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# CONSTITUTION OF THE ASSOCIATED STUDENTS OF CLAREMONT MCKENNA COLLEGE



*Incorporated in the State of California, September 30, 1976*

*Updated July 19, 2015*



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## ESTABLISHMENT

### Recognition

- i. The name of the Corporation, as recognized by the Articles of Incorporation for the Associated Students of Claremont Men's College, Inc., now known as Claremont McKenna College, shall be called the Associated Students of Claremont McKenna College, Inc., also referred to as ASCMC.
- ii. ASCMC business shall consist of two parts: corporation business and student government affairs.
- iii. Corporation business shall consist of all revenue-generating activities, staff, financial transactions, and business affairs of ASCMC.
- iv. Student government affairs shall consist of all ASCMC activities that are non-corporate business.

### Seal

- i. The seal of the Corporation shall be the official symbol of ASCMC.
- ii. The seal of the Corporation shall consist of the words "Incorporated September 30, 1976, California," encircled by the words, "Associated Students of Claremont McKenna College, Inc."
- iii. The seal of the Corporation shall be affixed to all ASCMC instruments and official documents.

### Mascots

- i. The official mascots of ASCMC shall be the Stag and the Athena.

### Oath of Office

- i. All members serving in any elected, appointed, or nominated position within ASCMC shall take the Oath of Office.
- ii. The Oath of Office must be taken prior to ascension to any office.
- iii. The Oath of Office shall read as:

*I do solemnly swear to obey and uphold the Constitution of the Associated Students of Claremont McKenna College, to maintain the highest standard of ethics, to represent and serve the Corporation to the fullest of my abilities, and to work for the benefit and enrichment of the Corporation and Claremont McKenna College.*



## I. Membership

### A. Regular Membership

1. A Regular Member of the Corporation shall be any student enrolled at Claremont McKenna College who pays student body fees.
2. Each Regular Member holds one (1) vote in all voting matters open to decision by the entire Regular Membership.
3. Regular Membership shall be non-transferable.
4. An updated list of Regular Members will be maintained by the CMC Dean of Students Office and may be obtained for record purposes by the Executive Secretary.
5. Regular Membership shall terminate upon a Regular Member's withdrawal of enrollment or graduation.
6. Any regular member may act as a proxy in the execution of elected duties for elected or appointed officers in the case of Dormitory Presidents and Executive Vice Presidents, and members of the Board of Directors.
  - a. Proxies must be indicated to committee chairs, or in the case of chairs, to each of the other committee members, in advance of any regular or special meeting.
  - b. The designation of a proxy by an elected officer shall not supersede the clear designation of a successor by this Constitution.
  - c. Proxies shall have the full voting rights of the officer whom they represent for the duration of their duty as proxy.
  - d. No designation of proxy shall be valid beyond the duration of the meeting for which he/she is appointed.
  - e. Proxies shall have no fiscal powers within the Corporation, including but not limited to approval of check requests and purchasing authorizations.

### B. Associate Membership

1. Associate Membership in the Corporation may be granted by a majority vote of the Board of Directors.
2. Associate Membership is bestowed automatically upon the CMC President, Dean of Students, Dean of the Faculty, Treasurer, and Chair of the Board of Trustees.
3. Associate Members have no voting rights in ASCMC matters.
4. Associate Membership is a life-long privilege.

### C. Meetings of Regular Members

1. Special meetings of the Regular Membership for referendums, initiatives, or balloting may be called by resolution of the Board of Directors or the Student Senate, or by a petition of at least one-fifth (1/5) of the Regular Members.
2. Meetings of the Regular Membership shall be presided over by the President.
3. The Executive Secretary shall record and publish minutes of all meetings of the Regular Membership.

### D. Rights and duties of Regular Members

1. All Regular Members shall act in accordance with the CMC Basic Rule of Conduct.



2. Regular Members can be censured, fined, assigned work-hours, required to pay restitution, prohibited from college activities, put on probation, suspended, or expelled from the Corporation for any act or omission which the College Judiciary Board believes violates the CMC Basic Rule of Conduct or any academic policy of the college, provided members are given prior notice of the proceedings against them and are allowed to speak in their defense.
3. ASCMC shall also recognize any judgments made by the Academic Standards Faculty Committee on matters of CMC academic policy.

