

# CONSTITUTION OF THE ASSOCIATED STUDENTS OF THE UNIVERSITY OF CALIFORNIA, IRVINE



## Table of Contents

Article/section	Page
<b><u>Preamble</u></b>	<b><u>3</u></b>
<b><u>Article 1. Name</u></b>	<b><u>3</u></b>
<b><u>Article 2. Membership</u></b>	<b><u>3-4</u></b>
<u>Section 1. Eligibility</u>	<u>3</u>
<u>Section 2. Membership Enrollment</u>	<u>3</u>
<u>Section 3. Rights and Privileges</u>	<u>3</u>
<u>Section 4. Nondiscrimination</u>	<u>4</u>
<b><u>Article 3. Student Rights</u></b>	<b><u>4-5</u></b>
<b><u>Article 4. Student Government &amp; Student Media</u></b>	<b><u>5-6</u></b>
<u>Section 1. Authority and Organization</u>	<u>5</u>
<u>Auxiliary Services</u>	<u>5-6</u>
<b><u>Article 5. ASUCI Officer Qualifications, Terms of Office, and Stipends</u></b>	<b><u>6-7</u></b>
<u>Section 1. Qualifications</u>	<u>6</u>
<u>Section 2. Terms of Office</u>	<u>6-7</u>
<u>Section 3. Stipends</u>	<u>7</u>
<b><u>Article 6. Senate</u></b>	<b><u>7-11</u></b>
<u>Section 1. Membership</u>	<u>7-8</u>
<u>Section 2. Authority and Powers</u>	<u>8-9</u>
<u>Section 3. Officers</u>	<u>9-10</u>
<u>Section 4. Meetings</u>	<u>10-11</u>
<u>Section 5. Staff</u>	<u>11</u>
<u>Section 6. Impeachment and Removal from Office</u>	<u>11</u>
<b><u>Article 7. Executive Cabinet</u></b>	<b><u>11-15</u></b>
<u>Section 1. Membership</u>	<u>11</u>
<u>Section 2. Authority and Powers</u>	<u>11-14</u>
<u>Section 3. Vacancies</u>	<u>14</u>
<u>Section 4. Meetings</u>	<u>14</u>
<u>Section 5. Staff</u>	<u>14</u>
<u>Section 6. Impeachment and Removal from Office</u>	<u>14-15</u>
<b><u>Article 8. Judicial Board</u></b>	<b><u>15-16</u></b>

<a href="#">Section 1. Members</a>	<a href="#">15</a>
<a href="#">Section 2. Authority and Powers</a>	<a href="#">15-16</a>
<a href="#">Section 3. Officers</a>	<a href="#">16</a>
<a href="#">Section 4. Meetings</a>	<a href="#">16</a>
<a href="#">Section 5. Staff</a>	<a href="#">16</a>
<a href="#">Section 6. Impeachment and Removal from Office</a>	<a href="#">16</a>
<hr/>	
<b><a href="#">Article 9. Office of the Student Advocate General</a></b>	<b><a href="#">16-18</a></b>
<a href="#">Section 1. Composition</a>	<a href="#">16-17</a>
<a href="#">Section 2. Requirements</a>	<a href="#">17</a>
<a href="#">Section 3. Authority and Powers</a>	<a href="#">17-18</a>
<a href="#">Section 4. Staff</a>	<a href="#">18</a>
<a href="#">Section 5. Impeachment and Removal from Office</a>	<a href="#">18</a>
<hr/>	
<b><a href="#">Article 10. Elections Commission</a></b>	<b><a href="#">18-20</a></b>
<a href="#">Section 1. Composition</a>	<a href="#">18</a>
<a href="#">Section 2. Authority and Powers</a>	<a href="#">18-19</a>
<a href="#">Section 3. Responsibilities</a>	<a href="#">19-20</a>
<a href="#">Section 4. Impeachment and Removal from Office</a>	<a href="#">20</a>
<hr/>	
<b><a href="#">Article 11. Joint Committees</a></b>	<b><a href="#">20-22</a></b>
<a href="#">Section 1. Joint Committee on Student Representatives</a>	<a href="#">20-21</a>
<a href="#">Section 2. Legislative and External Policy Committee</a>	<a href="#">21</a>
<a href="#">Section 3. Governance and Internal Policy Committee</a>	<a href="#">21-22</a>
<a href="#">Section 4. Joint Committee on Transparency</a>	<a href="#">22</a>
<hr/>	
<b><a href="#">Article 12. Direct Democracy</a></b>	<b><a href="#">23-25</a></b>
<a href="#">Section 1. Legislative Initiatives and Referrals</a>	<a href="#">23</a>
<a href="#">Section 2. Fee Initiatives</a>	<a href="#">23</a>
<a href="#">Section 3. Legislative Referenda</a>	<a href="#">24</a>
<a href="#">Section 4. Recall</a>	<a href="#">24-25</a>
<a href="#">Section 5. Online Platform</a>	<a href="#">25</a>
<hr/>	
<b><a href="#">Article 13. Elections</a></b>	<b><a href="#">25</a></b>
<a href="#">Section 1. ASUCI General Elections</a>	<a href="#">25</a>
<a href="#">Section 2. Campaign Finance</a>	<a href="#">25</a>
<hr/>	
<b><a href="#">Article 14. ASUCI Executive Director</a></b>	<b><a href="#">26-27</a></b>
<a href="#">Section 1. Responsibilities</a>	<a href="#">26</a>
<a href="#">Section 2. Selection, Appointment, and Termination</a>	<a href="#">26</a>
<a href="#">Section 3. Authority</a>	<a href="#">26-27</a>
<hr/>	
<b><a href="#">Article 15. Constitutional Amendments</a></b>	<b><a href="#">27-28</a></b>
<a href="#">Section 1. Normal Amendment Process</a>	<a href="#">27</a>
<a href="#">Section 2. Urgency Amendment Process</a>	<a href="#">27-28</a>
<a href="#">Section 3. Non-substantive Amendment Process</a>	<a href="#">28</a>
<a href="#">Section 4. Student Fee Advisory Committee Clarification</a>	<a href="#">28</a>

## **Preamble**

By the authority of The Regents of the University of California and the President of the University of California, the Chancellor of the University of California, Irvine, authorizes the establishment and continuation of the Associated Students of the University of California, Irvine (ASUCI). As an official unit of the University, ASUCI exercises authorities concerning student affairs by delegations from The Regents, the President, and the Chancellor. ASUCI and all its activities are integral parts of the University.

Within this authority, we the undergraduate students of the University of California, Irvine, as an autonomous constituency of this university community, desire, through independent action and in concert with other constituencies of this university community: to provide a forum for the expression of the student views and interests; to encourage and maintain the freedom to pursue knowledge; to encourage student academic rights and responsibilities; to represent and articulate our rights to a voice in campus governance; to enhance the quality of student life; to foster recognition of the rights of students in this university community; and in order to fulfill these aspirations, do hereby ordain and establish this constitution.

## **Article 1. Name**

The name of this organization is the Associated Students of the University of California, Irvine (ASUCI).

## **Article 2. Membership**

### **Sec. 1. Eligibility**

- (a) Any person registered as an undergraduate student during the fall, winter, spring, or summer quarter or as an extension student at the University of California, Irvine may be a member of ASUCI.
- (b) All members hold equal voting rights in ASUCI and its subordinate organizations, except as otherwise provided in this Constitution or other governing documents.
- (c) Subject to other qualifications, all members are eligible to hold office in ASUCI or in any of its subordinate organizations.

### **Sec. 2. Membership Enrollment**

A student becomes a member by paying the ASUCI fee.

### **Sec. 3. Rights and Privileges**

- (a) All students meeting the criteria of [section 1](#) have the rights expressed in [Article 3](#) and elsewhere in this Constitution.
- (b) All students meeting the criteria of [section 2](#) have the following privileges in addition to the rights expressed in [Article 3](#) and elsewhere in this Constitution:
  - (1) To hold elected or appointed office in the ASUCI Student Government;
  - (2) To participate in ASUCI activities; and
  - (3) To benefit from ASUCI services and programs.

