

Constitution of the Associated Students of the University of Irvine, California

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 deliberative constituency of this university community, in order to form a more perfect union of students, to insure domestic tranquility, to promote the general welfare, and secure the natural blessing of liberty to ourselves and our posterity, hereby ordain and establish this constitution.

Article I: Name

Sec. 1. *Name.* The name of this organization is the Associated Students of the University of California, Irvine (ASUCI).

Article II: Membership

Sec. 1. *Eligibility.* Any person registered as an undergraduate student or as an extension student during the Fall, Winter, Spring, or Summer quarter at the University of California, Irvine may be a member of ASUCI.

Sec. 2. *Enrollment.* All members must pay the Associated Student Fee, as set by properly established fees.

Sec. 3. *Nondiscrimination.* 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 III: Structure of Government

Sec. 1. *Jurisdiction.* The Associated Students of the University of California, Irvine (ASUCI) is the officially authorized undergraduate student government at the University of California, Irvine, and shall hold authority over all such student affairs as permitted by university policy.

Sec. 2. *Branches of Government.*

ASUCI shall consist of the following branches:

1. A Senate;
2. An Executive Committee;
3. A Supreme Judicial Board;
4. An Elections Commission;
5. Auxiliary services.

Sec.3. *Bureaucracy and Auxiliary.* All services and programs implemented by the Executive shall be either a bureaucratic department or an auxiliary service, as created and appropriated by the Senate.

Article IV: Minimum Qualifications And Terms

Sec 1. *Minimum Necessary Qualifications.* All elected positions shall adhere to the following minimum qualifications:

1. A 2.0 cumulative GPA;
2. Be a member;
3. Not being barred from office by the Supreme Judicial Board.

Sec. 2. *Elected and Appointed Terms.* All elected and appointed officers shall serve a term of one (1) year, and so to with their contingent staff. Officials elected or appointed to fulfill a vacant seat will serve the remaining unexpired portion of the term. The terms of office begin the last day of the Spring quarter in which they were elected and end the second to last day of the following year's Spring quarter.

Sec. 3. *Terms for officers of Justice.* All officers of Justice shall serve for the period of two (2) years.

Article V. Senate

Sec. 1. *Legislative Power.* All legislative powers herein granted to ASUCI shall be vested in the Senate. The enumerated powers are as follows:

1. To set the official stances of ASUCI, including contracts, political statements, or other declarations, binding or not, of ASUCI unless otherwise delegated;
2. To hold the power of the purse, and in doing so to appropriate all Associated Student Fee income and exercise oversight of all ASUCI spending, including that over stipends;
3. To create ASUCI auxiliary services;
4. To create ASUCI administrative departments;
5. To create committees;
6. To confirm or reject appointments made from Executive or Judicial Officers for any paid positions of any agency, and any other Executive positions requiring Senate confirmation by a majority vote;
7. To confirm by a two-thirds ($\frac{2}{3}$) vote, or reject, nominations relating to:
 - a. Supreme Judicial Board;
 - b. Appointed Executive Officers;
 - c. Student Attorney General;
 - d. Elections Commission.
8. To codify additional procedures to elections, including special elections;
9. To approve, or ask for resignation of Executive Director by a two-thirds ($\frac{2}{3}$) vote;
10. To override any veto by a two-thirds ($\frac{2}{3}$) vote;
11. To amend, draft, and classify any additional governing documents to ASUCI;
12. To promote the general welfare, through the progress of science and arts, or by access to relevant resources;
13. To appoint judges, if no nomination is made by the Executive Committee within a ten (10) academic day period of the vacancy opening;
14. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the University, or in any department or officer thereof.

Sec 2. *Membership.* There are three classifications of voting members with parliamentary rights on the Senate:

1. School Senators;
2. Campus Senators;
3. Special Interest Senators.

Sec 3. *School Membership Distribution*. All degree granting units are entitled to a number of senators proportional to their enrollment of undergraduate students, according to the following formula:

1. One (1) senator for enrollment of less than ten (10) percent of the undergraduate student body;
2. Two (2) senators for enrollment between ten (10) percent and fifteen (15) percent;
3. Three (3) senators for enrollment between fifteen (15) percent and twenty (20) percent;
4. Four (4) senators for enrollment of twenty (20) percent or greater.

