

THE SENATE OF THE ASSOCIATED STUDENTS
CALIFORNIA STATE UNIVERSITY, LONG BEACH

Bill Number: Senate Resolution #2021-05
Title: Bylaw Amendments to Chapter I of the ASI Bylaws
Sponsored by: Vice President Maythe Alderete Gonzalez and Senator-at-Large Sumaiyah Hossain
Co-sponsored by: Chief Justice Greg Figueroa
Date Submitted: November 26, 2020
Date Approved: December 9, 2020

WHEREAS the Associated Students, Incorporated (ASI) Board of Directors at California State University, Long Beach (CSULB) is the recognized voice for over 38,000 students; and

WHEREAS the ASI Bylaws Chapter I describes matters of ASI's purpose, authorities, Board of Control, and terms of office; and

WHEREAS that Chapter I warrants updates to reflect previous amendments proposed in SR #2017-34 that call upon gender-neutral terminology;¹ and

WHEREAS the following officer position titles and the Board of Control shall be updated to clarify their roles and responsibilities to avoid confusion among the student body:

- Chief Executive Officer shall be updated to President
- Vice President shall be updated to Executive Vice President
- Treasurer shall be updated to Vice President of Finance
- Attorney General and Public Defender shall be removed as they no longer exist
- Board of Control shall be updated to Business and Finance Committee; and

WHEREAS that a Senate representative shall no longer be elected to the Campus Planning Committee as the committee is no longer active; and

WHEREAS that Judiciary shall not be required to notify ASI Senate in writing of any changes of their working rules as the Senate accepts the Judiciary minutes where any changes would be noted; and

WHEREAS that Judiciary no longer requires a petition signed by 5% of the student body nor a Senate ruling if they fail to carry out their duties and responsibilities as a Justice to process their removal internally; and

WHEREAS that the Chief Justice shall be able to form the Ethics Compliance Committee to proceed with disciplinary action among Judiciary members; and

WHEREAS that the University Student University Board of Trustees representatives will serve a maximum term of one year ending on May 31; and

¹https://www.asicsulb.org/gov/documents/senate/resolutions/2016-2017/SR-2017-34_Bylaw_Amendment_Increased_Inclusivity.pdf

WHEREAS that the process of proposing and adopting a bylaw amendment to Chapter I shall no longer require a 60% favorable vote in the ASI General Election to expedite the process to amend and update the Chapter I Bylaws; now therefore, be it

RESOLVED that Chapter I, Article II, Section 2 shall be edited to reflect the following:

Section 2 Composition of the Senate

The Senate will be composed of the following elected members:

- A. Two Senators from each of the seven academic colleges. Senators will be chosen by those majoring in one of the various departments of a particular college.
- B. Six Senators-at-Large chosen by the student body.
- C. The Executive Vice President of the Associated Students. The Executive Vice President will serve as the chair of the Senate.
- D. The President of the university, or their designated representative.
- E. One representative chosen by the faculty; and be it further

RESOLVED that Chapter I, Article II, Section 5.B shall be edited to reflect the following:

Section 5 Duties and Powers of the Senate

- B. The Senate will have the power to:
 1. Provide for its own rules and procedures.
 2. Set Associated Students membership privileges, and set Associated Students membership fees, within the limitations set by law.
 3. Approve all appointments made by the Associated Students President.
 4. Create standing and special committees.
 5. Fill all vacancies in elected offices with the exception of the Presidency and college Senator vacancies, which may be filled by their respective College Councils.
 6. Establish during normal budgetary process, student government scholarships, stipends, grants-in-aid, or reimbursements to elected and appointed student officers for service to student government; and be it further

RESOLVED that Chapter I, Article III, Section 2 shall be edited to reflect the following:

Section 2 Members of the Executive Branch

The executive branch will consist of the following elected officers: The President, the Executive Vice President, and the Vice President of Finance of the Associated Students. The corporation may also have other officers as approved by the Senate; and be it further