## II. Board of Directors

A. Composition—The Board of Directors shall be comprised of the Administrative Council and the Advisory Council.

### B. Administrative Council

1. The Administrative Council shall consist of the President, Executive Vice President, Vice President of Student Activities, Campus Organizations Chair, the Event Commissioners, the Dormitory Affairs Council Chair, Executive Secretary, Chief Financial Officer, and Class Presidents representing each class currently enrolled.
2. The Administrative Council, with the exception of the President, shall have the right to vote on all matters that come before the Board of Directors. The President shall only vote in the event of a tie.
3. With the exception of the President-elect, all members of the Administrative Council shall be sworn into office on the first Monday after Spring Break by the President, and shall serve until the swearing-in of his/her replacement.
  - a. The President-elect shall be sworn into office on the first Monday after Spring Break by the outgoing President.
  - b. The Senior Class President shall be sworn into office on the first Monday after Spring Break by the President, and shall serve until graduation day for his/her class. The Senior Class President shall share the responsibilities of the position equally with the new representative of the class that shall attain Senior Status the following fall during the time between Spring Break and graduation.
  - c. The Junior Class President shall be sworn into office on the first Monday after Spring Break by the President, and shall serve until the swearing-in of the Senior Class President the following year.
  - d. The Sophomore Class President shall be sworn into office on the first Monday after Spring Break by the President, and shall serve until the swearing-in of the Junior Class President the following year.
  - e. The Freshman Class President shall be sworn into office on the first Sunday after his/her election by the President, and shall serve until the swearing-in of the Sophomore Class President.



4. Administrative Council members may hold only one office on the Board of Directors at a time.
5. Resident Assistants may not hold office on the Administrative Council.

C. Advisory Council

1. The Advisory Council shall consist of the President Pro-Tempore of the Senate, the Special Assistants to the President, the Controller, the CMC President, Dean of Students, Dean of the Faculty, College Treasurer, and Chair of the Board of Trustees.
2. Special Assistants to the President: the President may have a personal staff not to exceed two (2) in number.
  - a. Composition—Up to two (2) Special Assistants shall be appointed by the President for any purpose he/she sees fit.
  - b. Special Assistants shall be sworn into office by the President.
  - c. In addition to the regular removal procedures, the Special Assistants may be removed from office at the President's discretion.
3. Members of the Advisory Council may bring motions before the Board of Directors.
4. Members of the Advisory Council may not vote on any motions before the Board of Directors.

D. Meetings

1. The Board of Directors shall meet at least once a week during the academic year, unless the President finds cause to cancel.
2. Meetings of the Board of Directors shall be held on campus and shall be open to the public.
3. The Board of Directors reserves the right to close meetings with a simple majority vote. A motion to close a meeting must include a brief statement explaining the need for a closed meeting.
4. All meetings of the Board of Directors shall require a quorum of at least six (6) members of the Administrative Council.
5. Supplementary meetings by e-mail(s) sent to all members of the Board of Directors are assumed to have quorum for non-voting decisions. Votes in such meetings shall be considered to have reached quorum if at least six (6) members of the Administrative Council have voted and voting has been open for 24 hours, or if all members of the Administrative Council have voted.

E. Powers and duties of the Board of Directors

1. The Executive Power shall be vested in the Board of Directors. Specifically, it shall control and manage the property, affairs, finances, and policies of the Corporation. The Board of Directors shall have full control over the operations of the Corporation except where otherwise specified by this Constitution.
2. The Board of Directors and its affiliates may not sign a contract lasting longer than one (1) year, except with a two-thirds (2/3) majority vote of the Student Senate.
3. The Board of Directors shall manage the business of the Corporation.

