

## Constitution

### Preamble

We, the Chicano/Latino students of the University of California at Davis, formally declare, on this date, December Sixteenth Nineteen Hundred eighty-nine, the establishment of this constitution for our fellowship Hermanos Macehual. This organization shall be created to form a brotherhood uniting the Chicano /Latinos in Davis and to provide assistance, within our constraints, to Chicano/Latinos and underrepresented people in any possible manner. We believe it is imperative that this organization provides community service to all who facilitate a need for it and to advocate the highest available education to all our fellowship brothers. In coexistence with the established social network, shall be an academic support group to help retain and promote each member's academic performance. Furthermore, in an attempt to increase the social and academic diversity of the organization, this fellowship shall recruit new members from the secondary institutions as well as from the university. We the founding fathers formally declare this constitution to be enacted as a guide for our brotherhood, Hermanos Macehual.

### Article I

The leadership of this fellowship shall be vested in an Executive Council that shall consist of the following offices. There shall exist three Co-Coordinators, a Secretary, a Treasurer, an Activities Director, a Public Relations Officer, a Recruitment Officer, two Co-Historians, a Sergeant at Arms and a Junior Executive Officer. No member may hold two positions at the same time. These officers shall have the duties enumerated in Article I Sections one through nine. The Executive Council shall be required to meet at least once a month. These meetings are to add to the coherence of the fellowship as well as to discuss and vote on any matters pertinent to the council. The Sergeant at Arms will preside over any Council meeting under the same guidelines established for any General Assembly meeting.

#### Section I

Three Co-Coordinators shall hold the highest offices of this fellowship. Each of these Chief Executives shall have one vote on all fellowship concerns at the designated Executive Council meetings. A Co-Coordinator may serve no more than two consecutive terms (a total of six consecutive quarters). Each Co-Coordinator shall have the following duties:1.) They shall act as chief representatives of the fellowship when dealing with other organizations and businesses, or they may delegate representatives when needed.2.) They shall contact guest speakers at least once a quarter, to come and address the General Assembly.3.) They shall clarify the goals and objectives of the fellowship and delegate the formalities that exist in the General Assembly.4.) They shall help delineate the duties of all projects under the Activities Director.5.) They shall direct all disciplinary actions toward any member.6.) They shall possess the sole responsibility of the fellowship's well being and are granted all the foregoing powers of this Constitution therein.7.) Each Co-coordinator shall be responsible for the progress and development of three fellow Executive Council members.

#### Section II

There shall exist a Secretary to promote the cohesiveness of the organization. This officer shall receive one vote on all Executive Council matters and may serve no more than two consecutive terms. The Secretary shall have the following duties:1.) The Secretary shall possess the current updated Constitution and By-Law pages.2.) The Secretary shall write any paperwork needed by the fellowship.3.) This officer shall create the following documents for all elections: all Nomination Sheets, Ballots, Sign Up Sheets, Tally Sheets, and a Final Results Sheet and all needed Run-off Ballots.4.) This officer shall take notes at all meetings and record the voting tallies on all proposals.5.) The Secretary must contact the Co- Coordinators to set all agendas and shall write up and distribute agendas for every meeting.6.) This Secretary shall prepare detailed typed minutes that must be read at every meeting and made accessible at each General Assembly meeting for those who missed the previous meeting.7.) This officer shall distribute an attendance sheet at every meeting as well as possess a tally sheet of each activity a member attends.8.) This officer shall distribute committee rosters and keep a record of all committees established.9.) The secretary must turn over the current Constitution as well as all agendas, minutes, and attendance records to the succeeding Historians at the end of his term.

### Section III

There shall exist a Treasurer to oversee the finances of the fellowship. This officer shall receive one vote on all Executive Council matters and may serve no more than two consecutive terms. The Treasurer shall have the following duties:1.) The Treasurer shall oversee the financial records and receipts of the fellowship.2.) This officer shall collect each member's dues as well as gratuities given to the fellowship.3.) The Treasurer shall oversee the depositing and withdrawal of all funds that are present in the designated fellowship bank account.4.) This officer shall present a financial report at all meetings.5.) This officer must insure that all committee budgets are not exceeded.6.) The Treasurer must give a copy of all records and receipts to the succeeding Treasurer at the end of their term and must give all original records to the succeeding Historian.

