

**Constitution of the
Bakersfield College Student Government Association**

Submitted to the President of Bakersfield College by the 90th Senate Session of Bakersfield College
Student Government Association

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Constitution of the Bakersfield College Student Government Association

Article I. Preamble

We, the students of Bakersfield College, establish this Constitution of the Bakersfield College Student Government Association to organize as a self-governing body to serve as advocates and assume the powers and cooperative responsibility delegated to us by the President of Bakersfield College and the Board of Trustees of Kern Community College District. The Student Body is composed of unique and diverse individuals and groups of individuals united by common needs and interests.

This Association is established in order to ensure fair and equal treatment for all students; to provide a voice for the Student Body in the development of College policy and in the use of College Funds; to encourage academic and social involvement; to further cooperation and communication between students, faculty, classified staff, administration, and the community; to create and maintain adequate scholastic, social, cultural, and political activities in the furtherance of student welfare; and to promote the general academic achievement and life-long success of all students at Bakersfield College.

Article II. Name

The Association shall be known as Bakersfield College Student Government Association, herein referred to as the “Association” or “BCSGA”.

Article III. The Association

Section 1. Mission

Bakersfield College Student Government Association is to be the official voice for the students at Bakersfield College and to ensure that the students are represented in all matters of the shared governance. Through lobbying, advocacy, and student representation, the Association ensures a supportive educational environment, while promoting unity and cooperation with, faculty, staff, and administration. It is the intent of the Association to promote campus life, student involvement, and engagement.

Section 2. Authority

The authority of the Association and its Officers recognize that the authority and powers of the Association are derived from the President of Bakersfield College. As a result, the Association serves in an advisory capacity and operates under the oversight of, and at the discretion of, the President of Bakersfield College and designees.

Section 3. Governing Body

- A. The Association shall be jointly governed by the following three (3) representative branches:
 1. The Executive Branch, herein referred to as the “Executive Board”;
 2. The Legislative Branch, herein referred to as the “Senate” ; and
 3. The Judicial Branch, herein referred to as the “Judicial Review Board”.

Section 4. Fiscal Authority

The Association shall follow all Kern County Community District and Bakersfield College fiscal policies and procedures when expending and collecting Association funds.

Article IV. Membership

Section 1. Association Members

- A. Any individual who is registered in at least a half unit at Bakersfield College is a member of the Association and is entitled to representation by BCSGA.
- B. The “Student Body” is referred to as the collective of Association members.
- C. Members are entitled to
 - 1. Admission to BCSGA sponsored events and services, free or at a reduced rate;
 - 2. The right to hold office, both elected and appointed, so as long the student is in good standing with Bakersfield College:
 - i. Academic Standing (i.e. not on Academic Probation or Disqualification per KCCD Board Policy);
 - ii. Registration Holds (i.e. not prevented from registering with the College per KCCD Board Policy);
 - iii. Student Conduct (i.e. not in violation of standards of appropriate behavior as defined by KCCD Board Policy);
 - iv. Financial Obligations (i.e. funds due to the College Business Office); and
 - v. The BCSGA Codes.
 - 3. Vote(s) in all Student Body elections;
 - 4. Membership in registered student organizations at Bakersfield College, in accordance with the membership rules prescribed by the constitutions of said organizations;
 - 5. Any other privileges, which shall be prescribed by the BCSGA Codes.

Section 2. Discrimination Clause

No member will be denied membership on the basis of national origin, religion, age, sex, gender identity, race, color, medical condition, ancestry, sexual orientation, marital status, physical or mental disability, or because is perceived to have one or more of the foregoing characteristics.

Section 3. Eligibility to Hold Office

- A. All members of the Association, at the time of their election or appointment and throughout their terms, shall meet the general qualifications as follows:
 - 1. Must maintain a cumulative Bakersfield College grade point average of at least 2.00 for the duration of The Current Term and
 - 2. Must maintain a minimum credit load of six (6) units per fall and spring instructional semesters for the duration of The Current Term.
- B. Failure to be in Good Standing with Bakersfield College or to meet the minimum eligibility requirements for office at any point in the Officer’s Current Term may result in immediate removal from office by the BCSGA Advisor or Bakersfield College Administration.
- C. The elected and appointed members of the Association collectively shall be referred to as “Officers”.