4. The Board of Directors shall have the power to delegate its authority to any subordinate entity.
5. The Board of Directors shall have the power to appoint and remove agents and employees of the Corporation, prescribe their duties, fix their compensation, and require from them a security for faithful service.
6. The Board of Directors shall have the power and responsibility to pay for any property purchased by the Corporation.
7. The Board of Directors shall represent the Corporation in all business affairs.
8. The Board of Directors shall have the responsibility of making a full disclosure of the Corporation's financial transactions and status at the end of each academic year to the Student Senate.
9. The Board of Directors shall be responsible for managing all capital investments, with a two-thirds (2/3) majority approval of the Budgeting Committee.
10. Recommendations for new or revisions of contractual agreements shall be subject to a simple majority vote of the Board of Directors before they are executed.
11. The Board of Directors shall be responsible for the maintenance and upkeep of all ASCMC facilities.
12. The Board of Directors shall have the power to create committees for the purposes of the business of the Corporation. Creation may be accomplished by the President, subject to the authorization of the Board of Directors.
13. The Board of Directors shall have the power to recognize all campus organizations.
14. The Board of Directors shall retain the ability to form Operating Procedures for rules of order through a simple majority vote. Any such procedures created shall apply only to the Board of Directors, and shall expire after Spring Break of each academic year. Except where they conflict with previously approved Operating Procedures for rules of order, the Board of Directors will follow Robert's Rules of Order.
15. The Board of Directors shall have the authority to penalize any elected or appointed member of the Administrative Council upon the occasion of two consecutive absences with or without proxy, except in the case of officers for whom there is a clearly designated successor.
  - a. The initial penalty shall be in the amount of 10% of an officer's stipend.
  - b. Subsequent consecutive absences shall incur a penalty equal to an additional 10% of the officer's stipend.
  - c. Special meetings of the Board of Directors for which members are not notified at least 24 hours in advance shall be exempted from the attendance requirement.
16. The Board of Directors shall have the authority to penalize any Administrative Council member who is not present or represented by a designated proxy for 25% or more of the total number of Board meetings during a semester.
  - a. The initial penalty shall be in the amount of 10% of an officer's stipend.





- b. Subsequent consecutive absences shall incur a penalty equal to an additional 10% of the officer's stipend.
    - c. Special meetings of the Board of Directors for which members are not notified at least 24 hours in advance shall be exempted from the attendance requirement.
  - 17. The Board of Directors shall be responsible for overseeing employees of the corporation.
    - a. The Property Manager
      - i. The Property Manager shall be chosen by the Executive Secretary within two weeks after Spring Break subject to approval by simple majority vote of the Board of Directors.
      - ii. The Property Manager shall catalog all ASCMC property and equipment, and work closely with all Board of Directors members and dorm presidents to track property and equipment purchases.
      - iii. The Property Manager shall be responsible for keeping track of all ASCMC property used by clubs and organizations.
    - b. The Webmaster
      - i. The Webmaster shall be selected by the Board of Directors through a simple majority vote within two weeks after Spring Break.
      - ii. The Webmaster shall be responsible for the ASCMC Web site's content and design, subject to oversight by the Executive Secretary.
    - c. *Ayer* Editor in Chief
      - i. The Editor in Chief shall be selected by the Board of Directors by a simple majority vote within three weeks after Spring Break.
      - ii. The Editor in Chief shall be responsible for the production of the yearbook and can be called before the Board of Directors to report on the work of the *Ayer*.
      - iii. If the Elections Committee does not appoint dual Editors in Chief, the *Ayer* Editor in Chief is responsible for selecting a managing editor to assist in the process of producing the yearbook.
  - 18. The Board of Directors may veto any legislative action proposed by the Student Senate other than a constitutional amendment. The Board of Directors's role in approving constitutional amendments is detailed in Article XV.
- F. Powers and duties of the President
  - 1. The President shall represent the Board of Directors and the Regular Membership in all decisions and occasions when meetings of these bodies are impracticable. Following such activities, the President shall report to the Board of Directors.
  - 2. The President shall represent the Corporation in all financial negotiations and meetings.