#### Sec. 4. Nondiscrimination

- (a) ASUCI must adhere to the UCI campus implementation of the University of California Nondiscrimination Policies.
- (b) All members of ASUCI meeting the requirements set in this Constitution, are eligible and encouraged to seek, obtain, and hold office without discrimination or abridgment because of race, ethnicity, color, religion or creed, national origin, ancestry, age, genetic information, marital status, family or parental status, pregnancy, sex, sexual orientation, gender, gender identity, gender expression, economic status, political affiliation, physical or mental disabilities, and any additional protected classes as specified by University or campus policy or by state or federal law.

### Article 3. Student Rights

Sec. 1. We, the Associated Students of the University of California, Irvine, hold the following to be the basic rights of students. It is the binding responsibility of ASUCI to recognize these rights, and where necessary, protect and nurture them.

- (a) All UCI undergraduate students have the right to vote in ASUCI elections.
- (b) All UCI undergraduate students have the right to run for elected office in ASUCI.
- (c) All UCI undergraduate students have the right to apply for appointed office in ASUCI.
- (d) All UCI undergraduate students have the right to engage in forms of direct democracy as outlined in this Constitution.
- (e) Students have the right to observe all aspects of the elections process to ensure their rights are respected and have the right to gather information and seek remedies for violations.
- (f) Students have the right to freedom of investigation and expression.
- (g) Students have the right to organize.
- (h) Students have the right to freedom of association without fear or consequence.
- (i) Students have the right to privacy.
- (j) Students have the right to a safe learning environment.
- (k) Students have the right to influence decisions which affect them.
- (l) Students have the right to participate in the governance of the University and the campus, as expressed in [University of California Policy PACAOS-120](#).
- (m) Students have the right to be consulted before and after a building or facility funded by compulsory campus-based-student-fees has been constructed, as expressed in [University of California Policy PACAOS-84.11](#).
- (n) Students have the right to seek redress from grievances.
- (o) Students have the right to choose their student leaders and to hold them accountable through the methods outlined in this Constitution.
- (p) Students have the right to transparency and freedom of information from their student government and student leaders, free of cost.
- (q) Students have the right to an ethical, fair, and effective student government.
- (r) Students have the right to be free from harassment, intimidation, and retaliation.

- (s) Student representatives and leaders have the right to represent the interests of students, free from any force, coercion, or manipulation by faculty, staff, and administration of the University of California and of the Irvine campus.
  - (t) A student's academic progress must be evaluated solely on the basis of their academic performance.
  - (u) All undergraduate students conducting research have the right—
    - (1) To receive credit and recognition for their work and ideas;
    - (2) To own their intellectual property, subject to the limitations expressed in University of California policy; and
    - (3) To be protected from plagiarism by faculty and other students.
  - (v) Student-run media and communications have the right to editorial independence.
- Sec. 2. The rights listed in [section 1](#) do not limit any other rights guaranteed to students.

## **Article 4. Student Government & Student Media**

### **Sec. 1. Authority and Organization**

- (a) UCI Student Government & Student Media is the entity that advises officially recognized student-run media, and all student governments authorized by [University of California PACAOS Appendix A](#), at the University of California, Irvine.
- (b) The Associated Students of the University of California, Irvine is the officially authorized undergraduate student government at the University of California, Irvine.
- (c) ASUCI is organized into the following branches:
  - (1) [The Senate](#), to which is given the legislative authority of ASUCI;
  - (2) [The Executive Cabinet](#), to which is given the executive authority of ASUCI;
  - (3) [The Judicial Board](#), to which is given the judicial authority of ASUCI;
  - (4) [The Office of the Student Advocate General](#), to which is given the investigative, auditing, and prosecutorial authority of ASUCI;
  - (5) [The Elections Commission](#), to which is given the electoral authority of ASUCI; and
  - (6) [Auxiliary Services](#), to which is given operational authority by the Executive Cabinet and the Senate per [subsection \(d\)](#).
- (d) Auxiliary Services
  - (1) ASUCI is the sole owner and operator the following auxiliary services, which are provided to the UCI undergraduate student body:
    - (A) Anteater Express Transportation;
    - (B) ASUCI Discount Tickets;
    - (C) ASUCI Vendor Fair; and
    - (D) Any other services created by the Executive Director, Executive Cabinet, Senate, or ASUCI governing documents.
  - (2) The ASUCI Executive Cabinet and the professional staff will be responsible for preserving the solvency of these auxiliary services.
  - (3) The ASUCI Executive Director is responsible for the daily management of all auxiliary services.
  - (4) The ASUCI Executive Cabinet will have ultimate oversight of all these operations, with advice from the ASUCI Executive Director.

- (5) The ASUCI Executive Director shall be the advisor to all branches of Student Government.
- (6) Auxiliary services housed under ASUCI can only be removed by a  $\frac{3}{4}$  vote of the Senate and a  $\frac{1}{2}$  vote of the Executive Cabinet.

## **Article 5. ASUCI Officer Qualifications, Terms of Office, and Stipends**

### **Sec. 1. Qualifications**

- (a) The qualifications required to hold any elected position are—
  - (1) Having a 2.0 cumulative GPA;
  - (2) Paying the ASUCI fee;
    - (A) If a student attains a position but hasn't paid the ASUCI fee, they must pay it the next quarter in order to continue holding that position.
    - (B) 'The next quarter' includes summer sessions only if the student is enrolled in summer session classes.
  - (3) Following all elections regulations, unless appointed;
  - (4) Not being barred from holding office by ruling of the Judicial Board; and
  - (5) Agreeing to abide by the ASUCI Code of Ethics.
- (b) The qualifications required to hold a position on the Judicial Board, as listed in [Article 8, section 1](#), or on the Elections Commission, as listed in [Article 10, section 1](#), are—
  - (1) The qualifications listed in subsection (a);
  - (2) Must not have made a financial donation to an ASUCI candidate for elected office within the preceding year; and
  - (3) Attaining at least sophomore status, as defined by the University Registrar, by the time they take office.
- (c) The qualifications required to hold any other appointed position are those described in subsection (a) and any others imposed by the appointing person or body, subject to approval by the Governance and Internal Policy Committee.

### **Sec. 2. Terms of Office**

- (a) The terms of office for all elected officials of ASUCI is one academic year, beginning the last day of the spring quarter in which they were elected and ending the second to last day of the following year's spring quarter.
- (b) Officials elected during a special election will take office immediately following the certification of election results and will serve the remaining unexpired portion of the term.
- (c) Officials appointed to fill a vacancy in an elected position will take office immediately following confirmation and will serve the remaining unexpired portion of the term.
- (d) The following appointed officials have a term of office of one academic year, beginning immediately on confirmation by the Senate and ending when their successor is confirmed:
  - (1) Chief Media & Technology Officer;
  - (2) Internal Deputy Student Advocate General;
  - (3) External Deputy Student Advocate General;
  - (4) Chief Accountability Officer;
  - (5) The Elections Commissioner;
  - (6) Deputy Elections Commissioners; and

- (7) Student Program Funding Board Commissioner.
- (e) Justices of the Judicial Board have a term of office of two academic years beginning immediately on confirmation by the Senate and ending when their successor is confirmed.
- (f) These terms of office cannot be used as qualifications for office, by preliminarily excluding candidates who will graduate before the term expires.
- (g) Any ASUCI official or staff member may resign from their position at any time, for any reason, by notifying the appropriate official.
- (h) Any ASUCI official or staff member who is expelled or suspended from the University are automatically removed from office.

### Sec. 3. Stipends

- (a) Students holding the following ASUCI positions are entitled to receive stipends at an amount set in the ASUCI Bylaws:
  - (1) All elected and appointed Executive Officers;
  - (2) Chiefs of staff, directors, and commissioners of Executive Officers;
  - (3) Senators;
  - (4) Justices;
  - (5) Student Advocate General;
  - (6) Elections Commissioner;
  - (7) Deputy Elections Commissioners; and
  - (8) Other staff as defined in the ASUCI Bylaws.
- (b) Separate stipends for officers in each branch may be set in the ASUCI Bylaws.