Section 4. Compensation

Any increase in compensation will take effect after the next intervening general election, which shall be subject to approval by the BCSGA Advisor.

Section 5. Oath of Office

Before entering into office, all members of BCSGA shall take the following oath or affirmation: “I, *states name*, do solemnly swear (or affirm) that I will support the Constitution of the Bakersfield College Student Government Association; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter.”

Section 6. Advisor

The BCSGA Advisor to the Association, who shall be appointed by the College President or designee, shall not be a member of any BCSGA Body and shall act in an advisory capacity without a vote in the Senate.

The BCSGA Advisor (or the College President or designee) shall review and approve actions by the Association or its officers and members. The BCSGA Advisor may work with elected and appointed student representatives to address performance related concerns as part of the learning experience that is student participatory governance. The BCSGA has the right to appeal all decisions made by the BCSGA Advisor, to the College President or designee. Ultimate review and approval of the actions and omissions of the Association and each of its subsidiaries remains with the President of Bakersfield College and the designee.

Article V. The Legislative Branch

Section 1. Authority

The legislative power of the Association shall be vested in the Senate. All actions taken by the Senate are empowered and limited by the policies of Bakersfield College.

Section 2. Membership

- A. The Legislative Officers shall be as follows:
 - 1. Vice President
 - 2. Speaker Pro-Tempore
 - 3. Senators
- B. The Parliamentarian shall be a non-voting member of the Senate to maintain parliamentary procedures.

Section 3. Powers of the Senate

- A. The Senate shall have the power to:
 - 1. Establish an annual budget and make appropriations from Association funds as stipulated in the Codes and approved by the BCSGA Advisor;
 - 2. Determine general policies and agreements of the Association;
 - 3. Make appointments where applicable;
 - 4. Establish a policy with respect to the recognition of student organizations.
 - 5. Override the President’s veto by two-thirds (2/3) affirmative vote of its total membership;
 - 6. Override decisions of the Judicial Review Board by two-thirds (2/3) affirmative vote of its total membership, except in cases of constitutional interpretation;
 - 7. Create and dissolve Senate committees, with the exception of constitutionally mandated;
 - 8. Draft and amend the Codes;
- B. The Senate shall not do the following:
 - 1. Rescind contracts, once signed.

2. Disapprove the salaries and contracts of classified and professional staff.
 3. Create laws that presume binding authority beyond the jurisdiction of the Association.
- C. No Association Body besides the Senate shall have the powers listed above. Only the Senate can produce legislation, allocate funds, and create committees or departments.

Section 4. Duties of the Senate

- A. The Senate shall have the following duties:
1. To work to effectively represent the Student Body in the Participatory Governance process;
 2. To allocate funds for the Association business and events;
 3. To hear and discuss issues and concerns that are relevant to the Student Body; and
 4. To receive oral reports on participatory governance and BCSGA committees.
- B. The Senate shall be able to produce, deliberate on, and approve the following types of legislation, so long as the legislation does not conflict with College, District, State, or Federal regulations and/or policies:
1. Resolutions, which require a simple majority vote (50% + 1) to pass, address legislation for the general welfare of the Association and do not conflict with the BCSGA Constitution or any of its Codes.
 2. Bills, which require a two-thirds (2/3) majority vote to pass, alter, or nullify, establish formal policy in areas not explained or covered by this Constitution.

Section 5. The Office of the Vice President

- A. The powers and duties of the BCSGA Vice President:
1. Shall chair meetings of the Senate;
 2. Shall be responsible for preparing and posting agendas for meetings of the Senate;
 3. May pass the responsibility of chairing the Senate meetings to another Senator temporarily to allow the Vice President to deliberate or propose legislation in accordance with Roberts Rule of Order. If no Senator agrees to accept the chair in these instances, the Vice President must retain the chair;
 4. Shall have the authority to call a meeting of any Association Body;
 5. Shall represent the Senate in accordance with the majority will of the Senate;
 6. Shall cast a vote in the case of a tie or in those instances when not serving in the capacity of the chair of a meeting;
 7. To act as a liaison between the Senate and the Executive Branch;
 8. May serve as an ex-officio member of all Senate committees; and
 9. Shall perform all other duties as outlined in the Codes.

