

## The Constitution of the Associated Students of Occidental College

The Associated Students of Occidental College is hereby recognized as the official body protecting students' rights and interests; advocating on behalf of the student body; facilitating dialogue on the ways that Occidental College can better serve the needs of a diverse student body; empowering student leaders; holding Occidental College accountable to its mission statement; and enhancing the educational, recreational, and social wellbeing of all students.

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## Article 1. General

### Section 1. Name

- I. The name of this organization under this constitution shall be the Associated Students of Occidental College, herein referred to as the ASOC.

### Section 2. Purpose

- I. The ASOC shall serve as the official union and representative of the students of Occidental College.

### Section 3. Membership

- I. Members of this organization are recognized as any individual who pays the student body fee and is enrolled as a student at Occidental College.
- II. All members of the ASOC are entitled to the following:
  - A. To vote in all ASOC elections;
  - B. To hold ASOC office, if deemed eligible;
  - C. To serve in organizations chartered by the ASOC;
  - D. To attend all ASOC sponsored activities; and
  - E. To speak in any open ASOC organizational meetings.
- III. To guarantee equal rights to all its members, the ASOC will afford equal opportunities to all students without regard to race, color, ethnicity, ancestry, sex, gender expression, sexual orientation, physical or mental ability, medical condition, faith, age, nationality, pregnancy, economic class, criminal record, veteran status, marital status, political affiliation, or any other characteristics protected by College policy or federal, state, or local law.

### Section 4. Non-Profit Status

- I. The ASOC is organized for non-profit purposes and no member, official, manager, advisor, supervisor, or organization shall derive profit from it.
- II. The property of the ASOC is irrevocably dedicated to non-profit and charitable purposes, and no part of the net income or assets of the ASOC shall ever inure to the benefit of any member, official, organization, or any private person.
- III. Upon the dissolution of the ASOC, its remaining assets after payment of provision, payment of debts, and liabilities shall be distributed to a non-profit fund, foundation, or corporation which has established tax-exempt status under Section 501(c)(3) of the United States Internal Revenue Code.

## Section 5. Authority

- I. The Constitution of the ASOC shall be the governing document of this organization. If there is a conflict between any provision in the Constitution of the ASOC and any provision in an ASOC branch bylaw, the Constitution of the ASOC shall prevail.
- II. Neither the ASOC nor any organization under its jurisdiction shall adopt any policy which abridges the freedom of speech, freedom of assembly, freedom of the press, freedom of religion, or the basic and inherent rights of any individual.

## Section 6. Structure

- I. The ASOC shall be composed of two elected branches: the Senate and the Honor Board; and two appointed branches: the Renewable Energy and Sustainability Fund and the Diversity and Equity Board.
- II. Each branch shall have bylaws that serve to clarify and expand upon the Constitution of the ASOC. The bylaws of each branch of the ASOC shall apply only to that branch, and separate sets of bylaws may not come into conflict with one another, nor conflict with the Constitution of the ASOC. The bylaws of each branch may be changed only by a two-thirds majority vote of the officials of the respective branch.

# Article 2. Senate

## Section 1. Purpose

- I. Senate shall have the following powers to advocate on behalf of the student body:
  - A. Serving as the legislative branch of the ASOC;
  - B. Allocating and administering funding from the student body fees;
  - C. Overseeing and approving new Student Services;
  - D. Appointing student representatives to all campus committees;
  - E. Appointing the ASOC Elections Chair;
  - F. Issuing resolutions on issues of interest to the ASOC membership;
  - G. Providing opportunities for the development of student leadership qualities;
  - H. Acting as the official representative of the ASOC membership; and
  - I. Initiating, coordinating, and holding general assemblies of the ASOC membership.

## Section 2. Composition

- I. The Senate shall be composed of:
  - A. Student Body President
  - B. Five Vice Presidents

- C. Two First-Year Class Senators
  - D. Two Sophomore Class Senators
  - E. Two Junior Class Senators
  - F. Two Senior Class Senators
  - G. Chief of Staff (appointed)
- II. The Senate may appoint additional officials to assist the Senate in its duties.

