

## Memorandum

DATE: June 6, 2016

Copy: Dr. Byron Howlett  
David Lee  
Cora M. Culla  
ASI Senate  
File

TO: Kathleen A. Street   
Acting Vice President for Student Affairs

Dr. Benjamin F. Quillian  
Acting Vice President and Chief Financial Officer for Administrative Affairs

Dr. Soraya M. Coley  
University President

FROM: Julian Herrera   
ASI President

**SUBJECT: Recommended Approval of Non-Substantive Revisions to ASI By-Laws**

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We are submitting the updated 2015-2016 Associated Students, Inc. (ASI) By-Laws for the University's review and approval. The revisions were made to prepare ASI for semester conversion, update language, improve consistency and correct outdated information. All revisions to the ASI By-Laws are summarized on the attached Executive Summary.

On April 28, 2016, the ASI Senate took action on and approved non-substantive revisions to the ASI By-Laws. Per Article XXXVII, the approval process requires a two-thirds (2/3) vote of the ASI Senate, and final approval of the University President. Also attached is a full copy of the ASI By-laws with mark-ups for reference and a finalized copy for approval signatures.

If you have any questions regarding the updates, the document, or general questions please feel free to contact either the ASI Attorney General, David Lee, ASI Executive Director, Cora Culla, or myself.

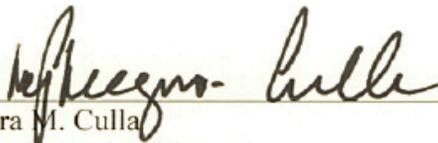
The last page of the finalized copy of the ASI By-Laws requires the signature of the ASI President as well as the signature of the University President. We look forward to the University's approval.

Thank you for your favorable consideration.

Reviewed by:

  
\_\_\_\_\_  
Julian Herrera  
ASI President

6/6/16  
Date

  
\_\_\_\_\_  
Cora M. Culla  
ASI Executive Director

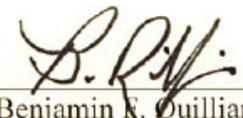
6/6/16  
Date

Approved:  Not Approved:

  
\_\_\_\_\_  
Kathleen A. Street  
Acting Vice President for Student Affairs

6/6/16  
Date

Approved:  Not Approved:

  
\_\_\_\_\_  
Dr. Benjamin R. Quillian  
Acting Vice President and Chief Financial Officer for Administrative Affairs

6-22-16  
Date

Approved:  Not Approved:

  
\_\_\_\_\_  
Dr. Soraya M. Coley  
University President

6/23/16  
Date



Associated Students Incorporated  
**By-laws Executive Summary**

Prepared by: David Lee, ASI Attorney General

On April 28, 2016, the ASI Senate voted to approve these non-substantive revisions to the ASI By-laws. By definition, none of these revisions represent substantive changes to the by-laws. Per Article XXXVII, “Any non-substantive changes to these By-laws, such as title changes and grammatical corrections, may be made with a two-thirds (2/3) vote of the Senate, and final approval of the University President.” These revisions will take effect upon approval by the University President.

The non-substantive revisions can be categorized into the following changes:

**1. Semester Conversion Language**

To accommodate for the University’s upcoming conversion from the quarter system to the semester system, we have updated our by-laws to reflect this change. Specifically, we replaced references to quarters with *academic term* or a specific month.

**2. Gender Inclusive Language**

In an effort to be as inclusive as possible, we have removed gender-specific pronouns with direct references to titles or positions. For example, in Article X, I, d, 2, we struck out *he/she* and inserted *the President*. This now reads, “Appoint a designee to serve for the year with the full rights and privileges the president would otherwise have on any committee that the President chairs.”

**3. Error Resolution**

We have encountered and resolved several errors in the ASI By-laws including redundant sections, incorrect references, and ambiguous language. Examples include removing the duplicate section under Article III describing honorary life members of ASI; removing a reference to the non-existent federal corporation code; and specifying that any student leader, not only senators or officers, must sign a written agreement to disclose conflicts of interest.

**4. Rearrangement of Articles**

To improve the flow of the ASI By-laws, we moved the article titled *Associated Students, Inc. By-laws and Policies* to Article V of the ASI By-laws. This article describes the ASI By-laws and its purpose. We have also updated the table of contents and references to specific articles in the ASI By-laws accordingly.

## **5. Amendments to Ensure Consistency**

We made several revisions to ensure consistency throughout the document. For example, we replaced *school days* with *working days* in Definitions and Article X, I, c, 3, to make the document consistent with language in the Romero Open Meetings Act.

## **6. Stylistic Changes**

We made several stylistic changes to the document. For example, we removed the unnecessary phrase *hereinafter referred to as* when specifying an abbreviated title or name. Another example includes specifying numbers in parenthesis. Article IX, III, b now reads “Recommendation(s) shall be reported to the Senate within thirty (30) days after approval.”

## **7. Title Updates**

We changed several titles to match their current names, to specify their unabbreviated title, or to ensure flexibility in the future in case the titles change. For example, in Article XII, III, we changed *ASI Marketing* to match its current name *Marketing, Design and Public Relations*. In Articles XXXIV, we replaced *the BSC* with *facilities operated by ASI per Master Agreement with the CSU Trustees*.

## **8. Grammatical Corrections**

We corrected several grammatical errors throughout the document, including redundant language. For example, in Definitions, we replaced *shall include* with *refers to*. In Article XV, I, we replaced *inspection* with *access to information*.

Attached to this document include a detailed list of amendments and the original ASI By-laws with markups.



Associated Students Incorporated  
**By-laws Detailed List of Amendments**

Prepared by: David Lee, ASI Attorney General

This document includes the specific changes approved by the ASI Senate on April 28, 2016.

1. Semester Conversion Language
  1. Replaced references to quarters with *academic term*
    - Definitions, k
    - Article XVII, II, d
    - Article XIX, III
    - Article XXI, IV, c
    - Article XXIV, III
2. Gender Inclusive Language
  1. Replaced gender-specific pronouns with direct references to titles
    - Article III, II, b
    - Article VII, I
    - Article VI, VIII
    - Article X, I, d
    - Article X, II, b
    - Article XII, I
    - Article XII, II
    - Article XII, III
    - Article XII, IV
    - Article XIV, II
    - Article XVII, II, a
    - Article XVII, II, c, 1
    - Article XVII, II, c, 2
    - Article XVII, IV, a
    - Article XXIII, III
    - Article XXIV, II, d
3. Error Resolution
  1. Removed redundant section
    - Article III
  2. Corrected incorrect reference to the ASI Executive Cabinet
    - Article IV, II

3. Deleted Section on *Prima Facie Evidence*
  - Article V
4. Corrected reference to state ASI student leader
  - Article X, b
5. Corrected statement; The Attorney General was originally intended to be the vice chair of the Lobby Corps committee
  - Article X, IV
6. Deleted reference to the non-existent federal corporation code
  - Article XV, I
7. Specified that the ASI Executive Committee shall handle interim policy-making decisions only when the Senate is unable to meet and the discussion at hand is time sensitive
  - Article XVI, II
8. Specified that any student leader, not just senators or officers, must sign a written agreement to disclose conflicts of interest
  - Article XVII, IV, a
4. Rearrangement of Articles
  1. Moved *Associated Students, Inc. By-laws and Policies* to Article V
  2. Updated *Contents*
  3. Updated references to specific articles
5. Amendments to Ensure Consistency
  1. Replaced *school* with *working* to be consistent with the Romero Open Meetings Act
    - Definitions, i
    - Article X, I, c, 3
  2. Replaced *President of Cal Poly Pomona* with *University President*
    - Article IV, I
  3. Capitalized *chair*, standardized references to other committees
    - Article X, I, a
    - Article X, II, a
    - Article X, III
    - Article X, IV
    - Article X, V
  4. Used abbreviated title *Cal Poly Pomona* rather than *California State Polytechnic University*
    - Article XI, IV, a
  5. Changed the name of the Sustainability Board to Sustainability Committee
    - Article VI, VIII
  6. Used concise language
    - Article XVI, II
  7. Deleted numbers in list
    - Article XIX, II, a
  8. Used abbreviated titles
    - Article XXIII, II
    - Article XXIII, III, a
  9. Wrote out 2/3 in parenthesis

- Article XXIV, VI
6. Stylistic Changes
1. Cover page: Spelled out *Incorporated*
  2. Used lower case for certain nouns
    - Definitions, a, b
    - Article I, II
    - Article VIII, I
  3. Used upper case for certain nouns
    - Definitions, d
    - Article VIII, I
    - Article X, I, d
    - Article VI, VI, a, 3
    - Article XII, IV
    - Article XIV, I
    - Article XVII, I, a, 2
    - Article XX, I
    - Article XX, II
    - Article XX, III
    - Article XXI, III
    - Article XXII
  4. Removed “hereinafter referred to as”
    - Preamble
    - Article I, IV
    - Article III, I
    - Article IV, II
    - Article VI, I, b
    - Article X, I
    - Article VI, VII
  5. Reordered list by authority
    - Article VI, I, b
  6. Specified numbers in parenthesis
    - Article IX, I
    - Article IX, III, b
    - Article XI, IV
    - Article XI, VI
    - Article XIV, I
    - Article XIX, III
    - Article XXIV, VII
  7. Deleted references to titled articles
    - Article XIV, II
    - Article XIV, IV, a, 3
7. Title Updates
1. Changed *business entity* to *organization*
    - Article III, II
  2. Abbreviated *Senate President Pro-Tempore* to *Senator Pro-Tempore*
    - Article X, III