Sec. 4. *Respective School Senate Membership Qualifications and Voting Limitations*. All School Senators must be enrolled in the unit they represent. Only students enrolled in a particular unit may vote for senators representing that unit.

Sec. 5. *Campus Senators Membership*. The number of Campus Senators is equal to one-third ($\frac{1}{3}$) of the total number of School Senators, rounded up.

Sec. 6. *Special Interest Senator Membership*. There will be four (4) Special Interest Senators:

1. One International Senator;
2. One Transfer Senator;
3. One First Year Senator;
4. One Extension Student Senator.

Sec. 7. *Impeachment of a Senator*. The Senate may impeach a Senator by a two-thirds ($\frac{2}{3}$) vote, for reasons of maladministration or misconduct, and the Supreme Judicial Board shall hold a trial to determine if the Senator shall be removed and barred from office.

Sec. 8. *Impeachment of an Executive*. The Senate may impeach an Executive by a two-thirds ($\frac{2}{3}$) vote, for reasons of maladministration or misconduct, and the Supreme Judicial Board shall hold a trial to determine if the Executive shall be removed and barred from office.

Sec. 9. *Impeachment for Officers of Justice*. The Senate may impeach, and try officers of Justice from the Supreme Judicial Board by a three-fourths ($\frac{3}{4}$) vote and which trial is confirmed by a majority of the Executive Committee.

Sec. 10. *Removal of Elections Commission.* The Senate shall try and remove the Elections Commissioner and Deputy Elections Commissioners by a two-thirds ($\frac{2}{3}$) vote for reasons of maladministration and misconduct.

Article VI. Executive

Sec. 1. *Executive Power.* The executive power shall be vested in a Executive Committee. The enumerated powers are as follows:

1. To implement the law and or any rules authorized by the Senate;
2. To oversee all auxiliary services, with advice from the ASUCI Executive Director;
3. To nominate officers of Justice;
4. To veto legislation within five (5) academic days from its adoption by the Senate. Each veto may only be exercised once per legislation;
5. To ensure the solvency of ASUCI auxiliary services in conjunction with the Executive Director.

Sec. 2. *Membership.* The Executive Committee shall consist of three (3) elected, voting Executive officers, each with distinct administrative areas of jurisdiction:

1. The President;
2. The External Vice President;
3. The Internal Vice President.

Sec. 3. *Appointed, non-voting Members.* The Executive Committee shall consist of the following non-voting, appointed members, as confirmed by the Senate:

1. The Academic Affairs Officer;
2. The Student Services Officer;
3. Chief Media & Technology Officer;
4. The Student Attorney General.

Sec. 4. *The President.* The President shall hold the following administrative jurisdiction:

1. Issues of general welfare for students, and all administrative planning;
2. Liaison for campus administration surrounding campus climate;
3. Serves as Chief Executive Officer of ASUCI and chair of the Executive Committee;
4. Has sole signature authority on all budget appropriations, unless otherwise delegated;

5. Coordinates office management, ASUCI business operations, and personnel transactions with ASUCI Executive Director.

Sec. 5. *The External Vice President.* The External Vice President shall hold the following administrative jurisdiction:

1. To promote student advocacy on a local, statewide, and national level.

Sec. 6. *The Internal Vice President.* The Internal Vice President shall hold the following administrative jurisdiction:

1. Oversees the internal management of ASUCI and campus projects.

Sec. 7. *The Academic Affairs Officer.* The Academic Affairs Officer shall hold the following administrative jurisdiction:

1. Serves as the ASUCI representative to the Academic Senate, and on those matters relating to the educational quality at the University of California, Irvine, and as delegated;
2. Develops and maintains ASUCI programs relating to the academic enrichment for the undergraduate student body.