RESOLVED that Chapter I, Article III, Sections 3 and 4 shall be combined to reflect the following:

Section 3 Duties and Powers of the President

The President, subject to the direction of the Senate, will supervise and control the affairs of the corporation and the activities of the officers. They will perform all duties incident to their office and such other duties as may be required by law, by the articles of incorporation of this corporation, or by these bylaws, or which may be prescribed from time to time by the Senate. Except as otherwise expressly provided by law, by the articles of incorporation, or by these bylaws, they will, in the name of the corporation, execute such deeds, mortgages, bonds, contracts, checks, or other instruments which may from time to time be authorized by the Senate

It will be the duty of the President to:

- A. Execute all legislation adopted by the Senate
- B. Report to the Senate at each regular meeting
- C. Be an ex-officio member of all executive committees and commissions
- D. Serve as a voting member of the Associated Students Business and Finance Committee

The President will have the power to:

- A. Appoint, with approval of the Senate, chairs of executive committees and commissions as may be necessary for carrying out the activities of the Associated Students;
- B. Approve the appointments of committee or commission members made by Chairs or Commissioners;
- C. Create special committees;
- D. Appoint the Chief Justice and Associate Justices;
- E. Dismiss or discharge any person appointed or approved by them; however, the President cannot dismiss the members of the Judiciary.
- F. Enact a Presidential Call for Reconsideration of any measure adopted by the Senate with a formal written recommendation and explanation to the Senate within five (5) school days. A Presidential Call for Reconsideration will be placed on the agenda of the next regularly scheduled meeting as an action item. Measures submitted for reconsideration will be overturned or upheld by a majority vote of the Senate.
- G. Call special meetings of the Senate; and be it further

RESOLVED that Chapter I, Article III, Section 5 shall be edited to reflect the following:

Section 4 Duties and Powers of the Executive Vice President

In the absence of the President, or in the event of their inability or refusal to act, the Executive Vice President will perform all the duties of the President, and when so acting, will have all the powers of, and be subject to all the restrictions on, the President. The Executive Vice President will have other powers and perform such other duties as may

be prescribed by law, by the articles of incorporation, or by these bylaws, or as may be prescribed by the Senate.

The Executive Vice President will:

- A. Serve as Chair of the Associated Students Senate.
- B. Assume the duties of the President in case the latter is incapacitated or resigns.
- C. Serve as a voting member of the Associated Students Business and Finance Committee.
- D. Have the power to call special meetings of the Senate; and be it further

RESOLVED that Chapter I, Article III, Section 6 shall be edited to reflect the following:

Section 5 Duties and Powers of the Vice President of Finance

The Vice President of Finance will perform all duties incident to the office of Vice President of Finance and such other duties as may be required by law, by the articles of incorporation of the corporation, or by these bylaws, or which may be assigned to them from time to time by the Senate.

The Vice President of Finance will:

- A. Be responsible for the financial administration of the Associated Students.
- B. Be responsible for the preparation of the Associated Students annual budget.
- C. Serve as the Chair of the Business and Finance Committee.
- D. Report to the Senate at least two times per month; and be it further

RESOLVED that Chapter I, Article IV, Section 2 shall be edited to reflect the following:

Section 2 Composition of Judiciary

The Judiciary will consist of the following members:

The Chief Justice and six Associate Justices will all be appointed by the President, with the approval of the Senate. In addition, there will be the following non-voting advisors: the President of the university, or their designated representative, a representative chosen by the faculty, and the ASI Assistant Director of Government Affairs & Initiatives; and be it further

RESOLVED that Chapter I, Article IV, Section 6 shall be edited to reflect the following:

Section 6 Duties and Powers of the Judiciary

The Judiciary will:

- A. Interpret the provisions of the Bylaws or any other ASI document when a dispute arises.