## Article 6. Senate

### Sec. 1. Membership

The Senate has the following members:

- (a) School-Based Senators
  - (1) All degree granting units are entitled to a number of senators proportional to their enrollment of undergraduate students, according to the following formula:
    - (A) One senator for enrollment of less than 10 percent of the undergraduate student body;
    - (B) Two senators for enrollment between 10 percent and 15 percent;
    - (C) Three senators for enrollment between 15 percent and 20 percent; and
    - (D) Four senators for enrollment of 20 percent or greater.
  - (2) These senators must be enrolled in the unit they represent, except in certain circumstances defined in the ASUCI Bylaws, such as mid-year changes of major.
  - (3) Only students enrolled in a particular unit may vote for senators representing that unit.
- (b) At-Large Senators
  - (1) The number of At-Large Senators is equal to  $\frac{1}{3}$  of the total number of School-Based Senators, rounded up.
  - (2) At-Large Senators are responsible for representing and advocating for the student body at-large.
- (c) Special Interest Senators
  - There will be three Special Interest Senators:

- (1) One International Student Senator who is responsible for advocating on behalf of international students.
- (2) One Transfer Student Senator who is responsible for advocating on behalf of transfer students.
- (3) One First Year Senator who is responsible for advocating on behalf of first year students.
- (d) If a senate seat is vacant—
  - (1) The Senate may call a special election to fill the seat; or
  - (2) The Senate may appoint a student who meets the relevant qualifications to fill the vacancy.

## Sec. 2. Authority and Powers

The Senate has primary policy-making legislative authority, and final administrative authority, for ASUCI and under this authority has the power—

- (a) To enact legislation for the welfare and interest of the undergraduate students;
- (b) To set the official stances of ASUCI;
- (c) To enter into memorandums of understanding, contracts, and other legal agreements on behalf of ASUCI;
  - (1) The Senate may explicitly designate this power to an officer, agent, or body of ASUCI.
- (d) To appropriate all ASUCI fee income and exercise oversight of all ASUCI spending;
  - (1) Total appropriations must not exceed total income in a fiscal year, unless authorized by a  $\frac{2}{3}$  vote of the Senate.
  - (2) Programs, departments, or commissions may be defunded by a  $\frac{2}{3}$  vote of the Senate for failure to perform, malfeasance, or misconduct.
- (e) To enroll ASUCI in, and withdraw it from, membership in external organizations;
- (f) To create ASUCI auxiliary services;
- (g) To remove ASUCI auxiliary services by a  $\frac{3}{4}$  vote, subject to approval by the Executive Cabinet;
- (h) To temporarily freeze an office's accounts if financial reports are not given regularly and promptly, as described in the ASUCI Bylaws;
- (i) To temporarily freeze an office's accounts on recommendation from the [Governance and Internal Policy Committee](#) or the [Joint Committee on Transparency](#);
- (j) To receive bi-quarterly financial reports from all Executive Officers, the Judicial Board, the Elections Commission, the office of the Student Advocate General, and any commissions and departments under these offices.
  - (1) The timeline of these reports will be outlined in the ASUCI Bylaws.
- (k) To confirm or reject appointments made from Executive Officers of chiefs of staff, directors, commissioners, and any other Executive Cabinet positions requiring senate confirmation by a majority vote.
  - (1) If an Executive Officer fails to comply with the timelines outlined in [Article 7 Section 5](#), their office budgets may be temporarily frozen by the Senate until a nomination has been confirmed by the Senate.



- (2) The timeline in [Article 7, section 5](#) does not prohibit the Senate from taking action on appointments made by Executive Officers after the deadlines have passed.
- (l) To confirm or reject, using guidelines in the ASUCI Bylaws, commissions and departments created by Executive Officers or within the Office of the Student Advocate General;
  - (1) An Executive Officer or the Student Advocate General must be given the opportunity to resubmit a commission or department based on feedback from the Senate.
- (m) To confirm by a  $\frac{2}{3}$  vote, or reject, nominations—
  - (1) to the Judicial Board;
  - (2) for appointed Executive Officers;
  - (3) for appointed officer positions in the Office of the Student Advocate General; and
  - (4) to the Elections Commission.
- (n) To confirm by a majority vote, or reject, all nominations made by the Joint Committee on Student Representatives;
- (o) To impeach, for neglect of duty, malfeasance, or misconduct, and by a  $\frac{2}{3}$  vote—
  - (1) individual Executive Officers;
  - (2) individual Senators;
  - (3) individual appointed officials in the Office of the Student Advocate General; and
  - (4) individual Deputy Elections Commissioners;
- (p) To impeach, for neglect of duty, malfeasance, or misconduct, and by a  $\frac{3}{4}$  vote—
  - (1) the Student Advocate General; and
  - (2) the Elections Commissioner.
- (q) To impeach all Justices at the same time for neglect of duty, malfeasance, or misconduct by a unanimous vote;
- (r) To determine what constitutes an impeachable offense for officers listed in (o) through (q);
- (s) To call an immediate special election to fill a vacancy in an elected Executive Officer position;
- (t) To approve the selection of the Executive Director by a  $\frac{2}{3}$  vote;
- (u) To ask for the resignation of the Executive Director, or to request the Vice Chancellor for Student Affairs to terminate the Executive Director's employment by a  $\frac{3}{4}$  vote, subject to approval by the Executive Cabinet;
- (v) To establish stipends for ASUCI officials through the ASUCI Bylaws;
- (w) To override an Executive Cabinet veto by a  $\frac{2}{3}$  vote;
- (x) To set the date for regular elections and create regulations for all elections through the governing documents of ASUCI;
- (y) To ratify elections procedures and special election dates set by the Elections Commission, as allowed by the governing documents of ASUCI; and
- (z) To create and amend governing documents for ASUCI.

### Sec. 3. Officers

- (a) President of the Senate
  - (1) Election
    - (A) The President of the Senate is elected by a majority vote of the Senate from its among members, two weeks prior to the end of each quarter.

- (B) Their term will begin at the end of the quarter and serve for the entirety of that quarter.
- (C) The President of the Senate may be removed by a majority vote of the Senate and their successor will serve the remainder of the unexpired term of office.
- (D) If the position becomes vacant, the Senate must elect a new President of the Senate to serve for the remainder of that quarter.

(2) Duties

The duties of the President of the Senate, are:

- (A) To chair the Senate;
- (B) To vote only when it would affect the outcome, as permitted by the ASUCI parliamentary authority;
- (C) To serve as the official representative of the Senate;
- (D) To coordinate and organize Senate meetings;
- (E) To coordinate and organize Senate orientation and summer meetings;
- (F) To coordinate and manage staff and interns of the Senate;
- (G) To call special task forces when necessary or needed;
- (H) To serve as an advisory member of the Executive Cabinet; and
- (I) Other duties designated by the Senate or ASUCI Bylaws.

(b) President Pro-Tempore of the Senate

(1) Election

- (A) The President Pro-Tempore is elected by a majority vote of the Senate from its among members at the first meeting of the quarter.
- (B) Their term will begin immediately on election and serve for the entirety of that quarter.
- (C) The President Pro-Tempore may be removed by a majority vote of the Senate and their successor will serve the remainder of the unexpired term of office.
- (D) If the position becomes vacant, the Senate must elect a new President Pro-Tempore to serve for the remainder of that quarter.

(2) Duties

The duties of the President Pro-Tempore of the Senate, are:

- (A) To chair the Senate if the President of the Senate is absent or the position is vacant; and
- (B) Other duties delegated by the President of the Senate or designated by the Senate or ASUCI Bylaws.

