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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.

Comment [NPD1]: New Intro to the Association

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.

Comment [NPD2]: Redeveloped to increase readability

~~We recognize that the authority and powers of this Student Government Association are derived from the President of Bakersfield College. As a result, we recognize that the Student Government Association serves in an advisory capacity and operates under the oversight of, and at the discretion of, the President of Bakersfield College and his or her designees.~~

Old Version:

We the students of Bakersfield College, in order to:

- A. Establish a representative student government;
- B. Ensure fair and equal treatment for all students;
- C. Provide a voice for the Student Body in the development of College policy and in the use of College Funds;
- D. Encourage academic and social involvement;
- E. Further cooperation and communication between students, faculty, classified staff, administration, and the community;
- F. Provide valuable services and information about resources available on Campus; and
- G. Promote the general academic achievement and life-long success of the students of Bakersfield College.

do ordain and establish this Constitution of the Student Government Association.

Comment [NPD3]: Moved to Article III, new Section 2: Authority

We did this to ensure that BCSGA understand its authority under BC and KCCD, but doesn't need to mixed with the Preamble of our constitution

Article II. ~~Article I:~~ Name

Section 1. ~~Association Name~~

~~The Association This organization~~ shall be known as ~~the Bakersfield College~~ Student Government Association ~~of Bakersfield College~~, herein referred to as the "~~Student Government~~ Association" or "BCSGA".

Comment [NPD4]: Removed as this was the only section in the Article

Comment [NPD5]: Ensuring that our SGA is BC's SGA, thus BCSGA is now wanting to be established

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.

Comment [NPD6]: Created new Article to define the association as a whole

Comment [NPD7]: Developed a mission statement that will guide our organization and practices

Section 2. **Authority**

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

Comment [NPD8]: To ensure gender neutrality

Comment [NPD9]: Moved from Preamble

Section 3. **Governing Body**

- A. The Association SGA shall be jointly governed by the following three (3) representative branches:
1. The Executive Branch, herein referred to as the "Executive";
 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.

Comment [NPD10]: New Section To establish the judiciary authority of BCSGA

Article IV. ~~Article II:~~ Membership

Section 1. ~~Section 1—~~Association Members

- A. Any individual who is ~~enrolled-registered in at least a half unit as a student~~ at Bakersfield College is a member of the ~~SGA Association and is entitled to representation by BCSGA.~~ ~~Members are entitled to:~~
- B. ~~The “Student Body” is referred to as the collective of Association members.~~
- C. ~~Members are entitled to~~
1. Admission to ~~BCSGA sponsored activities 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 in the following:~~
 - i. Academic ~~S~~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 ~~e~~Conduct (i.e. not in violation of standards of appropriate behavior as defined by KCCD Board Policy);
 - iv. Financial ~~e~~Obligations (~~i.e. funds due to the College Business Office); and~~
 - v. The ~~BCSGA Codes Bylaws of this Student Government Association.~~
 3. ~~Appropriate v~~Vote(s) in all Student Body elections;
 4. Membership in ~~registered student~~ organizations ~~chartered by the Student Government Association 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 Bylaws or the Senate of the Student Government Association.~~

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.~~

Comment [NPD11]: New Section
We feel it is important to ensure that this is within our Constitution to ensure no discrimination is there

Section 3. ~~Eligibility to Hold Office~~

- A. ~~In order to qualify for office, a student must meet the following minimum eligibility requirements: 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. ~~All officers and representatives m~~ust maintain a cumulative Bakersfield College ~~GPA-grade point average~~ of at least ~~(2.00)~~ for the duration of The Current Term ~~and~~.
 2. ~~All officers and representatives m~~ust maintain a minimum credit load of six (6) units per ~~fall and spring instructional~~ semester~~s~~ 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.”~~

Comment [NPD12]: Reworded:
Establishing who in the Association is eligible to hold office thus eliminating repetition in the constitution

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.~~

Comment [NPD13]: New Section
To establish rule that Officers cannot give increase in pay during their Current term

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.”

Comment [NPD14]: New Section
To establish the oath to the office each all Officers would take before entering into the Association .
Important in the constitution not the Codes.

Section 6. ~~Section 2~~—Advisor

The Advisor to the ~~Student Government~~ 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 Advisor (or the College President or ~~his/her~~ designee) shall review and approve actions by the SGA Association or its officers and members. The Advisors 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 SGA Advisor, to the College President or ~~his/her~~ designee. Ultimate review and approval of the actions and omissions of the ~~Student Government~~ Association and each of its subsidiaries remains with the ~~College~~ President of Bakersfield College and ~~his/her the~~ designee.

Article V. ~~Article III: Officers~~ 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.

Comment [NPD15]: Article Name Change
To establish the Three Branches of the Association, each Branch gets an article to ensure all the components of that branch is fall within it and establish its components

Comment [NPD16]: New Section
To establish the legislative branch

Comment [NPD17]: Reworded from:
The primary legislative body governing this organization shall be the Senate.

Comment [NPD18]: New Section
To establish the BCSGA officers within the Leg Branch

Comment [NPD19]: We are wishing to present the VP as a similar to the Speaker of the House.

Section 2. Membership

A. The Legislative Officers shall be as follows:

1. ~~Vice President~~
2. ~~Speaker Pro-Tempore~~
3. ~~Senators~~

B. The ~~Vice President of the SGA~~, who shall be the Chair of the ~~Student~~ Senate. The Chair shall vote only when it affects the outcome.

1. If the ~~Vice~~ President is absent, he/she may designate any voting member of the Senate to be a substitute chair for the duration of the meeting.
2. If no substitute chair is designated, the default substitute shall be the Vice President.

