

# **ENGINEERING STUDENT COUNCIL'S CONSTITUTION**

## **I NAME**

This organization shall be known as the Engineering Student Council, abbreviated as ESC. The Engineering Student Council was formally known as the Engineers' Joint Council, or EJC.

## **II. PURPOSE**

The purpose of the Engineering Student Council is to represent the engineering student body; support engineering societies in reaching their full potential; and promote a diverse community through successful collaboration between students, faculty, societies, and the College of Engineering.

## **II MEMBERSHIP**

The Engineering Student Council will abide by Federal laws and University Policy regarding discrimination. As such, the ESC or any of its member societies will not hase according to California State Law nor will they discriminate in any of its policies, procedures, or practices on the basis of race, color, national origin, religion, sex, physical and mental disability, medical condition (cancer-related or genetic characteristics), ancestry, marital status, age, sexual orientation, citizenship, or status as a covered veteran (special disabled veteran, Vietnam-era veteran or any other veteran who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized).

### **1. Eligibility**

- A In order to be a member of ESC and eligible for ESC support, prospective members (societies/decals/competition teams) must agree to abide by the ESC Constitution, By-Laws, and Amendments — and furthermore receive an affirmative vote for membership as specified in the By-Laws.

### **2. Active Membership**

- A Active membership is defined by the ESC By-Laws.

### **3. Expulsion**

- A Members are eligible for expulsion when they have shown inability to abide to the ESC Constitution, By-Laws, and Amendments.
- B Members are expelled from the ESC by an affirmative vote as specified in the By-Laws.

### **III EXECUTIVE OFFICERS, COMMITTEES, AND ELECTIONS**

Only currently registered UC Berkeley students may vote or hold office.

#### **1. Executive Officers**

A The Executive Officers of the Engineering Student Council comprise of the President, Vice President, Senior Treasurer, and Junior Treasurer and are referred to as the Execs. All Execs must have received proper ASUC Agent training through the ASUC Student Group Activities Director by the end of the 1<sup>st</sup> month of their official term of office.

1 The President's duties and powers shall be as follows:

- a To insure that the ESC is properly registered as an ASUC sponsored group.
- b To act as the official representative of the ESC to the College of Engineering, the University, and the community at large.
- c To preside as Chairperson of the ESC Executive Committee, as defined in the ESC By-Laws.
- d To call and conduct regular general meetings of the Engineering Student Council.
- e To be an ex-officio member of all standing and special committees.

2 The Internal Vice President's duties and powers shall be:

- a To oversee recruitment of members-at-large.
- b To be an ex-officio member of and oversee all ad hoc committees.
- c To be an ex-officio member of all standing committees.
- d To oversee the Operations Committee, preside over the webmaster, communication's officer, facilities manager, and both ESC treasurer's
- e Assume the duties and powers of the President if the President is unable to carry out such duties.
- f To oversee recruitment of members-at-large.
- g To be an ex-officio member of and oversee all ad hoc committees.
- h To be an ex-officio member of all standing committees.

3 The External Vice President's duties and powers shall be:

- a To oversee the External Committee, preside over the Engineers' Week Coordinator(s), the intersocietal affairs commissioner, and the Corporate Relations Chair(s)
  - b To be an ex-officio member of all standing committees. To assume the duties and powers of the President if the President is unable to carry out such duties.
- 4 The Senior Treasurer's duties and powers shall be as follows:
- a To be responsible for all financial transactions approved by ESC.
  - b To oversee proper monetary allocations to all members-at-large.
  - c To preside as Chairperson of the Finance Committee, as defined in the ESC By-Laws, and to oversee proper monetary allocations to all members-at-large.
  - d To train the Junior Treasurer in all of the financial procedures of ESC.
  - e To, at the request of ESC, present a verbal financial report of the organization's holdings at the general meeting, and to prepare a written report of the fiscal year at the end of each academic term.
  - f To oversee the Junior Treasurer and The Finance Committee in the writing of the ESC budget proposal for the following year.
- 5 The Junior Treasurer's duties and powers shall be as follows:
- a To assume the duties and powers of the Senior Treasurer if the Senior Treasurer is unable to carry out such duties.
  - b To keep proper documentation of all allocations and transactions processed through ESC.
  - c To work in conjunction with the ASUC Student Group Activities Director, the Senior Treasurer, and The Finance Committee in writing the ESC budget proposal for the following year.
  - d To establish a Funding Request Format for directions on acquiring allocated monies from ESC.
  - e Transfer control of the EJC monies to the newly elected officers of ESC.
  - f To establish the Finance Regulations to explain allocations and other regulations.
  - g To recommend alternative sources of income available to ESC.
- 6 The Communications Officer's duties shall be as follows:

- a To act as the official ESC ‘Secretary’, performing role call and recording the minutes of all ESC meetings.
  - b To be responsible for keeping a record of the attendance and minutes of all ESC meetings and to maintain the ESC calendar.
  - c To work in conjunction with the Vice President in updating all official ESC member rosters and contact information.
  - d To facilitate ESC publicity in coordination with the Web Admin.
- 7 The Facilities Officer’s duties shall be as follows:
  - a To be the official correspondent with members regarding the reservation of all ESC property.
  - b To be responsible for the up-keeping of all ESC property.
  - c To work in conjunction with the Vice-President in allocating ESC members’ [storage] space.
- 8 The Web Admin’s duties shall be as follows:
  - a To maintain and update the official ESC website.
  - b To facilitate ESC publicity in coordination with the Communications Officer.