- Article XI, I
  - 3. Spelled out *Bronco Events and Activities Team* and specified its abbreviation
    - Article VI, VII
  - 4. Removed redundant *ASI student government*
    - Article X, I, c, 3
  - 5. Amended to read “Office of Student Life and Cultural Centers”
    - Article X, IV, 6
  - 6. Changed Workshops to *meetings*
    - Article X, V, a, 3
  - 7. Amended to read Student Health and Counseling Services; Student Health Advisory Committee
    - Article XI, V, a
  - 8. Updated *Administrative Assistant to Student Government Coordinator*
    - Article XII, I, d
    - Article XXI, IV, b
  - 9. Specified ASI Marketing as *Marketing, Design, and Public Relations*
    - Article XII, III
  - 10. Specified *PRC* as *Personnel Review Committee*
    - Article XXIII, IV
  - 11. Replaced *the BSC* with *facilities operated by ASI per Master Agreement with the CSU Trustees*
    - Article XXXIV
8. Grammatical Corrections
1. Replaced *shall include* with *refers to*
    - Definitions, d
  2. Replaced *be* with *serve*
    - Article XI, IV
  3. Deleted *to*
    - Article XI, V
  4. Fixed list
    - Article VI, VIII
  5. Replaced *with* with *in*
    - Article XIII, I, a
  6. Replaced redundant language with the adjective *periodically*
    - Article XIII, I, b
  7. Replaced *inspection* with *access to information*
    - Article XV, I
  8. Deleted redundant phrase *relating to matters*
    - Article XIX, I
  9. Removed redundant language
    - Article II, a
  10. Capitalized committee, made language more concise
    - Article XX, III
  11. Made *reports* plural
    - Article XXII, I

BY-LAWS

of the

ASSOCIATED STUDENTS, INCORPORATED

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CAL POLY POMONA

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APPROVED BY THE SENATE

April 28, 2016

## CONTENTS

RULE		Page
<b>Preamble</b>		Page 5
<b>Definitions</b>		Page 5
<b>Article I</b>	<b>Name and Non-Profit Status</b>	
Section I	Name	Page 5
Section II	Status	Page 5
Section III	Motto	Page 5
Section IV	Statement of Values and Ethics Clause	Page 5
<b>Article II</b>	<b>Seal and Colors</b>	
Section I	Seal	Page 6
Section II	Colors	Page 6
<b>Article III</b>	<b>Membership</b>	
Section I	Student Body	Page 6
Section II	Honorary Life Members	Page 6
<b>Article IV</b>	<b>Self-Government</b>	
Section I	Right	Page 6
Section II	Authority	Page 6
<b>Article V</b>	<b>Associated Students, Inc. By-laws and Policies</b>	
Section I	By-laws and Policies	Page 6
Section II	Purpose and Intent	Page 6
Section III	Maintenance	Page 6
<b>Article VI</b>	<b>Jurisdiction</b>	
Section I	Jurisdiction	Page 7
<b>Article VII</b>	<b>Oath of Office</b>	
Section I	Oath of Office	Page 7
<b>Article VIII</b>	<b>Student Bill Of Rights</b>	
Section I	Rights	Page 7
<b>Article IX</b>	<b>Council Bill Of Rights</b>	
Section I	Senator Removal Authority	Page 7
Section II	Senatorial Vacancies	Page 7
Section III	Council Recommendation on ASI Policies	Page 7
Section IV	Council Dispute Resolution Responsibility	Page 8
Section V	Councils	Page 8
<b>Article X</b>	<b>Executive Student Leaders</b>	
Section I	ASI President	Page 8
Section II	ASI Vice President	Page 9
Section III	ASI Senate President Pro-Tempore	Page 9
Section IV	ASI Attorney General	Page 9
Section V	ASI Treasurer	Page 10
<b>Article XI</b>	<b>ASI Cabinet</b>	
Section I	Composition	Page 10
Section II	Function	Page 10
Section III	Authority	Page 10
Section IV	Secretary of External Affairs	Page 10
Section V	Secretary of Internal Affairs	Page 11
Section VI	Secretary of Education	Page 11
Section VII	Secretary of Programs and Services	Page 11
Section VIII	Secretary of Sustainability	Page 11
Section IX	Appointment of Assistants	Page 12
Section X	Meetings	Page 12
<b>Article XII</b>	<b>Responsibilities of the ASI Secretaries</b>	

Section I	Enforcement Responsibility	Page 12
Section II	Budget Responsibility	Page 12
Section III	Public Relations Responsibility	Page 12
Section IV	Liaison Responsibility	Page 12
<b>Article XIII</b>	<b>Duties of the Senate Chair</b>	
Section I	Duties of the Chair	Page 12
<b>Article XIV</b>	<b>ASI Senate and Board of Directors</b>	
Section I	Composition	Page 13
Section II	Advisors	Page 13
Section III	Senate Liaisons	Page 13
Section IV	Authority	Page 13
Section V	Meetings	Page 13
<b>Article XV</b>	<b>Rights of Senators and Executive Student Leaders</b>	
Section I	Rights	Page 14
<b>Article XVI</b>	<b>Responsibilities of Senators</b>	
Section I	Responsibilities	Page 14
Section II	Interim Management	Page 14
<b>Article XVII</b>	<b>Fiduciary Duties of Student Leaders</b>	
Section I	Fiduciary Duty	Page 14
Section II	Duty of Care	Page 15
Section III	Duty of Loyalty	Page 15
Section IV	Conflict of Interest	Page 15
<b>Article XVIII</b>	<b>Role of Corporate Directors</b>	
Section I	Role	Page 15
Section II	Personnel Policies and Procedures Manual	Page 16
<b>Article XIX</b>	<b>Organization of ASI Senate Standing Committees</b>	
Section I	Committees and their Legislative Jurisdictions	Page 16
Section II	General Oversight Responsibilities	Page 16
Section III	Election and Membership of Committees	Page 16
Section IV	Ad Hoc Committees	Page 16
Section V	Formation of Committees	Page 16
<b>Article XX</b>	<b>Oversight Responsibility of the Committee(s)</b>	
Section I	Rules and Policies Committee	Page 16
Section II	Finance Committee	Page 17
Section III	Facilities and Operations Committee	Page 17
<b>Article XXI</b>	<b>Procedures of Committees</b>	
Section I	General Procedures	Page 17
Section II	Adoption of Written Rules	Page 17
Section III	Regular Meeting Day	Page 18
Section IV	Committee Records	Page 18
<b>Article XXII</b>	<b>Duties of the Committee Chair</b>	
Section I	Duties of the Committee Chair	Page 18
<b>Article XXIII</b>	<b>ASI Employees</b>	
Section I	Hiring	Page 18
Section II	Personnel Review Committee	Page 18
Section III	Executive Director	Page 19
Section IV	ASI Student Government Employees	Page 19
<b>Article XXIV</b>	<b>Budget Process and Financial Responsibility</b>	
Section I	Authority	Page 19
Section II	Fiscal Year	Page 19
Section III	Annual Budgeting	Page 19
Section IV	ASI Senate Deliberations	Page 19
Section V	ASI Scholarships	Page 19

Section VI	Bronco Student Center (BSC) Annual Budget	Page 20
Section VII	Approval of Budget	Page 20
<b>Article XXV</b>	<b>Standard Procedures, Codes, Charter Provisions</b>	
Section I	ASI Student Government	Page 20
Section II	Other ASI Budgeted Agencies and Senate Committees	Page 20
<b>Article XXVI</b>	<b>Rules of Procedure</b>	Page 20
<b>Article XXVII</b>	<b>Proxies</b>	Page 20
<b>Article XXVIII</b>	<b>Quorum</b>	Page 20
<b>Article XXIX</b>	<b>Term of Office</b>	
Section I	Elected	Page 20
Section II	Executive Student Leaders	Page 20
<b>Article XXX</b>	<b>Vacancies</b>	
Section I	ASI President	Page 21
Section II	ASI Vice President	Page 21
Section III	Line of Succession	Page 21
Section IV	Senate	Page 21
<b>Article XXXI</b>	<b>Student Leader Eligibility</b>	
Section I	Eligibility	Page 21
<b>Article XXXII</b>	<b>Elections</b>	
Section I	Regular Elections	Page 21
Section II	Elections Committee	Page 22
<b>Article XXXIII</b>	<b>Student Leader Transition and Leadership Training</b>	
Section I	ASI Student Leadership Training	Page 22
Section II	ASI Student Leader Transition	Page 22
Section III	Responsibilities of the President-Elect	Page 23
<b>Article XXXIV</b>	<b>Bill, Resolution, Initiative, Referendum, Recall</b>	
Section I	Bill	Page 23
Section II	Resolution	Page 23
Section III	Initiative	Page 23
Section IV	Referendum	Page 23
Section V	Recall	Page 23
Section VI	Funding	Page 23
<b>Article XXXV</b>	<b>Necessary and Proper Policies</b>	
Section I	Enforcement	Page 24
<b>Article XXXVI</b>	<b>Open Meeting Law</b>	
Section I	Open Meeting Law	Page 24
<b>Article XXXVII</b>	<b>Amendments</b>	
Section I	Petition	Page 24
Section II	Distribution	Page 24
Section III	Vote	Page 24
Section IV	Effective Date	Page 24
Section V	Non-substantive Change	Page 24
<b>Article XXXVIII</b>	<b>Incorporation Clause</b>	Page 24
<b>Article XXXIX</b>	<b>Ratification</b>	Page 24

BY-LAWS OF THE ASSOCIATED STUDENTS, INC.  
CALIFORNIA STATE POLYTECHNIC UNIVERSITY, POMONA, CALIFORNIA

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**PREAMBLE**

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We, the Associated Students Incorporated (ASI) of the California State Polytechnic University, Pomona (Cal Poly Pomona), in order to: provide a fully and equally representative government; represent and advocate for the interests of students; create a student centered university; promote and enrich student academic, cultural, social, and physical welfare in an effort to enhance higher education; encourage the growth and development of new student clubs and organizations, while strengthening and supporting existing student clubs and organizations; provide an official channel for the free exchange of ideas and opinions among the administration, faculty, staff and the student body of this University; facilitate the programming of student activities, community service and outreach; strive to provide and maintain quality facilities programs and services within its jurisdiction to meet the needs of the student body; and provide opportunities for the development and training of mature and responsible leaders; do hereby adopt and establish these By-laws of ASI.

