

## **SSCCC PROPOSED FINAL CONSTITUTION**

### **PREAMBLE**

We, the students of California Community Colleges, in order to promote and safeguard access for current and future students to California public higher education in accordance with the Master Plan for Higher Education through system participatory governance, legislative and policy advocacy, and regional support and development do hereby establish this Constitution of the Student Senate for California Community Colleges.

### **NAME**

The official name of this association shall be the 'Student Senate for California Community Colleges', also known as 'SSCCC', or 'The Senate'. The official names of its governing bodies shall be the 'Delegate Assembly' and the 'Board of Directors'.

### **PURPOSE**

To improve student access, promote student success, engage and empower local student leaders, and enrich the collegiate experience for all California community college students.

### **DUTIES AND POWER**

The power of the Student Senate is derived from California Education Code, Title 5, and implemented through its resolution process. This resolution process shall be the sole method by which overarching direction of the Student Senate for California Community Colleges is established.

## **SSCCC PROPOSED FINAL BYLAWS**

### **ARTICLE I - DEFINITIONS**

The following terms are to be understood in the restrictive and technical sense herein defined.

- A. Student: Any student of a community college district.
- B. Student body association: As defined in Education Code §76060 as a student body association authorized by the local governing board.
- C. Member Senate: Any student body association or its equivalent recognized pursuant to Education Code §76060 and Title 5, §51023.7.
- D. Equivalent Student Body Association: Any organization of California community college students which, where a local student body association does not exist on the college, has among its primary purposes those enumerated for a student body association under Title 5 of the Administrative Code, and has been certified as a Member Senate by the Board of Directors of the Student Senate for California Community Colleges.
- E. Delegate Assembly: A duly convened meeting of SSSCC Delegates.
- F. Delegate: An individual designated by a Member Senate as a "delegate" and who meets the requirements for delegates set forth in these Bylaws.

- G. Board of Directors: The Board of Directors is the managing body of the Senate, as set forth in Corporations Code Section 5210. The Board of Directors consists of the Officers elected by the Delegate Assembly and Directors elected by the Regions.
- H. Board Officers: President, Vice President, Vice President of Legislative Affairs, Vice President of Regional Affairs, Vice President of Finance, and Vice President of Communications are elected each spring by the delegates.
- I. Region Officers: Regional Affairs Director, Vice Chair, Legislative Affairs Director, Treasurer, and Communications Officer.
- J. General Assembly: The General Assembly is a meeting at which the Board of Directors and the Delegates conduct business.
- K. General Session: A single scheduled meeting held during the General Assembly.
- L. Region: Regions are administrative subdivisions of the Senate.
- M. Term: Fiscal year July 1 - June 30

## **ARTICLE II. MEMBERSHIP**

### **Section 1. Membership**

Membership consists of the student body association or their equivalent recognized pursuant to Education Code §76060 and Title 5, §51023.7.

### **Section 2. Delegates**

Each Member Senate is entitled to designate one student from the Member Senate college, in whatever manner it wishes, to be its Delegate. Each Delegate shall have full voting rights at each general assembly that occurs during the time that said student is a Delegate. The Delegate may transfer the responsibility for voting on resolutions, but not on elections after the elections have begun, to a student from the same college. No Delegate shall be entitled to more than one vote.

### **Section 3. Termination**

A Member Senate shall cease to be a Member Senate upon a finding by the Board of Directors or General Assembly that the Member Senate no longer meets the requirements for said status as defined in Article I. C. or I. D. of these bylaws.

## **ARTICLE III. DELEGATE ASSEMBLY**

### **Section 1. Duties**

The Delegate Assembly, as the embodiment of the Student Senate for California Community Colleges, shall be the legislative authority of the Senate and shall be responsible for the following:

- Serving as the collective voice of local student body association.
- Serving as the liaison entity between local student body association and the Senate.
- Considering and approving the strategic plan of the Senate and any amendments pertaining thereto.
- Considering and approving amendments to these bylaws.

- Considering and approving resolutions for the purpose of providing direction, recommendations, and guidance in the formulation of policy to the Board of Directors.
- Holding the Board of Directors accountable for the implementation of resolutions in a manner prescribed by policy.
- Reserving any power not expressly provided to the Board of Directors by these bylaws.

## **Section 2. Membership**

The voting membership of the Delegate Assembly shall consist of one delegate from each local student body association recognized pursuant to California Education Code §76060 and shall be chaired by the President or their designee. The President may vote only in the event of a tie.