## 2. Committees

- A Committees to aid in conducting the business of ESC shall be appointed by the President as he/she sees fit. Such standing committees as are necessary shall be provided for in the ESC By-Laws.
- B Chairpersons of ESC special committees shall be appointed by the President **once approved by majority vote of the executive core**. These individuals shall, in all cases, be a member or representative from an organization that is a member of ESC.
- C A person who is not a representative from an organization sponsored by the ESC may serve on any ESC committee with the approval of the committee chairperson as long as he/she is a full-time registered student at UC Berkeley.

## 3. Elections

- A All officers of the Engineering Student Council, with the exception of the Senior Treasurer and Junior Treasurer, shall be elected at the end of the spring semester with their term expiring at the end of the subsequent spring semester as determined by the current University Calendar. At the end of every academic semester, the Senior Treasurer position shall always be adopted by the Junior Treasurer, as determined by the current

University Calendar; and a new Junior Treasurer shall be properly elected to take on the position and to receive the proper training from the newly promoted Senior Treasurer.

- 1 Any nominations by incumbent ESC officers shall follow all nominations from the floor, and the vote shall be conducted by a show of hands.
- 2 Elections shall be determined by a simple majority of eligible members, with a majority defined as having greater than half of the number of votes cast.
- 3 Any Presidential nominee must have held an executive officer position in one of ESC's member organizations for at least two semesters or have been an ASUC Senator or Executive.
- 4 Any Vice Presidential nominee must have held an officer position in one of ESC's member organizations or aforementioned ASUC positions for one semester.
- 5 All other nominees must have previously been an active member of one of ESC's member organizations or any of the aforementioned ASUC positions.

a) If no nominee meets these requirements for one of the positions, any engineering student will be eligible for the position.

b) Each of the ESC's member organizations shall have the ability to define "executive office position," "officer position," and "active member" within the context of their organization's structure.

c) Serving as a member, officer, or executive officer of ESC itself shall not satisfy the eligibility requirements for President.

- B Whenever any officer is unable to discharge the powers and duties of that office, ESC may remove and replace that officer under written declaration from a majority of the elected officers.

- 1 In case of the removal of the President from office, the Internal Vice President shall become the President.
- 2 In case of the removal of the Senior Treasurer from office, the Junior Treasurer shall become the Senior Treasurer.
- 3 In case of the removal of any other officer, the President shall nominate a replacement who shall take office upon confirmation by a majority vote of ESC members and/or elected officers and chairs.
  - a The vote shall be by written ballot. Each official ESC member may cast one vote for the approval or disapproval of the nomination, or may abstain from casting a ballot.

- b A majority vote shall be defined as having greater than half of the number of votes cast.
- C All officers must be registered as full-time students **and maintain a GPA of 2.5**, as defined by the University, during his/her entire term of office. ~~If at any time an officer fails to maintain his/her status as a registered full-time student, said officer must obtain the approval of the Engineering Student Council by a majority vote, to continue his/her position.~~
  - a ~~Such approval shall be based on said officer's ability to successfully fulfill the responsibilities of the position, as outlined by the Constitution.~~
  - b ~~If such approval is not obtained,~~ ESC may remove that officer pursuant to and a new officer will be assigned as outlined in Article IV, Section 3.B.

#### IV MEETINGS

Meetings shall be held at regular intervals as provided for in the ESC By-Laws, but in no case shall there be less than three per academic term, separated by a minimum of two weeks.

#### V AMENDMENTS TO THE CONSTITUTION

Amendments to this Constitution, which may be submitted by any ESC member, must be presented at an ESC general meeting. The vote to amend the Constitution will be taken at ~~the subsequent~~ **that** meeting; a two-thirds vote of members in attendance is required to pass any amendment. The amendment shall become effective immediately after the affirmative vote.

Amendments shall be officially recorded by the Secretary within three business days of adoption.

Amendments to this Constitution will be submitted in writing to the University Office of Student Affairs within 6 business days of adoption.

If the Engineering Student Council is currently registered as an ASUC Student Group, a copy of such amendments shall be filed with the ASUC Student Affairs Office within 6 business days of adoption.