C. The ~~Parliamentarian shall be a~~ non-voting member of the ~~Student~~ Senate ~~shall be the Parliamentarian 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 ~~Student Government~~ Association;
3. Make appointments where applicable;
4. ~~Establish a policy with respect to the recognition of student organizations.~~
- 4-5. ~~Override the President's veto by two-thirds (2/3) affirmative vote of its total membership;~~
- 5-6. ~~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 Standing Committees;~~
8. ~~Draft and amend the Senate Codes and attach to these maximum or minimum penalties of violations thereof;~~

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.~~

B-C. No ~~Student Government~~ Association ~~b~~Body besides the Senate shall have the powers listed above. Only the Senate can produce legislation, allocate funds, and create ~~C~~committees or departments.

Comment [NPD20]: To establish the powers of the Senate Body. Has been in the Codes, but should be in the constitution so that the Study Body knows the senate is able to represent them

Comment [NPD21]: Reworded from:
Make appropriations from the funds of the Student Government Association as stipulated in the Code on Finance and the Bylaws;

Comment [NPD22]: Reworded: Charter campus clubs and organizations as prescribed in the Bylaws and the Senate Code on Clubs and Organizations

The Duty of registration given to the Office of Student Life

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 ~~SGA~~ the Association business and events;
- 2-3. To hear and discuss issues and concerns that are relevant to the Student Body; ~~and~~
- 3-4. 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. Senate Codes-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 the is 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 ~~SGA Association~~ Body;
5. Shall represent the Senate in accordance with the majority will of the Senate;
6. Shall ~~be cast a voting member of the Senate 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 ~~Bylaws-Codes~~.

Comment [NPD23]: Redeveloped Section Establishing the VP as part of the Senate with the duties for the position.

Comment [NPD24]: Was the power of the President

Section 6. The Office of the Senate Pro-Tempore

A. The Senate shall elect from its own membership one individual 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.

Comment [NPD25]: New Section To establish succession and order to the Senate Body

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 ~~student fees~~ Association funds and the overall budget of SGA;
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;

~~1-7.~~ Shall be attending members of those Participatory Governance committees to which they are appointed;

8. Shall be a voting member~~s~~ of the Senate; and

~~2-9.~~ Shall perform all other duties as outlined in the ~~se~~ Bylaws Codes.

Section 8. Body of the Senate Meetings

- A. The Senate shall meet at least once ~~each every other~~ week during the instructional Fall and Spring semesters, not including ~~the first non-instructional~~ weeks of ~~the a~~ semester, Spring Break, or the week of Final Exams. ~~The Senate shall also meet at least twice during the Summer and Winter Breaks.~~
- B. Special meetings of the Seante shall be called by the Vice President upon the written request of any twenty-five percent (25%) of the members of the Senate. ~~Special meetings may also be called at any time by the President upon twenty-four (24) hours written notice to each Senate member.~~
- C. A quorum to do any business of the Senate is two-thirds (2/3) vote of the total membership of the Senate.
- D. If ~~the President is~~ absent, he/she the Vice President may designate any voting member of the Senate to be a substitute chair for the duration of the meeting.
 - ~~E-1.~~ If no substitute chair is designated, the default substitute shall be the ~~Vice~~ President Speaker Pro-Tempore.

Comment [NPD26]: Incorporated in instructional semesters

Comment [NPD27]: These are called Emergency meetings, but favorable by the Brown Act

Formatted

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.
- ~~C-E.~~ Each Standing Committee must have a ~~Senate~~-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.
- ~~D-F.~~ The Chair of each Standing Committee shall be appointed, with the approval of the Senate
- ~~E-G.~~ No ~~less-fewer~~ than three (3) Senators shall serve on each committee.
- H. The Chair shall vote only when it affects the outcome of the vote.

Comment [NPD28]: Was a stand alone Article, now apart of the Leg Branch

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.

Comment [NPD29]: Was a stand alone Article, now apart of the Leg Branch

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. ~~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 ~~Student Government~~ Association shall be charged with implementing all Resolutions and ~~Senate~~ Codes which are passed by the Senate.

Comment [NPD30]: New Section
To establish the Executive Branch

Section 2. Section 1—Membership Executive Board

A. The Executive ~~Officers Board~~ of the ~~Student Government~~ Association shall be composed of the as follows BCSGA Officers:

1. President
2. ~~Vice President~~
3. ~~Parliamentarian~~
4. Director of ~~Clubs and Student~~ Organizations
5. Director of ~~Student~~ Activities
6. Director of Legislative Affairs
7. Director of Finance
8. ~~Secretary Historian~~

Comment [NPD31]: Moved to Legislative Branch

Comment [NPD32]: Moved to Judicial Review Board

Section 3. Section 2—Duties and Powers of the Executive Board

~~The Executive Officers of the Student Government Association shall be charged with implementing all Resolutions and Senate Codes which are passed by the Senate.~~

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 ~~Senate and require no funds from the SGA Association.~~

Comment [NPD33]: Turning into Support Staff (student employment) to ensure BCSGA complies with Brown Act and maintains office work

Comment [NPD34]: Splitting the powers and duties into two mirroring the Legislative Branch Article

Comment [NPD35]: Moved to Article VI, Section I

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 ~~Executive Officers and Senators~~ BCSGA Officers in order to maintain a functioning and effective team of Student Leaders Association;
3. Strive to keep BCSGA Senators and the Student Body informed of issues relevant to ~~their success as leaders and students~~ the Association;
4. Engage with faculty, administration, classified staff, and the community in order to coordinate their efforts with the efforts of the Association SGA;
5. Be the public face of the SGA Association, representing the will of the Student Body in dealings with faculty, administration, classified staff, and the community.

