcoming fiscal year.
7. Authorize expenditures as specified in the *ASGC Bylaws* and to develop new sources of income for the ASGC.
8. Sponsor, plan, and/or implement activities on behalf of the ASGC.
9. Hold the Board and any appointed member within the Board accountable to uphold all federal, state, college, and ASGC policies and procedures.
10. Approve all appointments made to the Board in accordance with the process outlines in the *ASGC Bylaws*.
11. Stay informed of Grossmont College issues and policies by attending meetings, performing research, and contacting members of the Grossmont College community.
12. Take a position on pending local, state, and federal legislation on behalf of students enrolled at Grossmont College.
13. Perform all duties as assigned by the ASGC Constitution and Bylaws.
14. The ASGC is created with the approval of, and is subject to the control and regulation of, the Board of Trustees of the Grossmont Cuyamaca Community College District and the California Education Code. The Board shall not violate any rules or regulations of these entities/documents or any other laws of the State of California and/or the laws of the United States of America. All laws, regulations, codes, policies, and procedures shall be followed from the highest to the lowest level of authority.
15. The Board shall keep a record of all meetings and decisions.

### **SECTION D. Vacant Board Positions**

Individuals will be appointed by the Board to fill vacant elected positions, as provided for in the *ASGC Bylaws*.

### **SECTION E. Voting**

Each voting member of the Board shall have one (1) vote with the exception of the presiding officer (meeting chairperson) who shall only vote to break a tie. No proxy voting shall be permitted.

### **SECTION F. Responsibilities**

The Board shall have the responsibility for conducting the day-to-day business of the ASGC.

### **SECTION G. Distribution of Powers**

All legislative, financial, and executive powers of the ASGC shall be vested in the Board, with the guidance of the Advisor.

### **SECTION H. Representation**

The Board shall be the sole representative and decision-making unit of the students enrolled at Grossmont College to all on and off campus entities.

### **SECTION I. Committees**

The Board may form standing or ad hoc committees as necessary to achieve its goals and objectives.

1. Standing Committees shall be formed for specific purposes in order to best represent the interests of the student body.
  - a. Standing committees shall consist of at least three (3) members, including at least one (1) executive officer as the chair and one (1) Advisor.
  - b. Standing committees shall be active as long as deemed necessary, but no less than the fall and spring semesters.
  - c. Standing committees shall be formed or disbanded by a simple majority (fifty-percent, plus one) vote of the Board.
  - d. The chair of a standing committee will determine the final meeting dates and times of his/her respective committee.
  
2. Ad hoc Committees may be formed when necessary.
  - a. Ad hoc committees shall be formed by a majority vote of the Board.
  - b. Ad hoc committees shall consist of at least three (3) members, including at least (1) executive and/or (1) director as the chair and one (1) Advisor.
  - c. Ad hoc committees shall be formed with a specific purpose or task in mind and will be temporary in nature.
  - d. Ad hoc committees shall provide a report to the Board after carrying out committee work.

## **ARTICLE IV. INTER CLUB COUNCIL (ICC)**

### **SECTION A. Purpose**

The purpose of the ICC is to encourage campus life, diversity, and learning outside of the classroom. The ICC will serve as the representative body to coordinate and promote communication and cooperation among student clubs & organizations on campus. Furthermore, the ICC serves as an outlet through which student clubs & organizations may locate important information they need to be effective advocates for their clubs, campus, and community.

### **SECTION B. Composition**

The ICC shall be composed of the ICC President, ICC Vice President, ICC Treasurer, ICC Secretary, ICC Director of Activities, a Representative from each of the actively registered clubs & organizations on campus and one (1) Advisor.

### **SECTION C. ICC Legislative Authority**

The ICC has the ability to:

1. Make written resolutions and recommendations to the Board on campus life, diversity, and learning outside of the classroom by a simple majority vote of the ICC.
2. Determine and approve the annual ICC Budget for the forth-coming fiscal year.
3. Authorize expenditures as specified in the *ICC Constitution* and *Bylaws* and develop new sources of income for the ICC.