3. The President shall preside at meetings of the Board of Directors.
4. The President may attend all Student Senate meetings whether open or closed, but shall not be considered a member of that body.
5. The President shall have the ability to appoint and define the duties of committees and committee members as may be authorized by the Board of Directors.
6. The President shall serve on the following ASCMC Committees: the Elections Committee, the Budgeting Committee, and the following College Committees: the 5-C Senate, the Five College Presidents' Council, the Student Affairs Trustee Committee, the Athenaeum Advisory Committee, and the Budget and Audit Trustee Committee.

G. Powers and duties of the Executive Vice President

1. The Executive Vice President shall serve as the secondary head of the Corporation, and in the absence of the President, shall serve as Acting President, with all the powers and responsibilities of the President.
2. The Executive Vice President shall serve as Chair of the Student Senate, and be responsible for calling meetings and overseeing the operations of the Student Senate.
3. The Executive Vice President shall have the power to appoint all Student Senate committee chairs.
4. The Executive Vice President shall act as a liaison between the Board of Directors and the Student Senate, and shall have the responsibility of reporting the activity of each body to the other.
5. The Executive Vice President shall serve on the following ASCMC Committees: College Judiciary Board Selection Committee, the Elections Committee, the Budgeting Committee, and the following College Committees: the 5-C Senate, the Student Affairs Trustee Committee, the Athenaeum Advisory Committee.

H. Powers and duties of the President Pro-Tempore of the Student Senate

1. The President Pro-Tempore shall serve as Acting Executive Vice President and Chair of the Student Senate in the event the Executive Vice President is unable to fulfill his/her duties.
  - a. The President Pro-Tempore shall assist the Executive Vice President as needed.
  - b. The President Pro-Tempore shall serve on the Advisory Council of the Board of Directors and shall attend all meetings of the Board of Directors.
  - c. The President Pro-Tempore shall attend every Senate meeting and may propose motions, but may not vote on them.
  - d. The President Pro-Tempore shall chair the Elections Committee and serve on the Budgeting Committee.
2. The President Pro-Tempore shall act as Parliamentarian of ASCMC, and also be consulted by the Senate and Board of Directors in all questions or controversies



relating to the Articles of Incorporation, Constitution, Bylaws, or Operating Procedures.

3. The President Pro-Tempore shall also serve as Chief Ethical Officer of ASCMC and be consulted by all branches of the Corporation on any and all matters relating to ethical conduct and/or practices.
  - a. The President Pro-Tempore shall provide ethical oversight over actions by both officers and branches of the Corporation
  - b. The President Pro-Tempore shall, in the event of a suspected ethical breach, be authorized to convene a special investigatory committee comprised of him/her plus two voting members.
    - i. The investigatory committee shall research the alleged ethical violation through, but not limited to, the means of interviews and the review of related documents and/or other physical evidence.
    - ii. The investigatory committee shall, by a simple majority vote, file a formal complaint with the Board of Directors, the Student Senate, or any other appropriate body.
    - iii. Appeals of the decision of the investigatory committee may be decided by the Board of Directors or the Student Senate by a 2/3 majority vote.
4. The President Pro-Tempore shall be selected at the end of the spring semester. He/she will take office at the beginning of the following fall semester for a term of one academic year.
  - a. Applications for the position shall be solicited by the Elections Committee during the spring semester following spring break. All applicants must have completed at least one (1) semester of service as an officer in ASCMC by the end of the semester in which he/she has applied.
  - b. The Elections Committee shall nominate up to three qualified individuals for the position. This process shall only serve to vet applicants for qualifications and not to recommend one qualified candidate over another.
  - c. The Student Senate shall debate and elect one of the nominated candidates as President Pro-Tempore for the following academic year through a simple majority vote.

I. Powers and duties of the Vice President of Student Activities

1. The Vice President of Student Activities shall administer and supervise all ASCMC social events that do not exclusively relate to dormitory activities.
2. The Vice President of Student Activities shall act as a liaison between the Board of Directors and College Programming Board, and shall have the responsibility of reporting the activity of each body to the other.
3. The Vice President of Student Activities shall chair the Student Activities Committee and have the power to establish programming committees and appoint committee chairs.