Section 6. The Office of the Senate Pro-Tempore

- A. The Senate shall elect from its own membership one Senator to serve as the Senate Pro-Tempore.
- B. The powers and duties of the BCSGA Senate Pro-Tempore:
1. Shall perform the duties of the Vice President at such time as the Vice President is unable or unwilling to perform them;
 2. In the event of a vacancy in the office of Vice President, the Senate Pro-Tempore shall have the first opportunity to accept or decline the office of Vice President;
 3. The Senate Pro-Tempore shall have the first opportunity to accept or decline the responsibility the chair of Senate meetings at such time as the Vice President chooses to pass this responsibility. In order to prevent this power of the Vice President from becoming an automatic censure mechanism, the Senate Pro-Tempore does not have to accept the chair; and
 4. Shall perform all other duties as outlined in the Codes.

Section 7. The Office of the Senators

A. The powers and duties of a Senator:

1. Shall be the voice of the general student population;
2. To act as a liaison between the constituents and the Association;
3. Shall determine the effective use of Association funds and the overall budget ;
4. Shall have the right to propose legislation to the Senate;
5. Shall be voting members of those BCSGA committees;
6. Shall be a member of the Shared Governance committees to which they are appointed;
7. Shall be attending members of those Participatory Governance committees to which they are appointed;
8. Shall be a voting member of the Senate; and
9. Shall perform all other duties as outlined in the Codes.

Section 8. Senate Meetings

A. The Vice President shall be the Chair of the Senate.

1. The Chair shall vote only when it affects the outcome.
2. If absent, the Vice President may designate any voting member of the Senate to be a substitute chair for the duration of the meeting.
3. If no substitute chair is designated, the default substitute shall be the Speaker Pro-Tempore.

B. The Senate shall meet at least once every other week during the instructional semesters, not including non-instructional weeks of a semester, Spring Break, or the week of Final Exams.

C. Special meetings of the Senate shall be called by the Vice President upon the written request of any twenty-five percent (25%) of the members of the Senate.

D. A quorum to do any business of the Senate is two-thirds (2/3) vote of the total membership of the Senate.

Section 9. Standing Committees

A. The Senate shall have a system of Standing Committees.

B. Creation and management of the Senate Standing Committees shall be outlined in the BCSGA Codes.

C. A Standing Committee shall be created by a two-thirds (2/3) vote in the Senate, and its purpose shall be set forth in the Codes at that time.

D. A Standing Committee may be dissolved by a two-thirds (2/3) vote in the Senate or as prescribed by the legislation.

E. Each Standing Committee must have a Code, which describes the committee's purpose, power, limitations, and possibly membership. Any formal action taken by a Standing Committee must be reported to the Senate at the next meeting of that body.

F. The Chair of each Standing Committee shall be appointed, with the approval of the Senate

G. No fewer than three (3) Senators shall serve on each committee.

H. The Chair shall vote only when it affects the outcome of the vote.

Section 10. Ad-hoc Committees

A. The Senate may create Ad-hoc Committees at any time with a Resolution, which explains the purpose of the Committee.

B. Ad-hoc Committees shall have no power, but shall be a forum for discussion of issues relevant to BCSGA business.

C. Ad-hoc Committees shall be automatically dissolved at the end of the Current Term.

Section 11. Apportionment of Senator Seats

- A. The Senate shall be composed of not more than sixteen (16) Senators, who shall be elected to a term of one academic year.
- B. Senate shall set the apportionment, names, and designation of Senators, with approval of the BCSGA Advisor, every year before the general elections each year.

Article VI. Executive Branch

Section 1. Authority

The executive power of the Association shall be vested in the Executive Board, who shall be elected for a term of one year. The Executive Officers of the Association shall be charged with implementing all Resolutions and Codes, which are passed by the Senate.

Section 2. Membership

- A. The Executive Board of the Association shall be composed of the following BCSGA Officers:
 - 1. President
 - 2. Director of Student Organizations
 - 3. Director of Student Activities
 - 4. Director of Legislative Affairs
 - 5. Director of Finance

Section 3. Powers of the Executive Board

- A. Executive Officers shall have the power to:
 - 1. Make purchases and enter into contracts when said actions have either been directly mandated by the Senate or serve to implement activities, plans, or programs that have been mandated by the Senate;
 - 2. Set dates and make detailed plans for those events that have been mandated by the Senate;
 - 3. Provide support to programs from the faculty, administration, classified staff, or community if those programs are aligned with the expressed interests of the Senate; and
 - 4. Host or support activities that have not been approved by the Senate, if the activities are aligned with the expressed interests of the Association.