### Section 3. Terms

- I. The term of office for all Senate officials is one academic year.
- II. Any ASOC Senate official elected during special or midterm elections shall serve in their respective office for the remainder of the academic year.

### Section 4. Procedures

- I. Meetings:
  - A. The Senate shall hold official meetings at least once a week, at a date and time most practical for the student body.
  - B. An official meeting of the Senate shall only be called to order with quorum: presence of two-thirds of the elected officials and designated proxies.
  - C. Senate officials shall attend all Senate meetings.
  - D. The Chief of Staff shall take minutes of all open and official meetings of the Senate.
- II. Voting:
  - A. For each vote of Senate, each Senate official shall have one vote except the Chief of Staff.
  - B. Votes on resolutions, the budget, funding guidelines, memorandums, funding proposals, capital improvement requests, other official documents, or changes to Senate structure shall pass by majority of Senate officials present, unless stated otherwise.
- III. Committees:
  - A. The Senate shall have standing committees as specified in their bylaws.
- IV. Bylaws:
  - A. Any Senate procedure not delineated in the Constitution shall be specified in the Senate bylaws.

### Section 5. Budget

- I. Senate shall approve a budget for the allocation of the student body fees at the beginning of each academic year.

- II. Senate shall determine whether any changes to the student body fees will go to ballot. Senate will consider any proposed changes with respect to current tuition costs, fees at comparison schools, the demonstrated needs of the student body, and anticipated demands of the yearly budget.
  - A. Approval of any proposed student body fee changes to go to ballot requires a two-thirds majority vote in favor from Senate.
  - B. If the proposed student body fee changes go to ballot, the following is required for the proposed student body fee changes to pass:
    - 1. Be voted on by at least twenty percent of the ASOC membership.
    - 2. Of those casting ballots, a two-thirds majority vote in favor with abstentions counting as non-votes.
- III. If it is determined necessary to withdraw from any ASOC bank account by any of the branches or the ASOC Finance Manager, Senate shall consult with all branches prior to voting. A two-thirds majority vote in favor from Senate is required to withdraw from any ASOC bank account.
- IV. Capital improvement requests may be approved by a vote from Senate.
- V. The Occidental shall receive at least eleven percent of the annual student fees.
- VI. KOXY shall receive at least three percent of the annual student fees.

#### Section 6. Student Services

- I. Student Services shall enhance the intellectual and social life of students. A list of official Student Services and their scope and limitations shall be established in the Senate bylaws.
- II. To maintain editorial freedom and prevent conflicts of interest, the scope and limitations of The Occidental and KOXY shall not be subject to Senate oversight.
- III. Each Student Service is required to have a Supervisor determined at the discretion of each Student Service.
- IV. Student Services Managers will interview and make recommendations for hiring and firing. The Student Services Supervisor shall make final hiring and firing decisions, informed by the recommendations of the respective Student Services Managers.
- V. A Senate designee may partake in the hiring of Student Service Managers if agreed upon by both the Student Service Manager and Senate.
- VI. Student Service Managers shall submit budgets to Senate for approval at the beginning of the academic year, prior to the approval of the budget.

#### Section 7. Advisor

- I. Each year Senate shall approve upon a two-thirds majority vote in favor an advisor to Senate. The advisor shall be a designated professional staff from Student Leadership, Involvement, and Community Engagement.

- II. The Senate Advisor shall serve at the discretion of Senate and provide services as outlined in the Senate bylaws.
- III. Upon consultation with the Senate Advisor's supervisor, the Senate Advisor may be removed from their role as advisor upon two-thirds majority vote in favor.

## Article 3. Honor Board

### Section 1. Purpose

- I. The Honor Board serves as the judicial branch of the ASOC.
- II. The Honor Board shall be responsible for upholding and propagating the Honor Code, which states: "No student shall take unfair advantage of another student or member of the Occidental Community."
- III. The Honor Board shall have the following powers:
  - A. Reviewing cases of alleged violations of the Honor Code;
  - B. Serving as student representatives in the College's adjudication processes;
  - C. Reviewing election complaints and officer impeachment appeals;
  - D. Interpreting and resolving ASOC branch bylaw conflicts; and
  - E. Advocating for the excellence, equity, community, and service of all ASOC members through official actions and resolutions.