## **Section 3. Election**

The delegates of the Delegate Assembly shall be elected in whatever manner they wish or as provided by each local student body association's respective governing documents. A local student body association's president or their designee shall serve as delegate in the absence of any such provision.

## **Section 4. Meetings**

### **Subsection 1. Frequency**

The Delegate Assembly shall meet at least annually each term. The date and time of the Delegate Assembly meeting shall be determined by the Board of Directors.

### **Subsection 2. Special Meeting**

Special meetings of the Delegate Assembly may be called by the Board of Directors. The notice of any special meeting shall include a description of the general nature of the matters to be acted upon by the Delegate Assembly; only those matters described in the notice of the special meeting may be acted upon during that special meeting.

### **Subsection 3. Quorum**

A quorum of the Delegate Assembly shall be defined as a majority of student body associations registered in attendance and shall be present for the conduction of any business.

### **Subsection 4. Parliamentary Authority**

The Delegate Assembly meetings shall be conducted according to the most recent edition of *Robert's Rules of Order*. Parliamentary authority shall only govern in the absence of any provision of the Bylaws and written policies of the Board of Directors.

## **ARTICLE IV. REGIONS**

### **Section 1. Designation of Regions**

Regions shall exist as administrative subdivisions of the Senate. They shall be as designated by the Board of Directors in accordance with written policies and criteria established by the Board of Directors. Regions shall conduct operations in conformance with SSSCC policies and criteria and may take any other action deemed appropriate by that Region, provided said action is (1) in furtherance of the mission of said Region, and (2) not inconsistent with the policies and purpose of the Student Senate. The Board of Directors may de-designate Regions that fail or refuse to operate in conformance with SSSCC policies and criteria.

### **Section 2. Duties**

The Regions shall exist as administrative subdivisions of the Senate and shall be responsible for the following:

- Serving as the collective voice of local student body association within each Region as organized by the Delegate Assembly.
- Serving as the liaison entity between local student body association and the Board of Directors.
- Encouraging the participation of local student body association in meetings of the Delegate Assembly.
- Collecting and promoting best practices among local student body association.
- Soliciting/disseminating information from/to local student body association and the Board regarding the activities of both.
- Electing the membership of the Board of Directors.
- Providing additional support as may be requested by the Delegate Assembly and/or the Board of Directors.

### **Section 3. Membership**

The voting membership of the Regions as organized by the Delegate Assembly shall consist of one delegate from each local student body association recognized pursuant to California Education Code §76060.

### **Section 4. Boundaries**

The Delegate Assembly shall be responsible for approving and/or revising the official boundaries of the Regions at its annual meeting at least every three year. Any changes to the official boundaries shall not take effect until the beginning of the following term. The Delegate Assembly shall strive to maintain a balance of geographic coverage, total number of local student body association, and other considerations that would impact the cultivation and maintenance of regional identity.

### **Section 5. Regional Officers**

Each Region shall elect at minimum a chair/regional affairs director, vice chair, treasurer, communications officer, and legislative affairs director.

Delegate Assembly members who are elected to a regional officer position cannot also serve as the official delegate for their college.

Any person who has served in any SSSCC Board Officer position may not thereafter serve in a leadership position in a Region.

## **Section 6. Vacancies and Succession**

Vacancies shall be filled by regional succession. The succession for the office of Region Chair/Regional Affairs Director shall be the Vice Chair. In the case that succession cannot be carried out, vacancies shall be filled by election.

## **Section 7. Removals**

Any voting member of the Region Executive Board not eligible per the provisions of California Education Code §76061 shall automatically be removed from office(s). Any voting member of the Region Executive Board may be removed by the Region Delegate Assembly for misconduct and/or neglect of duty and/or other offenses as prescribed by their operating procedures with a two-thirds of those present and voting.

## **Section 8. Term Limits**

No person may serve as a regional officer for more than two terms.

## **Section 9. Meetings**

### **Subsection 1. Frequency**

The Regions should meet at least monthly each term.

### **Subsection 2. Quorum**

A quorum of Regions shall be defined as a majority of member student body associations within the respective Region as defined by the Delegate Assembly notwithstanding those student body associations that have been deemed inactive in a manner provided by each Region's respective operating documents.

### **Subsection 3. Parliamentary Authority**

All meetings of the Regions shall be conducted according to the most recent edition of *Robert's Rules of Order*. Parliamentary authority shall only govern in the absence of any provision of the Bylaws and written policies of the Regions.