Section 4. Duties of the Executive Board

- A. It shall be the duty of the Executive Officers to:
 - 1. Implement activities, plans, and programs that have been mandated by the Senate;
 - 2. Coordinate the efforts of BCSGA Officers in order to maintain a functioning and effective Association;
 - 3. Strive to keep BCSGA Senators and the Student Body informed of issues relevant to the Association;
 - 4. Engage with faculty, administration, classified staff, and the community in order to coordinate their efforts with the efforts of the Association; and
 - 5. Be the public face of the Association, representing the will of the Student Body in dealings with faculty, administration, classified staff, and the community.

Section 5. Regulations

- A. Executive Officers may not spend any BCSGA funds that the Senate has not already allocated.

- B. Executive Officers must obey this Constitution, BCSGA Codes, and Resolutions in all actions they take as BCSGA Officers.
- C. Executive Officers must comply with District and Bakersfield College policies, procedures, and any applicable laws in all actions taken.
- D. Improper use of Association funds or irresponsible behavior as a BCSGA Officer may result in censure by the Judicial Review Board and/or in punishment by the BC Administration, following an investigation conducted by these bodies.

Section 6. The Office of the President

- A. The powers and duties of the President:
 - 1. Shall be the Chief Executive Officer for the Association;
 - 2. Shall act as the Chair of the Executive Cabinet;
 - 3. Shall appoint student members to all College and District committees with the approval of the Senate;
 - 4. Shall have the power to appoint all Executive Officers, upon confirmation and approval from the Senate and the BCSGA Advisor;
 - 5. Shall have the authority to veto Senate legislation;
 - 6. Shall submit a proposed annual budget to the Senate
 - 7. May serve as an ex-officio member of all BCSGA Departments;
 - 8. Shall have the authority to make agreements with the approval of the Senate and the BCSGA Advisor; and
 - 9. Shall perform all other duties as outlined in the Codes.

Section 7. The Office of the Director of Student Organizations

- A. The powers and duties of the Director of Student Organizations:
 - 1. Shall be the Director for the Department on Student Organizations;
 - 2. Shall be the Chair of the Inter-Club Council;
 - 3. Shall sit on the Executive Board; and
 - 4. Shall perform all other duties as outlined in the Codes.

Section 8. The Office of the Director of Student Activities

- A. The powers and duties of the Director of Activities:
 - 1. Shall be the Director for the Department on Student Activities;
 - 2. Shall sit on the Executive Board; and
 - 3. Shall perform all other duties as outlined in the Codes.

Section 9. The Office of the Director of Legislative Affairs

- A. The powers and duties of the Director of Legislative Affairs:
 - 1. Shall be the Director for the Department of Legislative Affairs;
 - 2. Shall sit on the Executive Board; and
 - 3. Shall perform all other duties as outlined in the Codes.

Section 10. The Office of the Director of Finance

- A. The powers and duties of the Director of Finance:
 - 1. Shall be the Director for the Department on Finance;
 - 2. Shall sit on the Executive Board; and
 - 3. Shall perform all other duties as outlined in the Codes.

Section 11. The Office of the KCCD Student Trustee

- A. When a Bakersfield College student is selected to serve, in addition to being a resident of the district, they shall be enrolled at Bakersfield College and shall be under the recall by the

students enrolled in the community colleges of the district in accordance with procedures prescribed by the governing board. The Student Trustee shall be required to be enrolled in at least six (6) units and maintain the minimum standards of scholarship for community college students, as prescribed by the community college district, throughout his/her appointment. It is desired that they have knowledge of college governance, the community college environment, and parliamentary procedure.

- B. The powers and duties of the KCCD Student Trustee
 - 1. Shall voice the opinion of the Student Body to the KCCD Board of Trustees;
 - 2. Shall sit on the Executive Cabinet; and
 - 3. Shall perform all other duties as outlined in the Codes.

Article VII. Judicial Review Board

Section 1. Authority

The Judicial Review Board shall be vested with all judicial powers of the Association. All decisions made by the Judicial Review Board are empowered and limited by the policies of KCCD and Bakersfield College, and subject to the review and approval of the College President or designee.