Sec. 8. *The Student Services Officer.* The Student Services Officer shall hold the following administrative jurisdiction:

1. Maintains and operates entertainment, recreational activities, and performance agreements, on behalf of ASUCI.

Sec. 9. *The Chief Media & Technology Officer.* The Chief Media and Technology officer shall hold the following jurisdiction:

1. To create, coordinate, and maintain all projects related to the ASUCI website and social media presence;
2. Develops and implements policies related to branding, the general style guide, and the general creative vision for ASUCI;

Sec. 10. *Student Attorney General.* The Student Attorney General shall hold the following jurisdiction:

1. To file petition on behalf of the President and or Executive Committee, to the Supreme Judicial Board or other jurisdictions;
2. To impose appropriate structural measures on ASUCI offices such as mandating more training or better record management with approval of the Senate;

3. To appoint a deputy Student Attorney General, and a Human Resources Officer, with confirmation by the Senate;
4. To mediate disputes and complaints within ASUCI, in a nonpartisan and impartial manner;

Sec. 11. *Staff*. All Executive Officers may hire staff and pay stipends, with confirmation by the Senate.

Article VII. The Supreme Judicial Board

Sec. 1. *Judicial Power*. The Supreme Judicial Board has final, supreme 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 Supreme Judicial Board by the Senate. These enumerated powers include:

1. To interpret all parts of the governing documents of ASUCI;
2. To grant judicial relief as permitted by the governing documents of ASUCI;
3. 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;
4. To issue injunctions;
5. To order disclosure of information;
6. To appoint a special prosecutor;

Sec. 2. *Standing Requirement*. All cases brought before the Supreme Judicial Board must be properly filed, and must, at minimum, have a controversy and judicial remedy.

Sec. 3. *Members*. The Supreme Judicial Board shall consist of:

1. A Chief Justice, whom shall preside over the Supreme Judicial Board and write all majority opinions, or thereby delegate the task to another justice;
2. A Vice Chief Justice, to act as Chief Justice in lieu of the attendance of the Chief Justice;
3. Five (5) Associate Justices, to be members of the Supreme Judicial Board;

Sec. 4. *Appointment*. To be nominated by the Executive Committee, or as otherwise specified in this constitution, and confirmed by a two-thirds ($\frac{2}{3}$) vote of the Senate;

Sec. 5. *Staff*. The Supreme Judicial Board may hire staff and pay stipends, with confirmation by the Senate.

Article VIII. Elections Commission

Sec. 1. *Elections Commission Power*. The Elections Commission has all enumerated authority for ASUCI elections and related activities, as outlined in the Elections Code. The enumerated powers are as follows:

1. To implement and adhere to the Elections Code;
2. To receive and validate all direct democracy petitions outlined in this Constitution;
3. To adjudicate electoral disputes, including allegations of Elections Code violations, subject to appeal to the Supreme Judicial Board;
4. To hire staff as needed;

Sec. 2. *Membership*. The Elections Commission is composed of one Elections Commissioner and four Deputy Elections Commissioners.

Sec. 3. *Appointment*. The Elections Commissioner and corresponding Deputy Elections Commissioners are appointed by the Senate by a two-thirds ($\frac{2}{3}$) vote.

Article IX. Mandated Registered Campus Organizations Funding

Sec. 1. *Minimum Expenditure*. ASUCI shall appropriate one-third ($\frac{1}{3}$) of the Annual ASUCI budget after career salaries and benefits for UCI Student Government & Student Media (SGSM) professional staff and SGSM administrative expenditures, to undergraduate majority, Registered Campus Organizations. Such one-third ($\frac{1}{3}$) allocation shall adhere to the following distribution:

1. Sixty (60) percent to be allocated to schools, proportionally, by number of undergraduate students. School administrations shall allocate funds to respective school-affiliated Registered Campus Organizations;
2. Forty (40) percent to be allocated to non-school affiliated Registered Campus Organizations through the Executive, and as indicated in the Bylaws.

Article X: The Executive Director

Sec 1. *Bureaucratic Authority*. The Executive Director is the administrative head of SGSM professional staff and is responsible for directing the general student activities and operations of ASUCI and SGSM. This shall include:

1. The proper and efficient operation of the auxiliary services and the employment of all personnel who support ASUCI;
2. Preserving the solvency of ASUCI auxiliary services;
3. Serving as the official representative of ASUCI in all business and financial dealings, including acting as a Trustee for ASUCI in maintaining financial accounts for Registered Campus Organizations;
4. Investing and borrowing money in the name of ASUCI with the approval of the Senate;
5. Appointing and removing ASUCI professional staff employees, with confirmation by the Senate.

Sec. 2. *Appointment.* The Vice Chancellor for Student Affairs shall select and appoint an Executive Director, subject to approval by a two-thirds ($\frac{2}{3}$) vote of the Senate.