- B. Render final decisions in election disputes and any other dispute not otherwise subject to the final authority of the Senate as provided in California Nonprofit Public Benefit Corporation Law.
- C. Write a majority and, if applicable, a minority opinion on all judiciary case decisions. A judicial opinion must be made readily available to all who request it. It must be prepared within four working days after the decision has been rendered.
- D. Forward a copy of Judiciary minutes to Senate and Executive members within four working days after their latest meeting; and be it further

RESOLVED that Chapter I, Article IV, Section 7 shall be edited to reflect the following:

Section 7 Judiciary Removal from Office

A Justice of the Judiciary will be removed from office for failure to execute the specified duties of office, or for other specified impudent actions.

The process for removal will be as follows:

- A. The Ethics Compliance Committee shall be formed as outlined in the Judiciary working rules and procedures.
- B. The Ethics Compliance Committee shall have the authority to discipline members of the Judiciary pending a unanimous vote of all of its members to impose all sanctions including the authority of removal.
- C. In the event that a Justice is removed from office by the Ethics Compliance Committee, they may file an appeal with the Senate as outlined in the Judiciary working rules and procedures; and be it further

RESOLVED that Chapter I, Article V shall be renamed Business and Finance Committee; and be it further

RESOLVED that Chapter I, Article V, Section 2 shall be edited to reflect the following:

Section 2 Composition of the Committee

The Committee will consist of the following members:

- A. Voting
 1. Vice President of Finance
 2. President or designee
 3. Executive Vice President or designee
 4. Two Senate representatives, elected by the Senate, one of whom will serve as Vice Chair of the Business and Finance Committee, also elected by the Senate
 5. Representative chosen by the faculty
 6. University President or designee; and be it further

RESOLVED that Chapter I, Article V, Section 5.C shall be edited to reflect the following:

Section 5 Duties and Powers of the Committee

- C. Assist the Vice President of Finance in preparing the annual budget for approval of the Senate; and be it further

RESOLVED that Chapter I, Article VI, Section 2.A shall be edited to reflect the following:

Section 2 Officers to be Elected

- A. The President, Executive Vice President, Vice President of Finance, and six Senators-at-Large; and be it further

RESOLVED that Chapter I, Article VI, Section 3 shall be edited to reflect the following:

Section 3 Number of Votes Needed

A simple majority of all votes cast in the balloting procedure will be necessary to elect the President, Executive Vice President, and Vice President of Finance; and be it further

RESOLVED that Chapter I, Article VII, Section 2 shall be edited to reflect the following:

Section 2 Length of Term of Office

Each elected officer will serve a term for a maximum of one year ending on May 31. Officers may run for re-election an unlimited number of times with the exception of the President, Executive Vice President, and Vice President of Finance who will have a term limit of two years for serving in the same position; and be it further

RESOLVED that Chapter I, Article X shall be edited to reflect the following:

Section 1 Number Needed to Propose and Adopt Amendments

Amendments to the Bylaws, Chapter II, may be proposed and adopted by a 2/3 vote of the Senate.

Approval of the amendment will take place once the proposed item has been approved after three readings; and be it further

RESOLVED that Chapter I, Article X, Section 2 shall be removed in order to expedite the process to propose and adopt a bylaw amendment to Chapter I; and be it further

RESOLVED pending the approval of ASI Senate Board of Directors these changes will be placed on the ballot for the student body to vote on in the spring 2021 ASI Election; and be it further

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RESOLVED that bearing the results of the election, the Vice President shall reflect changes approved by the vote in Chapters I and II of the ASI Bylaws; and be it finally

RESOLVED that an electronic copy of this resolution, upon approval by the ASI President, be distributed to CSULB President Jane Conoley, Provost Brian Jersky, Vice President for Student Affairs Beth Lessen, Dean of Students Piya Bose, all current and future ASI Officers, the Daily 49er, and 22 West Media.

Maythe Alderete Gonzalez, Vice President and
Chair, Associated Students Board of Directors

Delivered to the President of the Associated Students on:

Date

Omar Prudencio Gonzalez, Associated Students President

Date

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