## Sec. 4. Meetings

- (a) The Senate must meet at least once per week of instruction each quarter, at a day and time specified in the ASUCI Bylaws.
- (b) The Senate must meet at least twice during the summer to conduct orientation, training, and deal with other business such as Executive Cabinet appointments.
- (c) Regular meetings of the Senate may be cancelled as provided for in the ASUCI Bylaws.
- (d) Special meetings may be called as provided for in the ASUCI Bylaws.

- (e) A quorum for all regular and special meetings of the Senate is a majority of seated senators.

#### Sec. 5. Staff

- (a) The Senate Standing Committee on Rules & Oversight may hire staff for the Senate, including a secretary and parliamentarian.

#### Sec. 6. Impeachment and Removal from Office

- (a) The Senate may impeach a senator by a  $\frac{2}{3}$  vote.
- (b) The Judicial Board must then hold hearings and determine whether the senator should be removed from office, and if so, whether they should be barred from holding other office in ASUCI for a period of time.
- (c) Impeachment charges cannot be brought against a Senator more than once per quarter.
- (d) A senator who is removed from office in this manner may appeal the decision by a process described in the ASUCI Bylaws.

### **Article 7. Executive Cabinet**

#### Sec. 1. Membership

- (a) Elected, voting

The following Executive Officers are elected independently by the undergraduate students at-large and have the sole right to vote on Executive Cabinet business:

- (1) The President;
- (2) The External Vice President;
- (3) The Internal Vice President;
- (4) The Academic Affairs Vice President; and
- (5) The Student Services Vice President.

- (b) Appointed, non-voting

The Executive Cabinet will appoint, subject to confirmation by the Senate, a Chief Media & Technology Officer.

- (c) Advisory, non-voting members from other branches—

- (1) The President of the Senate;
- (2) The President Pro-Tempore of the Senate;
- (3) The Student Advocate General;
- (4) The Chief Accountability Officer; and
- (5) The Elections Commissioner.

#### Sec. 2. Authority and Powers

- (a) The Cabinet

- (1) As a whole, the Executive Cabinet has the power—

- (A) To prepare the annual ASUCI budget in conjunction with the Student Advocate General and Elections Commissioner;
- (B) To oversee all auxiliary services, with advice from the ASUCI Executive Director;
- (C) To assist the Elections Commission in promoting ASUCI elections;
- (D) To assist the Elections Commission with its staff training and development;

- (E) To set aside funding in the budget to support programs and events hosted by students, following a consultation process with students and campus organizations;
  - (F) To appoint Justices to the Judicial Board, subject to approval by the Senate;
  - (G) To veto legislation within five academic days from its adoption by the Senate;
    - (i) A veto can only be exercised once per legislation.
    - (ii) After five academic days, the legislation becomes effective with or without the Cabinet's approval.
  - (H) To create auxiliary services, subject to approval by the Senate; and
  - (I) To ensure the solvency of ASUCI auxiliary services in conjunction with the Executive Director.
- (2) Each Executive Officer independently has the power—
- (A) To create commissions by nominating their respective staff members and submitting a description of the commission with the nomination.
    - (i) This description must outline the duties, purposes, and responsibilities, as well as a proposed timeline of projects the commission is expected to carry out, both of which are subject to confirmation by Senate.
  - (B) To administer their office's annual budget as approved by the Senate.
- (b) The President—
- (1) Is responsible for issues involving the general welfare of students and administrative planning for the campus;
  - (2) Serves as a liaison to the campus administration surrounding various functions of campus climate;
  - (3) Serves as Chief Executive Officer of ASUCI and chair of the Executive Cabinet;
  - (4) Has co-signature authorization with the External Vice President and Internal Vice President over all budgetary expenditures;
  - (5) Coordinates office management, ASUCI business operations, and personnel transactions with ASUCI Executive Director; and
  - (6) Has co-signature authorization on contracts for ASUCI, in conjunction with the Executive Director and in accordance with University Policies and Procedures.
- (c) The External Vice President—
- (1) Seeks to promote student advocacy on a statewide, local and national level in order to ensure the affordability, accessibility, quality and diversity of our University;
  - (2) Has co-signature authorization with the President and Internal Vice President over all budgetary expenditures;
  - (3) Coordinates all student-initiated voter registration efforts on campus;
  - (4) Serves as the student liaison to the local government, statewide and nationwide student associations and community; and
  - (5) Develops and maintains programs relating to the civic enrichment of the undergraduate student body and local community.
- (d) The Internal Vice President—
- (1) Serves as the student representative in multiple campus administrative structures and advocates for student input regarding multiple areas around campus;

- (2) Has co-signature authorization with the President and External Vice President over all budgetary expenditures;
  - (3) Oversees the internal management of ASUCI and campus projects;
  - (4) Creates and oversees a commission of board representatives, subject to appointment and removal of representatives by the Joint Committee on Student Representatives;
  - (5) Develops and maintains all administrative services that are overseen by ASUCI; and
  - (6) Develops and maintains programs relating to the quality of services offered by UC Irvine administration, and which maintains a level of transparency regarding such services.
- (e) The Academic Affairs Vice President—
- (1) Strives to cultivate student leadership by raising awareness about the diverse and dynamic academic opportunities on campus, providing avenues of learning outside the classroom and empowering students to be advocates of the academic life here at UC Irvine;
  - (2) Represents the Associated Students on those matters relating to the educational quality at the University of California, Irvine;
  - (3) Serves as the ASUCI representative to the Academic Senate;
  - (4) Create and oversee a commission of Academic Senate representatives, subject to appointment and removal of representatives by the Joint Committee on Student Representatives;
  - (5) Consults with the Academic Senate officers regarding the appointment of student representatives to the Academic Senate Committees; and
  - (6) Develops and maintains ASUCI programs relating to the academic enrichment for the undergraduate student body.
- (f) The Student Services Vice President—
- (1) Strives to provide the best possible experience on campus with respect to entertainment and recreational activities, and to promote student spirit throughout campus;
  - (2) Oversees ASUCI performance agreements; and
  - (3) Develops and maintains all ASUCI programs relating to entertainment for the undergraduate student body.
- (g) The Chief Media & Technology Officer—
- (1) Develops and implements policies which facilitate communications, marketing, public relations, social media and branding for ASUCI;
  - (2) Develops and implements policies related to branding, the style guide, and the general creative vision for ASUCI;
  - (3) Oversees the general outreach efforts of ASUCI to the undergraduate student body;
  - (4) Coordinates all projects related to the ASUCI website and social media presence;
  - (5) Serves as the chief liaison and coordinator between ASUCI and student-run media;
  - (6) Serves as a liaison between the ASUCI staff and ASUCI Marketing Manager;
  - (7) Publicizes ASUCI events, programs, services and organizations to the student body, the campus staff and faculty, and the community;
  - (8) Organizes a calendar of events hosted by ASUCI;

- (9) Develops and implements projects involving technology for the purpose of increasing accessibility to the undergraduate student body;
- (10) Ascertain the technological and logistical feasibility of all projects and policies relating to technology undertaken by ASUCI, to enable the execution of the specifications of the aforementioned projects;
- (11) Advocates for the use of campus technology for the benefit of the student body;
- (12) Serves as the chief liaison and coordinator for ASUCI's relationship regarding technology with the University and the student body;
- (13) Develops and maintains the ASUCI website, in collaboration with ASUCI Information Technology and other offices in ASUCI; and
- (14) Hires interns as necessary to assist in the work of the office.

### Sec. 3. Vacancies

- (a) If the position of President is vacant, the Executive Cabinet will be chaired according to the order of Executive Officers in [section 1\(a\)](#).
- (b) If an elected Executive Officer position is vacant for any reason, the Executive Cabinet will select someone who will serve as the interim Executive Officer, until a special election is held and the Senate certifies the results.
  - (1) If all elected Executive Officer positions are vacant, the Senate will assume the authority to appoint Executive Officers on an interim basis.
- (c) The Senate must call an immediate special election to fill a vacancy in an elected Executive Officer position.

### Sec. 4. Meetings

- (a) The Executive Cabinet must meet at least five times per quarter.
- (b) Special meetings may be called as provided for in the ASUCI Bylaws.