## ARTICLE V. GENERAL DUTIES & RESPONSIBILITIES OF ALL BOARD OF DIRECTORS

### SECTION A. General Responsibilities

All members of the ASGC Board shall assume the duties of the office to which he/she was elected or appointed as defined in the *ASGC Bylaws*. In addition, each Board member shall:

1. Attend all regularly scheduled ASGC meetings and shall attend all other meetings required by their position.
2. Be a member of two standing institutional committees.
3. Take on individual commitments for projects, activities, special events, committees, and/or other work necessary to fulfill the goals and objectives set by the ASGC for the current year.
4. Attend one (1) Grossmont Cuyamaca Community College District Governing Board Meeting per semester.
5. Provide a written report of committee activities and/or other ASGC business to the Board at least once (1) a month pursuant to deadlines determined by the Board.

## ARTICLE VI. SEATING, SUCCESSION, AND RESIGNATIONS

### SECTION A. Vacancies/Seating

If the office of the President is vacant for any reason, The Executive Vice President shall assume office and duties of the President. For all other vacancies, refer to the *ASGC Bylaws*.

### SECTION B. Succession

If any elected position is not filled in a general election, or if it is left vacant by resignation, impeachment or recall, then it may be deemed an appointed position and shall be filled by a nomination from the Board and a simple majority vote of the remaining members of the Board, or it may be filled in a special election, if desired, by the Board as shown by a simple majority vote.

### SECTION C. Resignations

All resignations must be submitted in writing to the President and/or Executive Vice President and Advisor.

## ARTICLE VII. ELECTIONS

### SECTION A. General Elections

The ASGC shall hold a general election pursuant to the *ASGC Elections Bylaws* for all elected positions, changes to the *ASGC Constitution*, and referendum questions by the last week of April each year.

### **SECTION B. Election Committee**

An Election Committee shall be established and supervised through the Advisor and pursuant to the *ASGC Election Code*, and membership on the committee shall not include ASGC Student Board members, past or present, or any candidates for election. A list of Election Code Committee members, agendas, and minutes shall be posted in the Student Affairs office as public information.

### **SECTION C. Term Duration and Limits**

The new board shall be sworn in during the last meeting of the spring term, but no later than commencement. The term of office for all Board members shall begin no sooner than the conclusion of commencement and shall end at the conclusion of the following year's commencement.

1. The maximum term of service to the Board by any member shall not exceed three terms (six semesters).
2. No person may serve in the same executive/director position for more than two (2) terms (four (4) semesters).
3. No person may serve as president for more than one (1) term (two (2) semesters).
4. If a person fills a vacated executive/director position during a term, that service shall not count as their one term of service for that position.
5. Being sworn in as a Board Member at any time during the semester shall count as one full semester of service.
6. No person shall run for or hold two executive/director positions at the same time.

### **SECTION D. Special Elections**

1. Special elections may be called at the discretion of the Board for any purpose provided for in this document and the *ASGC Bylaws*.
2. A simple majority vote of the Board is required to authorize a Special Election, and to set the dates for the Special Election, with the exception of recall elections.

## **ARTICLE VIII. BOARD DISCIPLINE, IMPEACHMENT & RECALL**

### **SECTION A. Board Discipline**

The Board may discipline an individual member of the Board for violation of the *ASGC Constitution and Bylaws* or District policy. The procedures for discipline may be found in the *ASGC Bylaws*.

### **SECTION B. Impeachment**

The Board shall have the power to enact impeachment proceedings against any elected or appointed members of the ASGC with a two-thirds (2/3) majority vote of the Board. The following actions shall be regarded as grounds for impeachment:

1. Failure to meet all qualifications, as dictated by the *ASGC Constitution and Bylaws*.
2. Failure and/or inability to perform duties as outlined in the *ASGC Constitution and Bylaws*.
3. Violation of the Oath of Office.