Comment [NPD36]: New Section, split from previous section

Section 5. Section 3—Regulations

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

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

~~Section 6. — Section 4 — Executive Board Meetings~~

~~All Executive Officers and Chairs of any Standing Committees shall meet on a regular basis. The collection of Officers who attend these meetings shall be referred to as the Executive Board. The Executive Board:~~

- ~~A. Shall serve as a forum for planning events, discussing issues relevant to the SGA, and facilitating cooperation and communication throughout the leadership of the SGA;~~
- ~~B. Shall meet at least four (4) times during each regular semester;~~
- ~~C. Shall not have any power to produce legislation or take action independent of the expressed will of the Senate;~~
- ~~D. Shall be open to the public, and may be attended by the SGA Advisor and any Senator or other interested party;~~
- ~~E. Shall be chaired by the Vice President of the Student Government Association or his/her designated replacement, to be selected from the pool of currently active members of the Executive Board. If no replacement is designated, the President shall be the default replacement;~~
- ~~F. Shall have a Code which contains the details of schedule and structure for Executive Board meetings. This Code shall be called the Code on the Executive Board.~~

Comment [NPD37]: Moved to the bottom of the Article

~~Section 7. — Section 1 — Executive Officers~~

~~The officers of the Executive Branch shall be:~~

~~Section 6. The Office of the President~~

- ~~A. The powers and duties of the President (The President, who:~~
 - ~~1. Shall be the Chief Executive Officer of for the Student Government Association;~~
 - ~~2. Shall act as be the eChair of the Senate Executive Cabinet;~~
 - ~~3. Shall have the authority to call a meeting of any SGA body;~~
 - ~~4. Shall appoint student members to all College and District committees with the approval of the Senate;~~
 - ~~5. Shall have the power to appoint all Executive Officers, upon confirmation and approval from the Senate and the BCSGA Advisor;~~
 - ~~5-6. Shall have the authority to veto Senate legislation;~~
 - ~~7. Shall submit a proposed annual budget to the Senate~~
 - ~~6-8. May serve as an ex-officio member of all Standing Committees BCSGA Departments;~~
 - ~~7-9. Shall have the authority to make agreements with the approval of the Senate and the BCSGA Advisor or enter contracts with the approval of the Senate; and~~
 - ~~8-10. Shall perform all other duties as outlined in the Bylaws Codes.~~

Comment [NPD38]: Each BCSGA Officer will receive its own new section

Comment [NPD39]: President will be over Executive and VP will be over Senate, helps to distinguish Exe and Leg Branches

Comment [NPD40]: As BCSGA is developing departments and sup officers to get more students involved

Comment [NPD41]: Committees are Senate, Departments are Executive

Comment [NPD42]: Only KCCD can enter into contract

~~A. The Vice President, who:~~

- ~~1. Shall be the Chief Operating Officer of the Student Government Association;~~
- ~~2. Shall be a voting member of the Senate;~~
- ~~3. May serve as an ex-officio member of all Standing Committees;~~
- ~~4. Shall perform all other duties as outlined in the Bylaws.~~

Comment [NPD43]: Now acting as the Speaker of the Senate

Comment [NPD44]: Moved to Article V Section 5

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;
- ~~5-2.~~ Shall be the ~~Chair of the Inter-Club Council~~ Chair of the Committee on Clubs and Organizations;
- ~~6-3.~~ Shall sit on the Executive Board ~~be a voting member of the Senate~~; and
- ~~7-4.~~ Shall perform all other duties as outlined in the ~~Bylaws~~ Codes.

Comment [NPD45]: Name Change

Section 8. The Office of the Director of Student Activities

A. The powers and duties of the Director of Activities ~~The Director of Activities, who:~~

1. Shall be the ~~chair of the Activities Committee~~ Director for the Department on Student Activities;
2. Shall sit on the Executive Board ~~be a voting member of the Senate~~; and
3. Shall perform all other duties as outlined in the ~~Bylaws~~ Codes.

Comment [NPD46]: Name Change

~~B. The Parliamentarian, who:~~

- ~~1. Shall be the head of the Judicial Review Board;~~
- ~~2. Shall not be a voting member of the Senate;~~
- ~~3. Shall be charged with enforcing the Bylaws during Senate meetings;~~
- ~~4. Shall perform all other duties as outlined in the Bylaws.~~

Comment [NPD47]: Moved to Article VII as head of the Judicial Review Board

Section 9. The Office of the Director of Legislative Affairs

A. The powers and duties of the Director of Legislative Affairs ~~The Director of Legislative Affairs, who:~~

1. Shall be the Director for the Department of Legislative Affairs ~~Shall be the chair of the Legislative Affairs Committee~~;
2. Shall sit on the Executive Board ~~be a voting member of the Senate~~; and
3. Shall perform all other duties as outlined in the ~~Bylaws~~ Codes.

Section 10. The Office of the Director of Finance

A. The powers and duties of the Director of Finance ~~The Director of Finance, who:~~

1. Shall be the Director for the Department on Finance ~~Shall be the chair of the Finance Committee~~;
2. Shall sit on the Executive Board ~~be a voting member of the Senate~~; and
3. Shall perform all other duties as outlined in the ~~Bylaws~~ 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.