4. The Vice President of Student Activities, with the consultation of the Event Commissioners, shall have the sole responsibility for spending the Student Activities Budget allocation.
- J. Powers and duties of the Dormitory Affairs Council Chair
1. The Dormitory Affairs Council, hereafter referred to as DAC, Chair shall administer and supervise all ASCMC matters relating to dormitory activities.
  2. The DAC Chair shall act as a liaison between the Board of Directors and DAC, and shall have the responsibility of reporting the activity of each body to the other.
  3. The DAC Chair shall have the power to establish DAC committees and appoint committee chairs.
  4. The DAC Chair, with the consultation of DAC, shall have the responsibility for spending the DAC Budget allocation.
- K. Powers and duties of the Campus Organizations Chair
1. The Campus Organizations Chair, hereafter referred to as the CO Chair shall supervise the activities of all recognized ASCMC campus clubs and organizations, hereafter referred to as campus organizations, as well as the *Ayer*, with regard to ASCMC policies and needs.
  2. The CO Chair shall act as liaison between the Board of Directors and campus organizations, and shall have the responsibility of reporting the activities of campus organizations to the Board of Directors.
    - a. The CO Chair shall have the responsibility of relaying directives from the Board of Directors to campus organizations.
    - b. The CO Chair shall handle funding requests from campus organizations and shall present all such requests, along with recommendations, to the Board of Directors.
      - i. The CO Chair may fund such requests from the Campus Organizations Budget allocation. The CO Chair shall not allocate more than five hundred (500) dollars to any campus organization per semester, except by approval of a majority of the Administrative Council.
      - ii. The CO Chair may transfer in whole or in part a funding request to the Board of Directors with a recommendation.
      - iii. A campus organization reserves the right to petition the President to present a funding request to the Board of Directors only after submitting a request to the CO Chair.
    - c. The CO Chair shall keep records of all ASCMC funds transferred to campus organizations.
    - d. The CO Chair shall keep records of the mission statements and membership lists of all campus organizations, and shall investigate these records as necessary.



- e. The CO Chair shall inform campus organizations of their financial status on a bimonthly basis during the academic year, starting the first week of each semester.
3. The CO Chair reserves the right to halt temporarily the payments of ASCMC funds to a campus organization pending a review by the Board of Directors.
4. The CO Chair, with the consultation of the Board of Directors, shall have the responsibility of spending the Campus Organizations Budget allocation.
5. The CO Chair shall serve on the Budgeting Committee.
- L. Powers and duties of the Event Commissioners
  1. The Event Commissioners shall assist the Vice President of Student Activities in the administration and supervision of all ASCMC social events that do not exclusively relate to dormitory activities.
  2. The Event Commissioners shall sit on the Student Activities Committee and serve as a member of the Administrative Council of the Board of Directors.
- M. Powers and duties of the Executive Secretary
  1. The Executive Secretary shall act as the clerk and historian of the Board of Directors.
  2. The Executive Secretary shall record and publish the minutes of open meetings of the Board of Directors, shall record the minutes of meetings of the Budgeting Committee, carry on the correspondence of the Corporation, and be responsible for giving notices of all ASCMC meetings.
    - a. The Executive Secretary shall be responsible for posting all ASCMC minutes on the ASCMC website, or other websites affiliated with ASCMC.
    - b. The Executive Secretary shall be responsible for the ASCMC bulletin board in Collins Dining Hall. He or she shall post materials relevant to ASCMC at his or her discretion or the request of the Board of Directors.
    - c. The Executive Secretary shall be responsible for posting notice on the ASCMC website of all regularly scheduled open ASCMC meetings, including meetings of ASCMC committees or the Board of Directors. Such notice must be published on the website at least 48 hours before such meetings are scheduled to occur. This publication shall contain the time, date, location, and purpose of the meeting.
  3. The Executive Secretary shall be responsible for the production and distribution of all minutes of the Board of Directors, and for keeping a record of all past minutes in the ASCMC offices.
    - a. The record history of minutes may be viewed by any Regular Member at any time.
    - b. In the event that meetings are closed to the public, a separate record shall be kept, and this record shall neither be approved by the Board of Directors, nor published for public inspection. All such records, however, shall be included with past minutes in the ASCMC offices.