### Section IV

There shall exist an Activities Director who shall oversee the activities of the fellowship. This officer has one vote on all Executive Council matters and may serve no more than two consecutive terms. The Activities Director shall have the following duties:1.) The Activities Director shall oversee the progress of all fellowship committees.2.) This officer shall collect committee rosters at the end of each General Assembly meeting, as well as photocopy and distribute them to all committee co-chairs.3.) This officer shall organize a journal of all committee records as well as pass these records to the succeeding Historians.4.) The Activities Director shall assist the Historians in the production of the Hermanos Macehual Newsletter.5.) At the last meeting of each quarter, this officer shall recap all the activities for that quarter, as well as distribute the Hermanos Macehual Newsletter.

### Section V

There shall exist a Public Relations Officer who will interact with the public. This officer shall have one vote on all Executive Council matters and may serve no more than two consecutive terms. The Public Relations Officer shall have the following duties:1.) This officer shall write article for newspapers and manage other forms of media about the fellowship.2.) This officer shall place information regarding all meeting and activities in the school newspaper, e-mail, web page and manage all other forms of media concerning the fellowship.3.) This officer shall reserve areas for all meetings when necessary.4.) The

Public Relations Officer shall ensure that Hermanos Macehual Fellowship is represented at university and Chicano/Latino community meetings and events.

#### Section VI

There shall exist a Recruitment Officer who shall coordinate the recruiting of all new members into the fellowship. This officer shall have one vote on all Executive Council matters and may serve no more than two consecutive terms. Each officer shall have the following duties:1.) This officer shall be a liaison between any new students coming into U.C. Davis.2.) This officer shall direct and promote the hosting of new students by all existing members.3.) This officer shall direct panels to visit high schools and post-secondary educational institutions, in order to recruit future members.4.) This officer shall distribute recruiting materials to all prospective new members.5.) This officer shall welcome and introduce prospective members as well as oversee the completion of the membership requirements.

#### Section VII

Two Co-Historians who shall record the history of each fellowship activities shall hold this office. Access to a camera will be provided by the fellowship. Each officer shall receive one vote on all Executive Council matters and may serve no more than two consecutive terms. The Co-Historian's will have the following duties:1.) The Co-Historians shall retain the original copy of our Constitution.2.) The Co-Historians shall coordinate the Hermanos Macehual Alumni Association.3.) These officers shall co-produce the Hermanos Macehual newsletter on a quarterly basis.4.) The Co-Historians shall retain all previous financial records, secretarial paperwork and all voting records from every election.5.) These officers shall keep documents (e.g. newspapers articles) about the fellowship.6.) These officers shall take photographs at each fellowship activity and retain them in an album.7.) These officers shall give all records to the succeeding Co-Historians.

#### Section VIII

There shall exist Sergeant at Arms who shall coordinate the fellowship laws at all meetings. This officer shall have one vote on all Executive Council matters and may serve no more than two consecutive terms. The Sergeant at Arms shall have the following duties:1.) This officer shall keep order at all meetings according to established protocol.2.) The Sergeant at Arms shall coordinate all meetings by reading all agendas as well as opening and closing all discussions.3.) This officer shall coordinate all elections and shall have the powers enumerated therein.4.) This officer shall give a member the right to speak as part of the procedure involved in each meeting.5.) The Co-Coordinators shall in charge of enforcing any disciplinary actions duly render the Sergeant at Arms.

#### Section IX

There shall exist a Junior Executive Officer who shall have one vote on all Executive Council matters and may serve no more than two consecutive terms. This officer shall have the following duties:1.) This officer shall present any concerns of the General Assembly to the Executive Council.2.) This officer may become a temporary substitute for an absent officer.3.) This officer shall give general assistance to all Executive Council members.

#### Article II

There shall be elections every year for all Executive Council Offices. An elected officer may hold only one Executive Council office, during an academic year. All newly elected Executive Council Officers excluding the three Co-Coordination positions will full-fill one academic year (Fall, Winter and Spring Quarter). All procedures for elections will take-on the following format:

#### Section I

At the final General Assembly meeting prior to Winter Quarter Finals week, there shall be nominations for only the three Co-Coordination positions. The Secretary must retain a record of all who wish to be candidates on a nomination sheet. A maximum of six candidates are allowed to partake in the election. In the event there are more than six candidates for the positions, a Primary Election must be held to elect six candidates to run in the election. In the event only three candidates are nominated a formal election must still be held so that formal election results can be obtained.