### Section 2. Composition

- I. The Honor Board shall be composed of ten generally elected members of the student body. Members shall be referred to as Jurors.
- II. The Jurors will designate an Honor Board Chair from among their membership.

### Section 3. Terms

- I. The term of office for Honor Board Jurors shall equal four consecutive academic semesters. No Juror may serve more than one full term.

### Section 4. Procedures

- I. Honor Board Meetings:
  - A. An official meeting of the Honor Board shall only be called to order with quorum: two-thirds of elected officials.
  - B. Jurors shall attend all Honor Board meetings.
  - C. As an elected official, absences should be limited. If a Juror exhibits insufficient commitment and/or fails to complete official Honor Board duties, this will be grounds for removal.
- II. Honor Cases, Complaints, and Appeals:

- A. A case may be brought to the attention of Honor Board by any student or staff, administrator, or faculty member employed by Occidental College.
- B. In cases of alleged violations of the Honor Code, the Honor Board must make three determinations:
  - 1. Whether an Honor Code violation has occurred;
  - 2. How to rectify the violation, if such a determination has been made; and
  - 3. How to restore the concept of honor in the Occidental community.
- C. All Honor Board decisions are subject to appeal to the Honor Board appeals committee.
  - 1. The Honor Board Advisor shall chair the appeals committee.
  - 2. Any Jurors who did not vote in the appealed case may be included in the appeals committee.
  - 3. The decision of the appeals committee is final.
  - 4. Grounds for appeal shall be limited to: new evidence that was unavailable at the time of the hearing, concerns of bias or prejudice against either party, or substantive procedural error. Dissatisfaction with the outcome shall not be grounds for appeal.

III. Bylaws:

- A. Any Honor Board procedure not delineated in the Constitution shall be specified in the Honor Board bylaws.

Section 5. Advisor

- I. The advisor to Honor Board shall be designated by the Dean of Students.

## Article 4. Renewable Energy and Sustainability Fund

Section 1. Purpose

- I. The Renewable Energy and Sustainability Fund, hereafter referred to as RESF, shall disburse student body fees to students, staff, and faculty with the goal of contributing to a more environmentally sustainable campus by means of promoting renewable energy, resource conservation, sustainable programming and workshops, food justice, environmental justice, the reduction of greenhouse gas emissions, and by advocating for environmental sustainability, education, and awareness on campus.
- II. The RESF shall have the following powers:
  - A. Allocating funds from the RESF student body fee to programs and initiatives deemed to fit the mission statement;
  - B. Advising and supporting sustainable programs and initiatives put forth by students, staff, and faculty; and

- C. Supporting events that promote awareness of environmental sustainability and environmental justice on campus.

## Section 2. Composition

- I. RESF shall be composed of:
  - D. President
  - E. Treasurer
  - F. Secretary
  - G. At least two officers from the first-year class, sophomore class, junior class, and senior class

## Section 3. Appointment Process

- I. New officials will be appointed by a simple majority vote by the serving officials after submitting an application, attending a meeting, and responding to interview questions.
- II. The President, Treasurer, and Secretary positions will be voted on by RESF through a simple majority vote.

## Section 4. Terms

- I. Officials will serve for up to four semesters. If officials are interested in serving again, they may reapply.
- II. If an official chooses to go abroad or take a semester off, they will retain their seat unless their four-semester term is over. If their absence causes a deficit in the number of class representatives or officer positions, new officials will be elected accordingly.

## Section 5. Procedures

- I. Meetings:
  - A. The RESF shall hold official meetings at least once a week.
  - B. RESF officials shall attend all RESF meetings.
  - C. An official meeting of the RESF shall be called to order with quorum: presence of two-thirds of the elected officials and designated proxies.
- II. Voting:
  - A. For each vote of RESF, each RESF official shall have one vote.
  - B. RESF votes shall pass by a majority of RESF officials present.
- III. Budget:
  - A. Money for the RESF will be raised through a RESF student body fee.
    - 1. These funds will be managed and distributed by RESF in accordance with RESF funding guidelines.