### **SECTION C. Recall**

1. Any elected or appointed member may be the subject of a recall special election, and removed from office. This process requires a petition that has been signed by the number of signatures equal to

the total amount of votes cast from the previous election plus one (1). The petitions must state specific charges and have signatures from currently enrolled students in Grossmont College and student identification numbers in order to be valid.

2. The following actions shall be regarded as grounds for a recall petition:
  - a. Failure to meet all qualifications, as dictated by the Constitution.
  - b. Failure and/or inability to perform duties as outlined in the *ASGC Constitution and Bylaws*.
  - c. Violation of the oath of office.
3. The Advisor and the Executive Vice President have the responsibility to verify and confirm the petitions and its charges. Only verifiable charges can be used as grounds to initiate a recall election. A recall election shall be organized by an election committee within thirty (30) instructional days. A majority of two-thirds (2/3) votes cast in the affirmative shall be required to recall and remove any elected or appointed members.

## **ARTICLE IX. INITIATIVE, REFERENDUM & AMENDMENTS**

### **SECTION A. Initiatives**

Any member of ASGC may initiate legislation by petition. The petition must have the signatures and student identification numbers of the average number of students who voted in the previous three (3) ASGC Spring General Elections. This Petition shall be submitted to the Board for verification and further action. The Board shall consider the legislation within ten (10) instructional days. A majority votes by the Board shall enact the initiative into law.

### **Section B: Referendum**

Any member of the ASGC may initiate a petition. The petition must have the signatures and student identification numbers of the average number of students who voted in the previous three (3) ASGC Spring General Elections. The petition for a referendum shall be submitted to the Board for verification and shall be considered within ten (10) instructional days.

### **Section C: Amendments**

The ASGC reserves the right to amend its Constitution and Bylaws. The ASGC shall form an ad hoc committee to address all proposed amendments to the Constitution or Bylaws.

1. At a minimum, the aforementioned ad hoc Committee shall be composed of the following:
  - a. One (1) Executive officer as chair.
  - b. One (1) Director.
  - c. Two (2) Board members.
  - d. One (1) Advisor.
  - e. In the event of an absence of a representing member from any constituency group, the President shall appoint a Board member to fill the seat.
2. The committee shall hear all proposed amendments to the *ASGC Constitution and Bylaws*, and after hearing all proposals the committee will create a draft of the proposed amendments.
3. The ad hoc committee, for information purposes, must present the draft of the proposed amendments to the *ASGC Constitution or Bylaws* to the Board prior to ratification.



4. Amendments to the Constitution may be proposed by a two-thirds (2/3) affirmative vote of the Board or by a petition signed by the average number of students who votes in the previous three (3) ASGC Spring General Elections.
5. Proposed amendments to this Constitution shall be posted publicly in accordance with state and federal law for at least three (3) school days before submission to the students for adoption in a special or general election. A simple majority of votes cast shall be necessary for adoption.
  - a. Upon official ratification, the members of the Board will sign this Constitution, and all others who have helped this document reach its completion. The signed original document shall be kept on file in the Student Activities/College Cashier's safe. A copy of the Constitution shall be on file in the Office of Student Affairs, the Office of the Vice President of Student Services, and the Office of the President.
6. The Board may amend or pass Bylaws to the Constitution with a two-thirds (2/3) vote in the affirmative.

## **ARTICLE X. GENERAL BOARD DUTIES & RESPONSIBILITIES**

### **SECTION A. Meetings**

If business needs to be conducted during the Academic year, an agenda must be posted in advance in accordance with the current edition of the Ralph M. Brown Act.

1. Official Board meetings shall be held on Grossmont College property.
2. Special meetings can only be called by the President of the Board of Directors or a majority vote of the Board.

### **SECTION B. Parliamentary Authority**

All business shall be conducted according to Parliamentary Procedure as outlined in the current edition of Robert's Rules of Order, and according to the procedures established by this Constitution. The regulations of the Ralph M. Brown Act shall apply to the ASGC.