#### VI PRIOR CONSITUTIONS

All prior Constitutions, By-Laws, and Amendments shall become null and void upon adoption of this Constitution.

## **VII DISSOLUTION**

In the event of dissolution, all unspent ASUC funds shall remain the property of the ASUC. Furthermore, all privately obtained funds shall become the property of the Berkeley Engineering Fund, a non-profit organization administered in connection with the College of Engineering.

## **VIII ADOPTION**

This Constitution shall be adopted upon the vote of five-sixths of the members in attendance at the ratification meeting from previously qualified member societies, and will become effective immediately upon such affirmative vote, as stated in our previous Constitution's rules for adoption.

Future Constitutions shall be adopted upon the vote of two-thirds of the members in attendance at the ratification meeting from qualifying member societies, and will become effective immediately upon such affirmative vote, as adopted by this Constitution.

Constitution adopted \_\_\_\_\_ under conditions of Article IX.

Constitution last amended \_\_\_\_\_ under conditions of Article VI.

By-Laws last amended on \_\_\_\_\_ under conditions of By-Law VII.

Revision 90.10.23.02

## **Engineering Student Council's By-Laws**

### **I Membership**

- A Only those student organizations established to promote the interests of student engineers, the College of Engineering, and engineering as a whole will be recognized by the ESC. Furthermore, to be eligible for membership and support, a student organization must fall into one of the following categories:
  - 1 a student organization registered as 'active' by the Center for Student Leadership and the Campus, Life, and Leadership.

- 2 a student-led DeCal, recognized and sponsored by the College of Engineering or an engineering-department.
- 3 a student-led Competition Team that actively competes and is recognized by the College of Engineering or an engineering-department.
- B Each member group must have one representative that actively serves on one committee established by ESC.
- C Societies eligible for ESC membership automatically have voting rights at the time of the ratification of these By-Laws
- D If a society is not represented at two consecutive ESC meetings during a term, or does not fulfill their service on an ESC committee, the member organization shall be placed on probation, whereby the member organization will not be eligible for funding (including reimbursement of all previously allocated funds not yet received.)
- 1 ESC members on probation are required to submit a formal statement to the ESC Executive council explaining their lack of representation in ESC and their steps to ensure this does not happen again.
  - 2 Once the statement (as outlined above) has been received, the member organization can be reinstated by a 2/3 vote by members present at the next ESC general meeting.
  - 3 Member societies which are reinstated after probation will not be eligible for full ESC privileges, including voting and receiving funds, until the meeting after which they are reinstated.
- E A new society may gain membership and full eligibility by having a representative attend three consecutive ESC meetings, actively serve on an ESC committee, and by being approved by a 2/3 affirmative vote of the ESC at the third consecutive ESC meeting the representative attends, at which time the society will be eligible for full ESC privileges (including voting and receiving funds) without a delay period.
- F The ESC officers, as a group, are considered an official member of the ESC and have full ESC privileges (including voting and funding rights). **ESC as a whole will be treated as a member of ESC without special funding privileges and must go through the finance committee to receive additional funds outside of initial allocations.** Individual ESC officers will not be considered as individual members.
- G The faculty advisor to ESC will be selected by ESC after consultation with the Dean of the College of Engineering during the Spring Term of each year and will be mutually accepted by both the Dean and ESC. The Faculty Advisor shall serve a term of at least one year, subject to ESC approval.

## II Meetings



- A Regular meetings shall be held once every month during the term, and officers shall formally schedule these meeting before the beginning of the new term.
  - 1 It shall be the duty of the President to set mutually acceptable times for regular meetings.
  - 2 The President may call special meetings.
- B All regularly scheduled meetings of the ESC shall be open to the public.
- C No business shall be conducted unless a simple majority of the ESC members is in attendance.
- D Member societies with over 200 registered members are entitled to two official ESC representatives with full voting rights at each ESC meeting . All other societies are entitled to only one representative and one vote.
- E Unless otherwise specified by the Constitution or By-Laws, Robert's Rule of Parliamentary Procedure shall be used at ESC meetings.

### III Voting Rights

- A Each society's official ESC representative shall have one vote for the approval or disapproval of a motion before the ESC.
- B The ESC Executive Council will only cast a vote in the event that there is a tie.
- C A motion must be presented to the ESC through an ESC member.
- D Absentee voting shall not be permitted.
- E All motions before the ESC shall require only a simple majority for passage, except where otherwise noted.
- F The method of voting shall be determined by the President. At the request of any ESC member, a roll call vote may be taken with each representative's vote being recorded in the minutes.