Section 2. Membership

- A. The Judicial Review Board shall be composed of the following members:
 - 1. The Parliamentarian, who shall be the Chair of the Judicial Review Board.
 - i. If absent, the Parliamentarian may designate any voting member of the Judicial Review Board to be a substitute chair for the duration of the meeting.
 - ii. If no substitute chair is designated, the Board shall elect a temporary chair from its voting membership for the duration of the meeting.
 - 2. Four (4) Senators with voting privileges, to be appointed by the BCSGA President from the pool of currently active Senators, upon confirmation and approval from the Senate and the BCSGA Advisor.
 - i. Senators who are appointed to the Judicial Review Board are ineligible to vote during Judicial Review Board appeals brought to the Senate due to conflict of interest.

Section 3. Powers of the Judicial Review Board

- A. The Judicial Review Board shall have the power to:
 - 1. Determine the constitutionality of BCSGA actions or legislation in consultation with the BCSGA Advisor;
 - 2. Approve, reject, or revoke the constitutions of registered Student Organizations based on their adherence to the policies of the Association and its Code;
 - 3. Investigate any contested election and render a decision thereon following petition by any member of the Student Body;
 - 4. Investigate grievances between BCSGA Officers and recommend proper courses of action in response to those grievances;
 - 5. Investigate potential violations of the Constitution and its Codes and determine proper courses of action in response to these violations.

Section 4. Duties of the Judicial Review Board

- A. The Judicial Review Board shall have the following duties:
 - 1. To ensure that all actions taken and legislation produced by the BCSGA and its subsidiaries are in accordance with the Constitution and its Codes;

2. To interpret the Constitution and its Codes;
3. To resolve any conflicts between documents and/or actions approved by the BCSGA;
4. To enforce the requirements of the Constitution and its Codes and determine proper action in case of violations;
5. To follow the applicable provisions of KCCD with respect to Bakersfield College disciplinary proceedings; and
6. Shall perform all other duties as outlined in the Codes.

Section 5. The Office of the Parliamentarian

- A. The position of Parliamentarian is not an elected position, and it must be filled by Senate appointment.
- B. The powers and duties of the Parliamentarian:
 1. Shall be the Chair of the Judicial Review Board;
 2. Shall not be a voting member of the Senate;
 3. Shall vote only when it affects the outcome of a Judicial Review Board decision;
 4. Shall be charged with enforcing the Constitution and Codes and any laws for the Association; and
 5. Shall perform all other duties as outlined in the Codes.

Section 6. Interpretation of Association Documents

- A. The Judicial Review Board shall be responsible for interpreting the Constitution and its Codes. Any member of the Student Body may request that the Judicial Review Board investigate the constitutionality of a particular document or action.
- B. Decisions made by the Judicial Review Board in the interpretation of the Constitution shall be made in consultation with the BCSGA Advisor, and must receive written approval by the BCSGA Advisor in order to take effect.
- C. Judicial Review Board interpretations of the Constitution, which are approved by the BCSGA Advisor, may not be overturned by the Senate.
- D. The interpretation of BCSGA Codes by the Judicial Review Board does not require the approval of the BCSGA Advisor.

Section 7. Censure and Impeachment

- A. The Judicial Review Board, with the approval of the BCSGA Advisor, shall have the power to censure or impeach any BCSGA Officers whose actions are in violation of this Constitution or its Codes.
- B. The Judicial Review Board may not issue any sanction or decision that has not been explicitly prescribed by the provisions of this Constitution or its Code.
- C. Any sanctions issued by the Judicial Review Board may be overturned by a two-thirds (2/3) vote in the Senate.
- D. Sanctions of Censure
 1. Shall be a public record of an Officer's failure to fulfill the requirements of said office;
 2. Shall be recorded in the minutes of the meeting during which the Censure was issued; and
 3. Shall not result in any loss of privileges, powers, or financial compensation.
- E. Sanctions of Impeachment
 1. Shall remove the impeached Officer from said office, thus halting all privileges, powers, and financial compensation drawn from that office;
 2. Shall be recorded in the minutes of the meeting during which the Impeachment was issued; and
 3. Shall not result in any penalties beyond removal from office.

