

CONSTITUTION OF THE ASSOCIATED STUDENTS
OF
LOS ANGELES HARBOR COLLEGE

PREAMBLE

We, the Associated Students of Los Angeles Harbor College,
Do Hereby Affirm Our Mission Statement As Follows:

- INSURE THE DEVELOPMENT OF VARIED AND COMPREHENSIVE SELF GOVERNED PROGRAM OF STUDENT ACTIVITIES;
- DEVELOP LEADERSHIP QUALITIES AND OPPORTUNITIES;
- DEVELOP A CAPACITY FOR PERSONAL GROWTH AND CRITICAL THINKING;
- POSSESS A DEEP CONVICTION IN THE PRINCIPLES OF DEMOCRACY;
- ENCOURAGE A SUSTAINED AND INDEPENDENT SEARCH FOR TRUTH;
- EXERCISE OUR RIGHTS TO FREE INQUIRY AND FREE SPEECH IN A RESPONSIBLE, NON-VIOLENT, AND MATURE MANNER;

BY ESTABLISHING THIS CONSTITUTION
ENACTED ON THE TWENTY FIRST DAY OF MAY, TWO THOUSAND THREE.

Revised and Approved:
May 20, 1980
April 1984
December 17, 1984
April 19, 1996
May 21, 2003

**CONSTITUTION OF THE ASSOCIATED STUDENTS
OF
LOS ANGELES HARBOR COLLEGE**

ARTICLE-NAME, OBJECTIVE, AND SERVICES

- Section 1 This organization’s name shall be the Associated Students Organization of Los Angeles Harbor College hereinafter referred to as the ASHC.
- 1.1 This organization’s official colors shall be blue and gold.
- 1.2 This organization’s official mascot shall be a Seahawk.
- 1.3 This organization’s governing bodies shall consist of the Executive and Legislative branches, whose members shall be active ASHC members.
- Section 2 This organization’s objective shall be to promote, represent, and encourage all the students of LAHC to actively participate in their educational and personal developmental goals by;
- 2.1 Legislating for student’s educational needs and concerns.
- 2.2 Increasing awareness of resources available to all LAHC students.
- 2.3 Enhancing and sustaining a healthy learning environment.
- 2.4 Encouraging a balanced, well rounded educational experience through extra-curricular activities.
- Section 3 A complete lists of services available to ASHC students will be enumerated in the current schedule of classes and the college catalog.

ARTICLE II - MEMBERSHIP

- Section 1 ASHC members shall be currently enrolled and registered students of Harbor College.
- Section 2 Members shall be those who hold current semester Associated Student Organization (ASO) cards, and have paid ASO dues as per district regulations.
- 2.1 Classes of membership include Executive Branch, Legislative Branch,

Commissioners, Auxilliary members, and dues paying students.

- 2.2 Employees of LAHC may join the ASO as auxiliary members; however, auxiliary ASO members may not vote in student senate, student elections, or hold office in the ASO.
- Section 3 No member shall hold multiple ASHC student government offices at once.
- Section 4 No restrictions shall be applied to membership or voting beyond those expressly defined by the Constitution, district regulations, board rules, state laws, or federal laws.
- Section 5 There is a \$1.00 Student Representation Fee assessed upon registration of all semesters and inter-sessions. A student who does not desire to pay this fee MUST specifically indicate their refusal by signing a waiver located in the Cashier's Office.
- Section 6 There is a \$7.00 per semester, and \$5.00 per winter and summer inter-session due assessed upon registration of classes. A student must comply with the ASO due in one of two ways: (1) pay the due, or (2) submit a "Surrender of Benefits" form. Non-Compliance with one of these two options will result in a hold being placed on future registration of classes, or transcripts. "Surrender of Benefits" forms may be obtained in the Cashier's Office or the Student Activities Office. This form must be filed in person.
- Section 7 All ASHC members will be provided with a photo identification card. In the event the card is lost there will be a \$3.00 replacement fee charged.

ARTICLE III – JURISDICTION

- Section 1 The ASHC shall the power to:
- 1.1 Raise, invest, and expand monies in accordance with district regulations.
- 1.2 Enact and enforce procedures, and legislation governing the welfare and conduct of the ASHC membership.
- 1.3 Assume other such powers as deemed necessary and proper to perform its function under this constitution.
- Section 2 All actions for the ASHC will be subject to review and recommendation by the ASO advisor before taking effect. This approval may be appealed, as district regulation allows, if deemed necessary by $\frac{3}{4}$ Senate vote.