~~B. The Director of Clubs and Organizations, who:~~

- ~~1. Shall be the chair of the Committee on Clubs and Organizations;~~
- ~~2. Shall be a voting member of the Senate;~~
- ~~3. Shall perform all other duties as outlined in the Bylaws.~~

~~C. The Director of Activities, who:~~

- ~~1. Shall be the chair of the Activities Committee;~~
- ~~2. Shall be a voting member of the Senate;~~
- ~~3. Shall perform all other duties as outlined in the Bylaws.~~

Comment [NPD48]: Moved up for hierarchy purposes

~~D. The Secretary Historian, who:~~

- ~~1. Shall be the Chief Record Keeper and Historian of the Student Government Association;~~
- ~~2. Shall be a voting member of the Senate;~~
- ~~3. Shall be charged with recording the minutes during Senate and Judicial Review Board meetings;~~
- ~~4. Shall perform all other duties as outlined in the Bylaws.~~

Comment [NPD49]: Now in the codes as this is a support staff and now an hourly student employee to comply with Brown Art and uphold association integrity

Section 8. Section 2 Representative Officers

~~A. The Representative Officers of the Student Government Association shall be sixteen (16) Senators drawn from the seven (7) following Constituent Communities present on the Bakersfield College Campus and any satellite campuses, in alignment with the College's Organizational Chart:~~

- ~~1. The Humanities and Social Sciences shall have two (2) Senators;~~
- ~~2. STEM and Technology shall have two (2) Senators;~~
- ~~3. English, Library, and Pre-Collegiate Writing shall have two (2) Senators;~~
- ~~4. Career and Technical Education shall have two (2) Senators;~~
- ~~5. Allied Health and Fire Technology shall have two (2) Senators;~~
- ~~6. Physical Education and Athletics shall have two (2) Senators;~~
- ~~7. Community at Large (CAL) and Delano Campus shall have four (4) Senators.~~

Comment [NPD50]: Moved to Article V, Section 11

Comment [NPD51]: Due to the changing academic structure of BC, allocations will be placed in the Codes.

~~B. Senators:~~

- ~~1. Shall be voting members of the Senate;~~
- ~~2. Shall be voting members of those SGA committees and Shared Governance committees to which they are appointed;~~
- ~~3. Shall be attending members of those Participatory Governance committees to which they are appointed;~~
- ~~4. Shall determine the effective use of student fees and the overall budget of SGA;~~
- ~~5. Shall perform all other duties as outlined in these Bylaws.~~

Comment [NPD52]: Moved to Article V, Section 7

~~C. Article III, Section 2, Item A of this document may be changed to reflect any alterations to the College's Organizational Chart:~~

- ~~1. Constituent Communities may be added, removed, or changed to mirror the structure of the College's Organizational Chart.~~
- ~~2.1 There must be at least sixteen (16) and no more than twenty four (24) Senators in any proposed structure for this Item.~~
- ~~3. Changes to this Item shall require the approval of the Senate and the SGA Advisor.~~
- ~~4.2 Changes to this Item shall not require a constitutional amendment.~~

Comment [NPD53]: Moved to the bylaws to be reviewed each year by Senate and appointment Article V, Section 11

Comment [NPD54]: Decided to keep the senator to 16 as this seemed like a good ratio to students

Comment [NPD55]: Doesn't make sense to be able to change the constitution without the approval of the student body

~~Section 9.~~ ~~Section 3~~ **Terms of Office**

- ~~A. The terms of all elected Officers shall begin on June 1st and end May 31st of the following year. This period from June 1st to May 31st of the following year 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) semesters.~~

Comment [NPD56]: Moved to article X section 3– Elections and Term so that the Term of office will be standardized for all BCSGA Officers

~~Section 10.~~ ~~Section 4~~ **Eligibility**

- ~~A. All officers and representatives must be enrolled students in Good Standing at Bakersfield College in the following areas:

 - ~~1. Academic standing (i.e. not on Academic Probation or Disqualification per KCCD Board Policy)~~
 - ~~2. Registration Holds (i.e. not prevented from registering with the College per KCCD Board Policy)~~
 - ~~3. Student conduct (i.e. not in violation of standards of appropriate behavior as defined by KCCD Board Policy)~~
 - ~~4. Financial obligations to the College Business Office~~
 - ~~5. The Bylaws of this Student Government Association.~~~~
- ~~B. In order to qualify for office, a student must meet the following minimum eligibility requirements:

 - ~~1. All officers and representatives must maintain a cumulative Bakersfield College GPA of at least (2.0) for the duration of The Current Term.~~
 - ~~2. All officers and representatives must maintain a minimum credit load of six (6) units per semester for the duration of The Current Term.~~~~
- ~~C. Failure to be in Good Standing or to meet the minimum eligibility requirements for office at any point in the Officer’s Current Term may result in his/her immediate removal from office by the Bakersfield College Administration.~~

Comment [NPD57]: Move to Article IV, Section 1, to ensure that all BCSGA officers are compliant

Comment [NPD58]: Moved to Article IV, Section 3 to ensure that all BCSGA officers are compliant

~~Article VII.~~ ~~Article IV:~~ **Student Senate**

Comment [NPD59]: Moved to Article V

~~Section 1.~~ ~~Section 1~~ **Membership**

~~The primary legislative body governing this organization shall be the Senate. It shall consist of the following members:~~

Comment [NPD60]: Moved to Article V section 1

- ~~A. The President of the SGA, who shall be the Chair of the Student Senate. The Chair shall vote only when it affects the outcome.