### Sec. 5. Staff

- (a) Each Executive Officer must submit nominations for their respective chiefs of staff, commissioners, directors, and other staff within three weeks of taking office.
  - (1) If the executive officer hires any other cabinet members or staff during the Fall quarter, they must submit nominations for those respective positions as soon as possible.
- (b) All staff in each executive office are subject to interview and review by Senate prior to confirmation.
- (c) No paid staff member of an executive office may perform their duties in their respective positions without being confirmed by the Senate.

### Sec. 6. Impeachment and Removal from Office

- (a) The Senate may impeach elected and appointed Executive Officers by a  $\frac{2}{3}$  vote.
  - (1) The Judicial Board must then hold hearings and determine whether the Executive Officer should be removed from office, and if so, whether they should be barred from holding office in ASUCI for a period of time.
- (b) The Executive Cabinet may, by a majority vote, impeach an appointed Executive Officer for neglect of duty, malfeasance, or misconduct.

- (1) The Judicial Board must then hold hearings and determine whether the appointed Executive Officer should be removed from office, and if so, whether they should be barred from holding office in ASUCI for a period of time.
- (c) Impeachment charges cannot be brought against an Executive Officer more than once per quarter, regardless of whether the Senate or the Executive Cabinet brings those charges.
- (d) An Executive Officer who is removed from office in this manner may appeal the decision by a process described in the ASUCI Bylaws.

## **Article 8. Judicial Board**

### **Sec. 1. Members**

- (a) The Judicial Board consists of the following seven members:
  - (1) The Chief Justice;
  - (2) The Vice-Chief Justice; and
  - (3) Five Associate Justices.

### **Sec. 2. Authority and Powers**

The Judicial Board has final judicial authority for ASUCI, which extends to all cases arising under the governing documents of ASUCI, all official actions of ASUCI officials and staff, and any matters delegated to the Judicial Board by the Senate or Student Advocate General. Under this authority, the Judicial Board has the power—

- (a) To interpret all parts of the governing documents of ASUCI;
- (b) To grant judicial relief as permitted by the governing documents of ASUCI;
- (c) To make final, binding decisions on matters within its jurisdiction by a vote of a majority of voting Justices, provided that the number of Justices required for quorum are voting;
- (d) To exercise appellate jurisdiction over any decisions of the Elections Commission;
- (e) To put a temporary injunction on all ASUCI legislation when its membership drops below four justices;
  - (1) These injunctions are exempt from the vote minimum required by (c).
  - (2) The injunction is automatically lifted when Judicial Board reaches four members.
  - (3) If there are no Justices, then there is an automatic injunction on all ASUCI legislation.
- (f) To nullify any measure that is considered unconstitutional and ordering the immediate halt of those actions;
- (g) To judge the constitutionality of actions by the Executive Cabinet, Senate, Student Advocate General, and Elections Commission and ordering the halt of actions that are judged to be unconstitutional;
- (h) To order the Joint Committee on Transparency disclose information held by ASUCI, subject to limitations in UC Irvine Policy;
- (i) To review weekly all bills and resolutions adopted by the Senate and to submit memos to the authors regarding their adherence to the ASUCI governing documents;
- (j) To investigate charges of violations of the ASUCI governing documents;
- (k) To issue a temporary injunction on all Senate legislation until an Elections Commissioner is appointed, if the Elections Commissioner position is vacant when a special election is called for or during the winter or spring quarter, with the exception of the legislation regarding the appointment of the Elections Commissioner;

- (l) To conduct hearings and determine by a  $\frac{2}{3}$  vote whether to remove an impeached—
  - (1) elected or appointed Executive Officer;
  - (2) Senator;
  - (3) Student Advocate General;
  - (4) Elections Commissioner;
  - (5) Deputy Elections Commissioner;
- (m) To determine by a separate  $\frac{2}{3}$  vote whether elected Executive Officers, Senators, etc. who have been removed from office are barred from holding other ASUCI office for a period of time which cannot exceed two academic years;
- (n) To request advice on cases from students enrolled at the UCI School of Law;
- (o) And responsibilities that the Chancellor may delegate to it.

### Sec. 3. Officers

- (a) Chief Justice—
  - (1) Chairs the Judicial Board;
  - (2) Exercises only one vote on matters before the Judicial Board;
  - (3) Must promptly post Judicial Board majority and minority opinions on the ASUCI website; and
  - (4) Is elected by the Judicial Board from among its members at the beginning of each academic year, or at any time the position becomes vacant, and serves until their successor is elected.
- (b) Vice-Chief Justice—
  - (1) Is elected by the Judicial Board from among its members;
  - (2) Chairs the Judicial Board if the Chief Justice is absent; and
  - (3) Is the interim Chief Justice if the position is vacant for any reason, until the Judicial Board elects a new Chief Justice.

### Sec. 4. Meetings

- (a) The Judicial Board must meet at least once per week of instruction each quarter, at a day and time set by the Chief Justice and approved by the board.
- (b) Judicial Board meetings may be cancelled as provided for in the ASUCI Bylaws.
- (c) Quorum for all meetings is a majority of seated Justices.

### Sec. 5. Staff

- (a) The Chief Justice may hire staff for the Judicial Board, subject to approval by the Board.

### Sec. 6. Impeachment and Removal from Office

- (a) The Senate may impeach all Justices at the same time by a unanimous vote.
- (b) The Executive Cabinet may then remove the Justices from office by a unanimous vote.
- (c) Impeachment charges cannot be brought against the Justices more than once per quarter.

## Article 9. Office of the Student Advocate General

### Sec. 1. Composition

- (a) The Student Advocate General, who is elected by the undergraduate students at-large;
- (b) Two Deputy Student Advocates General—
  - (1) the Internal Deputy Student Advocate General; and



(2) the External Deputy Student Advocate General.

(c) The Chief Accountability Officer.

## Sec. 2. Requirements

(a) All officials in the Office of the Student Advocate General must participate in Student Conduct Board Training and Ombudsman training in Conflict Mediation at the first available opportunity after their appointment, in the event that they are not already trained.

(b) These trainings must be taken during the summer, if possible.

## Sec. 3. Authority and Powers

(a) The Office of the Student Advocate General has primary investigative, auditing, and prosecutorial authority for ASUCI.

(b) Student Advocate General

Under their authority as head of the Office, the Student Advocate General has the power—

(1) To present ASUCI's position to University and campus administration concerning student rights, campus rules, and other areas of student conduct;

(2) To impose appropriate structural measures on ASUCI offices such as mandating more training or better record management;

(3) To receive, investigate, and address student complaints with regards to ASUCI elections;

(4) To review non-financial instances of nonfeasance, misfeasance, and malfeasance regarding ASUCI elections;

(5) To bring reports of nonfeasance, misfeasance, and malfeasance within ASUCI to the Judicial Board;

(6) To appoint the two deputy Student Advocates General, the Chief Accountability Officer, subject to confirmation by the Senate;

(7) To set the staff composition of the Office not defined in this Constitution;

(8) To administer the Office's budget as approved by the Senate;

(9) To delegate matters to others in the Office as needed; and

(10) To be advised directly by the ASUCI Executive Director or designee.

(c) The Internal Deputy Student Advocate General has the delegated power—

(1) To mediate disputes and complaints within ASUCI, in a non-partisan manner;

(2) To create communication channels for student to anonymously report cases where misuse of student funds is suspected, both online and by other means;

(3) To provide opportunities for student suggestions to influence which projects, programs, departments, or offices it audits each year;

(4) To conduct audits of ASUCI offices suspected of violation of ASUCI, UC, or UCI policies, in particular those pertaining to student rights;

(5) To receive grievances from undergraduate students regarding ASUCI officials and operations and to take actions to remedy such grievances; and

(6) To recommend remedial measures to ASUCI offices regarding students' right to information.