- c. The record history of closed minutes may be viewed by any Regular Member, with the approval of the President, at any time.
  4. The Executive Secretary shall serve as custodian of all non-financial records of the Corporation and be trustee of the seal of ASCMC.
  5. The Executive Secretary shall be responsible for the selection of the Property Manager and the oversight of the position.
  6. The Executive Secretary shall be responsible for overseeing the Web site, its content, its design, and any employees of the Corporation needed for its maintenance.
  7. The Executive Secretary shall be solely responsible for the management of all ASCMC offices, and maintaining adequate supplies for the conduct of ASCMC business.
  8. The Executive Secretary shall serve on the Elections Committee, but must take minutes of Budget Committee meetings.
- N. Powers and duties of the Chief Financial Officer
1. The Chief Financial Officer shall have charge of and be responsible for all funds and securities of the Corporation.
  2. The Chief Financial Officer shall be responsible for maintaining a complete and accurate record of all accounts and transactions of the Corporation.
  3. The Chief Financial Officer shall be responsible for depositing all Corporation revenues in such banks or trust companies chosen by the Board of Directors for the Corporation.
    - a. Deposits shall be made on a regular schedule determined by the Chief Financial Officer.
    - b. Checks and cash must be deposited within one (1) week of receipt.
  4. The Chief Financial Officer shall disburse funds of the Corporation.
    - a. Checks shall be produced using the selected accounting software program of the Corporation.
    - b. Checks shall be dispersed at least once a week on the day(s) determined by the Chief Financial Officer.
  5. The Chief Financial Officer must have demonstrable accounting experience to be proven during an interview process conducted by members of the Elections Committee and a professor from the accounting department of Claremont McKenna College.
  6. The Chief Financial Officer shall be responsible for maintaining the payroll records of the Corporation. The Chief Financial Officer shall maintain written contractual agreements for employees receiving an hourly wage.
  7. The Chief Financial Officer shall be responsible for an Annual Independent Examination to be conducted by the end of the academic year, as outlined in the Operating Procedures. The Annual Independent Examination reviews the validity of the End-of-Term Financial Report.
  8. The Chief Financial Officer shall prepare and make available the Annual Financial Report of the Corporation to Regular Members by the 15th of October.



The Annual Financial Report covers all financial activities of the Corporation during the fiscal year, from the 1st of September to the 31st of August.

9. The Chief Financial Officer shall prepare and make available the End-of-Term Financial Report of the Corporation to Regular Members by the first Monday after Spring Break. The End-of-Term Financial Report covers all financial activities of the Corporation during the term of the outgoing administration.
10. The Chief Financial Officer shall give weekly reports on the financial situation of the Corporation to the Board of Directors and to the Student Senate upon request.
11. The Chief Financial Officer shall manage all revenue-generating projects of the Corporation, with the exception of Capital Investments.
  - a. The Chief Financial Officer shall maintain files in the ASCMC offices on all revenue-generating projects of the Corporation. These files shall include contact names and their respective phone numbers; a chronology of the contract between the Corporation and its vendors; and any literature pertaining to the services received by the Corporation.
  - b. The Chief Financial Officer shall maintain files on all contractual agreements made between ASCMC and the CMC administration.
  - c. The Chief Financial Officer shall review the performance of the Corporation's revenue-generating projects quarterly.
  - d. All contracts approved by the Board of Directors must be signed by both the President and the Chief Financial Officer.
12. The Chief Financial Officer shall serve on the Budgeting Committee, and the College's Budget and Audit Trustee Committee.
13. Any ASCMC fund or line item (including clubs) that receives \$1000 dollars or more from ASCMC must submit a request to the Chief Financial Officer if it wishes to spend over 50% of its budget before the beginning of the second semester. These requests must be voted on and approved by a majority vote of the Board of Directors.

O. Powers and duties of the Controller

1. The Controller shall consolidate and maintain financial records including reconciliations, bank statements, and checks, and shall perform reconciliations by the end of the first week of each month for the previous month.
2. The Controller shall oversee the collection of funds by ASCMC, including by counting money received after every event where ASCMC receives money and submitting the money to the Chief Financial Officer in the ASCMC offices with a report of the amount received.
3. The Controller shall retrieve mail of the Corporation from Story House and shall stamp "deposit only" on all incoming checks.
4. The Controller shall be a non-voting advisory member of the Budgeting Committee.
5. The Controller shall serve on the Audit and Oversight Committee in a nonvoting advisory capacity.