 - ~~1. If the President is absent, he/she may designate any voting member of the Senate to be a substitute chair for the duration of the meeting.~~
 - ~~2. If no substitute chair is designated, the default substitute shall be the Vice President.~~~~
- ~~B. The non-voting member of the Student Senate shall be the Parliamentarian.~~
- ~~C. The voting members of the Student Senate shall be all Senators and the following Executive Officers: Vice President, Director of Legislative Affairs, Director of Finance, Director of Clubs and Organizations, Director of Activities, and Secretary Historian.~~

Comment [NPD61]: Moved to the VP Duties Article V Section 4

Comment [NPD62]: Moved to Article V Section 8

Comment [NPD63]: Moved to the

~~Section 2. Section 2 – Duties and Powers~~

~~The Senate shall be vested with all legislative powers of the Student Government Association. All actions taken by the Senate are empowered and limited by the policies of Bakersfield College.~~

~~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 SGA business and events;~~
- ~~3. To hear and discuss issues and concerns that are relevant to the Student Body;~~
- ~~4. To receive oral reports on participatory governance and SGA committees.~~

~~B. The Senate shall be able to produce, deliberate on, and possibly 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 Constitution of the SGA or any of its associated Codes.~~
- ~~2. Recommendations, which require a simple majority vote to pass, address matters not under the purview of the Student Government Association. They may be passed to bring a certain desired action of the SGA to the attention of College, District, State, or Federal personnel.~~
- ~~3. Senate Codes, which require a two-thirds (2/3) majority vote to pass, alter, or nullify, establish formal policy in areas not explained or covered by the Constitution.~~

~~C. The Senate shall have the power to:~~

- ~~1. Make appropriations from the funds of the Student Government Association as stipulated in the Code on Finance and the Bylaws;~~
- ~~2. Determine general policies of the Student Government Association;~~
- ~~3. Make appointments where applicable;~~
- ~~4. Charter campus clubs and organizations as prescribed in the Bylaws and the Senate Code on Clubs and 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) vote of its total membership, except in cases of constitutional interpretation;~~
- ~~7. Create and dissolve Senate committees, with the exception of constitutionally mandated Standing Committees;~~
- ~~8. Draft and amend the Senate Codes and attach to these maximum or minimum penalties of violations thereof;~~
- ~~9. Remove any Senator from office by a three-fourths (3/4) vote of the total voting membership of the Senate, with the written approval of the SGA Advisor. No Senator shall be removed from office by this method before they are given an opportunity to address the Senate in an open meeting. Any member of the Senate, including members of the Executive Branch, may be removed from office by a Recall vote from the Student Body.~~

~~D. No Student Government Association body besides the Senate shall have the powers listed above. Only the Senate can produce legislation, allocate funds, and create Committees.~~

Comment [NPD64]: Moved to Article V

Comment [NPD65]: Moved to Article V, Section 1

Comment [NPD66]: Moved to Article V section 4

Comment [NPD67]: Removed, as we see that resolutions can be recommendations as well thus eliminating the development of an redundant process.

Comment [NPD68]: Moved to Article V Section 4B

Comment [NPD69]: Clubs are now registered with the Office of Student Life

Comment [NPD70]: Moved to Article V, Section 3A

Comment [NPD71]: Moved to Article VIII Vacancies and Removal to effect all BCSGA Officers

Comment [NPD72]: Moved to Article V Section 8

~~Section 3.~~ ~~Section 3—Meetings~~

- ~~A. The Senate shall meet at least once each week during the Fall and Spring semesters, not including the first week of the Semester, Spring Break, or the week of Final Exams. The Senate shall also meet at least twice during the Summer and Winter Breaks.~~
- ~~B. Special meetings shall be called by the President upon the written request of any twenty five percent (25%) of the members of the Senate. Special meetings may also be called at any time by the President upon twenty four (24) hours written notice to each Senate member.~~
- ~~C. All meetings of the Senate shall be conducted according to parliamentary law as set forth in the most current edition of Robert's Rules of Order: Simplified and Applied.~~
- ~~D. The Senate may only conduct official business in the presence of the SGA Advisor or his/her designee.~~

Comment [NPD73]: Moved to Article V, Section

Comment [NPD74]: Moved to Article IX, Section 3 to ensure that all Official BCSGA meetings are conducted under Roberts Rules and follow the Brown Act

~~Article VIII.~~~~Article VII.~~ **Article V: Judicial Review Board**

Section 1. Authority

The Judicial Review Board shall be vested with all judicial powers of the ~~Student Government Association.~~ ~~Detailed procedures to be followed by the Judicial Review Board may be found in the Code on the Judicial Review Board.~~ 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 his/her designee.

Comment [NPD75]: New Section To establish the Judicial Review Board Branch

Comment [NPD76]: Mentioned within Duties and powers sections

Section 2. Section 1—Membership

- A. ~~The primary judicial body governing this organization shall be the Judicial Review Board.~~ ~~The Judicial Review Board~~ shall be composed of the following members:
 - 1. The Parliamentarian ~~of the SGA~~, who shall be the Chair of the Judicial Review Board. ~~The Chair shall vote only when it affects the outcome.~~
 - i. If ~~the Parliamentarian is~~ absent, ~~the Parliamentarian~~ he/she 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. ~~The non-voting member of the Judicial Review Board shall be the Secretary-Historian, who shall be responsible for recording the minutes during meetings. If the Secretary-Historian is absent, one of the voting members of the Judicial Review Board shall record the minutes for the meeting.~~
 - 2. The voting members of the Judicial Review Board shall be Fourfive (54) Senators with voting privileges, to be appointed by the BCSGA President from the pool of currently active Senators ~~in the SGA, 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.
 - 3.—

Comment [NPD77]: Reductant from Section 1

Comment [NPD78]: Moved to the Duties of the Parliamentarian

Comment [NPD79]: Moved to the duties of the Secretary as well as within the Codes

~~Section 3.~~ ~~Section 2—Duties and Powers~~

The Judicial Review Board shall be vested with all judicial powers of the Student Government Association. ~~Detailed procedures to be followed by the Judicial Review Board may be found in the Code on the Judicial Review Board.~~ All decisions made by the Judicial Review Board are empowered and limited by the policies of Bakersfield College, and subject to the review and approval of the College President or his/her designee.