Section 3 The area of jurisdiction of the ASHC will be Los Angeles Harbor College.

ARTICLE IV – IMPEACHMENT, RESIGNATION, AND DISCIPLINARY ACTIONS

Section 1 Any ASHC officer shall be subject to impeachment or recall from office if he or she falls short of Constitutional duties or those enumerated in the By-laws or violates the Student Code of Conduct.

Section 2 Impeachments may only be initiated by a Senate vote of 2/3 majority of the senate as a whole or by a petition containing the valid signatures of 3% of the ASHC membership.

Section 3 All impeachment hearings shall:

3.1 Be conducted by a Senate Judiciary Committee, appointed by 2/3 vote of the Senate. The Senate Judiciary Committee must be composed of no less than five (5) seated Senators, one faculty member, and one administrator, and the ASO advisor.

3.2 Be decided based solely on the evidence presented at the proceedings.

3.3 Require a 2/3 vote of the Judiciary Committee for an impeachment decision.

Section 4 No member subject to impeachment or involved directly or indirectly as an active witness, may sit on the senate Judicial Committee during the impeachment decision.

Section 5 Impeachment rulings may be appealed to the Senate, as a whole, while in session.

5.1 The Senate will consider only the text of the impeachment hearings, and may overturn the decision of the Senate Judiciary Committee by a 2/3 vote.

5.2 All decisions of the Senate in the appeal process will be final.

Section 6 Any officer may resign his or her position for any reason by following the recommended procedures:

6.1 At least one week prior notice including a letter of resignation to the ASO President, with a copy to the ASO advisor.

Section 7 Disciplinary actions may only be initiated and conducted by the ASO advisor and /or the proper college official designated for student discipline.

Section 8 Disciplinary actions may be appealed to the district and/or any outside agency

who has the authority over such matters.

ARTICLE V – EXECUTIVE CABINET

Section 1 The Executive Cabinet of the ASHC shall consist of the President, the Executive Vice-president, and the Vice-president of Finance.

Section 2 Duties of the ASHC President, Executive Vice-president, and Vice-president of Finance shall be enumerated in the ASHC By-laws.

Section 3 The term of office for:

3.1 The President and the Executive Vice-president shall run as a ticket and both shall serve a term not to exceed twelve calendar months per term, and not any more than two terms as provided in the LACCD Administrative Regulation E-22, section 3.

3.2 The Vice-president of Finance's term shall not exceed twelve calendar months per term, and not any more than two terms as provided in the LACCD Administrative Regulation E-22, section 3. The Vice-president of Finance shall serve concurrently with the President and the Executive Vice-president.

Section 4 Once elected the President has the power to appoint or remove senators. Collectively these senators shall be the Legislative Branch shall serve under the President who may remove or replace any or all members of the cabinet as he or she sees fit with the approval of the Senate by a 2/3 majority vote. However, the Executive Vice-president and the Vice-president of Finance are duly elected officials, and as such shall be exempt from Presidential removal and may only be discharged for cause as enumerated elsewhere in this and other governing documents.

Section 5 The Executive Vice-President shall serve as the chair of the senate. The Senate Pro-Tempore shall serve as chair in the absence of the Executive Vice-President. The Executive Vice-President shall also serve wherever and whenever the President is unable to serve. The President is the representative of the ASHC at any and all functions. The Executive Vice-President shall serve in the President's place where it is impossible or impractical for the President to attend. In the event the Executive Vice-President is serving as the President, he or she shall relinquish the duties to the Senate Pro-Tempore. In the event the President and the Executive Vice-President are absent the Senate Pro-Tempore shall assume the duties of the chair and shall lose any voting rights in the senate until such time as the President and/or the Executive Vice-President return to office. The above provision shall not apply because of a conflict where the President is unable to attend one or more functions and the Executive Vice-President must share duties with the President. In such an event the Executive Vice-President retains his or her position, duties, and powers.

Section 6 Election qualifications and procedures are enumerated in the Election Code.