#### Section II

The Primary election must be held on the first General Assembly meeting of Spring Quarter. All full members may vote in the Primary but are not obligated to do so. The Secretary must print and copy all Ballots, Run-Off Ballots, a Tally Sheet, and a Sign Up Sheet and a Final Result Sheet and presents them to the Sergeant at Arms at the beginning of the meeting. Every member who wishes to participate must sign his name on the Sign Up Sheet (which shall be created from the official fellowship roster) held by the Sergeant at Arms, and each member will then be given one ballot. The Sergeant at Arms will preside over the Primary election and distribute and collect all ballots. All ballots must be anonymous and no one may be forced to reveal the content of his ballot. The ballots will list every candidate's name and each voter must choose six candidates to participate in the formal election of the Co-Coordination positions. Any desecration of any ballots or any ballot that chooses more than six candidates will be voided and discarded by the Sergeant at Arms. The Sergeant at Arms will tally all ballots in private and present the results to the General Assembly. The six candidates that receive the top number of votes will receive the nominations to participate in the Co-Coordination election. In the event there is a tie a Run-Off Election will be held at that same meeting. The candidate that receives the most votes in the Run-Off Election will be awarded the nomination. Successive run-off elections must be held until a candidate is chosen. At the end of the Primary Election all Ballots, Run-Off Ballots, Tally Sheets and the Sign up Sheet and Final Results sheet must be given to the one of the Co-Historians by the Sergeant at Arms.

#### Section III

In the event there is a Primary Election the election for the three Co-Coordination positions will be held the following General Assembly meeting. If there is no Primary Election then the election of the three Co-Coordination positions must be held at the first General Assembly meeting of Spring Quarter. The Secretary must print and copy all Ballots, Run-off Ballots, a Sign Up Sheet and Tally Sheet and a Final Result Sheet and presents them to the Sergeant at Arms. All full members may vote if they choose to and all ballots will be anonymous. All members must sign the sign up sheet in order to receive a ballot. Each voter will choose a total of three candidates for the three Co-Coordination positions available. Any ballot that is desecrated or fails to choose exactly three candidates will be voided and discarded by the Sergeant at Arms who will be counting the ballots in private. The candidates that receive the top three numbers of votes will become the new Co-Coordination positions. In the event there is a tie a Run-Off Election must be held to determine the third position available. The Sergeant at Arms will distribute run-off ballots and will

tally the result in private. Successive run-off elections must be held until there is an officer chosen. At the end of the election all Ballots, Run-Off Ballots, the Tally Sheet, Sign Up Sheet and Final Results Sheet must be turned over to one of the Co-Historians by the Sergeant at Arms. At this same meeting nominations will be taken by the Secretary for all other Executive Council positions. Any member, even a candidate who did not win a Co-Coordinating position, may run for any other office.

#### Section IV

After the Co-Coordinators are chosen the elections for all other Executive Offices will take place during the General Assembly meeting following that election. The Secretary will print and copy all ballots, run-off ballots, a tally sheet, sign up sheet and a final result sheet and presents them to the Sergeant at Arms. All ballots must contain all positions and every candidate for each of the respective positions. All full members may vote if they choose to and must sign the sign up sheet to receive a ballot. Any desecration of any ballot will result in that ballot being voided and will be discarded by the Sergeant at Arms when he tally's the remainder of the ballots in private. The candidates that receive the most votes for every position will become the new officers for those respective positions. In the event there are any ties the Sergeant at Arms will distribute the run-off ballots and collect them and tally the results in private. The candidate that receives the most votes will become the new officer of that position. Successive run-off elections must be held until all positions on the Executive Council are filled. The Sergeant at Arms will give all ballots, run-off ballots, the tally sheet, sign up sheet, and final results sheet to one of the Co-Historians at the end of the election.

#### Section V

For all Elections, a fellow Executive Council Officer shall accompany the Sergeant at Arms in the Tallying of ballots, which will take place in private.