## **ARTICLE V – BOARD OF DIRECTORS**

### **Section 1. Duties**

Subject to the provisions of these Bylaws, the activities and affairs of this corporation and all of its powers are exercised by or under the direction of the Board of Directors. Additionally, the Board shall

serve as the legislative authority when the Delegate Assembly is not in session and shall be responsible for the following:

- Serving as the collective voice of the Regions.
- Serving as the liaison entity between the Delegate Assembly and external entities.
- Enacting all directives approved by the Delegate Assembly.
- Collecting and promoting best practices among the Regions.
- Promoting cooperation among the Regions.
- Representing the positions and views of students before the California Community Colleges Board of Governors and Chancellor's Office, the Office of the Governor of California, the California State Legislature, California Student Aid Commission, and other state agencies.
- Nominating and/or appointing student representatives to all entities that include or may include representation.
- Designating liaisons to/from other entities who shall be encouraged to attend its meetings and provide reports as may be agreed upon by the Board and the liaisons.
- Soliciting/disseminating information from/to the Regions regarding activities of the Board.
- Approving the annual budget of the Senate and any amendments pertaining thereto.
- Hiring, supervising, evaluating, and terminating an Executive Director.

## **Section 2. Membership on the Board of Directors**

The voting membership of the Board shall consist of the Executive Committee, one Legislative Affairs Director, and one Regional Affairs Director per Region. The Executive Director shall also serve as an ex officio member of the Board, without the right to vote. The Board may designate other entities as non-voting members. Proxy votes shall not be permitted.

## **Section 3. Eligibility**

Any currently enrolled California Community Colleges student meeting and maintaining compliance with the requirements of California Education Code §76061 shall be eligible to serve as voting members of the Board of Directors.

Regions shall not be authorized to impose any additional eligibility requirements beyond any provision stated herein.

## **Section 4. Election**

Voting members of the Board of Directors, excluding the Executive Committee, shall be elected democratically by a majority of delegates present and voting in each respective Region by May 31 each year or in the event of a vacancy.

## **Section 5. Attendance**

Any voting member of the Board of Directors who accumulates two unexcused absences within any fiscal year shall be placed on the next meeting agenda for consideration of removal. Excused absences shall be defined as any absences reported 14 days in advance of meeting for verifiable academic,

employment, familial, health related, or other reasons determined by the President. The Board of Directors may override the ruling of the President. Unexcused absences may be either consecutive or nonconsecutive to qualify for consideration of removal.

## **Section 6. Vacancies**

Any vacancies on the Board shall be filled in the same manner as prescribed by Article VI, Section 5 of these bylaws.

## **Section 7. Removal of Director**

A Director may be removed from office as follows:

1. By vote of the body that elected the Director to office, in accordance with said Region's policy or these bylaws.
2. If a Director has missed two Board meetings during any fiscal year, unless excused by the President in advance of the meeting said removal shall occur upon action by the Board of Directors.
3. Automatically if a Director is not eligible per the provisions of California Education Code §76061.
4. For "cause" as set forth in Section 5221 of the California Corporations Code.
5. By a court of law.

## **Section 8. Board Officers**

The ~~Delegates Board~~ Board shall elect from its membership, evaluate, and/or remove in manners prescribed by its Bylaws the following Board officers who shall serve as the membership of the Executive Committee in order of succession:

- President
- Vice President
- Vice President of Regional Affairs
- Vice President of Legislative Affairs
- Vice President of Finance
- Vice President of Communications

The Board of Directors shall establish written duties and procedures for Officers.

## **Section 9: Meetings**

### **Subsection 1. Frequency**

Board of Directors shall meet at least monthly each term.

### **Subsection 2. Quorum**

A quorum of the Board of Directors shall be defined as a majority of its members, notwithstanding any vacancies.

### **Subsection 3. Parliamentary Authority**

All meetings of the Board of Directors shall be conducted according to the most recent edition of *Robert's Rules of Order*. Parliamentary authority shall only govern in the absence of any provision of the Bylaws and written policies of the Board of Directors.

### **Section 10. Regular Elections**

The Delegates shall hold regular elections for its Board Officers at its annual-general assembly as defined in the Elections policy.

### **Section 11. Resignations and Vacancies**

#### **Subsection 1. Resignations**

A resignation from the Board of Directors shall be effective upon submittal of a written resignation to the Office of the Student Senate or any Officer.