ARTICLE VI – LEGISLATIVE CABINET (SENATE)

Section 1 The legislative power of the ASHC, the senate, shall be a unicameral body with the ASHC Executive Vice-President as its chair and the Executive Vice-President will be a non-voting member except to break a tie.

Section 2 The Senate shall have no more than fifty (50) active voting Senators during one term.

Section 3 ASHC Senators shall be elected by votes in the spring election to serve in the fall term, and by twenty-five signatures in the fall for the spring term. The signatures must be by students not serving in any ASHC office. Senators may be re-elected to successive terms by vote or by signature.

Section 4 The ASHC Senate shall:

4.1 Nominate and elect its own Pro-Tempore, pursuant to the By-laws to preside in the absence of the President and or the Executive Vice-President.

4.2 Chooses its own structure, committees, and committee chairs.

4.3 Not sit in session during vacations, legal holidays, and finals unless unanimously approved at the prior legal session, or unless the President, with the student activities advisor's approval, deems it necessary.

4.4 Keep a record of its sessions and shall publish these records within the guidelines and legalities of the Ralph M. Brown Act.

Section 5 Ten (10) senators shall constitute a quorum and shall be required to conduct any business of the ASHC in a regularly scheduled meeting.

Section 6 When there are fewer than ten (10) Senators they shall:

6.1 Serve as a legal operating body for the remainder of the term of office, or until at least ten (10) senators are seated, performing those duties necessary to keep the ASHC operating.

6.2 Call for a special election, or solicit and interview applicants, in order to appoint and ratify appropriate candidates to attain ten (10) senators.

6.3 Provided one-third of the constitution term has expired, at their discretion, waive Article VI, Section 6.2 above.

6.4 Where in the opinion of the Executive Cabinet and the Associate Dean of Student Life it shall become imperative that senators be appointed to ensure the continuing, effective operation of the ASHC and for whatever reason the normal process of election of senators is impossible or impractical, the President shall have the power to appoint temporary senators, with the approval of the ASO advisor and ratification of the senate, to serve until such time as their appointments are permanent.

6.5 In the event the senate cannot or will not ratify such temporary senators, the President will have the power to put in place said temporary senators until such time as their appointment is permanent. Nothing in the foregoing shall be constructed as prohibiting any "temporary" senator from running for office or permanent position.

Section 7 The senate shall have the power and obligation to:

7.1 Formulate senate rules and also rules to regulate the student welfare.

7.2 Approve wise expenditures of any or all ASHC income.

7.3 Expand invested principal only by agreement of $\frac{3}{4}$ of all Senators.

7.4 Approve or disapprove requests of the Harbor College student, campus clubs, campus administration, and the college district.

7.5 Promote the progress and awareness of the students.

7.6 Provide limits of penalties for violation of ASHC Constitution, to the Executive Cabinet as needed by unanimous vote.

- 7.7 Provide additional powers, in keeping with this Constitution, to the Executive Cabinet as needed by unanimous vote.
 - 7.8 Perform other duties not in conflict with this Constitution.
 - 7.9 The senate shall bear in mind that they are stewards and not possessors of ASHC funds and that this trust is a sacred and legally binding obligation that demands the expenditure of said funds be made wisely and not for any personal gain or advantage, but only for the ultimate benefit of the ASHC members.
- Section 8 The senate shall not enact any ex-post facto legislation or bills of attainder.

ARTICLE VII – SUCCESSION

- Section 1 Whenever there is a Constitutional vacancy, following a bonafide election, in the office of:
- 1.1 The President, the Executive Vice-President shall become the President.
 - 1.2 The Executive Vice-President, the Senate Pro-Tempore shall become Executive Vice-President.
 - 1.3 The Senate Pro-Tempore, the Vice-President of Finance shall temporarily assume the duties until a Pro-Tempore has been elected at the next senate session.
 - 1.4 The Vice President of Finance, the senate’s Executive Finance Committee representative shall become Vice-President of Finance.

ARTICLE VIII – SESSIONS

- Section 1 All ASHC senate sessions shall be in accordance with the California State Ralph M. Brown Act, and shall:
- 1.1 Be open and public to all ASHC members, college faculty, college staff, college administration, district employees and officials, and any person from the public who wishes to attend. No session may be secret. Closed sessions are permissible regarding personnel and other issues which might infringe on an individual’s right to privacy.
 - 1.2 Have an agenda posted at the student activities office seventy-two (72) hours in advance of the session.
 - 1.3 Provide adequate opportunity to the general membership to address the senate session. The senate shall establish procedures and limitations, not in conflict with individual rights, to govern such addresses.
 - 1.4 Require attendance of at least ten (10) of the senators to constitute a quorum.