#### Section VI

In the event any officer resigns or is impeached or passes away during office the following procedure will be used for a Special Election. The week after the office position is opened nominations will be held. If the position vacated is one of the Co-Coordinating offices then a maximum of three candidates will be allowed to participate in the election. A primary election must be held if more than three candidates choose to run. The formal election will be held the following week. If the position is any other Executive position than an election will be held at that following meeting. All other election protocol will be implemented accordingly.

#### Article III

In order to amend the Constitution in any manner the following procedure must be used. Any Amendment to the Constitution must be formally written and presented to or by any Executive Council Officer. At any designated Executive Council meeting all officers must be present in order to pass any Amendment. A vote will be tallied by the Secretary and three-fourths of the entire council must vote yes in order to proceed to the next step. If the proposal passes the Executive Council, then another vote must be taken before the General Assembly. At least three-fourths of the entire full membership must be present and vote on the proposal. The secretary must tally a vote and three-fourths of the General Assembly present must vote yes in order to make the proposal an Amendment. The Secretary will add

all new Amendments to the ongoing Constitution and the Co-Historians will add a permanent copy to the original constitution.

#### Article IV

In the event any officer does not adequately fulfill the duties of his position or violates the Constitution or any By-Law or neglects the true spirit of the organization, Impeachment proceedings may be implemented. Any member may begin the process of impeachment. A formal written grievance must be presented to any council member with all reasons stated as to the need for Impeachment. The entire council must be present in order to insure implementation of the Hermanos Macehual Constitutional (Article IV) impeachment proceedings. It is necessary to remove all obstacles halting the voting procedure. In the event of any Executive Council Member/s absence from the primary/first General Assembly impeachment meeting, the power of impeachment will be absolved to the General Assembly, if there is any single Executive Council member/s still absent by the second impeachment meeting. At which point, Hermanos Macehual General Assembly has the respectable authority to a consensus vote (majority rule) on whether or not to follow through with the Impeachment proceedings. In conclusion, if the requirements above have been fulfilled then the Executive Council Member/s has with consent waived and/or forfeited their right/s and voice under Article IV. The defendant or anyone else can make a defense at that time. Any board member or the General Assembly in this meeting may ask questions. The defendant must then leave. A pro and con discussion must ensue and a decision rendered. A three-fourths vote of yes must take place in order to impeach that officer. The Sergeant at Arms will take a vote count and report it to the Secretary. No voter's decision can be revealed. If the officer is impeached then the position must be immediately filled by a Special Election. Once a member is impeached and leaves office then he may never hold another Executive Council Position.

#### Article V

No Amendment or By-Law can be passed to eliminate any of the Articles of this Constitution. The substance of the Articles may be changed, however, through the amendment process but the basic structure of this Constitution shall remain the same. This Constitution also gives the governing body the power to create any constitutional legislation that will become necessary through the creation of By-Laws of the fellowship. All proposals for By-Laws must be written and presented to the Sergeant at Arms to be voted upon. The voting procedure for any By-Law can be enacted or repealed by a simple majority vote with a least fifty- percent of the members present to vote at any General Assembly meeting. No By-Law can be passed that is in conflict with the Constitution. All laws of the Constitution shall supersede all By-Laws that are passed. The By-Law section of this Constitution shall be taken and possessed by the Secretary.

#### Article VI

##### Section I

There shall exist a senior advisor(s). This position is created for past Co-Coordinator(s) having held the position of Co-Coordinator for two terms and not wishing to hold an official Executive Council Office. Their function will be solely to act as an advisor to the Executive Council without being able to vote, but can nevertheless vote and retain full member standing in the General Assembly. Any former Co-Coordinator can request and /or be appointed to this position with the consent of the three incoming

Co-Coordiators. The Co-Coordiators will then officially recognize this person(s) with that honor during any one of the General Assembly meeting and at the upcoming Hermanos Macehual Annual Banquet. The Senior Advisor shall permanently hold this title as long as they wish, however, they must attend Executive Council meetings.

## Section II

Hermanos Macehual will grant the status of Honorary Member to any person, whether in Hermanos currently or not, who has exhibited an outstanding contribution to Hermanos or the Chicano/Latino community. This person(s) will not be subject to organization dues but shall enjoy all benefits and privileges of being in Hermanos Macehual.

## Section III

All graduated founding fathers of this organization shall be Honorary Members.