**DEFINITIONS**

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- (a) **Entity:** an organization that is independent, separate, or self-contained, that is under the jurisdiction of ASI, including councils and chartered clubs assigned to councils.
- (b) **Board Director:** ASI Senator or executive student leader with voting rights.
- (c) **Corporate Director:** ASI Staff Director.
- (d) **Executive Student Leader:** refers to any student member of the Executive Board of ASI.
- (e) **Student Leader:** shall include both elected and appointed ASI student government officials.
- (f) **Advisors:** Any professional staff who serves in a non-voting consultative capacity to the ASI Senate and/or committees, as well as individuals holding those positions enumerated in the By-laws.
- (g) **Liaisons:** All representatives from various departments and/or organizations on campus.
- (h) **Senate:** refers to those voting members who presently occupy a seat on the ASI Senate.
- (i) **Working Days:** Mondays through Fridays, excluding all official holidays or campus closures.
- (j) **Fiscal Year:** refers to the period between July 1 and June 30.
- (k) **Academic Year:** refers to all academic terms.
- (l) **Due Process:** shall include reasonable written notice, a hearing, and at least a majority vote.
- (m) **Due Cause:** shall include non-fulfillment of duties and responsibilities and non-compliance with all applicable regulations.

**ARTICLE I – NAME AND NON-PROFIT STATUS**

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**Section I – Name.** The name of the organization under these By-laws shall be the Associated Students Incorporated (ASI), California State Polytechnic University, Pomona (Cal Poly Pomona).

**Section II – Status.** This corporation shall have all powers now or hereafter available to private non-profit corporations formed pursuant to Part I of Division 2 of Title 1 of the Corporations Code of the State of California, as amended, and the Articles of Incorporation.

**Section III – Motto.** The official motto of ASI is “Students Serving Students.”

**Section IV – Statement of Values and Ethics Clause.** ASI shall have a statement of values and ethics clause, as approved by the ASI Senate (Senate).

## ARTICLE II – SEAL AND COLORS

**Section I – Seal.** The official seal of ASI shall include the full name of the organization, which is “Associated Students Incorporated, California State Polytechnic University, Pomona.” and the abbreviated name of “ASI” into a graphic design format approved by the Senate.

**Section II – Colors.** The official colors of ASI shall be hunter green and burgundy.

## ARTICLE III – MEMBERSHIP

**Section I – Student Body.** All enrolled students, who have paid the mandated ASI student body fee, or students who meet the statutory criteria for a California State University (CSU) fee waiver, shall be guaranteed all rights and privileges afforded within the jurisdiction of ASI.

**Section II – Honorary Life Members.** Any person or organization may be nominated, in recognition and appreciation of unselfish exemplary service and invaluable contributions to the furtherance and realization of the mission of ASI.

- (a) **Nomination of ASI Honorary Life Members.** Any deserving individual may be nominated by the Senate or ASI President and elected to Honorary Life Membership of ASI by two-thirds (2/3) vote of the Senate for superior performance and/or contributions to ASI and/or Cal Poly Pomona. Mere completion of one’s responsibilities, as outlined in these By-laws, shall not be evidence of superior performance and/or contributions.
- (b) **Benefits of Honorary Life Members.** Honorary Life Members shall be afforded all the rights and privileges of regular members, with the exception of the right to participate in student elections or hold office, unless the Honorary Life Member is a currently enrolled student at Cal Poly Pomona.

## ARTICLE IV – SELF-GOVERNMENT

**Section I – Right.** ASI shall have the right to govern itself in all student activities. The authority for self-government is delegated to ASI by the University President, pursuant to the California Education Code Section 89300 and California Administrative Code Section 42602, and subject to the regulations of the State of California, the CSU Board of Trustees, and Cal Poly Pomona.

**Section II – Authority.** The executive authority of ASI shall be vested in the ASI Cabinet (Cabinet). The legislative authority shall be vested in the Senate.

## ARTICLE V – ASSOCIATED STUDENTS, INC. BY-LAWS AND POLICIES

**Section I – By-laws and Policies.** ASI shall establish its own By-laws and policies, updated only through duly approved amendments. These By-laws and policies shall contain a consolidation and codification of the general and permanent policies of ASI arranged according to subject matter under title headings.

**Section II – Purpose and Intent.** The purpose of the ASI By-laws is to provide the policy framework that governs the corporation and all the entities under its jurisdiction.

**Section III – Maintenance.** The Code shall be maintained by the Committee Chair of each Senate standing committee, in coordination with the Student Government Coordinator in the Student Government Office.

- (a) New editions are to be published every year, and shall include all supplemental amendments.
- (b) The Codes are to be maintained and made available in electronic form.

## ARTICLE VI – JURISDICTION

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**Section I – Jurisdiction.** The jurisdiction of ASI shall extend to any and all:

- (a) Councils, boards, sub-boards, and committees created by or for the purpose of serving ASI missions, goals, and objectives.
- (b) ASI boards, sub-boards, and committees that are legislative and/or policy decision-making bodies with respect to ASI, Bronco Recreation and Intramural Complex (BRIC), and Bronco Student Center (BSC) student fee allocation and use, as outlined in the California Education Code (commencing with Section 89300), by the CSU Board of Trustees, the Chancellor of the CSU and the University President; and
- (c) ASI appointed student representatives serving on University-wide and/or statewide committees.

## ARTICLE VII – OATH OF OFFICE

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**Section I – Oath of Office.** Before a student leader enters into the execution of office, that student leader shall take the following Oath at an officially scheduled ASI meeting: -- “I do solemnly swear (or affirm) that I will faithfully and in proper manner execute the Office upon which I now enter, and will to the best of my ability, preserve, protect, and defend the values of Associated Students Incorporated.”

## ARTICLE VIII – STUDENT BILL OF RIGHTS

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**Section I – Rights.** ASI student government and its entities shall not adopt or pass any policy, which directly or indirectly:

- (a) Abridges the freedoms of speech, assembly, press, or religion of any individual;
- (b) Sanctions the practice of discrimination, as outlined in the ASI Non-discrimination Policy or its successor policy, including, but not limited to, discrimination according to race, color, national origin, citizenship, sex, gender identity, gender expression, disability, age, sexual orientation, political beliefs, religion, or veteran status, with the exception of social fraternities and sororities, which may engage in the practice of exclusion on the basis of sex for membership purposes only;
- (c) Suspends or permanently removes a student from office or club participation, without due process. Due process shall include reasonable written notice, a hearing, and at least a majority vote;
- (d) Denies students within its jurisdiction the equal protection of its By-laws, rules, policies, and procedures; or
- (e) Allows for action to be taken in meetings without the established quorum on matters relating to finances, including, but not limited to, fees and dues.

## ARTICLE IX – COUNCIL BILL OF RIGHTS

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**Section I – Senator Removal Authority.** A council shall consult with the ASI Attorney General and recommend the removal of its Senator to the Senate for due cause with a two-thirds (2/3) vote of the council. The council shall follow due process.

**Section II – Senatorial Vacancies.** When vacancies happen in the ASI representation of any college or at-large council, the council may, by a two-thirds (2/3) vote of its members, appoint a replacement. This Senator shall be a voting member of the Senate. The Council is responsible for electing a replacement Senator and ensuring that the vacant seat does not exceed one (1) Senate meeting. The eligibility of verification through the Office of Student Life & Cultural Centers shall be established before they run for office.

**Section III – Council Recommendation on ASI Policies.** The recognized councils can collectively make recommendations to the Senate, with respect to student government affairs. A majority of the recognized councils may call for a time and place to make any recommendation(s). The recommendation(s) shall be valid when ratified by a two-thirds (2/3) vote of the councils.

- (a) The councils shall have a process or a manner by which all councils collectively make recommendations.
- (b) Recommendation(s) shall be reported to the Senate within thirty (30) days after approval. The Senate is required to review and may reject any recommendation(s) with a two-thirds (2/3) vote of the Senate.
- (c) If a vote to reject such a recommendation fails or if there is no vote to reject said recommendation, the recommendation shall take effect as a bill or resolution, as appropriate.

**Section IV – Council Dispute Resolution Responsibility.** Each council shall have a fair and equitable process for resolving disputes that members of the council may resort to.

**Section V – Councils.** All councils shall establish their own By-laws, which shall not conflict with these By-laws or ASI policies.

#### ARTICLE X – EXECUTIVE STUDENT LEADERS

**Section I – ASI President.** The ASI President is the Chief Executive Student Leader and the ASI student representative to the Cal Poly Pomona administration, University-wide committees, the Chancellor’s Office, the California State Student Association (CSSA), the Board of Trustees, the State of California, and the general public. The ASI President shall be held accountable to the students for proper conduct and efficient administration of all ASI student affairs.