#### **Subsection 2. Vacancies**

In the event of a vacancy on the Board of Directors, excluding the Executive Committee, the Vice President of Regional Affairs shall-immediately notify the appropriate Region's executive board. The Region will elect a replacement for open position in a manner defined by these bylaws in Article VI Section 5.

### **Section 12. Evaluations**

The Board shall conduct annual evaluations of the effectiveness of its executive officers, committees, governing documents, personnel, programs, conferences, and other operations.

### **Section 13. Conflicts of Interest**

The Board shall adopt a written conflict of interest policy and procedure which shall apply to all Directors, Officers, and Delegates.

### **Section 14. Immediate Past Officer**

The Board of Directors may elect a past officer to assist with the transition of the new Board of Directors each July.

### **Section 15. Regular Elections**

The Delegates shall hold regular elections for its Board Officers at its annual general assembly each year as defined in the Elections policy.



## **Section 16. Resignations and Vacancies**

### **Subsection 1. Resignations**

A resignation of a Board Officer shall be effective once submitted in writing to the President and Vice President.

### **Subsection 2. Vacancies**

In the event of a vacancy and/or incomplete election for the office of President or any other Board Officer position, the office shall be filled in accordance to the line of succession, unless the Board determines that the interests of the Senate would be better served by appointing another officer to that position. In the event the line of succession has been exhausted, a special election shall be held as defined in the Elections Policy Section IX.

## **ARTICLE VI – COMMITTEES AND CAUCUSES**

### **Section 1. Committees**

#### **Subsection 1. Committee Formation, Rules and Accountability**

The Board of Directors may establish committees and work groups as it deems appropriate, and shall determine in writing the purposes, composition, funding, procedures, rules and other matters related to each of said committees. All committees shall be subject to the supervision of and accountable to the Board of Directors.

#### **Subsection 2. Executive Committee**

The Executive Committee is a subcommittee of, and accountable to, the Board of Directors, and shall act on behalf of the Board between Board meetings. All actions taken by the Executive Committee shall be reported to the Board during its next meeting, or upon the request of any Director, whichever comes first. The membership of the Executive Committee shall be the President, Vice President, Vice President of Regional Affairs, Vice President of Legislative Affairs, Vice President of Finance, and Vice President of Communications and the Executive Director (ex officio, without the right to vote).

The Board of Directors shall establish written duties and procedures for Committee.

### **Section 2. Caucuses**

The SSSCC caucuses are intended to serve as groups of independently organized students to meet, network, and deliberate collegially in order to form a collective voice on issues of common concern that caucus members feel are of vital importance to students and improve student access, promote student success, engage and empower local student leaders, and enrich the collegiate experience for all California community college. The Board of Directors shall establish written policies, procedures, and guidelines for caucuses in policies.

## **ARTICLE VII - PERSONNEL**

### **Section 1. Reporting Structure**

All personnel shall report to the Executive Director. The Executive Director shall report to the Board.

## **ARTICLE VIII – BYLAWS**

### **Section 1. Amendment**

These Bylaws may be amended by  $\frac{2}{3}$  vote of the Delegate Assembly provided that certain amendments to the Bylaws specified in the California Nonprofit Corporation Law, including those that materially and adversely affect the rights of any Member Senate, or that changes the authorized number of Directors, must be approved by a majority of Delegates present and voting and any Delegate Assembly.

### **Section 2. Notice for Amendments**

Written notice of the general nature of all proposed amendments to the Bylaws shall be notified at least 35 days at which the proposed Bylaws amendment is to be considered; unless the general nature of the proposed amendment is included in the notice of the meeting, no vote may be taken during the meeting concerning the proposed amendment. Any voting member of the Board of Directors may propose an amendment to the Bylaws.

## **ARTICLE IX – DISSOLUTION**

It shall require a two-thirds of those present and voting in the Delegate Assembly to order the dissolution of the Senate. Upon dissolution of the Senate and subsequent to the payment of all debts, obligations, and liabilities of the Senate, remaining assets shall be distributed to a non-profit fund, foundation, or corporation established to serve the needs and interests of the students of the California Community Colleges system which are members of the Senate and which is organized and operated exclusively for charitable or educational purposes. Such non-profit fund, foundation, or corporation shall qualify for tax-exempt status under §501(c)(3) of the United States Internal Revenue Code.