## Article VII

In order to preserve the integrity of this Constitution it is necessary to restrict leaders or any members from changing this Constitution without using the guidelines specifically granted through all established laws. From this day forward, no changes may be made to this Constitution, no matter what type they may be, without following established laws for change. In the event anyone in Hermanos does not make changes within the guidelines of the stated constitutional law, then this Constitution shall be voided and the organization name of "Hermanos Macehual" may no longer be stated as the name of Hermanos Macehual.

## Hermanos Macehual Fellowship

### By-Laws to the Constitution

#### Law #, By-Law

0001.) General Assembly Meeting must follow the following protocol:

- a) Welcome
- b) Introduction of all new members
- c) The Agenda must be distributed
- d) Secretary will read minutes from previous meetings; and any necessary amendments to the minutes will be noted.
- e) A Treasury Report must be read
- f) Any New Membership oral reports can be given.
- g) Any Old Business items will be discussed.
- h) Any New Business items will be discussed.
- i) Ten-minute discussion will take place

j) Macehual night will be voted upon.

k) Announcements will be given.

l) A motion must be made to close the General Assembly meeting, followed by a second and then the meeting must be formally closed by the Sergeant at Arms.

0002.) The following standards will be used to as a guide to membership:

a) All active and incoming members must pay a \$10 fee per quarter or \$20 for the entire academic year, which must be paid Fall Quarter.

b) All members must have a cumulative G.P.A. of 2.0.

0003.) Fee Payment and Collection Act.

Implemented March 1, 1990.

In order for Hermanos Macehual to collect each members dues and prevent delinquencies the following system will be implemented:

1.) All members who are delinquent in any prior fees from Winter Quarter 1990 back to Spring Quarter 1989 must pay the amount owed to Hermanos no later than March 31, 1990.

2.) All members who will join Hermanos from Spring Quarter 1990 henceforth and all existing members who wish to continue to be in Hermanos must pay their quarter fees within three weeks from the date of the first General Assembly meeting of that quarter.

3.) If a member cannot pay his fees an extension date can be implemented by any one of the Co- Coordinators but a written permission slip must be authorized by one of the Co-Coordinators (with a due date placed on it) and given to the Treasurer who shall retain the slip until the bill is paid.

4.) If any member fails to pay his fees or any delinquent fees, that member will be expelled from Hermanos by a decision rendered by all three Co-Coordinators.

Sponsored By

Richard L. Telles Jr.

Secretary

0004.) Zurita Treasury Act

To be implemented on September 1, 1990.

To help the Treasurer contend with one of his duties, that of overseeing the depositing and withdrawal of all funds, the following procedure will be implemented:

1.) The Treasurer shall be the sole possessor of all checks and recent receipts. (All old receipts are turned over to the Co-Historians.)

2.) All checks will contain the Treasurers name and two of the Co-Coordinators names (to be decided between the three as to which ones will be present) with all three officers being able to write checks.



3.) Only one name will ever be needed to authorize a check by the Treasurer shall be the only person writing checks unless he cannot be reached in an emergency whereby the Co-Coordiators may write a check.

4.) The Treasurer must give all current financial records to the Co-Coordiators for inspection at any time the request for them are made. Failure to comply or any overt acts of violation of the Treasury Position shall result in impeachment proceedings.

Sponsored by,

Dan Zurita

Treasurer

0005.) Student Representative Act

Implemented on March 1, 1990: Amended on May 21, 1998

There exist today one Hermanos Macehual Representative to all Chicano/Latino community committees and councils. The Representative shall meet the following criteria:

- 1.) This representative shall be appointed by the General Assembly.
- 2.) Any member who meets Hermanos Macehual minimum requirements may be nominated.
- 3.) This representative must present a full report to the General Assembly at the first meeting following the community committee or council meeting.
- 4.) If at any time any member feels that the position is not being adequately fulfilled then a formal written (typed) complained must be given to one of the three Co-Coordiators who between them, will decide whether to remove that current representative. If the representative is removed or leaves the position for any reason then another appointment must be made.

Sponsored by, Richard L. Telles

Secretary

0006.) Election Nullification Act

To be implemented on March 15, 1990.