Comment [NPD80]: Move to Section One Authority

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 ~~chartered-registered Clubs-Student Organizations~~ based on their adherence to the policies of the SGA-Association and its the Code on Clubs and Organizations;
 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 of the Student Government Association~~ and recommend proper courses of action in response to those grievances;
 5. Investigate potential violations of the Constitution and its ~~associated~~ Codes and determine proper courses of action in response to these violations.

Comment [NPD81]: To mirror the Leg and Executive Articles

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 ~~associated~~ Codes;
 2. To interpret the Constitution and its ~~associated~~ 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 ~~associated~~ 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.

Comment [NPD82]: New Section To mirror the Leg and Executive Articles

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 ~~head-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~~Bylaws during Senate meetings; and~~
 5. Shall perform all other duties as outlined in the ~~Bylaws~~Codes.

Comment [NPD83]: New Section Establishing the Parliamentarian of the JRB

Section 6. ~~Section 4—~~ Interpretation of Association Documents

- A. The Judicial Review Board shall be responsible for interpreting the Constitution and ~~Senate~~ 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 Senate-BCSGA Codes by the Judicial Review Board does not require the approval of the BCSGA Advisor.

Comment [NPD84]: Was in the last Article, moved here as the describes the powers of the JRB

Section 7. ~~Section 3~~—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 theis Constitution or its ~~associated~~ Codes.
- B. The Judicial Review Board may not issue any sanction or decision that has not been explicitly prescribed by the provisions of thise Constitution or ~~a Senate-its~~ Code.
- ~~A.C.~~ C. Any ~~punishment-sanctions~~ issued by the Judicial Review Board may be overturned by a two-thirds (2/3) vote in the Senate.
- ~~B.D.~~ D. Definition of Censure:
1. Shall be a public record of an Officer's failure to fulfill the requirements of his/hersaid 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.
- ~~C.E.~~ E. Definition of Impeachment:
1. Shall remove the impeached individual 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.
- ~~D.F.~~ F. The following actions shall be grounds for censure and/or impeachment ~~of any SGA~~ Officer:
1. Failure to maintain the minimum eligibility requirements for office outlined in thise Constitution and its ~~associated~~ Codes;
 2. Substantial neglect of duties and responsibilities, as established in thise Constitution and its ~~associated~~ Codes;
 3. Violations of this Constitution, the Senate-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.
- ~~E.G.~~ 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 himself/herself at the hearing;
 3. Receive sufficient documented or testimonial evidence to establish the ~~culpability~~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 Senate Codes in determining the proper course of action. The Judicial Review Board may not issue any punishment that is not prescribed by either the Constitution or a Senate Code.

Comment [NPD85]: Reductant to part B above

~~Article IX.~~ Article VI: Executive Branch

~~Section 8. — Section 1 — Membership~~

~~The Executive Officers of the Student Government Association shall be as follows:~~

- ~~A. President~~
- ~~B. Vice President~~
- ~~C. Parliamentarian~~
- ~~D. Director of Legislative Affairs~~
- ~~E. Director of Finance~~
- ~~F. Director of Clubs and Organizations~~
- ~~G. Director of Activities~~
- ~~H. Secretary Historian~~

~~Section 9. — Section 2 — Duties and Powers~~

~~The Executive Officers of the Student Government Association shall be charged with implementing all Resolutions and Senate Codes which are passed by the Senate.~~

- ~~B. 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 Executive Officers and Senators in order to maintain a functioning and effective team of Student Leaders;~~
 - ~~3. Strive to keep SGA Senators and the Student Body informed of issues relevant to their success as leaders and students;~~
 - ~~4. Engage with faculty, administration, classified staff, and the community in order to coordinate their efforts with the efforts of the SGA;~~
 - ~~5. Be the public face of the SGA, representing the will of the Student Body in dealings with faculty, administration, classified staff, and the community.~~
- ~~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;~~
 - ~~4. Host or support activities that have not been approved by the Senate, if the activities are aligned with the expressed interests of the Senate and require no funds from the SGA.~~

~~Section 10. — Section 3 — Regulations~~

- ~~E. Executive Officers may not spend any SGA money that the Senate has not already allocated for use;~~
- ~~F. Executive Officers must obey the Constitution, Senate Codes, and Resolutions in all actions they take as SGA Officers;~~
- ~~G. Executive Officers must obey College Policy and any applicable laws in all actions they take as SGA Officers;~~
- ~~H. Improper use of SGA money or irresponsible behavior as an SGA Officer may result in Censure by the Judicial Review Board and/or in punishment by the Administration, following an investigation conducted by these bodies.~~

~~Section 11.~~ ~~Section 4— Executive Board Meetings~~

~~All Executive Officers and Chairs of any Standing Committees shall meet on a regular basis. The collection of Officers who attend these meetings shall be referred to as the Executive Board. The Executive Board:~~

- ~~G. Shall serve as a forum for planning events, discussing issues relevant to the SGA, and facilitating cooperation and communication throughout the leadership of the SGA;~~
- ~~H. Shall meet at least four (4) times during each regular semester;~~
- ~~I. Shall not have any power to produce legislation or take action independent of the expressed will of the Senate;~~
- ~~J. Shall be open to the public, and may be attended by the SGA Advisor and any Senator or other interested party;~~
- ~~K. Shall be chaired by the Vice President of the Student Government Association or his/her designated replacement, to be selected from the pool of currently active members of the Executive Board. If no replacement is designated, the President shall be the default replacement;~~
- ~~L.A. Shall have a Code which contains the details of schedule and structure for Executive Board meetings. This Code shall be called the Code on the Executive Board.~~

Comment [NPD86]: Moved to Article VI

~~Article X.~~ ~~Article VIII.~~ ~~Article VII: Vacancies, Removal, and Impeachment~~

~~Section 1.~~ ~~Section 1—Presidential Vacancy~~

~~In the event of a vacancy in the Office of President, he/she 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.~~