- F. The following actions shall be grounds for censure and/or impeachment:
 - 1. Failure to maintain the minimum eligibility requirements for office outlined in this Constitution and its Codes;
 - 2. Substantial neglect of duties and responsibilities, as established in this Constitution and its Codes;
 - 3. Violations of this Constitution, the BCSGA Codes, or Senate legislation and policies;
 - 4. Absence from any four (4) or more official Association meetings without a valid written excuse.
 - i. Two (2) unexcused tardies are equivalent to one (1) absence.
 - ii. The validity of an excuse shall be determined immediately following roll call on the date of the absence by the Chair.
- G. In order to issue a censure and/or impeachment, the Judicial Review Board must:
 - 1. Inform the Senate and the Student Body of the Judicial Review Board's intent to censure and/or impeach at least two (2) weeks prior to the hearing;
 - 2. Provide the defendant with the opportunity to defend at the hearing;
 - 3. Receive sufficient documented or testimonial evidence to establish the responsibility of the defendant;
 - 4. Hear the testimony of all members of the Student Body who attend the meeting of the Judicial Review Board and wish to speak;
 - 5. Follow the prescriptions of this Constitution and any relevant Codes in determining the proper course of action.

Article VIII. Transaction of Business

Section 1. Place Location of Business

The principal location for the transaction of Association business shall be the Office of Student Life of Bakersfield College. BCSGA Officers enrolled at satellite campuses have the option to appear remotely by any means of telephonic or other communication through which the participants may simultaneously hear each other during the conference. Under special circumstances, meetings may be held in other locations, if prior notice is given in accordance with the Ralph M. Brown Act.

Section 2. Association Meetings

- A. All official meetings of the Association must be conducted in the presence of the BCSGA Advisor.
- B. All official meetings shall be held in accordance with the Ralph M. Brown Act and KCCD policies.
 - 1. Agendas for regular meetings shall be posted seventy-two (72) hours prior to the start of the meeting.
 - 2. Agendas for special meetings shall be posted twenty-four (24) hours prior to the start of the meeting.
 - 3. Agendas for emergency meetings shall be posted one (1) hour prior to the start of the meeting.
 - 4. All meetings shall be open to the general public.
- C. Quorum must be established for all official meetings.
- D. Any meeting of the BCSGA Body shall be called upon by the Chair or at the request of at least twenty-five percent (25%) of the total voting members of that Body.
- E. Absentee voting shall not be permitted during official meetings.

Section 3. Parliamentary Procedure

- A. The Association shall conduct its affairs and official meetings in according to the parliamentary law as set forth in the most current edition of Robert's Rules of Order, Newly Revised: Simplified and Applied.
- B. Roberts Rules of Order shall be observed where this Constitution, its Codes, the Ralph M. Brown Act, or other legislation does not explicitly set forth procedure.

Article IX. Vacancies and Impeachment

Section 1. Presidential Vacancy

In the event of a vacancy in the Office of President, the President shall be succeeded by the Vice President for the remainder of the Current Term. The Senate shall establish the further lawful succession order within the Codes.

Section 2. Vice President Vacancy

In the event of a vacancy in the Office of Vice President, the Vice President shall be succeeded by the Speaker Pro-Tempore for the remainder of the Current Term. The Senate shall establish the further lawful succession order within the Codes.

Section 3. Officer Vacancies

- A. If a Legislative Office is vacant, the Vice President must solicit and accept applications for no fewer than two (2) instructional weeks. Submitted applications must be reviewed by the Vice President and made available to the Senate for appointment. The Senate shall appoint members to fill the vacancies for the remainder of the Current Term by majority approval of its total voting membership.
- B. If an Executive or Judicial Office is vacant, the President, with the approval of the BCSGA Advisor, may make a temporary, non-renewable appointment to the vacant position. Applications need not be solicited for a temporary appointment. Temporary appointments shall last no more than twenty (20) instructional days. The President may make a permanent appointment, upon confirmation and approval of the Senate and the BCSGA Advisor.

Section 4. Vacancy of Both President and Vice President

In the event of simultaneous vacancies in the Offices of President and Vice President, the Senate shall elect a President Pro Tem by a majority vote of those members present at the next regular or special meeting. The President Pro Tem shall hold office until a new President is elected in a special Student Body election during the Fall or Spring Semester, which shall be held no sooner than fourteen (14) instructional days and no later than thirty (30) instructional days following the certification of the vacancy.