Section 2 If the President signs a bill it becomes effective on the date signed unless otherwise specified in the measure. If the President vetoes the bill or declines to return it to the Senate; holding it no more than five school days, it shall be returned, with the objections, to the senate. The senate may then, by 2/3 vote; pass the measure making it effective on the date of such passage unless otherwise specified in the measure.

ARTICLE IX – PARLIMENTARY AUTHORITY

Section 1 The ASHC is governed by the following listed in order to importance: the California State Education Code, Section 76060-76067, the rules of the Los Angeles Community College Board of Trustees, Administrative Regulations, Harbor College rules and regulations, The Ralph M. Brown Act, The ASHC Constitution and Bylaws, and Robert’s Rules of Order Newly Revised.

ARTICLE X - ELECTIONS

Section 1 All elections held by the ASHC shall be:

1.1 By secret ballot.

1.2 Open to all ASHC students.

1.3 Be held on the LAHC campus on official school days.

Section 2 Elections shall be held in the spring semester no later than the third week before the semester’s end.

Section 3 Executive Cabinet candidates shall be elected upon receiving a plurality of the votes cast. Up to the maximum number of legislative candidates fifty (50) as specified by Article VI, Section 2, shall be elected by the highest number of votes cast over twenty-five (25) in number. This base number of twenty-five (25) shall apply to all legislative candidates including write-ins.

Section 4 Procedures for ASHC elections are the same as the election procedures for the student trustee election procedures in the LACCD Board Rules and Administrative Regulations. These procedures shall be enumerated in the Election Code.

Section 5 Special elections may be held and shall be initiated as set forth in the Election Code.

ARTICLE XI – FINANCE

- Section 1 All ASHC finance decisions are made in accordance with the district Administrative Regulations regarding the ASHC finances and are overseen by the Executive Finance Committee.
- Section 2 All funds rose through the sale of the ASHC student body cards, or any other ASHC approved sources shall be budgeted to the ASHC accounts.

ARTICLE XII – DOCUMENTS

- Section 1 A certified copy of this Constitution shall be forwarded to the Los Angeles Harbor College President and the Los Angeles Harbor College Library for safekeeping and the master shall be maintained by the ASHC. These copies shall not be physically altered and any amendment thereto, as provided in this Constitution shall be affixed thereon in order to provide an accurate, historical, documented record of this basic document and its amendments.
- Section 2 These master documents shall be, at all times available, through written request, to inspection by all ASHC members.
- Section 3 All records maintained by the ASHC student government shall be open to audit and inspection by an ASHC member within one day of such request.

ARTICLE XIII – AMENDMENTS

- Section 1 This Constitution may be amended by a 2/3 majority of votes cast in an ASHC election upon recommendation of 2/3 majority vote in the senate.
- Section 2 Any Constitutional change shall be placed on the next general election ballot unless the senate by 2/3 vote sets a date for a special election.
- Section 3 The By-laws of this Constitution may be amended upon recommendation of the Executive Cabinet and approval of ¾ majority vote in the senate.
- Section 4 The Election Code of this Constitution may be amended upon recommendation of the Executive Cabinet and approval of 2/3 majority vote in the senate.

ARTICLE XIV – RIGHTS

- Section 1 No provision of this Constitution shall be constructed to restrict any right, privilege, or freedom guaranteed by the United States Constitution or the Constitution of the State of California. All such rights, privileges, and freedoms therein guaranteed shall be inviolable under this Constitution and any future amendments thereto.

ARTICLE XV – DEFINITIONS AND LIMITATIONS

- Section 1 This Constitution shall go into effect the first day following ratification by 2/3 of the votes cast in an ASHC election.
- Section 2 If any article or provision of this Constitution is declared invalid, the remaining portions and provisions shall remain legally enforceable.
- Section 3 All references in this Constitution to “District Regulations” shall include all regulations of the district, the Chancellor, and any one government body legally empowered to mandate restrictions or controls to the ASHC or the ASO.