Comment [NPD87]: New Section

~~Section 3.~~ ~~Section 2—General Officer Vacancies~~

~~In the event of vacancies in the Senate, the Senate shall appoint individuals to fill the vacancies for the remainder of the Current Term by majority approval of its total voting membership. These individuals shall be chosen from applications solicited for a period of not less than two (2) weeks. Any vacant Executive or Representative Office may be filled by this process, except for the Presidency, which may only be filled by Vice Presidential succession or election.~~

- ~~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 individuals 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.~~

Comment [NPD88]: Redeveloped as now Executive members are not apart of Senate

~~Section 4.~~ ~~Section 3—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) ~~school~~ instructional days and no later than thirty (30) ~~school-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. To remove a ~~Any Senator~~ 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 ~~Senator~~ Officer shall be removed from office by this method before they are given an opportunity to address the Senate in an open meeting.
- ~~A.E.~~ Any member of the Senate, including members of the Executive Branch, 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 XI.~~ Article VIII: Committees

~~Section 1.~~ Section 1 — Standing Committees

- A. The Senate shall have a system of Standing Committees.
- B. A Standing Committee shall be created by a two-thirds (2/3) vote in the Senate, and its purpose shall be set forth in Senate Code at that time.
- C. A Standing Committee may be dissolved by a two-thirds (2/3) vote in the Senate.
- D. Each Standing Committee must have a Senate 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.
- E. The Chair of each Standing Committee shall appoint, with the approval of the Senate, no less than three (3) voting members to serve on the committee. The Chair shall vote only when it affects the outcome of the vote.
- F. The following four committees shall be constitutionally mandated Standing Committees, and their purpose shall be outlined in their respective Senate Codes:
 - 1. The Legislative Affairs Committee
 - 2. The Finance Committee
 - 3. The Committee on Clubs and Organizations
 - 4. The Activities Committee

~~Section 2.~~ Section 2 — Ad-hoc Committees

The Senate may create Ad-hoc Committees at any time with a Resolution which explains the purpose of the Committee. Ad-hoc Committees shall have no power, but shall be a forum for discussion of issues relevant to SGA business. Ad-hoc Committees shall be automatically dissolved at the end of the Current Term.

Comment [NPD89]: New Section Was process for only Senators, now for All BCSGA Officers. One Process... One Policy

Comment [NPD90]: Any removal should be addressed to the Senate

Comment [NPD91]: Moved to Article V section 9

Comment [NPD92]: To be placed in the Codes so that Senate may develop the committees.

Comment [NPD93]: Moved to Article V Section 10

~~Article XII.~~ Article IX: Transaction of Business

Section 1. ~~Section 1—Place-Location~~ of Business

The principal location for the transaction of ~~Association Student Government~~ business shall be the ~~Student Activities office-Office of Student Life located in the Campus Center of the Panorama Campus~~ of Bakersfield College. ~~Representatives-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~~~~remotely via telephone or video 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. ~~Section 2—Association Meetings~~Regulations

- A. All official meetings of the ~~Association Senate or the Judicial Review Board~~ must be conducted in the presence of the ~~College President, his/her designee, or the appointed-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.
- ~~D.E.~~ Absentee voting shall not be permitted during official meetings.

Section 3. ~~Parliamentary Procedure~~

- ~~E.A.~~ The Association All meetings of the Senate shall be conducted 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.
- ~~E.B.~~ Roberts Rules of Order shall be observed where this eConstitution, its Codes, the Ralph M. Brown Act, or other legislation does not explicitly set forth procedure.
- ~~C.~~ The Senate may only conduct official business in the presence of the SGA Advisor or his/her designee.

Comment [NPD94]: New section
Instead of stating this throughout the constitution, stating it here ensures that ALL meetings of BCSGA follow Roberts Rules and the Brown Act

Comment [NPD95]: Redundant with Section 2A

~~Article XIII.~~Article X. ~~Article X:~~ Elections and Appointments

Section 1. ~~Section 1—Elections~~

- A. All ~~Student Government~~ Association elections shall be administered by an Elections Committee, chaired by the BCSGA Advisor.
- ~~A.B.~~ The details of Association Elections this committee shall be found in the Senate-BCSGA Codes on Elections.
- ~~B.C.~~ A general Student Body election shall be conducted in Spring Semester of each year. An election will be held not fewerless than six (6) academic-instructional weeks nor more than ten (10) academic-instructional weeks prior to the close of the Spring Semester. The details of the election process shall be found in the Senate Code on Elections.
- ~~C.D.~~ The following shall be positions which may be filled by the general Student Body election:
 - 1. President
 - 2. Vice President

- ~~3. Director of Legislative Affairs~~
- ~~4. Director of Finance~~
- ~~5-3. Director of Clubs and Student Organizations~~
- ~~6. Director of Activities~~
- ~~7. Secretary Historian~~
- ~~8-4. Senators~~

Comment [NPD96]: Now Appointed by the President, confirmed by Senate

Comment [NPD97]: Now Appointed by the President, confirmed by Senate

Comment [NPD98]: Now Student Employee

Section 2. ~~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 Student Body election.
- ~~A.B.~~ The position of Parliamentarian is not an elected position, and it must be filled by ~~confirmation and approval of the Senate appointment and the BCSGA Advisor.~~
- ~~B.~~ For any permanent appointment, the SGA must solicit and accept applications for no less than two (2) weeks. Submitted applications must be reviewed by the Vice President and made available to the Senate.
- ~~C.~~ If an Executive Office is vacant, the President may, with the approval of the SGA Advisor, make a temporary, non-renewable appointment of any member of the SGA to the vacant position. Applications need not be solicited for a temporary appointment. Temporary appointments shall last no more than twenty (20) regular work days.
- ~~D.C.~~ 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;~~
 - ~~2-5. Director of Finance;~~
 - ~~6. All Subsidiary Executive Officers;~~
 - ~~3-7. Senators appointed to the Judicial Review Board; and~~
 - ~~8. Any other positions prescribed by the Codes.~~