Section 5. Impeachment

- A. The Senate shall have the power of impeachment and to try all impeachments.
- B. Any BCSGA Officers can be removed from office on impeachment for, and conviction of, malfeasance, failure to discharge the powers and duties of the respective office by the Judicial Review Board.
- C. Any BCSGA Officer may be removed from office by a three-fourths (3/4) vote of the total voting membership of the Senate and with the written approval of the BCSGA Advisor.
- D. No Officer shall be removed from office before they are given an opportunity to address the Senate in an open meeting.
- E. Any BCSGA Officer may be removed from office by a Recall vote from the Student Body.
- F. The Parliamentarian shall preside over impeachments of Legislative or Executive Officers.

- G. The Vice President shall preside over impeachments of Judicial Officers.
- H. Judgment in cases of impeachment shall not extend further than removal from office, and disqualification to hold any office of honor, trust, or profit within the Associated with approval from the BCSGA Advisor.

Article X. Elections and Appointments

Section 1. Elections

- A. All Association elections shall be administered by an Elections Committee, chaired by the BCSGA Advisor.
- B. The details of Association Elections shall be found in the BCSGA Codes.
- C. A general Student Body election shall be conducted in Spring Semester of each year. An election will be held no fewer than six (6) instructional weeks nor more than ten (10) instructional weeks prior to the close of the Spring Semester.
- D. The following shall be positions which may be filled by the general Student Body election:
 - 1. President
 - 2. Vice President
 - 3. Director of Student Organizations
 - 4. Senators

Section 2. Appointments

- A. The Senate may appoint qualifying members of the Student Body to fill any positions, which were not filled by the general elections.
- B. The position of Parliamentarian is not an elected position, and it must be filled by confirmation and approval of the Senate and the BCSGA Advisor.
- C. For all appointed Executive BCSGA Officers, the President must solicit and accept applications for no fewer than two (2) instructional weeks. Submitted applications must be reviewed by the President and made available to the Senate for appointment.
- D. The following positions must be filled by confirmation and approval of the Senate and the BCSGA Advisor:
 - 1. Speaker Pro-Tempore;
 - 2. Parliamentarian;
 - 3. Director of Student Activities;
 - 4. Director of Legislative Affairs;
 - 5. Director of Finance;
 - 6. All Subsidiary Executive Officers;
 - 7. Senators appointed to the Judicial Review Board; and
 - 8. Any other positions prescribed by the Codes.

Section 3. Terms of Office

- A. The terms of all elected Officers shall begin on the first Friday of May and end by the last Friday of April of the following year, which shall herein be referred to as "The Current Term".
- B. The term of any appointed or specially elected Officers shall end at the close of The Current Term.
- C. No person may hold more than one (1) office simultaneously.
- D. No person may run for more than one (1) office at each election.
- E. No person may hold the same office for more than four (4) instructional semesters (fall and spring).

Article XI. Recall and Initiative

Section 1. Recall Legislation

- A. Recall legislation gives the Student Body the power to remove any currently elected BCSGA Officer from office.
- B. The procedure for such legislation is as follows:
 - 1. Upon submission of a petition carrying the signatures and Student Identification Numbers of five-hundred (500) members of the Student Body to the Judicial Review Board, a special election shall be called to recall any elected BCSGA Officer.
 - 2. Upon receipt of such petition, the Judicial Review Board shall submit the petition to the BC Office of Admissions and Records for verification within ten (10) instructional days.
 - 3. Upon receipt of the verified petition from the BC Office of Admissions and Records, such recall legislation shall be submitted to the Student Body at an election within twenty (20) instructional days.
 - 4. A majority of the votes cast in a special or regular election may pass a recall legislation.

Section 2. Initiative Legislation

- A. Initiative legislation gives the Student Body the power to enact a resolution or bill to be implemented by the Association.
- B. The procedure for initiative legislation is as follows:
 - 1. Upon submission of a petition carrying the signatures and Student Identification Numbers of five-hundred (500) members of the Student Body to the Judicial Review Board and upon verification of those Student Identification by the BC Office of Admissions and Records, the initiative legislation shall be submitted to the Senate for review.
 - 2. Such legislation shall also be submitted to the Judicial Review Board within ten (10) instructional days. The Judicial Review Board shall make the final declaration of legality in consultation with the BCSGA Advisor within ten (10) instructional days.
 - 3. If declared legal, such initiative legislation shall be submitted to the Student Body at a special election within twenty (20) instructional days of its being declared legal by the Judicial Review Board.
 - 4. A majority of the votes cast in a special or regular election may pass an initiative legislation.