(d) The External Deputy Student Advocate General has the delegated power—

- (1) To educate the undergraduate student body on their rights, ASUCI, UC, and UCI policies, including student conduct policies; state and federal laws, regulations, procedures;
  - (2) To promote awareness of the services offered by this Office; and
  - (3) To represent student voices which have not been adequately represented in the Senate.
- (e) The Chief Accountability Officer has the delegated power—
- (1) To implement accountability, transparency, and ethics policies within ASUCI
  - (2) To ensure that the governing documents of ASUCI are implemented and followed;
  - (3) To investigate and report any malfeasance to the Student Advocate General who must bring the matter to the Judicial Board;
  - (4) To maintain an active file of all ASUCI official's absences and failures to complete other quantifiable duties;
  - (5) To take or suggest necessary action to remedy an ASUCI official's neglect of duty;
  - (6) To oversee ASUCI's right to information process and lodge appeals on behalf of requesters for ASUCI information to the Judicial Board; and
  - (7) To promptly post reports from all ASUCI officials and all student representatives appointed by the Joint Committee on Student Representatives to the ASUCI website.

#### Sec. 4. Staff

- (a) The Student Advocate General may hire staff for the Office which is not defined in this Constitution, but the Senate must confirm any staff who receives a stipend.

#### Sec. 5. Impeachment and Removal from Office

- (a) The Senate may impeach officials listed in [section 1](#) by a  $\frac{2}{3}$  vote.
- (b) The Judicial Board must then hold hearings and determine whether the official should be removed from office, and if so, whether they should be barred from holding other office in ASUCI for a period of time.
- (c) Impeachment charges cannot be brought against an official more than once per quarter.
- (d) An official who is removed from office in this manner may appeal the decision by a process described in the ASUCI Bylaws.

### **Article 10. Elections Commission**

#### Sec. 1. Composition

- (a) The Elections Commission is composed of one Elections Commissioner and four Deputy Commissioners.

#### Sec. 2. Authority and Powers

The Elections Commission has all authority for ASUCI elections and related activities, and under this authority has the power—

- (a) To plan and manage all ASUCI elections;
- (b) To receive and validate nominations of candidates in ASUCI elections;
- (c) To enforce all ASUCI candidate disclosure requirements;
- (d) To receive and validate all direct democracy petitions outlined in this Constitution;
- (e) To create and regulate direct democracy petitions outlined in this Constitution;

- (f) To conduct polling for ASUCI elections;
- (g) To count and tabulate votes in ASUCI elections;
- (h) To regulate any ASUCI political parties;
- (i) To announce provisional ASUCI elections results;
- (j) To conduct civic education of students regarding the ASUCI elections process;
- (k) To conduct nonpartisan voter information efforts about ASUCI candidates and ballot initiatives;
- (l) To call, and set dates for, special elections, subject to approval by the Senate;
- (m) To create rules, policies, and processes under the authority of the Elections Code, subject to approval by the Senate;
- (n) To accredit organizations to observe all aspects of election administration, including voting, vote counting, and results tabulation;
- (o) To investigate, on their own initiative, possibilities of electoral nonfeasance, misfeasance, and malfeasance, including any action that could affect the outcome of an election;
- (p) To adjudicate electoral disputes, including allegations of Elections Code violations, subject to appeal to the Judicial Board;
- (q) To administer the Commission's budget as approved by the Senate;
- (r) To hire interns, volunteer polls workers, and other staff; and
- (s) To be advised directly by the ASUCI Executive Director or designee.

### Sec. 3. Responsibilities

This section describes the core responsibilities of the Elections Commission and serves as a contract between the Commission and the undergraduate students of UCI regarding the conduct of the elections process. Under this, the Commission must—

- (a) Conduct all ASUCI elections fairly, impartially, and with integrity, in ways that ensure students rights are protected;
- (b) Provide means for students to become well-informed on elections issues, including by promptly posting all candidate and campaign disclosure reports on the ASUCI website;
- (c) Publish the qualifications needed to run and hold ASUCI elected office;
- (d) Solicit feedback from students throughout the elections process;
- (e) Perform self-evaluations after each election and at the end of every academic year;
- (f) Promptly produce public reports after every ASUCI general election on the functioning of all aspects of the process, and integrating student feedback and self-evaluations into these reports;
- (g) Receive and promptly respond to requests for elections related information;
- (h) Publish a guide regarding access to complaint procedures and available remedies for elections violations; and
- (i) Adhere to the following principles in all actions:
  - (1) Independence;
  - (2) Impartiality;
  - (3) Integrity;
  - (4) Transparency;
  - (5) Efficiency and effectiveness;

- (6) Service-mindedness; and
- (7) Professionalism.

#### Sec. 4. Impeachment and Removal from Office

- (a) The Senate may impeach the Elections Commissioner by a  $\frac{3}{4}$  vote.
- (b) The Senate may impeach a Deputy Elections Commissioner by a  $\frac{2}{3}$  vote.
- (c) The Judicial Board must then hold hearings and determine whether the official should be removed from office, and if so, whether they should be barred from holding other office in ASUCI for a period of time.
- (d) Impeachment charges cannot be brought against the Commissioner or a Deputy Commissioner more than once per quarter.
- (e) A Commissioner or Deputy Commissioner who is removed from office in this manner may appeal the decision by a process described in the ASUCI Bylaws.

### Article 11. Joint Committees

The following committees are either composed of members of multiple branches or exercise the powers of multiple branches. Committee membership may be increased in the ASUCI Bylaws or by processes outlined in them.

#### Sec. 1. Joint Committee on Student Representatives

- (a) Purpose, Duties, and Powers of the Committee

The purpose, duties, and powers of the committee are—

- (1) To ensure that undergraduate students are being effectively and consistently represented on campus boards, councils, committees, or subcommittees;
- (2) To interview and appoint undergraduate students by a  $\frac{2}{3}$  vote, subject to confirmation by the Senate, to all campus boards, committees, and councils, including—
  - (A) Student Fee Advisory Committee (SFAC);
  - (B) Student Center Board of Advisors;
  - (C) Bren Events Center Board;
  - (D) Anteater Recreation Center (ARC) Board;
  - (E) Student Health Insurance Advisory Committee;
  - (F) Anteater Express Bus Love Board;
  - (G) All boards created to oversee the use of mandatory student fees;
  - (H) Any councils, committees, boards, or subcommittees specified by Bylaw 36 of the Irvine Division of the Academic Senate as permitting student representatives; and
  - (I) Any other councils, boards, committees, or subcommittees that have been or may be formed by campus administration.
- (3) To invite the chairs of the respective boards, committees, councils, and in the case of Academic Senate representatives, the chair of the Irvine Division's Committee on Committees, to give perspective on all interviewees;
- (4) To facilitate and assist all student representatives in getting feedback and positions from the student government and undergraduate student body;
- (5) To require and promptly collect reports from all student representatives after every meeting they attend; and

- (6) To remove any student representative, who was appointed by the committee, from that position by a  $\frac{2}{3}$  vote.

(b) Membership

The members of the committee are—

- (1) The Chief Accountability Officer, as chair;
- (2) The President;
- (3) The Internal Vice President;
- (4) The Academic Affairs Vice President;
- (5) The President or President Pro-Tempore of the Senate;
- (6) The chair or vice-chair of the Senate Standing Committee on Rules & Oversight;
- (7) The chair or vice-chair of the Senate Standing Committee on Advocacy;
- (8) Two additional senators; and
- (9) The Student Advocate General or Internal Deputy Student Advocate General.

## Sec. 2. Legislative and External Policy Committee

(a) Purpose, Duties, and Powers of the Committee

The purpose, duties, and powers of the committee are—

- (1) To provide analysis and recommendations to the Senate for ASUCI's official stance on local, state, and federal legislative issues, and UC or UCI policies; and
- (2) To recommend priority levels for legislation advocated by ASUCI.

(b) Membership

The members of the committee are—

- (1) The External Vice President, as the chair;
- (2) The Legislative affairs director, as the vice-chair;
- (3) The Student Advocate General or External Deputy Student Advocate General;
- (4) The chair or vice-chair of the Senate Standing Committee on Advocacy;
- (5) Three additional senators;
- (6) The organizing director, as needed; and
- (7) The labor commissioner, as needed.

