

# ASSOCIATED STUDENTS OF COLLEGE OF THE DESERT CONSTITUTION

## Preamble

We, the students of College of the Desert, in order to form a democratic student government which will provide and protect the diverse needs of the student population, encourage the awareness of student issues through open communication with Administration, Faculty and Staff, foster opportunities for leadership and involvement in the campus community, do hereby establish this constitution.

## Article I: Name

This organization shall be known as the Associated Students of College of the Desert, hereafter referred to as ASCOD.

## Article II: Purpose and Powers

The purpose and powers of ASCOD shall be, but is not limited to, the following:

**Section A:** Work to advance the needs and interests of College of the Desert, hereafter referred to as COD, students by promoting and maintaining a democratic form of student government. ASCOD shall strive to work with Students, Staff, Faculty, and Administration to accomplish this goal.

**Section B:** Develop, implement, and regulate programs that will further the intellectual, social, physical, leadership, and personal development of College of the Desert students.

**Section C:** Develop and foster communication with all enrolled students in order to provide them with pertinent information and services.

**Section D:** Encourage and support high standards of student achievement.

**Section E:** Hold the power to create, authorize, and revoke club charters for membership in the Inter-Club Council, hereafter referred to as ICC.

## **Article III: Membership**

**Section A:** Membership shall not be limited by age, race, color, religion, sex, sexual orientation, national origin, physical or mental disability, medical condition, ancestry, marital status, or citizenship.

**Section B:** Membership shall include all currently registered students of COD or site of the Desert Community College District hereafter referred to as DCCD.

**Section C:** All ASCOD members shall be eligible to vote in all regular and special ASCOD elections.

**Section D:** No student shall be appointed to the ASCOD Student Senate for any position past the 7<sup>th</sup> week of the Spring Semester.

## **Article IV: Meetings**

**Section A:** The Student Senate shall meet at least once every two weeks during the academic year at a publicly announced time and place.

## **Article V: Composition of Student Government**

ASCOD shall be composed of an Executive Branch, a Legislative Branch, and a Judiciary Branch.

### **Section A: Executive Branch**

The management and administration of ASCOD shall be vested in the Executive Branch.

#### 1. Executive Council

The Executive Council, under the direction of the ASCOD President, shall maintain the necessary standards by using initiative and effective management of available resources, such that the ASCOD Executive Council fulfills its obligations to the membership of ASCOD.

##### a) Membership

1. The Executive Board shall consist of the President, Vice President, Secretary, Officer of Communications, Officer of Fiscal Affairs, Officer of External Affairs, Officer of Academic Affairs, and Student Trustee.

2. No student shall have membership of the ASCOD Student Senate for more than 3 years.

b) Powers and Duties

1. As defined by the ASCOD Bylaws.

## **Section B: Legislative Branch**

The ASCOD Student Senate shall represent the voice of ASCOD and ensure that the wishes of the ASCOD membership are propagated.

1. Student Senate

The legislative and specified fiscal power of ASCOD shall be vested in the Student Senate.

a) Membership

The voting membership of the ASCOD Student Senate shall consist of:

1. The President, Vice President, Secretary, Officer of Communications, Officer of Fiscal Affairs, Officer of External Affairs, and Officer of Academic Affairs, and Student Trustee.
2. Independent Senator/Offsite Senator Seats
  - a) Students not associated with College of the Desert student clubs/campus organizations or Special Interest Groups.
  - b) The number of Independent Senators seats shall be limited to six (6) and offsite senators shall be limited to one (1) senator per site.

b) Powers and duties

1. As defined in the ASCOD Bylaws

c) Oath of office

“I (name), do affirm that I will uphold the laws of the Associated Students of College of the Desert, the State of California, and the United States of America: that I will commit myself to the service of the students of College of the Desert and that I will otherwise

fulfill the duties and obligations of the (name of position) of the Associated Students of College of the Desert to the best of my ability.”

## **Section C: Judiciary Branch**

The judicial power of ASCOD shall be vested in the ASCOD Student Court, established by the ASCOD Executive Council. The student court shall have the authority within ASCOD to interpret this constitution and supporting documents of ASCOD. The Student Court shall have the power of Judicial Review, as defined Judiciary Rules and Procedures, over any legislation enacted by the ASCOD Student Senate or any action by the ASCOD Executive Council or President.

The ASCOD Student Court has jurisdiction over all registered students involved with campus clubs and organizations. It has within its powers the right of review of official actions taken by clubs or organizations, including the ASCOD Student Senate and the Executive Council and/or their individuals.

The ASCOD Student Court has the authority to levy disciplinary action over areas within its purview. Issues involving a violation of the Student Code of Conduct shall be referred to the appropriate administrative person.