2. At least twenty-five percent of each annual budget shall go to the Occidental Bike Share. At least fifteen percent of each annual budget shall go to the Food, Energy, and Sustainability Team (FEAST).

IV. Bylaws:

- A. Any RESF procedure not delineated in the Constitution shall be specified in the RESF bylaws.

Section 6. Advisor

- I. The advisor to the RESF shall be the Campus Sustainability Coordinator. The RESF Advisor shall serve at the discretion of the RESF.

## Article 5. Diversity and Equity Board

Section 1. Purpose

- I. The Diversity and Equity Board, hereafter referred to as DEB, shall serve as an official student-led branch of the ASOC that works towards the empowerment of and improved conditions for structurally marginalized groups both on and off campus. The purpose of this board is to support student- and faculty-led initiatives that foster a campus climate of inclusivity through intersectionality, the compilation of reports on offices' and ASOC branches' commitment to diversity and equity, and putting forth recommendations towards improved practices. The intention of the Board is to hold Occidental College accountable to its mission of diversity and equity.

Section 2. Composition

- I. DEB shall be composed of:
  - A. Thirteen appointed voting officials.

Section 3. Appointment Process

- I. All officials must have demonstrated a commitment to improving diversity and equity for marginalized students at Occidental College.
- II. Applicants must present an individual application and participate in a personal interview before selection by the majority vote of DEB.
- III. The selection process for DEB's thirteen appointed officials will be held throughout the academic year to fill vacancies in the current semester and for the following school year.

Section 4. Terms

- I. Officials will serve until graduation or leaving the College temporarily or permanently.

- II. If a DEB official goes abroad or takes a leave of absence, they may reapply for a position upon their return during the next application cycle.

#### Section 5. Procedures

- I. There will be no hierarchy in DEB; each official will share the responsibility of researching and compiling reports.
- II. Meetings:
  - A. DEB shall hold official meetings at least once a week.
  - B. An official meeting of DEB shall be called to order with quorum: two-thirds of the appointed officials and designated proxies.
- III. Voting:
  - A. For each vote of DEB, each DEB official shall have one vote.
  - B. DEB votes shall pass by a majority of DEB officials present.
- IV. Budget:
  - A. Money for DEB will be raised through a DEB student body fee.
    - 1. These funds shall be distributed and managed by DEB in accordance with DEB funding guidelines.
- V. Committees:
  - A. DEB officials may create a non-voting committee to inform their work.
- VI. Bylaws:
  - A. Any DEB procedure not delineated in the Constitution shall be specified in the DEB bylaws.

#### Section 6. Advisor

- I. The advisor to the DEB shall be a faculty or staff member of the Occidental community approved by two-thirds of DEB officials and at the agreement of the advisor. The DEB Advisor shall serve at the discretion of the DEB and provide services outlined in the DEB bylaws.

### Article 6. All-Branch

#### Section 1. Elections

- I. Elections for Senate and Honor Board shall be coordinated by the Elections Chair.
- II. The Elections Chair shall be confirmed by a simple majority vote in favor from Senate.
- III. The Elections Chair shall be compensated for their work.
- IV. Elections for three or fewer vacant seats may be coordinated by the ASOC President given a simple majority vote in favor from Senate.
- V. The Elections Chair shall not be a current official of any ASOC branch.