In order to assure that all election results are not violations of this Constitution, it is necessary to remove all obstacles in the voting procedure. No member who is not a full member may vote in any Executive Council Election, By-Law election or any Special Election. Any member who is still awaiting to be admitted as a full member may not vote either. In the event an ineligible member votes or there is any discrepancies according to the procedure policy set in this Constitution then the Co-Coordiators (all three must concur) are hereby granted the power to nullify all election results and call for another election.

Sponsored By

Richard L. Telles

Secretary

0007.) New Member Criteria Act

To be implemented on March 15, 1990.

In order for Hermanos Macehual to continue to grow and prosper as an organization it is necessary to implement a system to assure that the organization shall retain members who are committed to the ideals of an academic and social support group as well as to community service. In order for new leaders to emerge to one day lead this organization it is necessary to implement a program to help new members not only get to know the existing members but also to learn about the true purpose of Hermanos. All new members will be required to meet the following criteria to become a full member in Hermanos:

- 1.) From week one to week six of any quarter a new member may enter Hermanos. Any member who attempts to enter after the sixth week will not have time to complete the tasks of this act and shall be allowed to attend all functions but may not begin his entrance process until the following quarter.
- 2.) Within the quarter if any new member enters that member must complete the following tasks:
  - a) In order for a new member to understand why Hermanos exists he must interview two full members in Hermanos, who have been so for at least one year. One of the members he interviews must be on the Executive Council. A member will have two week to complete this task from the time he/she chooses to enter Hermanos. The new member is responsible for setting up the interviews themselves and following through on them. The topics and length of the interviews are left to the discretion of the new members. Once the interviews have taken place, at the following General Assembly meeting the new member must present an oral report to the General Assembly about his interviews.
  - b) For the quarter that a new member attends he/she must meet all the minimum standards for being in Hermanos, which includes participation in events, fundraisers and regular attendance of meeting according to the established laws.
  - c) All new members must come up with an idea for a fundraiser or community project and co-coordinate that idea by the end of the quarter he is joining. A member who does not wish to create and follow through on his own idea must chair or co-chair an existing project and is responsible for seeing that project completed.
  - d) A new member must pay his fees according to the laws established.
- 3.) The Recruiter shall keep records on the activities completed by all new members. Failure to complete any of these tasks may result in that member not being admitted at the end of the Quarter but does not bar that member from attempting to become a member at a later date.
- 4.) If any of these tasks cannot be completed then a member may petition the Co-Coordinators, who can set up an interview time with the new member, discuss the problem, and are granted the power to allow the new member to still be admitted if all three Co-Coordinators feel that the circumstances warrant such action.
- 5.) Once a member has completed all these criteria will be a full Hermanos Macehual Brother.

Sponsored By,

Ruben Chavez

Co-Coordinator

0008.) Proposal Procedure Act

To be implemented May 21, 1998

In Order to ensure proper protocol procedure in all organization affairs, The following procedures will be followed:

- 1.) Only a full member of Hermanos Macehual can propose a topic at the General Assembly.
- 2.) A full member of Hermanos Macehual other than the member who proposed the topic must second that motion.
- 3.) A discussion regarding the proposal will take place
- 4.) Following the discussion the proposal will be brought to a vote according to following procedure:
  - a) The Sergeant at Arms will re-state the proposal.
  - b) The Sergeant at Arms will call for those in favor of, opposed to and abstaining from the proposal.
  - c) In order for a proposal to pass, a majority of votes caste, excluding the abstentions, must be received.

0009.) Committee Procedures Act

To be implemented May 21, 1998

A committee shall propose a budget to the General Assembly prior to the date of their event/activity. The proposed budget must be passed before any monetary funds are allocated to the committee.

The Founding Fathers and First Executive Council of Hermanos Macehual Fellowship

Ruben Chavez - Co-Coordinator

Rey Morales - Co-Coordinator

Ricardo Segovia -Co-Coordinator

Richard L. Telles Jr. - Secretary

Antonio Gomez Jr - Historian

Noel John Rodriguez - Recruiter

Daniel A. Zurita - Treasurer

Javier Avitia - Activities Director

Pete Williams - Public Relations

Javier Herrera - Representative

Juan Avalos

Bob Bilvado

Carlos Gonzalez

Fred Cocio

Jaime Montelongo

Samuel Blanco III

Alberto Ayala

Dan de la O