Article XII. Association Documents

Section 1. Proposal of Constitutional Amendments or Code Changes

- A. Constitutional Amendments or changes to the BCSGA Codes may be proposed either through initiative legislation or by the Senate.
- B. Constitutional Amendments from the Senate shall require a (2/3) affirmative vote of the total voting membership of the Senate in order to be proposed.
- C. Constitutional Amendments or changes to the BCSGA Codes proposed through initiative legislation must be accompanied by a petition bearing signatures and Student Identification Numbers of five-hundred (500) members of the Student Body before the BCSGA Advisor may place them upon the ballot for approval by the Student Body.

- D. Any proposed amendments to this Constitution shall require the written approval of the President of Bakersfield College, or designee, prior to the amendment being submitted to the Student Body for approval by majority vote during an election.

Section 2. Constitutional Amendments

- A. This Constitution may be amended at any special or regular election during the Fall and Spring instructional semesters by a majority of the total votes cast, following an extensive and exhaustive campus information campaign. All members of the Student Body shall be eligible to vote.
- B. A special election shall be held in no fewer than fifteen (15) or more than thirty (30) instructional days following the College President's approval of the proposed amendment(s).
 - 1. All proposed amendments shall be submitted to the Senate and the BCSGA Advisor for inclusion on the ballot for the special election.
 - 2. If the general Student Body election is scheduled to take place no fewer than fifteen (15) or more than fourth-five (45) instructional days following receipt of the proposed amendment(s), the Senate may choose to place the amendments on the ballot for the general election rather than hold a special election.
- C. There shall be an enabling clause presented at the time of ratification, which shall specify the date(s) when the ratified amendments shall become effective.

Section 3. BCSGA Codes

- A. The BCSGA Codes shall govern the Association and herein be referred to as the "Codes".
- B. The BCSGA Codes shall:
 - 1. Be adopted by the Senate to clarify or further interpret articles and sections of this Constitution;
 - 2. Establish formal policies or agreements in areas not covered by this Constitution;
 - 3. Be considered as having been adopted when approved by a two-thirds (2/3) majority of the total voting membership of the Senate; and
 - 4. Be considered in effect upon adjournment of the meeting in which they are adopted as indicated by the adopted Code.
- C. The Association shall hold all the BCSGA Codes in a book entitled, Codes of the Bakersfield Renegade Association.

Section 4. Supremacy

- A. Certain Association documents and actions shall take precedence over other Association documents and actions. The hierarchy of Association documents, in order of decreasing precedence, is as follows:
 - 1. This Constitution, which shall supersede all other documents in any conflict;
 - 2. Codes, which outline formal practices and policies not covered by the Constitution;
 - 3. Resolutions, bills, and all other actions or agreements, which must be in accordance with this Constitution and any established Codes.
- B. In case of a conflict between documents or actions of different authority (i.e. the Constitution and a Code), the document with the highest authority shall always take precedence.
- C. In case of a conflict between documents or actions of similar authority (i.e. two Resolutions), the document or action, which was most recently approved by the Senate, shall always take precedence. This applies to all documents and actions other than the Constitution.
- D. All Association documents and actions are subject to the ultimate authority of the President of Bakersfield College, the Kern Community College District, Local, State, and Federal Law, and the Constitution of the United States of America.

Article XIII. Ratification

This Constitution shall be ratified by a majority affirmative vote of the ballots cast in the general Student Body election. Ratification of this Constitution shall make all previous Constitutions and its Codes null and void. Upon ratification, this Constitution will take effect immediately.

Drafted: March 13th, 2014

Reviewed: March 17th, 2014

Approved by BC Student Vote: March 27th, 2014

Re-Drafted: March 1st, 2015

Re-Reviewed: TBA

Re-Approved by BC Student Vote: April 16th, 2015

Signature of the

President of Bakersfield College: _____

Sonya Christian, Ed.D.

Date