## Sec. 3. Governance and Internal Policy Committee

(a) Purpose, Duties, and Powers

The purpose, duties, and powers of the committee are—

- (1) To annually review all ASUCI governing documents and make recommendations to the Senate;
- (2) To ensure that all ASUCI officials are performing their duties with respect to the ASUCI governing documents and recommend disciplinary measures to the Senate;
- (3) To nominate candidates for the Elections Commissioner and Deputy Elections Commissioners to the Senate;
- (4) To determine the number of senate seats prior to the spring general election;
- (5) To review the conduct of elections processes, including the performance of the Elections Commission, and submit a comprehensive report with findings and recommendations to the Senate; and

- (6) To ensure that all ASUCI officials act ethically and with integrity, and to recommend sanctions for noncompliance, including freezing of accounts, injunctions, firing, and impeachment.

(b) Membership

The members of the committee are—

- (1) The Internal Student Advocate General, as the chair;
- (2) The chair or vice-chair of the Senate Standing Committee on Rules & Oversight, as the vice-chair;
- (3) All other members of the Senate Standing Committee on Rules & Oversight;
- (4) All Executive Officers, as needed;
- (5) The Chief Justice and Vice-Chief Justice, as advisory members of the committee;
- (6) The Elections Commissioner, as needed; and
- (7) Two Deputy Elections Commissioners, when conducting the nomination process for the Elections Commissioner or for Deputy Elections Commissioners, or when the committee is reviewing the Elections Code.

#### Sec. 4. Joint Committee on Transparency

(a) Purpose, Duties, and Powers

The purpose, duties, and powers of the committee are—

- (1) To promote and ensure the right to student government information is easily accessible to all students;
- (2) To coordinate efforts at making ASUCI records and activities open and transparent;
- (3) To create and enforce a timeline for disclosure of existing and future ASUCI information on a regular basis;
- (4) To create a list for each office of information that may not be shared;
- (5) To create guidelines and policies, including technology policies, to implement right to information provisions in ASUCI governing documents
- (6) To upload ASUCI records, documents, reports and other information that is not being uploaded by other offices;
- (7) To inform students of procedures for requesting ASUCI information;
- (8) To recommend sanctions for offices or officials who are not complying with right to information and transparency provisions in ASUCI governing documents;
- (9) To track and monitor responses to requests for information; and
- (10) To identify problems with ASUCI's implementation of transparency policies and to propose solutions.

(b) Membership

The members of the committee are—

- (1) The Student Advocate General, as chair;
- (2) The Internal Deputy Student Advocate General, as vice-chair;
- (3) The Chief Accountability Officer;
- (4) The Chief Media & Technology Officer;
- (5) The President or President Pro-Tempore of the Senate;
- (6) The chair or vice-chair of the Senate Standing Committee on Rules & Oversight;

## **Article 12. Direct Democracy**

### **Sec. 1. Legislative Initiatives and Referrals**

- (a) Undergraduate students may initiate legislation by presenting a petition to the Elections Commission.
- (b) The petition must then be signed within five weeks of instruction by at least two percent of the undergraduate students.
- (c) Within three days from receiving the signatures, the Commission must validate them and, if the requirements are met, the Senate must then vote on the proposed legislation.
- (d) If the Senate does not repeal the legislation, the Commission must call a special election to put the petition to a vote of the students, which must be between 15 academic days and 2 academic quarters from the date of presentation to the Senate.
- (e) A majority vote is required to adopt the legislation, with a minimum voter turnout of five percent of the undergraduate students
- (f) Legislation adopted in this way has precedence over all Senate legislation, and the Senate cannot adopt contradictory legislation for at least one year from the day the results are certified.
- (g) The Senate may, by a majority vote, place any legislation introduced normally on the next general election ballot for a vote of the undergraduate students, which will then follow this process from [subsection \(e\)](#).

### **Sec. 2. Fee Initiatives**

- (a) Fee initiative is the power of the undergraduate students to create self-assessed fees.
- (b) This constitution will govern fee initiatives for the ASUCI fee. All other fee initiatives will be governed by applicable guidelines approved by the Chancellor.
- (c) Fee initiatives may be proposed by the following methods:
  - (1) Approval of a proposal by a  $\frac{2}{3}$  vote of the Senate; or
  - (2) Presentation of a petition to the Elections Commission, signed by at least eight percent of the undergraduate students as validated by the Commission within three days of receipt.
- (d) The Elections Commission must call a special election to put the fee initiative to a vote of the undergraduate students, which must be between 15 academic days and 2 academic quarters from the date of presentation to the Senate or validation of signatures.
- (e) The fee initiative must also be reviewed and approved by the Student Fee Advisory Committee, the UC Office of the President, and other campus bodies as necessary, in addition to complying with University policies on student fees.
- (f) An affirmative vote of at least 60 percent is required to adopt the fee initiative, with a minimum voter turnout of 20 percent of the undergraduate students.
- (g) The fee initiative will then be sent to the Chancellor for final approval.
- (h) If a fee initiative fails at an election, it cannot return to the ballot for two academic quarters from the day the fee results are certified.

### Sec. 3. Legislative Referenda

- (a) Legislative referendum is the power of the undergraduate students to repeal legislation adopted by the Senate.
- (b) All legislation adopted by the Senate may be repealed in this manner, except for legislation that cannot feasibly be undone.
- (c) A legislative referendum is started by an undergraduate student delivering a petition, which specifies the legislation to be repealed, to the Elections Commissioner.
- (d) The petition must then be signed within five weeks of instruction by at least two percent of the undergraduate students.
- (e) Within three days from receiving the signatures, the Commission must validate them and, if the requirements are met, the Senate must then vote on whether or not to repeal the specified legislation.
- (f) If the Senate does not repeal the legislation, the Commission must call a special election to put the petition to a vote of the students, which must be between 15 academic days and 1 academic quarter from the date of presentation to the Senate.
- (g) A majority vote is required to repeal the specified legislation, with a minimum voter turnout of five percent of the undergraduate students
- (h) Legislation repealed in this way cannot be adopted again for at least one year from the day the results are certified.

### Sec. 4. Recall

- (a) Recall is the power of the undergraduate students to remove an ASUCI official.
- (b) The following ASUCI officials may be recalled from office:
  - (1) All elected Executive Officers;
  - (2) All Senators;
  - (3) The Student Advocate General; and
  - (4) All Justices.
- (c) A recall is started by an undergraduate student delivering a petition, which names the official and alleges the reason for recall, to the Elections Commissioner.
- (d) The petition must then be signed within five weeks of instruction by undergraduate students totaling at least—
  - (1) Ten percent of the votes cast in the last regular election for that office, in the case of Executive Officers, At-Large and Special Interest Senators, and the Student Advocate General;
  - (2) 25 percent of the votes cast in the last regular election for that office, in the case of School-based Senators; or
  - (3) One percent of the undergraduate students, in the case of members of the Judicial Board.
- (e) Within three days from receiving the signatures, the Elections Commission must validate them and call a special election if the requirements are met.
- (f) The Commission will propose the date of the special election at this time.
- (g) The proponents or the named official may challenge the Commission's decision to the Judicial Board up to 72 hours from the Elections Commission's validation



- (h) During the recall election, students may run to replace the official.
  - (1) The named official is prohibited from running to replace themselves.
- (i) A majority vote is required to recall the officer, with a minimum voter turnout of two percent of the undergraduate students.
- (j) The Elections Code will define which candidate succeeds the official if the recall is successful.

**Sec. 5.** The ASUCI Student Government must provide an online platform for initiating, signing, distributing, and otherwise administering the petitions outlined in this section.