Comment [NPD99]: Moved to Article VIII Vacancies

Comment [NPD100]: Establishing the new appointments to Exe Branch and Sub officers

Section 3. Terms of Office

- ~~A.~~ The terms of all elected Officers shall begin on ~~the first Friday of May June 1st~~ and end ~~by the last Friday of April May 31st~~ of the following year. ~~This period from June 1st to May 31st 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.~~
- ~~D.E.~~ No person may hold the same office for more than four (4) ~~instructional~~ semesters ~~(fall and spring).~~

Comment [NPD101]: Moved the Current Term one month back so that transition occurs during the spring instructional semester

~~Article XIV.~~**Article XI. Article XI: Recall and Initiative**

Section 1. Section 1 – Recall

Recall legislation gives the Student Body the power to remove any currently elected member of the SGA from office. The procedure for such legislation is as follows:

- A. 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 those Student Identification Numbers being verified by the Office of Admissions and Records of the college, a special election shall be called to recall any member of the Senate.

- B. Upon receipt of such petition, the Judicial Review Board shall have ten (10) working days to submit the petition to the Office of Admissions and Records.
- C. Upon receipt of the verified petition from the Office of Admissions and Records, such recall legislation shall be submitted to the Student Body at an election within twenty (20) working days.

Section 2. Section 2 – Initiative

Initiative legislation gives the Student Body the power to enact a resolution, recommendation, or Code to be implemented by the Officers of the SGA. The procedure for initiative legislation is as follows:

- A. 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 those Student Identification Numbers being verified by the Office of Admissions and Records of the college, the initiative legislation shall be submitted to the Senate for review.
- B. Such legislation shall also be submitted to the Judicial Review Board within ten (10) working days. The Judicial Review Board shall make the final declaration of legality in consultation with the SGA Advisor within ten (10) working days.
- C. If declared legal, such initiative legislation shall be submitted to the regular members of the Student Body at a special election within twenty (20) working days of its being declared legal by the Judicial Review Board.

Section 3. Section 3 – Passage

Recall legislation and initiative legislation may be passed by a majority of the votes cast in a special or regular election.

~~Article XV. Article XII: 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 Bylaws null and void. Upon ratification, this Constitution will take effect on June 1, 2014.~~

Comment [NPD102]: Moved to be the last article of this constitution

~~Article XVI. Article XII. Article XIII: Amendments and Senate Codes~~

Section 1. Section 1 – Proposal of Constitutional Amendments and Code Changes

- A. Constitutional Amendments or changes to Senate Code 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 Senate Code 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 SGA President 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 his/her immediate designee, prior to the amendment being submitted to the Student Body for approval by majority vote during a Student Body election.

Section 2. Section 2 – Constitutional Amendments

- A. This Constitution may be amended at any special or regular election during the Fall and Spring 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 not ~~fewer~~ less than fifteen (15) or more than thirty (30) regular semester school days following the College President’s approval of the proposed amendment(s).
 - 1. All proposed amendments shall be submitted to the SGA President for inclusion on the ballot for the special election.
 - 2. If the general Student Body election is scheduled to take place not ~~less~~ fewer than ~~fifteen~~ (15) or more than ~~fourth~~ five (45) regular semester school days following receipt of the proposed amendment(s), the Senate may choose to place the amendments on the ballot for the general Student Body 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. Section 3 – Senate Codes ~~BCSGA Codes~~

- A. ~~The BCSGA Codes shall govern the Association and herein be referred to as the “Codes.”~~
- B. ~~The Constitution shall be the supreme governing document. This document and all of its associated Senate Codes shall herein be referred to as “Bylaws.” The BCSGA Codes shall:~~
 - 1. ~~Codes may b~~Be adopted by the ~~Student Government Association Senate~~ to clarify or further interpret articles and sections of this Constitution; ~~or~~
 - 1-2. ~~to e~~Establish formal policies ~~or agreements~~ in areas not covered by this Constitution;
 - 2-3. ~~Codes will b~~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. ~~Code will b~~Be considered in effect upon adjournment of the meeting in which they are adopted ~~or at another, later time 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.~~

Comment [NPD103]: To establish the legitimacy of and process for the BCSGA Codes. The codes now cover more than the Senate. It covers the full Association

Section 4. Section 4 – Interpretation

- A. ~~The Judicial Review Board shall be responsible for interpreting the Constitution and Senate 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 SGA Advisor, and must receive written approval by the SGA Advisor in order to take effect.~~
- C. ~~The interpretation of Senate Codes by the Judicial Review Board does not require the approval of the SGA Advisor.~~
- D. ~~Judicial Review Board interpretations of the Constitution which are approved by the SGA Advisor may not be overturned by the Senate.~~

Comment [NPD104]: Moved to Judicial review Board as its their power

Section 5. Section 4. Hierarchy of Authority 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. ~~Senate~~Codes, which outline formal practices and policies not covered by the Constitution;
 - 3. Resolutions, ~~recommendations~~ bills, and all other actions ~~or agreements~~, which must be in accordance with this Constitution and any established ~~Senate~~Codes.

- B. In case of a conflict between documents or actions of different authority (i.e. the Constitution and a ~~Senate~~ 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 ~~of the Student Government Association~~ 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 ~~Bylaws-its Codes~~ null and void. Upon ratification, this Constitution will take effect ~~on June 1, 2014~~ 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, EdD date