- (a) **Membership.** The President is the Chair of the Cabinet and the Sports Recreation Facilities Enhancement Committee, Co-Chair of the Personnel Review Committee and the Instructionally Related Activities Committee, and member of the Senate, Academic Senate, and ASI committees, including, but not limited to, the Rules and Policies Committee, Finance Committee, and Facilities and Operations Committee.
- (b) **Administration.** The President is authorized to:
  1. Execute all student government affairs or delegate responsibility to an ASI student leader;
  2. Create executive or special committees and establish the parameters governing their operations;
  3. Establish the annual goals and objectives for the ASI Corporation, in coordination with the ASI Executive Director, within ninety (90) days of assuming office. The President shall share the annual goals and objectives with the Senate; and
  4. Coordinate relations with other student associations and with the University administration, in coordination with the ASI Advisor and ASI Executive Director.
- (c) **Senate.** The President is authorized to:
  1. Recommend legislation to the Senate;
  2. Implement all measures adopted by the Senate;
  3. Enact a Presidential Call for Reconsideration of any measures adopted by the Senate with a formal written recommendation and explanation to the Senate within five (5) working days. A Presidential Call for Reconsideration shall be placed on the agenda at the next regularly scheduled meeting as an action item. Final approval of the measure requires a two-thirds (2/3) vote of the Senate;
  4. Call for a special meeting of the Senate, as prescribed by these By-laws; and
  5. Upon receipt of an initiative, referendum, or recall petition, call for a special election and direct the Elections Chair to conduct said election.
- (d) **Appointment.** The President is authorized to:
  1. Appoint and hold accountable all student leaders, including the Executive Board, student representatives on ASI and University-wide committees, and the Elections Chair;
  2. Appoint a designee to serve for the year with the full rights and privileges the President would otherwise have on any committee that the President chairs;

3. Remove any appointments made to the Cabinet or the Executive Board with majority approval of the Senate; and
  4. Remove any appointments made to the University-wide committees or ASI ad hoc committees with prior notification to the Senate.
- (e) **Reporting Relationship.** The ASI President shall report to the Senate all appointed student representatives on ASI and campus committees at the next scheduled Senate meeting following the appointment.

**Section II – ASI Vice President.** The ASI Vice President is the second highest ranking ASI student government executive student leader.

- (a) **Membership.** The Vice President is the Chair of the Senate and Training Committee, Vice Chair of the Cabinet and Facilities and Operations Committee, and member of the Finance Committee, Personnel Review Committee, and the Rules and Policies Committee.
- (b) **Administration.** The Vice President is authorized to:
  1. Act in the place of the ASI President in the ASI President’s leave of absence, incapacity, or resignation;
  2. Assume such executive functions as may be delegated by the ASI President;
  3. Assist the ASI President in establishing the annual goals and objectives for the ASI corporation, in coordination with the ASI Executive Director; and
  4. Initiate and coordinate recruiting efforts for ASI student leaders.
- (c) **Senate.** The Vice President is authorized to:
  1. Publish the agenda for each Senate meeting;
  2. Call special meetings of the Senate; and
  3. Act as liaison between the Senate and Cabinet.

**Section III – Senate President Pro-Tempore.** The Senate President Pro-Tempore (Senator Pro-Tempore) is the third highest ranking ASI student government executive student leader, and serves as the Chair of the Facilities and Operations Committee, Vice Chair of the Senate, Rules and Policies Committee, and Finance Committee, and member of the Cabinet and the Personnel Review Committee. In addition, the Senator Pro-Tempore is a liaison to the Education Enhancement Board, Bronco Events and Activities Team (BEAT), and Lobby Corps. The Senator Pro-Tempore may appoint a Senator designee to serve on the Senator Pro-Tempore’s behalf.

- (a) The Senator Pro-Tempore shall be a Senator and shall be elected by a majority of the Senate.
  1. Discussion regarding the Senator Pro-Tempore position shall take place no later than the first Senate meeting of the academic year and shall continue until a Senator Pro-Tempore is elected by the third Senate meeting of the academic year.
  2. If a vacancy occurs in the office of Senator Pro-Tempore, the vacancy shall be filled by the Senate at the next regular meeting.

**Section IV – ASI Attorney General.** The ASI Attorney General is the Chair of the Rules and Policies Committee. In addition, the Attorney General is the Parliamentarian for the Senate, Cabinet, and all ASI committees, including the Finance Committee, Facilities and Operations Committee, and the Elections Committee. The Attorney General is the Vice Chair of the Lobby Corps.

- (a) The Attorney General is authorized to:
  1. Ensure that the ASI Secretaries are in compliance with and enforcing rules, codes, policies, and these By-laws;
  2. Prosecute for ASI all, if any, violations of ASI rules, codes, policies, and these By-laws before the Senate;
  3. Ensure organization, and entity-wide compliance with and consistent application of ASI rules, codes, policies, and these By-laws as well as applicable state and/or federal law;
  4. Review all amendments to the ASI By-laws and club organizational charters for the ASI;

5. Take disciplinary measures up to and including freezing of accounts to ensure such compliance, in consultation with the ASI Treasurer and ASI Executive Director; and
  6. Ensure that council or club By-laws do not conflict with the ASI By-laws, and assign student clubs to an ASI council, in coordination with the Office of Student Life & Cultural Centers.
- (b) **Assistant Attorney General.** The Attorney General is authorized to select the Assistant Attorney General with approval of the ASI President and confirmation by the Senate. The Attorney General shall establish the duties, responsibilities, and goals of the Assistant Attorney General.

**Section V – ASI Treasurer.** The ASI Treasurer is the executive student leader who oversees fiscal matters for any ASI organization that requests and receives ASI funding, and monitors all ASI budget matters. The ASI Treasurer is the Chair of the Finance Committee, member of the Cabinet, and a liaison to the Senate and the Rules and Policies Committee.

- (a) The Treasurer is authorized to:
1. Monitor all ASI funds;
  2. Receive and process all budget requests;
  3. Plan and implement all ASI Annual Budgeting meetings;
  4. Draft the ASI Annual Budget and have final authority on all annual budget recommendation(s) to the Senate;
  5. Present the Annual ASI Budget to the Senate;
  6. Present the Senate approved budget to the ASI President and thereafter to the University Chief Fiscal Officer for approval; and
  7. Assist with IRA Budgeting, as requested by the University.
- (b) **Assistant Treasurer.** The Treasurer is authorized to select the Assistant Treasurer with approval of the ASI President and confirmation by the Senate. The Treasurer shall establish the duties, responsibilities, and goals of the Assistant Treasurer.

## ARTICLE XI – ASI CABINET

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**Section I – Composition.** The Cabinet shall be composed of the following student leaders: the ASI President, Vice President, Senator Pro-Tempore, Attorney General, Treasurer, Secretary of External Affairs, Secretary of Internal Affairs, Secretary of Education, Secretary of Programs and Services, and Secretary of Sustainability. In addition, the ASI Executive Director and ASI Advisor shall serve as non-voting members.

**Section II – Function.** The Cabinet shall advise and make recommendations to the ASI President on issues pertinent to students, within its designated role. Cabinet members shall assist the ASI President and execute the goals and objectives of ASI, as delegated to them by the ASI President.

**Section III – Authority.** Cabinet Members shall have other duties and powers as may be permitted by these By-laws and the Articles of Incorporation, subject to the California Education Code. These shall be prescribed through Senate legislation and executed by the ASI President and ASI Executive Director, as appropriate.

**Section IV – Secretary of External Affairs.** The Secretary of External Affairs is the secondary representative to the CSSA and the United States Student Association (USSA). The Secretary of External Affairs is the Chair of the ASI Lobby Corps and shall be responsible for selecting its members from a pool of qualified applicants. This board shall consist of four (4) other voting members who shall serve as assistants to the Secretary.

- (a) The ASI Lobby Corps is authorized to:
1. Keep ASI informed of any federal and/or state legislation that affects Cal Poly Pomona, and/or its student body;
  2. Coordinate with the ASI President to inform the Senate of news releases and other pertinent information from the Office of the Chancellor, CSU, the Office of the University President, Cal Poly Pomona, and the CSSA, including, but not limited to, proposed and newly established state laws; and

3. Promote outreach activities, awareness drives, student rallies, and/or student congress.

**Section V – Secretary of Internal Affairs.** The Secretary of Internal Affairs shall be responsible for a variety of internal campus affairs of the ASI. The Secretary of Internal Affairs shall coordinate all efforts to improve campus awareness in programs relating to on-campus student affairs.

(a) The Secretary of Internal Affairs is authorized to:

1. Initiate the ASI Council Chairs' meetings and contact with the colleges;
2. Act as liaison to Student Health and Counseling Services and serve as Chair of the Student Health Advisory Committee;
3. Promote and inform the student body about health and wellness issues; and
4. Represent ASI in all phases of intercollegiate athletics and on the Athletics Board, coordinate the efforts of the student members and related committees.

**Section VI – Secretary of Education.** The Secretary of Education is ASI's liaison to, and maintains relations with, the Academic Senate and its standing committees. The Secretary of Education is the Chair of the ASI Education Enhancement Board and shall be responsible for selecting its members from a pool of qualified applicants. This board shall consist of four (4) other voting members who shall serve as assistants to the Secretary.

(a) The ASI Education Enhancement Board is authorized to:

1. Coordinate all student efforts in the academic community;
2. Provide student leadership and involvement in all education and technology related programs of ASI;
3. Inform ASI and the campus community, as a liaison between the Academic Senate and the student body, of news and pertinent information relating to the technological developments that affect the quality of education for students at Cal Poly Pomona; and
4. Promote collaboration efforts with career fairs; outreach and retention workshops; student, faculty and staff relations; student exchange and/or study abroad programs.

**Section VII – Secretary of Programs and Services.** The Secretary of Programs and Services is ASI's liaison to campus groups and organizations by establishing co-sponsorships and other collaborative endeavors. The Secretary of Programs and Services is the Chair of the ASI Bronco Events and Activities Team (BEAT) and shall be responsible for selecting its members from a pool of qualified applicants. BEAT shall consist of a set number of members and positions as determined by the Senate during annual budgeting. These voting members shall serve as assistants to the Secretary.

(a) The ASI BEAT is authorized to:

1. Coordinate all ASI programming activities;
2. Coordinate all efforts to improve relations among all campus ethnic and other under-represented organizations with the ASI, the campus administration, and the campus community as a whole; and
3. Assist with diversity programs, concerts, films, and indoor and outdoor recreation activities.