P. Powers and duties of the Senior Class President



1. The Senior Class President shall be the liaison between ASCMC and the class that elected him/her. Upon election the Senior Class President shall be the representative of the class that shall attain Senior Status during the fall semester of the next academic year, of which he/she must be a part.
2. The Senior Class President shall be recognized as President-for-Life for his/her class, and shall represent his/her class in post-graduation affairs.
3. The Senior Class President shall be responsible for planning all Senior Class activities, and for maintaining records of class affairs and finances for report to the Board of Directors.
4. The Senior Class President reserves the right to form class councils, which shall work at the Class President's discretion.
5. The Senior Class President shall work with the CMC administration to plan the annual graduation ceremonies.
6. The Senior Class President shall have the sole responsibility of spending the budget allocation for the class he/she represents.

Q. Powers and duties of the Junior Class President

1. The Junior Class President shall be the liaison between ASCMC and the class that elected him/her. Upon election the Junior Class President shall be the representative of the class that shall attain Junior Status during the fall semester of the next academic year, of which he/she must be a part.
2. The Junior Class President shall be responsible for planning all Junior Class activities, and for maintaining records of class affairs and finances for report to the Board of Directors.
3. The Junior Class President reserves the right to form class councils, which shall work at the Class President's discretion.
4. The Junior Class President shall plan, organize, and implement annual Monte Carlo activities in conjunction with campus Homecoming events.
5. The Junior Class President shall have the sole responsibility of spending the budget allocation for the class he/she represents.

R. Powers and duties of the Sophomore Class President

1. The Sophomore Class President shall be the liaison between ASCMC and the class that elected him/her. Upon election the Sophomore Class President shall be the representative of the class that shall attain Sophomore Status during the fall semester of the next academic year, of which he/she must be a part.
2. The Sophomore Class President shall be responsible for planning all Sophomore Class activities, and for maintaining records of class affairs and finances for report to the Board of Directors.
3. The Sophomore Class President reserves the right to form class councils, which shall work at the Class President's discretion.
4. The Sophomore Class President shall have the sole responsibility of spending the budget allocation for the class he/she represents.

S. Powers and duties of the Freshman Class President





1. The Freshman Class President shall be the liaison between ASCMC and the class that elected him/her. Upon election the Freshman Class President shall be the representative of his/her class, of which he/she must be a part.
2. The Freshman Class President shall be responsible for planning all Freshman Class activities, and for maintaining records of class affairs and finances for report to the Board of Directors.
3. The Freshman Class President reserves the right to form class councils, which shall work at the Class President's discretion.
4. The Freshman Class President shall have the sole responsibility of spending the budget allocation for the class he/she represents.

### III. Student Senate

#### A. Composition

1. The Executive Vice President shall be the Chair of the Student Senate and be responsible for all Student Senate activities.
2. The Executive Vice President shall have the power to create committees as needed to manage the activities of the Student Senate.
  - a. The Executive Vice President shall also have the power to appoint committee chairs.
  - b. Committee chairs shall serve a term concurrent with the Executive Vice President who selected them and shall be granted automatic Senatorial status while in office.
3. At the first meeting of each semester, Senators shall select from their membership a Student Senate Clerk.
  - a. The Student Senate Clerk shall be responsible for producing minutes of all Student Senate meetings, keeping record of votes and attendance, and conduct all correspondence of the Student Senate.
  - b. The Student Senate Clerk shall be responsible for posting all Student Senate minutes in a timely manner at (a) centrally located place(s).
4. All Senators, with the exception of committee chairs, shall serve for terms of one (1) academic semester.
5. After attending three consecutive Student Senate meetings or attending the first Student Senate meeting of the academic semester, a Regular Member is automatically granted the title of Senator and is automatically granted voting power. If a Regular member gains voting power from his/her attendance at the first Student Senate meeting, he/she must attend the next three Student Senate meetings, or else will automatically lose Senate membership.
6. All Senators must not have more than three (3) consecutive, unexcused absences from Student Senate meetings in one semester. Failure to meet this criterion is grounds for expulsion from the Student Senate.