1. ASCOD Student Court
  - a) Membership
    1. ASCOD President, subject to ratification with a 2/3 majority of the Senate, shall appoint five (5) Justices to sit on the ASCOD Student Court.
    2. The ASCOD Student Court shall consist of one (1) Chief Justice and four (4) Associate Justices as well as any additional court officers as needed or defined by the Judicial Rules and Procedures. The Chief Justice shall be elected by a majority vote of the seated Justices, subject to ratification by a majority vote of the Senate.
    3. No member of the Executive Council or the Student Senate shall be a member of the ASCOD Student Court. Unless the Senate, by a 2/3 majority vote, determines an emergency that warrants immediate attention of the Student Court and the unavailability of Justices to meet that emergency.
  - b) Powers and Duties
    1. As defined in the ASCOD Bylaws

- c) Meetings
  - 1. The ASCOD Student Court shall meet bi-monthly or as needed. Minutes of all proceedings must be submitted to the Senate and posted in compliance with the Brown Act. Quorum shall consist of three (3) court Justices.

## **Article VI: Recall and Removal**

### **Section A: Impeachment**

Only members of the Student Senate may bring articles of impeachment.

1. Impeachment procedures have a preliminary hearing of charges and an impeachment trial.
2. Preliminary and impeachment proceeding shall supersede all other ASCOD Student Senate business.
3. The option of forming an Impeachment Committee to investigate the charges rest within the ASCDOD Student Senate. The findings of the committee shall be presented to the ASCOD Student Senate.
4. The ASCOD Student Senate shall have full authority to determine whether the presented case shows sufficient grounds for impeachment. Each individual ASCOD Student Senate member shall determine in their own minds whether or not the alleged offense warrants impeachment.
5. A majority vote of members present at a regular ASCOD Student Senate meeting shall be needed to approve impeachment charges against the Officer in question.
6. The impeachment process shall not take less than five (5) school days and no more than sixteen (16) school days after the vote.
7. ASCOD Student Senate decision may be appealed to the Student Court.

### **Section B: Recall**

1. Recall may be initiated by acquiring a petition signed by five percent (5%) of ASCOD and presented to the ASCOD Student Senate. The ASCOD Student Senate, upon receipt of the completed petition, shall call a special election within three (3) weeks of petition being filed with the Office of Student Life. A successful recall requires a two-thirds (2/3) favorable majority vote.
2. Recall may also be initiated by three-fourths (3/4) vote of the ASCOD Senate. A favorable vote will result in removal/recall from office of the officer in question.

# **Article VII: Referendum and Initiative**

## **Section A: Referendum**

1. Any member of the ASCOD Student Senate or any member of ASCOD may refer any proposed legislation to the ASCOD Student Senate for consideration.

## **Section B: Initiative**

1. Any member of the ASCOD may petition for initiative measures. Said petition must be signed by at least fifty (50%) of the total number of ballots cast in the last general election. Upon receipt of complete petition, the ASCOD Student Senate must include the initiative for consideration.
2. The petition shall be presented to the ASCOD Student Court, who will validate the petition signatures, and will authorize a special election on the matter contained in the petition within 30 days of receiving said petition. An affirmative majority of those voting shall be required for passage.
3. ASCOD budgetary matters shall not be subject to referendum or initiative.

# **Article VIII: Judicial Reference**

The Statutory Law shall provide a permanent set of working laws, by which the ASCOD Student Court can make interpretations for rulings in disputes between ASCOD members.

## **Section A: Statutory Law: Rulings of the Student Court**

1. Original rulings of the ASCOD Student Court, Statutory Law, shall set precedence.

## **Section B: COD Campus Sponsored Student Clubs, Organizations and Special Interest Groups**

1. All campus clubs, organizations, and special interest groups are subject to the operational requirements established by ASCOD.

## Article IX: Logo

The official logo of ASCOD shall be Ronnie the Roadrunner, created by Kazutoyo Furuta as seen below:



## Article X: Bylaws

The ASCOD Student Senate may enact, amend, or repeal bylaws. Bylaws shall be established to include additional powers, duties, rules, provisions, and regulations of ASCOD. Unless otherwise stated, bylaws passed by the ASCOD Student Senate shall not expire.

## Article XI: Ratification

### A. Ratification

1. This Constitution shall have full force and effect following passage by the majority of those students voting in a campus wide election. This Constitution shall supersede and repeals all previous ASCOD Constitutions and Bylaws.

### B. Amendments

2. This constitution shall be reviewed by the Constitution and Bylaws Committee for them to make recommendations to the Associated Students of College of the Desert Senate for approval and then be approved by the general Student Body.