**Section VIII – Secretary of Sustainability.** The Secretary of Sustainability shall seek to make ASI and Cal Poly Pomona a more sustainable and environmentally friendly campus. The Secretary shall serve as the lead student representative on sustainability related initiatives and projects within ASI. The Secretary of Sustainability shall help initiate and coordinate collaborations between ASI and other environmentally friendly organizations and departments on campus. The Secretary of Sustainability shall be the Chair of the ASI Sustainability Committee. This Committee shall consist of the ASI President/designee, one (1) ASI BEAT Chair, two (2) ASI Senators, and two (2) students-at-large as voting members. ASI Executive Director and one (1) University Sustainability official shall serve as advisors.

(a) The ASI Sustainability Board is authorized to:

1. Facilitate the education of students and staff to increase awareness and develop sustainable practices;

2. Organize environmental programs to raise awareness about environmental issues; and
3. Collaborate with the campus and the local communities to develop and implement a range of sustainable projects in their efforts to make the campus community more environmentally friendly.

**Section IX – Appointment of Assistants.** Appointments of assistants to Cabinet Boards require majority approval by the Senate.

**Section X – Meetings.** The ASI President shall convene a Cabinet meeting at least every other week of the academic year, excluding holidays and school break periods.

- (a) The Cabinet shall provide for its own rules and procedures.
- (b) Cabinet meetings shall be closed, unless otherwise required by the ASI President.

#### ARTICLE XII – RESPONSIBILITIES OF THE ASI SECRETARIES

**Section I – Enforcement Responsibility.** Within a Secretary’s designated role, a Secretary is authorized to:

- (a) Ensure compliance with these By-laws and the relevant ASI policies under the Secretary’s jurisdiction;
- (b) Annually review and recommend to the Senate, changes necessary to existing ASI rules and policies within the Secretary’s jurisdiction;
- (c) Provide student leadership on all student-oriented programs originating out of the Secretary’s office; and
- (d) File and maintain records and minutes of all ASI business for the Secretary’s office and forward these to the Student Government Coordinator in the Student Government Office.

**Section II – Budget Responsibility.** Within the Secretary’s designated role, a Secretary is authorized to make ASI program and activity budget recommendation(s) to the ASI Treasurer or Finance Committee in accordance with ASI financial policies.

**Section III – Public Relations Responsibility.** Within the Secretary’s designated role, a Secretary is authorized to coordinate with Marketing, Design, and Public Relations, the Poly Post, and the University Office of Public Affairs to promote and inform the student body about ASI and its related activities, in coordination with the ASI Executive Director.

**Section IV – Liaison Responsibility.** Within the Secretary’s designated role, a Secretary is authorized to represent ASI and act as its liaison to other related student or University organizations, boards, or committees.

#### ARTICLE XIII - DUTIES OF THE SENATE CHAIR

**Section I – Duties of the Chair.** The Chair shall be responsible for properly and efficiently carrying out the business of the Senate, including scheduling of meetings, posting of agendas and compliance with these By-laws.

- (a) The Chair shall coordinate with the ASI Executive Director in regard to periodic reports on pertinent issues and matters under the board’s jurisdiction.
- (b) The Chair shall be responsible for periodically reporting to the Cabinet all actions by the Senate.
- (c) The Chair shall not unreasonably, unjustifiably, or unfairly delay action on a major financial, legal, or policy decision.

#### ARTICLE XIV – ASI SENATE AND BOARD OF DIRECTORS

**Section I – Composition.** The voting members of the Senate shall consist of one (1) elected Senator from each University recognized college and four (4) elected Senators representing each of the at-large councils

(Multicultural Council, Student Interest Council, Greek Council, and Inter-Hall Council), the ASI President, and the ASI Vice President as Chair.

**Section II – Advisors.** The primary advisor to ASI shall be the Vice President for Student Affairs, or the Vice President for Student Affairs’ designee(s). The advisor shall attend all meetings of the Senate, Cabinet, and any other standing or special committees including, but not limited to, the Finance Committee, Rules and Policies Committee, Facilities and Operations Committee, and Elections Committee. The advisor shall advise the above-mentioned bodies in matters of ASI policy, University policy, California state law, and other areas pertinent to ASI student government. Furthermore, the advisor, upon the request of the Attorney General, shall also advise on matters of parliamentary procedures. Fiscal policy and corporate matters shall be advised by the ASI Executive Director.

**Section III – Senate Liaisons.** The following representatives of the campus community shall serve as non-voting liaisons to the Senate. These liaisons include the ASI Attorney General, ASI Treasurer, and a representative from each of the following campus entities: Bronco Athletics Association, Academic Senate, Staff Council, and the Alumni Association.

**Section IV – Authority.** The legislative authority of ASI shall be vested in the Senate. The Senate shall be authorized to determine general policies of ASI. It shall have the power specifically, but not limited to:

(a) **Senatorial Authority:**

1. Create and pass rules, regulations, and policies consistent with these By-laws, the Articles of Incorporation, University policy, CSU policy, and state and federal law;
2. Create Senate special committees;
3. Approve the ASI and Bronco Student Center Annual Budgets;
4. Delegate the administration of student government activities and affairs of the ASI to the ASI President and other executive student leaders and the management and administration of the corporation to the ASI Executive Director, provided that such activities and affairs remain under the ultimate policy direction of the Senate; and
5. Provide fiscal oversight and make appropriate decisions to protect ASI’s financial interests.

(b) **Appointment and Removal Authority:**

1. The Senate shall have authority to confirm, with a majority vote, the appointments made by the ASI President for the Cabinet and Executive Board;
2. The Senate can remove any member of the Cabinet or Executive Board for due cause with a majority vote and the ASI President’s written recommendation. Without the ASI President’s written recommendation, removal is by two-thirds (2/3) vote of the Senate; and
3. No appointed or elected student leader shall be removed from office without due process.

**Section V – Meetings.** Regular meetings of the Senate shall be held at least every other week of the academic year and as needed, excluding holidays. Any regular meeting may be cancelled by two-thirds (2/3) vote of the Senate. Special meetings shall be called at the will of the ASI President, ASI Vice President, or by a petition of a majority of the Senate. Notice of special meetings shall be posted and presented to each Senate member, in accordance with the current California Open Meeting Law.

- (a) Meetings of the Senate shall be open and all persons are permitted to attend unless an Executive Session is in progress. All persons shall be guaranteed the right of speaking before the Senate, subject to its procedural rules.
- (b) The Senate shall provide for its rules and procedures consistent with these By-laws.
- (c) Executive Session shall be closed.
  1. The ASI Executive Board, ASI Advisor, and ASI Executive Director are invited to participate in Executive Session.
  2. The Chair has the authority to invite guests to Executive Session, as necessary.

## ARTICLE XV – RIGHTS OF SENATORS AND EXECUTIVE STUDENT LEADERS

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**Section I – Rights.** A Senator and an executive student leader shall have certain rights to function properly in that position. A Senator and an executive student leader of a corporation shall have a number of rights, including the rights of participation and access to information in compliance with the California Nonprofit Corporation Code.

- (a) **Participation.** Participation is the primary right. This requires that Senators and executive student leaders be notified of Senate meetings and committee meetings so as to participate in these.
  - 1. If regular board meetings are established by board resolution, then no notice of these meetings is required.
- (b) **Access to Information.** Senators and executive student leaders shall have access to the general corporate records and information to make financial, legal, or policy decisions.
  - 1. This right of inspection is to be reasonable.
  - 2. Information received in confidentiality carries a duty of responsibility not to permit this information to be shared with any other third person(s).

## ARTICLE XVI – RESPONSIBILITIES OF SENATORS

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**Section I – Responsibilities.** Senators shall act as a body in carrying out routine corporate business and assume responsibility for all policy-making decisions for all ASI student and corporate matters. The general areas of responsibility of the Senate include the following:

- (a) Authorization for all policy decisions;
- (b) Right to prior notification before the hiring of an ASI senior director; and
- (c) Authorization for major financial and legal decisions.

**Section II – Interim Management.** This ASI Executive Committee shall handle the interim policy-making decisions that are time-sensitive when the ASI Senate is unable to meet and have quorum. The ASI Senate shall be informed about the ASI Executive Committee’s decision at the next scheduled Senate meeting. A majority vote is required to take action on policies.

- (a) **Composition.** The Committee is composed of the ASI Vice President as Chair, ASI President, and a minimum of three (3) elected Senators, as voting members. In addition, the ASI Advisor and ASI Executive Director shall serve as advisors to the Committee.
- (b) **Compliance.** The Committee shall be within the parameters permitted by the California Nonprofit Corporation Code.

## ARTICLE XVII – FIDUCIARY DUTIES OF STUDENT LEADERS

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**Section I – Fiduciary Duty.** The student leaders are fiduciaries of the corporation, because their relationship with students and the corporation is one of trust and confidence. As fiduciaries, student leaders owe ethical and legal duties to the students and to the corporation. These fiduciary duties include the duty of care and the duty of loyalty. All ASI student leaders shall execute in good faith, the duties prescribed by these By-laws, and other ASI policies and codes.

- (a) These student leaders shall in accordance with all relevant policy:
  - 1. Represent ASI in all relevant phases with conduct befitting a student leader;
  - 2. The Cabinet members and Senators shall represent ASI in a minimum of two (2) relevant committees, which include, but are not limited to, an ASI executive, standing, ad hoc committee, or a University-wide committee; and
  - 3. Attend one-on-one meetings, as requested by the Chair.

**Section II – Duty of Care.** Student leaders shall exercise due care in performing their duties.

- (a) A student leader is expected to act in good faith, to exercise the care that an ordinarily prudent person would exercise in similar circumstances, and to act in what the student leader considers to be in the best interests of students and the corporation.