### IV Committees

- A The standing committees of the ESC shall be:
  - 1 Executive
  - 2 Finance
  - 3 Social/ Engineers' Week
  - 4 Publicity
- B Composition and Duties of the Standing Committees
  - 1 Executive Committee
    - a The Executive Committee shall consist of the ESC Executive Officers, ESC Chairs, and Committee Chairs with the President serving as Chairperson.
    - b The Committee shall meet prior to ESC meetings to discuss ESC business and to prepare a written agenda for the coming ESC meeting.
    - c The Committee shall formulate, implement, and execute a program for the annual New Student Orientation in conjunction with the Engineering Student Services.
  - 2 Finance Committee
    - a The Finance Committee shall be chaired by the Senior Treasurer. Any other members that may be required are appointed by the Chairperson.

- b Quorum for The Committee shall be 2/3 of voting members. The Chairperson is not a voting member unless there is a tie between the voting members. The Committee shall be 6 members and have no duplication of majors or societies.
- c Funding requests should be submitted to the Junior Treasurer of ESC at least 3 business days before the meeting at which the floor vote will take place.
- d The list of funding requests will be presented to The Committee at the beginning of the meeting, the meeting will go in the order presented. The Committee will hear from each member requesting an extra allocation. After all requests are presented, the Committee shall consider the requests and vote to make decisions of allocations.
- e The Committee makes absolute rulings on funding requests as long as there is a quorum.
- f All Committee funding decisions must be made publicly available within 2 business days.
- g Funding request formats and procedures shall follow the current Funding Request Format written by the Chairperson of the ESC Finance Committee.
- h Any Committee financial decision can be over-ruled a 2/3 vote of the members.
- i The Committee shall assist the Chairperson and Junior Treasurer in performing the duties of that office.
- j The Committee shall review all requests for financial assistance from member societies and individuals in the College of Engineering.
- k The Committee shall prepare an annual budget report.

### 3 Social/Engineers' Week Committee

- a The Social/Engineers' Week Committee shall be chaired by the Vice-President. Any other members that may be required are appointed by the Chairperson.
- b The Social/Engineers' Week Committee shall formulate, implement, and execute an inter-societal program of activities for the benefit of students in the College of Engineering.
- c **The Social/Engineers' Week Committee shall formulate a budget proposal to present to the finance committee to receive funding.**

- d The Committee shall be responsible for the planning and execution of the annual Engineers' Week, including E4K.
- e The Chairperson may form sub-committees to carry out the duties of this committee and the Committee shall assist the Chairperson in performing the duties of that position.

#### 4 Publicity Committee

- a The Publicity Committee shall be co-chaired by the Communications and Web Admin. Any other members that may be required are appointed by the Chair.
- b The committee may work with the Executive Committee, to publicize the actions, resolutions, and opinions of ESC.
- c Press releases to the *Daily Californian*, the ASUC Senate, and the *Engineering News* shall be distributed by the Publicity Committee.
- d The Committee shall maintain a current engineering activity calendar.

#### C Special Committees

- 1 The President shall form special committees **once approved by majority vote of the executive core**
- 2 All special committees must have a defined purpose statement and timeline not to exceed one year.
- 3 The President shall make recommendation for appointments to College of Engineering committees as requested by the Dean.

### V Allocation of Funds

#### A Eligibility

- 1 Requests for ESC funds must be made by a member of ESC.
- 2 Societies whom receive direct funding from the ASUC or one of the ASUC's other umbrella organizations (i.e. Inter-Fraternity Council, Panhellenic Council, etc.), are not eligible for ESC programs monies.

#### B Allocations

- 1 Member allocations will be made by the Senior Treasurer to all registered members within 5 business days after the first meeting.
- 2 The current Funding Request Format and Finance Regulations will be sent out with member allocations.

## **VI Miscellaneous**

Any member group wishing an endorsement from ESC must submit a written proposal at the General Meeting prior to that at which the floor vote will be taken

## **VII Amendments**

- A Amendments to the By-Laws may be adopted at any meeting of the ESC by a greater than or equal to 2/3 affirmative vote of the members
- B Amendments and motions of policy of the ESC shall be added to the main body of the ESC By-Laws by the ESC Secretary and reported as defined in Article VI. of the ESC Constitution.
- C In the Event that the ESC Constitution and By-Laws are in conflict, the Constitution shall over-rule the By-Laws.

### **NOTES:**

- 1 In 2010, the ESC changed its name from Engineers' Joint Council to Engineering Student Council and formulated a new constitution in order to better define their mission statement and purpose as a student group and in order to resolve the many inconsistencies produced over previous years.
- 2 The constitution adopted in fall of 2010 was written keeping in mind the past issues with large student groups overpowering the opinion of smaller student groups. It also serves to prevent the ESC from becoming an organization with individual student members by defining the ESC as an umbrella organization for student groups.
- 3 During the Fall 2012 term, a new constitution was adopted which created two vice president positions and implemented an online voting method. This was to ensure that the Vice President roles become defined and to allow students more time to vote during the ESC elections.