This platform must—

- (a) Allow all petitions, and their contents, to be publicly accessible;
- (b) Allow petitions to be initiated, signed, and administered only by currently registered undergraduate students at UCI;
- (c) Provide measures for verifying the identity of all initiators and signers using methods such as UCInetID logins and student ID numbers;
- (d) Allow students to choose not to be publicly listed as a signatory;
- (e) Display the total number of signatures required and up-to-date metrics on the number of signatories;
- (f) Provide explanations and guidance so that students can create the appropriate type of petition to address their concerns;
- (g) Automatically forward the petition to the appropriate ASUCI official once the required number of signatures is reached; and
- (h) Allow for status updates on the petition.

## **Article 13. Elections**

### **Sec. 1. ASUCI General Elections**

- (a) ASUCI will hold a general election during the spring quarter of each academic year.
- (b) All elected officials will be elected in the ASUCI general election.

### **Sec. 2. Campaign Finance**

- (a) Public Financing
  - (1) If ASUCI income reaches a level to make it feasible, funding should be set aside in the annual budget for candidates for ASUCI elected office, provided that each candidate must be given the same amount of money.
- (b) Mandatory Disclosure
  - (1) Candidates for ASUCI elected office must promptly disclose all amounts and sources of funds received, all material donations received, and all spending, by their campaign.
  - (2) Any organizations or groups engaging in ASUCI electoral activity, including campaigns for or against recalls and any type of referendum, must also comply with these disclosure requirements.
  - (3) These requirements apply for all elections.

## **Article 14. ASUCI Executive Director**

### **Sec. 1. Responsibilities**

- (a) The Executive Director is the administrative head of UCI Student Government & Student Media professional staff and is responsible for directing the general student activities and operations of ASUCI and UCI Student Government & Student Media.
- (b) They are also responsible to the Executive Cabinet for—
  - (1) The proper and efficient operation of the auxiliary enterprises, including Anteater Express, and the employment of all personnel who support the ASUCI;
    - (A) All employees of ASUCI are employees of the University.
  - (2) Preserving the solvency of ASUCI auxiliary services;
  - (3) The daily management of all auxiliary services; and
  - (4) Advising the Executive Cabinet on the oversight of ASUCI auxiliary services.
- (c) Providing, at the request of the Senate, all information pertaining to any personnel action;
  - (1) This information shall be provided in accordance with University Policy and Procedures.
  - (2) The Executive Director is also responsible for reporting all actions taken in this regard to the President on a frequent and regularly consultative basis; and

### **Sec. 2. Selection, Appointment, and Termination**

- (a) In accordance with University of California, Irvine Policies and Procedures, the approval of the job description and the selection of the Executive Director is the responsibility of the Executive Cabinet and the Vice Chancellor for Student Affairs or designee.
- (b) The Senate must approve the selection of the Executive Director by a  $\frac{2}{3}$  vote.
- (c) The Vice Chancellor for Student Affairs has ultimate authority for appointing and terminating the Executive Director.
- (d) The term of office of the Executive Director is indefinite.
- (e) Termination must be in accordance with University of California, Irvine Policies and Procedures.
- (f) A  $\frac{3}{4}$  vote of the Senate and a majority vote of the Executive Cabinet, is required to—
  - (1) Ask for the resignation of the Executive Director; or
  - (2) Issue a written, formal request to the Vice Chancellor for Student Affairs for the termination of the Executive Director.

### **Sec. 3. Authority**

The authority of the Executive Director includes—

- (a) Serving as the official representative of ASUCI in all business and financial dealings;
- (b) Recommending policies for the administration of ASUCI operations, staffing, facilities, and auxiliary services to the Executive Cabinet;
- (c) Keeping a system of accounts, records, and books for ASUCI and its activities, which must be kept in standard form so that a true statement of ASUCI's financial status may be prepared at any time;
- (d) Supervising all ASUCI employees in accordance with University of California Policies and Procedures;

- (e) Hiring all ASUCI professional staff and ensuring there is equal representation between students and staff on any hiring committee;
- (f) Providing any information pertaining to the functioning of ASUCI on the request of the Senate or Executive Cabinet, given reasonable notice;
- (g) Supervising the collection and expenditures of all ASUCI funds, in accordance with University of California Policies and Procedures;
- (h) Investing money in the name of ASUCI with the approval of the Senate and in accordance with University of California Policies and Procedures;
- (i) Borrowing in the name of ASUCI with the approval of both the Executive Cabinet and the Senate;
- (j) Appointing and removing ASUCI professional staff employees; and
- (k) Acting as trustee for ASUCI in maintaining financial accounts for University of California, Irvine student organizations.

## **Article 15. Constitutional Amendments**

### **Sec. 1. Normal Amendment Process**

- (a) Amendments to this Constitution may be proposed by the following methods:
  - (1) Approval of recommendations from the Governance and Internal Policy Committee by a  $\frac{2}{3}$  vote of the Senate; or
  - (2) Presentation of a petition to the Elections Commission, signed by at least five percent of the undergraduate students as validated by the Commission within three days of receipt.
- (b) The Commission must then put the amendments to a vote of the students at the next ASUCI general election.
- (c) The Elections Commission must publish the full text of the amendments in student media for two weeks of instruction before the election.
- (d) The Elections Commission must also make the full text of the amendments available at official polls and on the ASUCI website.
- (e) A  $\frac{2}{3}$  vote is required to adopt the amendments, with a minimum voter turnout within five percent of the average turnout of the last three ASUCI general elections.
- (f) The amendments will then be sent to the Chancellor for final approval.

### **Sec. 2. Urgency Amendment Process**

- (a) Purpose and Applicability of this Process
  - (1) The purpose of this process is to amend outdated or irrelevant provisions of this Constitution, which are substantially hindering the proper functioning of ASUCI.
  - (2) This process cannot be used to amend, in any way, [Articles 1 through 3, 12, or 16](#).
  - (3) This process cannot be used to eliminate an elected position in the ASUCI Student Government.
  - (4) This process cannot be used to eliminate an appointed position in the ASUCI Student Government, unless the following conditions are met at the time the amendment process is begun:
    - (A) The office is vacant;
    - (B) There are no pending applications for that office;

- (C) There are no pending appeals of a decision to remove a former incumbent from that position;
  - (D) The deadline for a former incumbent to file an appeal of a decision to be removed from office has expired; and
  - (E) The Senate has declared by a  $\frac{2}{3}$  vote that these these conditions have been met.
- (b) Process
- (1) The amendment(s) must first be referred to the Senate Standing Committee on Rules and Oversight.
  - (2) After reviewing the amendment(s), the committee may recommend, by a unanimous vote, that the Senate adopt the proposed amendments.
  - (3) If the committee does not recommend the adoption of the amendment(s) by a unanimous vote, then the amendment(s) must be approved according to the process in [section 1](#).
    - (A) Amendments should be treated as severable if they can be effected independently and such amendments may be acted on separately by the committee.
  - (4) If the Senate adopts the recommended amendments by a  $\frac{3}{4}$  vote, the amendment(s) will be referred to the Executive Cabinet.
  - (5) If the Executive Cabinet also adopts the amendment(s) by a unanimous vote, the amendment(s) will be sent to the Judicial Board.
  - (6) The Judicial Board will have one week to certify that this process was followed and the amendment(s) meet the applicability requirements, at which point the amendments will be sent to the Chancellor for final approval.
    - (A) If the Judicial Board finds that this process was not followed or that the amendment(s) do not meet the applicability requirements, or both, the amendment(s) will automatically be submitted to a vote of the undergraduate students as described in [section 1](#).

### Sec. 3. Non-substantive Amendment Process

- (a) This process is to allow for corrections to be made to this Constitution that do not alter its meaning, such as to fix typographical errors.
- (b) First, the proposed amendment must be submitted to the Governance and Internal Policy Committee.
  - (1) Submissions may be made by anyone
- (c) In order to refer the amendment to the Senate—
  - (1) The committee must approve the amendment unanimously; and
  - (2) The Justices on the committee must verify that the amendment is non-substantive
- (d) The Senate may then adopt the amendment by a majority vote, at which time the amendment will be sent to the Chancellor for final approval.

### Sec. 4. The Student Fee Advisory Committee is not required to approve any amendments to this Constitution.