- (b) **Duty to Make Informed and Reasonable Decisions.** Student leaders are expected to be informed on student and corporate matters.
  - 1. To be informed, a student leader shall do what is necessary to become informed and meet regularly with the ASI Executive Director, attend presentations, ask for information from those who have it, read reports, and review relevant materials.
  - 2. Senators can make decisions based on information furnished by student leaders, ASI employees and professionals, such as attorneys and accountants, or even a committee of the board.
  - 3. A student leader shall carefully study a situation and its alternatives.
  - 4. A student leader shall make reasonable decisions.
- (c) **Duty to Attend Meetings and Mandatory Training.** All student leaders shall attend their designated ASI meetings unless an excused absence precludes attendance. All training workshops and retreats are mandatory for all student leaders to attend.
  - 1. Senators shall attend, in accordance with these By-laws and established policy, all meetings of the council or committee to which the Senator is elected unless an excused absence precludes attendance.
  - 2. On a vote in which a consensus is not achieved, each Senator's vote shall be entered into the minutes. Each Senator has the right to submit an explanation of the Senator's vote in writing to the chair for the purpose of supplementing the minutes.
- (d) **Duty to be Available or Accessible.** Senators shall establish and maintain regularly scheduled Senator service hours of no less than (4) hours per week, in addition to ASI meetings, to be set at the beginning of each academic term.
- (e) **Duty to Maintain Records.** Student leaders shall keep, file, and maintain all records of minutes, issues, activities, and/or programs in designated electronic folders that fall within their scope of office, and were initiated, developed, and/or created by said person.

**Section III – Duty of Loyalty.** The duty of loyalty requires student leaders to subordinate their personal interests to the welfare of the students and of the corporation.

- (a) Loyalty can be defined as faithfulness to one's obligations and duties.
- (b) Student leaders shall function to the highest level of integrity, while upholding the mission, ethics, and values of ASI. The leadership title bestowed upon the ASI student leaders upon election or appointment represents one's fiduciary duty to ASI as a corporation and to the student body. Therefore, each student leader's actions, including the use of title, shall be in accordance with ASI's mission, values, and By-laws. Misuse or abuse of one's title shall be referred to the Senate for review and possible resolution.

**Section IV – Conflict of Interest.** A Senator's and student leader's fiduciary duty requires that they make a full disclosure of any potential conflicts of interest that might arise in any corporate transaction.

- (a) The student leader shall sign a written agreement at the onset of the student leader's term acknowledging this duty, and should such a conflict of interest arise, make a full disclosure of that interest and abstain from voting on the proposed transaction.

#### ARTICLE XVIII – ROLE OF CORPORATE DIRECTORS

**Section I – Role.** The ASI Executive Director is appointed by the Senate, in collaboration with the University President.

- (a) ASI corporate directors carry out the duties articulated in these By-laws.
- (b) ASI corporate directors act as agents of the corporation.

**Section II – Personnel Policies and Procedures Manual.** The ASI shall establish its own Personnel Policies and Procedures Manual, which shall define the rights, duties, and terms of employment of corporate directors and other employees.

## ARTICLE XIX – ORGANIZATION OF ASI SENATE STANDING COMMITTEES

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**Section I – Committees and their Legislative Jurisdictions.** There shall be in the Senate the following standing committees, each of which shall have the jurisdiction and related functions assigned by the provisions in these ASI By-laws. All bills, resolutions, and other matters within the jurisdiction of the standing committees listed in these provisions in the ASI By-laws shall be referred to those committees, as follows:

- (a) Finance Committee
- (b) Rules and Policies Committee
- (c) Facilities and Operations Committee

**Section II – General Oversight Responsibilities.** The various standing committees shall have general oversight responsibilities as provided in these ASI By-laws.

- (a) They shall assist the Senate in its analysis, appraisal, and evaluation of: the application, administration, execution, and effectiveness of ASI policies; conditions and circumstances that may indicate the necessity or desirability of enacting new or additional legislation; and its formulation, consideration, and enactment of changes in ASI policies, any additional legislation that may be necessary or appropriate.
- (b) In order to determine whether policies and programs addressing subjects within the jurisdiction of a committee are being implemented and carried out in accordance with the intent of the Senate and whether they should be continued, curtailed, or eliminated, each standing committee shall review and study these policies and programs on a continuing basis.
- (c) The requirement to study existing budget allocations and recommend which, if any, shall be discontinued, is the responsibility of all standing committees of the Senate.

**Section III – Election and Membership of Committees.** The committee members shall be elected by the Senate at, or before, the third regular meeting of the academic year, unless otherwise specified by these ASI By-laws, from nominations submitted by the members. Senators on the Finance Committee will serve for one (1) academic term and may be re-elected. Thereafter, Senators will be elected at the first meeting of each successive academic term. Every other Senator, appointed student, and representative will serve for one (1) academic year.

**Section IV – Ad Hoc Committees.** An ad hoc committee has all the authorization and duties of a standing committee except that it is established for a particular purpose. This committee is not necessarily permanent.

**Section V – Formation of Committees.** The ASI Committees shall meet as provided below.

- (a) The Rules and Policies Committee, Finance Committee, and Facilities and Operations Committee shall become active after the third regular Senate meeting of the academic year. Prior to the third regular Senate meeting, all budget requests shall be heard by the Senate.
- (b) An ad hoc committee shall convene immediately, after it is deemed necessary.

## ARTICLE XX – OVERSIGHT RESPONSIBILITY OF THE COMMITTEE(S)

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**Section I – Rules and Policies Committee.** The Committee, which is a recommending body to the Senate, shall recommend all rules and policies governing ASI, and all authorization resolutions.

- (c) **Composition.** The Committee is composed of the ASI Attorney General as Chair, Senator Pro-Tempore as Vice Chair, three (3) elected Senators, the ASI President, and the ASI Vice President. In addition, the ASI Treasurer shall serve as a liaison, and the ASI Executive Director and ASI Advisor shall serve as advisors to the Committee.
- (d) **Legislative Review.** The Committee shall review and recommend all legislation, Senate Rules,

and organizational and operational procedures and policies.

- (a) **Senatorial Compliance.** The Committee shall oversee senatorial compliance with the Senate Rules.

**Section II – Finance Committee.** The Committee, which is a recommending body to the Senate, shall act upon all financial policies, and ASI budget requests. The Committee shall have fiscal oversight and budget hearing functions.

- (a) **Composition.** The Committee is composed of the ASI Treasurer as Chair, Senator Pro-Tempore as Vice Chair, ASI President, Vice President, and three (3) elected Senators. The ASI Attorney General shall serve as a liaison, and the ASI Executive Director and ASI Advisor shall serve as advisors to the Committee.
- (b) **Authorization:** The Committee shall review and recommend on all ASI annual and mid-year budget requests.
- (c) **Hearings.** The Committee is authorized and directed to hold hearings on the budget as a whole or in part.
- (d) **Termination or Modification.** The Committee is authorized to study, on a continuing basis, provisions of policy providing ASI funding support and to report to the Senate recommendations for terminating or modifying such provisions.
- (e) **Discretionary Spending.** The Committee is authorized to approve and disburse spending up to two-thousand five hundred (\$2,500) dollars per request. In addition, the committee is authorized to approve mid-year budget augmentations up to \$2,500 per request.
- (f) **Compliance.** This Committee shall ensure compliance with ASI financial policies and designated allocations of ASI funding consistent with the passage of student fee initiatives.

**Section III – Facilities and Operations Committee.** The Committee, which is a recommending body to the Senate, shall formulate all policy in regard to operational use, funding, oversight, and operation of ASI facilities. It shall also serve to develop programs and services and provide a channel for student ideas in the administration of facilities and operations.

- (a) **Composition.** The Committee is composed of the ASI Senator Pro-Tempore as Chair, Vice President as Vice Chair, the ASI President, three (3) elected Senators, and four (4) students-at-large, appointed by the ASI President as voting members. In addition, the Committee shall include the ASI Attorney General and one (1) liaison from each of the following: Staff Council, Academic Senate, Foundation Staff, and Kinesiology and Health Promotion Department. The ASI Executive Director and ASI Advisor shall serve as advisors to the Committee.
- (b) **BSC Budget:** The Committee is responsible for the review and recommendation of the BSC annual budget to the Senate.

#### ARTICLE XXI – PROCEDURES OF COMMITTEES

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**Section I – General Procedures.** The Rules of the Senate are the rules of its committees and subcommittees so far as applicable.

- (a) Each committee is a part of the Senate and is subject to the authority and direction of the Senate and to its rules, so far as applicable.
- (b) Each subcommittee is a part of its committee and is subject to the authority and direction of that committee and to its rules, so far as applicable.
- (c) Each committee shall submit to the Senate regular reports on the activities of that committee.

**Section II – Adoption of Written Rules.** Each standing committee shall adopt written rules governing its procedures with majority approval by the Senate. Such rules shall be consistent with these ASI By-laws or Rules of the Senate.

**Section III – Regular Meeting Day.** Each standing committee shall establish regular meetings for the conduct of its business, which shall not be less frequent than monthly. All committee meetings shall be held

on working days, but if necessary, the Committee Chair shall call additional meeting(s) within the parameters of the California Open Meeting Law.

**Section IV – Committee Records.** Each committee shall keep a complete record of all committee action and duly approved minutes which shall include:

- (a) A record of the votes on any question on which a record vote is demanded.
- (b) A file of duly approved and signed minutes shall be maintained as part of ASI's permanent records by the ASI Student Government Coordinator.
- (c) Approved and signed minutes shall be submitted to the ASI Attorney General no later than the last working day of each academic term.

#### ARTICLE XXII – DUTIES OF THE COMMITTEE CHAIR

**Section I – Duties of the Committee Chair.** The Committee Chair shall be responsible for properly and efficiently carrying out the business of the Committee, including the scheduling of meetings, posting of agendas, preparation of minutes, and compliance with these By-laws.