Sec. 3. *Termination.* By a two-thirds ($\frac{2}{3}$) vote, the Senate may request the resignation of the Executive Director, and send a letter to the Vice Chancellor for Student Affairs indicating such.

Sec. 4. *Term.* The term of office of the Executive Director is indefinite.

Article XI: Direct Democracy

Sec. 1. *Legislative Proposition.* Members may initiate or repeal legislation by presenting a petition to the Elections Commission, with such a petition signed by at least five (5) percent of the members within an academic year. After the necessary threshold of signatures is met, the Elections Commission shall validate the signatures and call a special election, subject to approval by the Senate, to put the legislation to ballot. A majority vote is required to adopt the legislation, with a minimum voter turnout of ten (10) percent of members.

Sec. 2. *Supremacy Clause.* Legislation adopted by direct democracy 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.

Sec. 3. *Fee Initiatives.* All amendments to the Associated Student Fee shall be taken by ballot, and proposed either by a two-thirds ($\frac{2}{3}$) vote of the Senate or by valid petition of at least ten (10) percent of the members. An affirmative vote of at least

two-thirds ($\frac{2}{3}$) is required to adopt the fee initiative, with a minimum voter turnout of twenty (20) percent of the undergraduate students.

Sec 4. *Recall*. All officers of ASUCI may be recalled by a properly signed petition of ten (10) percent of members. A properly initiated recall shall immediately call a special election, subject to approval by the Senate, in which a majority of students must affirmatively vote to recall the officer, with a minimum voter turnout of Seventy-five (75) percent of the votes cast in the last election for that office. If the seat is elected, members may also run for the seat during the special election, as outlined by the Elections Code.

Sec. 5. *Delegation of Procedure*. The Elections Code may create additional procedures to the process of Direct Democracy.

Article XII: Elections

Sec 1. *General Elections*. ASUCI shall hold annual elections in the Winter quarter, as indicated in the Elections Code. All elected officials shall be elected during this process.

Sec. 2. *Special Elections*. ASUCI may hold special elections for vacant seats, or as otherwise specified in this constitution, as outlined by the Elections Code.

Article XIII: Parliamentary Authority

Sec. 1. *Parliamentary Authority*. The rules contained in the current edition of *Robert's Rules of Order Newly Revised* (RONR) shall govern ASUCI in all cases to which they are applicable and in which they are not inconsistent with the ASUCI governing documents.

Article XIV: Constitutional Amendments

Sec. 1. *Amendment Proposals*. Amendments to this Constitution may be proposed by the following methods:

1. Approval of recommendations by a two-thirds ($\frac{2}{3}$) vote of the Senate;
2. Presentation of a petition to the Elections Commission, signed by at least ten (10) percent of members as validated by the Commission within three (3) academic days of receipt.

Sec. 2. *Ratification.* Amendments shall be voted on and approved at the next ASUCI general election, by three-fourths ($\frac{3}{4}$) vote of the members with a twenty (20) percent turnout of all members.

Sec. 3. *Final Approval.* The adopted amendments will then be sent to the Chancellor for final approval.

Article XV: Student Rights

Sec. 1. *Parliamentary Rights.* All members shall have their relevant parliamentary rights.

Sec. 2. *The right to vote.* All members shall have the right to vote in ASUCI elections.

Sec. 3. *Direct Democracy.* All UCI undergraduate students have the right to engage in forms of direct democracy as outlined in this Constitution.

Sec. 4. *Right to observe.* Members shall 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.

Sec. 5. *Right to Free Speech and Association.* The ASUCI government shall make no law respecting the establishment of religion, or infringing upon free exercise thereof; or abridging the freedom of speech or press; or to suppress or oppress the right of members to peacefully assemble.

Sec. 6. *Right to privacy.* Members shall have a right to privacy.

Sec. 7. *Right to consultation.* Members 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 PACAOS84.11.

Sec. 8. *To seek redress.* Members shall have the right to seek redress from grievances.

Sec. 9. *Due Process.* Members shall have the right to due process.

Sec. 10. *Neutral academic consideration.* A student's academic progress must be evaluated solely on the basis of their academic performance.

Sec. 11. *Research rights.* All 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;
3. To be protected from plagiarism by faculty and other students.