- VI. The Elections Chair may create an Elections Committee and appoint ASOC officials to serve on the committee at their discretion.
- VII. All elected officials shall be elected into office by their constituency by plurality vote.
- VIII. The constituency for all elected offices except Class Senators shall be defined as the ASOC membership. The constituency for Class Senators shall be defined as members of the ASOC who are in the same class year as the candidate, as determined by the Occidental College Registrar.
- IX. Annual Elections:
  - A. Elections for Senate and Honor Board shall take place at least two weeks before the final day of classes in the spring semester. Elected officials will assume office on the final day of classes in the spring semester and will serve their term for the subsequent academic year until the the final day of classes in the spring semester.
  - B. Elections for First-Year Class Senators shall take place no later than the fourth week after the first day of classes in the fall semester. Elected officials will assume office the day after election results are announced and will serve their term for the remainder of the academic year until the final day of classes in the spring semester.
  - C. The Elections Chair shall announce all available positions at least one week prior to the deadline to submit nominating petitions.
- X. Special Elections:
  - A. Special Elections may be called to order by the Student Body President if deemed necessary.
  - B. Officials elected during Special Elections will serve their term for the remainder of the academic year until the final day of classes in the spring semester.
- XI. Election Guidelines:
  - A. The Election Guidelines shall outline eligibility requirements as established in the ASOC Constitution, campaign rules, voting structures, and election infraction processes.
  - B. The Election Guidelines may be amended given a two-thirds majority vote in favor from Senate.
  - C. All eligible candidates shall be given the Election Guidelines by the Elections Chair.
  - D. The Elections Chair shall interpret and enforce the rules established in the Election Guidelines.
- XII. Election Infractions:
  - A. Any member of the ASOC membership who reasonably believes that an election rule, established in the Election Guidelines or by the Elections Chair, was violated or is being unreasonably enforced may submit a complaint to Honor Board.

- B. Honor Board shall hear the complaint in accordance with their bylaws and notify the the complainant, the defendant, and the Elections Chair of their decision.
- C. The Elections Chair must properly enforce all election infraction decisions made by Honor Board.

## Section 2. Officer Eligibility

- I. To hold an office, elected or appointed, in the ASOC, the following minimum requirements are established:
  - A. Enrolled as a part-time or full-time degree-seeking student during their respective term of office or appointment;
  - B. Not on academic or disciplinary probation during their respective term of office or appointment;
  - C. May not simultaneously serve in more than one elected position, appointed position, or as a Student Services Manager during their respective term of office or appointment;
  - D. Must maintain at least a 2.0 GPA;
  - E. Candidates for Student Body President must have served at least one semester on any ASOC branch; and
  - F. Candidates for Class Senators must present a nominating petition with twenty signatures of their current class. Candidates for all other offices must present a nominating petition with forty signatures of the ASOC membership. All petitions must be presented to the Elections Chair by the deadline established by the Elections Chair.
- II. Officer eligibility requirements may be appealed to Honor Board.

## Section 3. Officer Resignation and Removal

- I. Officer Resignation:
  - A. Any elected or appointed ASOC officer voluntarily resigning must notify their respective branch of their resignation in writing at least one week prior to their effective date of resignation.
- II. Officer Removal:
  - A. The following are impeachable offenses:
    - 1. Willful violation of the provisions outlined in this Constitution or in their respective branch bylaws;
    - 2. Violation of any eligibility requirements;
    - 3. Misappropriation of funds;
    - 4. Violations of College policy resulting in disciplinary probation;

5. Violations of the Honor Code resulting in a recommendation from Honor Board of officer removal; and
  6. Negligence or repeated inattention in carrying out official duties.
- B. For elected officials, any member of the ASOC may submit a motion for impeachment, outlining the reason(s) for impeachment, to the Honor Board. If Honor Board determines that the official has committed any impeachable offences, Honor Board will forward the motion to the branch in which the elected official presides.
  - C. For appointed officials, any member of the ASOC may submit a motion for impeachment, outlining the reason(s) for impeachment, to the advisor of the branch in which the elected official presides. If the branch advisor determines that the official has committed any impeachable offences, the branch advisor will notify branch in which the elected official presides of the motion.
  - D. After the branch in which the elected or appointed official presides is notified of the motion for impeachment, either of the following processes may be taken to initiate a vote of no confidence:
    1. Any member of the ASOC may enact a petition for the removal of an elected official given the signatures of at least twelve percent of the students of that officer's constituency.
      - a) Students' signatures represent their support of the value of discussion of the elected or appointed official's conduct of office, but may not necessarily represent a vote of no confidence.
      - b) The petition shall be presented to the branch of ASOC in which the proposed impeached officer resides.
    2. Any official of an elected branch may enact a motion for the removal of an elected official within their branch given a two-thirds majority vote in favor.
  - E. The branch of ASOC in which the petition or motion for officer removal resides shall immediately inform the impeached official of the pending no-confidence vote. No more than forty-eight hours after notifying the impeached official, the branch of ASOC shall announce the impeachment vote to the impeached official's constituency.
  - F. As soon as the announcement is made, a forty-eight hour campaign period shall begin, for both the impeached official and the impeaching party. If at all feasible, a well-publicized forum or open, in-person community meeting should be held by the branch of ASOC in which the impeached official resides.
  - G. At the end of the forty-eight hours, polls shall open to the impeached official's constituency. The question shall be a vote of no confidence. The following is required for the impeached official to be immediately removed from office:

1. Be voted on by at least fifteen percent of the impeached official's constituency.
  2. Of those casting ballots, a plurality vote in favor with abstentions counting as non-votes.
- H. The impeached official shall be ineligible for any future elected or appointed ASOC position.
- I. The branches may outline additional impeachment proceedings in their respective bylaws for appointed officials.
- J. The appointed and elected branches may outline processes for challenging officer seats in their respective bylaws.

#### Section 4. ASOC Meetings

- I. The elected and appointed branches of ASOC shall meet formally at least four times a year, once at the beginning of the semester and once mid-semester for both fall and spring semester.
- II. For general all-branch meetings, the purpose shall be to set priorities and discuss relevant topics that require all-branch input.
- III. Special meetings of the elected and appointed branches may be called to order by the Student Body President or by an elected or appointed branch given a two-thirds majority vote in favor from one branch. The purpose of the special meeting shall be communicated to elected and appointed officers.
- IV. The Student Body President shall determine a meeting time and location most practical for all officials.
- V. The Chief of Staff of the Senate shall take and make public to the ASOC membership, the minutes of the meeting.
- VI. Meetings may be closed upon two-thirds majority vote in favor from all officials present at the meeting.

#### Section 5. ASOC Voting

- I. Formal votes to approve official all-branch documents, create all-branch structures, or approve constitutional amendments require quorum: the added quorum of each elected and appointed branch.
- II. Formal votes shall pass with a two-thirds majority vote in favor.

#### Section 6. ASOC Funding

- I. The ASOC Funding Guidelines shall prevail over individual branch funding guidelines.
- II. The ASOC Funding Guidelines may be amended given a two-thirds majority vote in favor from the ASOC.

## Section 7. Savings

- I. The ASOC Finance Manager shall maintain an accurate record of the savings of each individual branch.
- II. Upon consultation with Senate and the ASOC Finance Manager, each branch reserves the right to withdraw from their respective savings given a two-thirds majority vote in favor from the branch.
- III. Each branch may withdraw no more than fifteen percent of the student fee they collect per academic year.

## Section 8. Professional Staff

- I. The professional staff shall be the ASOC Finance Manager, the ASOC Athletic Trainer, and others as designated by Senate.
- II. The professional staff shall carry out their duties as outlined in their job descriptions and the Senate bylaws, and serve at the discretion of the ASOC.
- III. The professional staff salaries shall be disclosed to the Student Body President and the Senate Vice President of Financial Affairs.
- IV. A student committee shall conduct biennial evaluations of the professional staff.
  - A. The committee shall consist of no more than two representatives from each branch and at least three non-ASOC members.
  - B. The evaluations shall be provided only to the supervisor of the professional staff.

## Section 9. Constitutional Commission

- I. The Constitutional Commission shall be composed of at least one representative from each of the branches determined at the discretion of each branch.
- II. The Constitutional Commission shall meet at least once a semester.
- III. To ensure fairness in matters of conflict stemming from the Constitution, the Constitutional Commission shall address constitutional amendments.

## Section 10. Amendments

- I. Upon consultation with the Constitutional Commission, amendments may be referred to the ASOC membership and put to ballot by an ASOC vote, or by petition. The petition must be signed by twelve percent of the ASOC membership.
- II. To pass an amendment, the amendment must be voted on by at least twenty percent of the ASOC membership, with abstentions counting as non-votes, and receive a plurality vote in favor.

- III. Amendments to the Constitution will take effect immediately unless otherwise stated in the amendment.
- IV. The Senate Chief of Staff shall ensure that an accurate record of the dates and substance of all changes to this Constitution is maintained.