- (a) The Committee Chair shall coordinate with the ASI Executive Director with respect to periodic reports on pertinent issues and matters under the Committee's supervisory jurisdiction.
- (b) The Committee Chair shall be responsible for reporting to the Senate all actions by the Committee. This means giving periodic committee reports, and entering into such reports approved committee minutes.
- (c) The Committee Chair shall not unreasonably, unjustifiably, or unfairly delay action on a major financial, legal, or policy decision.

#### ARTICLE XXIII – ASI EMPLOYEES

**Section I – Hiring.** ASI shall employ all persons deemed necessary to carry out and manage the business affairs of the corporation, including execution of policies approved by the Senate and day-to-day operations of ASI facilities and staff offices.

**Section II – Personnel Review Committee.** The Personnel Review Committee (PRC), a University-wide committee established by the University President, shall recommend to the Senate policy matters involving personnel employed by ASI. It shall interview and recommend to the University and Senate for its ratification, by a majority vote, the appointee for ASI Executive Director. The Committee and Senate shall be informed about the ASI Executive Director's appointments for other ASI management positions.

- (a) This Committee shall review and take final action on salary recommendations from the ASI Executive Director, regarding the pool for merit and equity salary increases, for all ASI employees. It shall further take action on salary recommendations from the Vice President for Student Affairs, in consultation with the Vice President for Administrative Affairs and ASI President regarding merit and equity salary increases for the ASI Executive Director, with approval from a majority vote of the Senate during Executive Session. If the ASI Senate disagrees with the Personnel Review Committee's recommendation, the matter shall be referred back to the PRC for reconsideration and final approval by the University President/designee.
- (b) The ASI President and University President's designee shall serve as Co-Chairs and voting members of this committee. Voting members of the Personnel Review Committee shall also include the ASI Vice President, the Senator Pro-Tempore, and a Facilities and Operations Committee member appointed by the ASI President, Vice President for Student Affairs designee, and Vice President for Administrative Affairs designee. The ASI Executive Director shall serve as an ex-officio, non-voting member of the Committee and shall present recommendations on personnel matters to the Committee.

**Section III – Executive Director.** The ASI Executive Director shall serve as the Chief Executive Officer of the corporation and shall advise ASI on policy pertaining to fiscal matters, budget, personnel matters, risk

management, and compliance with University, CSU system-wide, state, and federal regulations and policies. The ASI Executive Director shall present a report at regularly scheduled Senate meetings regarding the corporate and financial affairs of ASI. The ASI Executive Director shall bear accountability to the University and Senate.

- (a) The ASI Executive Director shall be ultimately responsible to the University President, through the usual lines of succession. The ASI Executive Director shall present regularly a reporting of ASI's fiscal and business affairs to the University President/designee. The ASI Executive Director shall advise the appropriate ASI and University officials regarding the progress of all ASI corporate matters.
- (b) The ASI Executive Director shall appoint all ASI employees. The ASI Executive Director shall supervise and evaluate all employees responsible to the ASI Executive Director and shall recommend their promotion and salary adjustments accordingly.
- (c) When appropriate and necessary, the ASI Executive Director may appoint a designee.

**Section IV – ASI Student Government Employees.** The ASI President and ASI Vice President shall be responsible for hiring employees to work in the ASI Student Government Offices, in consultation with the ASI Executive Director.

#### ARTICLE XXIV – BUDGET PROCESS AND FINANCIAL RESPONSIBILITY

**Section I – Authority.** ASI shall be guided in its fiscal policies by the authority outlined in Sections 89300, 89301, and 89302 of the California Education Code and Sections 42403 and 42659 of the California Administrative Code, in addition to the fiscal regulations set forth by the CSU system and Cal Poly Pomona.

**Section II – Annual Budgeting.** The ASI annual budgeting process shall be the basis for the allocation of funds to all ASI annually budgeted groups. The process shall begin in the month of January. Additional organizations may be approved as an annually budgeted group by a two-thirds (2/3) vote of the Senate, prior to the beginning of the annual budgeting process, based on set criteria. The removal or reclassification of an existing ASI annually budgeted group requires a two-thirds (2/3) vote of the Senate.

- (a) All ASI budgeted groups shall be financially accountable to the Senate and shall submit their annual budget requests/plans to the ASI Treasurer by the designated deadline. The ASI Treasurer shall coordinate internal budget review meetings, in collaboration with the ASI President and ASI Executive Director, in order to ensure a balanced budget for ASI.
- (b) An ASI budgeted group that fails to submit its annual budget request by the published deadline shall forfeit its right to receive all or part of the 30% balance of its current year's ASI budget allocation.
- (c) The ASI Treasurer shall conduct budget meetings at the start of the annual budgeting process and require mandatory attendance by the groups that go through the ASI annual budget process.
- (d) The ASI Treasurer shall, upon consultation with the ASI Executive Director, prepare ASI fee revenue projections for the next fiscal year. The ASI Treasurer shall prepare and submit the recommended balanced annual budget for ASI to the Senate, in consultation with the ASI President, ASI Advisor, and ASI Executive Director.

**Section III – ASI Senate Deliberations.** Each fiscal year, the Senate shall hold budget deliberations during the final academic term to consider the ASI annual budget for the next fiscal year and take action on a recommended ASI Budget for final approval by the University President.

**Section IV – ASI Scholarships.** The scholarships for ASI student leaders shall be approved during the annual budget process. The effective date of any scholarship change shall be the start of the next fiscal year.

**Section V – BSC Annual Budget.** The BSC annual budget process shall be the basis for allocating funds to support the debt-service, operations, maintenance, and upkeep of facilities operated by ASI per Master Agreement with the CSU Trustees. The ASI Executive Director shall coordinate the preparation of the BSC

annual budget to be submitted to Facilities and Operations Committee for recommendation to the Senate. The approval of the BSC Budget requires a two-thirds (2/3) vote by the Senate.

**Section VI – Approval of Budget.** A two-thirds (2/3) vote of the Senate is necessary to amend the recommended annual ASI and BSC budgets and a two-thirds (2/3) vote of the seated Senate is required to approve the ASI and BSC annual budgets.

#### ARTICLE XXV – STANDARD PROCEDURES, CODES, CHARTER PROVISIONS

**Section I – ASI Student Government.** In addition to any procedures already defined in these By-laws, standard procedures, codes, or rules, that define special qualifications of a student leader and all aspects of authority and responsibility of all student leaders, boards, sub-boards, and committees, shall be reviewed periodically by the Rules and Policies Committee and approved by a majority vote of the Senate.

**Section II – Other ASI Budgeted Agencies and Senate Committees.** Any By-laws, codes, policies, rules, or standard operating procedures approved or enacted by these bodies shall be in accordance with the ASI By-laws and shall be reviewed periodically by the ASI Attorney General.

#### ARTICLE XXVI – RULES OF PROCEDURE

The current edition of Robert’s Rules of Order shall be used in all regular and special meetings of the Cabinet, Senate, and all other committees and organizations of ASI.

#### ARTICLE XXVII – PROXIES

There shall be no proxies accepted in the Cabinet, Senate, or any ASI auxiliary agency, including general meetings of ASI, as required by the current California Open Meeting Law (commencing with Section 89305 of the California Education Code).

#### ARTICLE XXVIII – QUORUM

A quorum in the Senate, Cabinet, or any of its sub-entities, which shall consist of a majority of the seated voting members, is required in order to take action.

#### ARTICLE XXIX – TERM OF OFFICE

**Section I – Elected.** The term of office for elected officials shall extend from July 1 through June 30 of the fiscal year.

**Section II – Executive Student Leaders.** Cabinet shall be appointed by the ASI President by the start of first academic term, and shall be ratified by a majority vote of the Senate within thirty (30) days after such student leaders have assumed office. If a Senate meeting is not held within the time of the thirty (30) day appointment, the ASI President has the authority to extend the appointment for an additional thirty (30) days, with two (2) maximum extensions if a Senate meeting has not been called. The appointees shall serve a term of office lasting until June 30 of the fiscal year for which they were appointed and confirmed by the Senate.

#### ARTICLE XXX – VACANCIES

**Section I – ASI President.** In the event of a vacancy in the office of the ASI President, the former ASI President shall be succeeded by the ASI Vice President for the unexpired term of office.

**Section II – ASI Vice President.** In the event of a vacancy in the office of the ASI Vice President, the ASI President shall fill that vacancy for the unexpired portion of the term of office by appointment of a member of

the ASI with a majority ratification of the Senate. The Senate shall be allowed to review all applications for the position before ratifying the appointment.

**Section III – Line of Succession.** In the event of simultaneous vacancies in the offices of the ASI President and ASI Vice President, the line of succession will be: the Senator Pro-Tempore, ASI Attorney General, ASI Treasurer, or until the offices are filled by a special election. In the event of no succession to the office of ASI President, in the interim, the Cabinet shall select an acting ASI President who shall meet eligibility requirements.

**Section IV – Senate.** Refer to Article IX of these By-laws.

#### ARTICLE XXXI – STUDENT LEADER ELIGIBILITY

**Section I – Eligibility.** Eligibility for all candidates and incumbents for any elective or appointive office shall meet the CSU System and Cal Poly Pomona regulations, as determined by the University President.

- (a) An elected student leader may be elected to a maximum of two (2) one-year terms for the same office.
- (b) An ASI Senator or Cabinet student leader may not serve concurrently as an executive officer of another ASI Council.
- (c) Every appointed/elected student leader shall be required to attend an orientation before starting their term.