### **SECTION C. Quorum**

All meetings must include a quorum of the members accompanied by an Advisor to qualify as an official meeting. Quorum shall be defined as a simple majority of the Board's membership.

### **SECTION D. Rules**

All other rules and policies shall be contained in the Bylaws of this organization and, if not otherwise specified in this document, shall be amendable by a two-thirds (2/3) majority vote of the Board.

## **ARTICLE XI. FINANCES**

### **SECTION A. Fiscal Management**

The ASGC will manage its financial affairs through a budget, with the advice of the Advisor.

The organization shall keep correct and complete books and records of account and shall keep minutes of the proceedings of the Board of Directors and committees of its Board. All books and records of the organization may be inspected by any member of the Board, or by an agent of the Grossmont-Cuyamaca

Community College District designated by the Chancellor, for any purpose at any reasonable time.

**SECTION B. Expenditures**

Expenditures must conform with *ASGC Bylaws*, Grossmont Cuyamaca Community College District Policies and Administrative Procedures, State and Federal Law, including the decision of the United States Supreme Court in Board of Regents v. Southworth, 529 U.S. 217, 120 S. Ct. 1346 (2000).

**SECTION C. Fiscal Year**

The Board’s fiscal year shall be July 1 through June 30 of the succeeding calendar year for financial and accounting purposes.

**ARTICLE XII. ADVISOR**

**SECTION A. Advisor**

The ASGC shall have an official Grossmont College staff Advisor. The Advisor shall serve as a non-voting ex-officio member of the ASGC.

**SECTION B. Purpose**

The Advisor is expected to provide structure to the ASGC through mentorship, leadership and fiscal training, transitions, and the resources to help foster an environment for ASGC members and representatives to successfully serve the needs and interests of Grossmont College students.

**ARTICLE XIII. LEGAL CONFLICTS**

**SECTION A. Legality**

Should any portion of this document be found illegal, the remainder of this document shall remain in effect, until otherwise changed by amendment.

**SECTION B. Conflicts**

Should any local, state or federal law, regulation, or code be found to be in conflict with this document, then the portion in this document which is in question shall be considered to be null and void, however the remainder of the document will remain in effect. The law, regulation, or code from highest-ranking authority shall take precedence over all others and will be obeyed by the ASGC.

**ARTICLE XIV. STUDENT RIGHTS**

**SECTION A. Freedom of Speech, Expression, Assembly and Privacy**

Neither the ASGC, the Board, nor any group or agency acting on its behalf, may take action restricting or infringing upon an individual or organization’s right to freedom of speech, freedom of expression, freedom of press, freedom of assembly, or right to privacy, provided that those exercising their rights are not violating the same equal rights or freedoms of others.

**SECTION B. Freedom of Religion**

The Board may take no action favoring or disfavoring any religion or religious belief. The ASGC shall not require or endorse the taking of oaths which include references to deities, religions or religious

affiliations, nor shall any tests based upon religion be administered under its authority.

**SECTION C. Discrimination**

Each student has the right to be treated with dignity in an environment free from discrimination and shall be held equal before the law and no rights, privileges, or possessions may be denied or granted to an individual on the basis of race, color, religion, national origin, gender or parental status, disability, age, or sexual orientation.

**SECTION D. Freedom of Information**

All documents of the ASGC shall be available to the public. All documents must be available for viewing by any individual upon request and at a reasonable time, in accordance with the California Public Records Act.

**ARTICLE XV. OATH OF OFFICE**

**SECTION A. Recitation**

All office holders of the ASGC shall publicly recite the Oath of Office before the start of an elected or appointed term as administered by the President.

**SECTION B. Oath of Office**

I, \_\_\_\_\_, do solemnly affirm that I will represent the students of Grossmont College fairly and equitably.

I will support the Associated Students of Grossmont College Constitution, Bylaws and the Grossmont College Student Code of Conduct rules and regulations of to the best of my abilities.

I take this obligation freely, without any mental reservation or purpose of evasion, and I will faithfully fulfill the duties upon which I am about to enter.