#### ARTICLE XXXII – ELECTIONS

**Section I – Regular Elections.** The regular ASI elections shall be held annually in the final academic term.

- (a) **Presidential/Vice Presidential Ticket.** A candidate for the office of ASI President and a candidate for the office of ASI Vice President shall compose a ticket and shall run together on that ticket. The ticket shall obtain the petition signatures specified in the Elections Code.
- (b) **Representative to the Senate:** Candidates for college Senators shall be elected only by the eligible voters in the college the candidate represents. Petition signatures of students majoring in the respective college the candidate seeks to represent shall be obtained as specified in the Elections Code. Each college Senator shall be a member of that college while seeking that office and during the Senator’s term of office. In addition, there shall be four (4) at-large Senators to be elected by the student body. Each at-large Senator seeking office shall declare the council the student is running for. Four (4) at-large Senators shall be designated as Senator for the Multi-Cultural Council, Senator for the Greek Council, Senator for Housing (representing the Inter-Hall Council and University Village), and Senator for the Student Interest Council. At-large candidates shall obtain the required petition signatures as specified in the Elections Code. No student may appear on the written ballot, or accept election, for more than one (1) office.
- (c) A plurality vote is necessary to elect a candidate to office in an ASI General Election. A winning candidate shall be required to achieve a total vote of at least 50% of the required number of petition signatures of the office in order to be declared elected in an ASI General Election. In the event of a tie vote in ASI General Elections, a run-off election shall be held.

**Section II – Elections Committee.** The Elections Committee shall be responsible for conducting all elections and determining election rules.

- (a) Rules of the Elections Committee are subject to review by the Attorney General and approved by the Senate and shall be consistent with these By-laws.
- (b) The Elections Committee shall post a list of all candidates who meet qualifications as set down in the Elections Code.
- (c) The Elections Committee Advisor, who shall be the Vice President for Student Affairs or his/her designee, shall determine candidate eligibility according to CSU, University, and ASI requirements.

- (d) The Elections Chair shall be appointed by the ASI President subject to approval by a majority vote of the Senate.
- (e) The Elections Chair and Committee shall give periodic progress reports to the Senate.

#### ARTICLE XXXIII – STUDENT LEADER TRANSITION AND LEADERSHIP TRAINING

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**Section I – ASI Student Leadership Training.** The ASI student leaders, in consultation and collaboration with the ASI Advisor and ASI Executive Director, shall plan conferences to be used as training and orientation programs for student leadership on campus each year. A retreat shall be scheduled at the beginning of each academic quarter and any additional training throughout the year to address specific needs and procedural issues that shall include but are not limited to:

- (a) Budget;
- (b) Goal setting;
- (c) Outreach;
- (d) Elections;
- (e) Team building; and
- (f) Project oversight and development.

**Section II – ASI Student Leader Transition.** Newly elected and appointed student leaders shall be trained for their new offices by the current student leader, ASI Advisor, ASI Executive Director, and the Office of Student Life & Cultural Centers, immediately following the elections.

- (a) **Training.** ASI training shall be mandated for all ASI elected and appointed student leaders.
- (b) **Orientation for Elected Positions.** All students seeking to run for a student government office are required to attend an ASI orientation session that addresses both the elections guidelines as well as the expectations and responsibilities for ASI student government leaders. The orientation shall be held prior to the campaign and election period and will be run by the Elections Committee, the ASI Advisor, and ASI Executive Director. Student leader orientation continues as they take their position after July 1 with the ASI Student Government Coordinator.
- (c) **Orientation for Appointed Positions and Mid-Year Elected Student Leaders.** All students applying for an appointed position with student government shall attend an orientation session that addresses the expectations and responsibilities for ASI student government leaders. The orientation shall be held prior to the selection process and shall be run by the outgoing student leaders, ASI Advisor, and ASI Executive Director. Student leader orientation shall continue as the student leaders take their positions after July 1 with the ASI President, ASI Vice President, or the Senator Pro-Tempore and/or the ASI Student Government Coordinator.
- (d) **Transition Period.** Within the specified period following ASI elections, the newly elected or appointed ASI student leader shall contact the outgoing ASI student leader to initiate a minimum of a three-week transitional period with a minimum of two (2) one-hour meetings per week to review duties, procedures, and responsibilities of the position.
  - 1. **Transition Topics.** Transition topics may include, but are not limited to, incomplete projects or projects to be initiated, information considered pertinent to the effective operation of ASI, and effective work relations with University personnel, student groups, and the campus community.
  - 2. **Transition Advising.** All new student leaders shall establish a time to meet with an ASI advisor and ASI Executive Director during the transition period in addition to meeting with the outgoing student leader.

**Section III – Responsibilities of the President-Elect.** Upon election, the President-Elect is provided with the rights and responsibilities to prepare for the term of office.

- (a) **Appoint Positions.** The President-Elect shall review applications, interview, and appoint positions for the upcoming year so that the new student leader may be selected and may begin preparations to

start the ASI President position on July 1. The President-Elect shall appoint student representatives to University committees.

#### ARTICLE XXXIV – BILL, RESOLUTION, INITIATIVE, REFERENDUM, RECALL

**Section I – Bill.** A bill is a legislative proposal offered for its enactment. It shall not conflict with current state and/or federal law, ASI By-laws, or University policy, and shall be binding upon any activity under the jurisdiction of the ASI. An affirmative majority vote of the Senate is required for passage.

**Section II – Resolution.** A resolution is a formal expression of an opinion by the ASI. An affirmative majority vote of the Senate is required for passage.

**Section III – Initiative.** An initiative measure shall be submitted to the student body upon presentation to the ASI President, the ASI Advisor, and ASI Executive Director of a petition signed by thirty (30) percent of the number of those voting in the last ASI regular election. An initiative election shall be held within fifteen (15) working days after the presentation of the petition, or on a later date if agreed upon by those presenting said petition and the ASI President. The election shall be conducted in the same manner as a regular election and shall be in compliance with applicable CSU and Cal Poly Pomona policies. An affirmative two-thirds (2/3) of the ASI members voting in such an election shall be necessary for the passage of an initiative measure.

**Section IV – Referendum.** A referendum measure shall be submitted to the student body after a two-thirds (2/3) approval vote by the Senate. Said action shall be submitted to a vote of the members of the ASI and shall not take effect until an election is held and the vote certified. A referendum election shall be held within fifteen (15) working days after the Senate vote, or on a later date if agreed upon by those presenting said measure and the ASI President. The election shall be conducted in the same manner as a regular election and shall be in compliance with applicable CSU and Cal Poly Pomona policies. An affirmative two-thirds (2/3) of the students voting in such an election shall be necessary for the passage of a referendum measure.

**Section V – Recall.** Any student leader may be subject to a recall in one of three ways.

- (a) Upon presentation to the ASI President and ASI Advisor of a petition signed by thirty (30) percent of the number of voters of the elected student leader's constituency in the previous ASI regular election (shall include name and Bronco ID number). Said petition shall contain a specific statement of reasons for removal to be legally considered. A recall petition shall be referred to a vote of the Senate within fifteen (15) working days after the petition has been presented and signatures have been verified by the ASI Attorney General, in consultation with the ASI Advisor.
- (b) Any student leader may be subject to a recall by a two-thirds (2/3) vote of the entire Senate. A two-thirds (2/3) vote of the Senate shall constitute legal recall. A statement of reasons for removal shall be provided prior to the vote of the Senate and be reflected in the minutes.
- (c) Refer to Article IX of these By-laws.

**Section VI – Funding.** Sufficient funds shall be allocated by the ASI as necessary to provide for initiative, referendum, or recall election(s).

#### ARTICLE XXXV – NECESSARY AND PROPER POLICIES

**Section I – Enforcement.** ASI shall be authorized to formulate policies which are necessary and appropriate for the execution of the foregoing purpose and intent of these By-laws.

#### ARTICLE XXXVI – OPEN MEETING LAW

**Section I – Open Meeting Law.** For all purposes, the Gloria Romero Open Meetings Act or if replaced, its successor act, shall be the controlling law and shall take precedence over any other ASI student government public meeting policy.

ARTICLE XXXVII – AMENDMENTS

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**Section I – Petition.** Any amendment(s) to these By-laws shall be proposed in writing by a petition signed by thirty (30) percent of the number of those voting in the previous ASI regular election and presented to the ASI President, or by a two-thirds (2/3) vote approving such an amendment(s) by the Senate.

**Section II – Distribution.** Any proposed amendment(s) to these By-laws shall be disseminated to the student body via electronic mail, printed publications, published on ASI website, and/or through any electronic means no less than two weeks prior to the election and shall be posted at the election polls, as well as reported to appropriate entities.

**Section III – Vote.** Any amendment(s) to these By-laws shall be made official by two-thirds (2/3) vote in favor of such amendments by those voting in a special or regular election held within eight (8) weeks of the date of the presentation of the amendment to the ASI President, or of the date of approval by the Senate.

**Section IV – Effective Date.** Any amendment(s) to these By-laws shall become effective immediately upon ratification, or at a date specified in the amendment, following approval by the University President.

**Section V – Non-substantive Change.** Any non-substantive changes to these By-laws, such as title changes and grammatical corrections, may be made with a two-thirds (2/3) vote of the Senate, and final approval of the University President.

ARTICLE XXXVIII – INCORPORATION CLAUSE

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The By-laws hereinafter attained are incorporated into the Articles of Incorporation and shall define and support these articles and shall be binding upon ASI.

ARTICLE XXIX – RATIFICATION

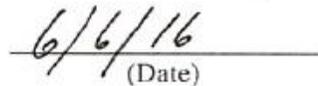
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These By-laws shall become effective upon approval of the University President and shall remain effective until amended according to procedures prescribed herein.

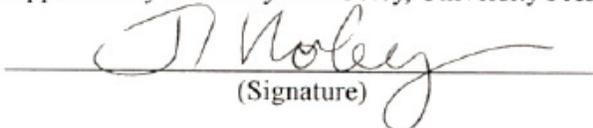
The ASI Senate approved these By-laws on April 28, 2016.

Approved by Mr. Julian Herrera, ASI President, California State Polytechnic University, Pomona

  
\_\_\_\_\_  
(Signature)

  
\_\_\_\_\_  
(Date)

Approved by Dr. Soraya M. Coley, University President, California State Polytechnic University, Pomona

  
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(Signature)

  
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(Date)