7. If a dormitory or residential group has less than two (2) representatives the Executive Vice President shall contact the Resident Assistant of said group to request representatives.
8. Members of the Board of Directors may not concurrently hold office as a Senator. This passage shall not be interpreted as restricting the constitutionally defined duties of either the ASCMC Executive Vice President or the President Pro-Tempore.

#### B. Meetings

1. The Student Senate shall meet at least once a week during the academic year, unless the Executive Vice President finds cause to cancel. Prior notice of any cancellations must be made before the Student Senate, and are subject to appeal by a majority vote of the Student Senate.
2. Meetings shall be open to Regular Members, and meeting locations and times shall be announced in advance.
3. The Student Senate shall have the option of closing a meeting with a simple majority vote.
4. Special meetings may be called at the request of one-third (1/3) of the Senators or by the Executive Vice President.

#### C. Voting

1. Each Senator shall have one (1) vote in all votes.
2. The Executive Vice President shall only vote in the event of a tie.
3. A quorum is required for all votes to be taken. One-half (1/2) plus one (1) of all Senators must be present for a quorum to be declared.
4. When a Senator chooses to abstain during a vote, they are no longer counted as a member of the voting body for the duration of the vote. An abstention shall not affect a quorum.
5. The results of all votes shall only be released in numerical values of yeas, nays, and abstentions recorded. The individual votes of each Senator will be released only in the event of a roll call vote.

#### D. Powers and duties of the Student Senate

1. The legislative power shall be vested in the Student Senate.
2. The Student Senate shall consider all legislation proposed by Senators or the Board of Directors.
3. The Student Senate shall have the power to overturn any legislative veto by the Board of Directors by a two-thirds (2/3) majority vote.
4. The Student Senate shall have the power to issue a legislative subpoena to any officer or employee of ASCMC to appear before the Senate or any of its committees and subcommittees for the purpose of receiving that officer or employee's testimony.
  - a. Such subpoenas may be issued by a majority vote of the Student Senate.
  - b. The Student Senate may also confer this power of subpoena upon any committee and/or committee chair by a majority vote.



- c. The Student Senate may also confer this power of subpoena upon any Regular Member who is not a Senate committee chair by a 2/3 majority vote.
5. The Student Senate shall recommend appointments to Trustee, Faculty, and Special Administrative committees by the end of the academic year, except for those in which this constitution stipulates that an officer shall serve on a given committee.
  - a. The Executive Vice President shall solicit applications from all Regular Members.
  - b. The Executive Vice President shall present his/her nominations to the Student Senate for confirmation.
6. The Student Senate shall have the responsibility for confirming nominees for Student Justices for the College Judiciary Board made by the College Judiciary Board Selection Committee. Confirmation of such nominations shall require a two-thirds (2/3) majority vote.
7. The Student Senate may disburse funds from its budget allocation by simple majority vote.
8. The Student Senate shall retain all powers not specifically granted to the Board of Directors by this Constitution.
9. The Student Senate shall retain the authority to form, change, or revoke Operating Procedures for rules of order through a two-thirds (2/3) majority vote. Any such procedures created shall apply only to the Student Senate. Every Senator shall receive a copy of all active Senatorial rules of order contained in the Operating Procedures.
10. Any Student Senate procedures not delineated by the Constitution or Senate Rules of Order contained in the Operating Procedures will be at the discretion of the Executive Vice President.

#### IV. Standing Committees

##### A. General Rules

1. Composition—All Standing Committees shall have a Chair that shall be subject to these General Rules.
2. Powers
  - a. All matters of debate regarding procedure or policy shall be decided by a simple majority vote of the committee. Committee members may appeal these decisions to the Student Senate, which shall decide by a two-thirds (2/3) majority vote unless otherwise specified by this Constitution.
  - b. Standing Committees shall reserve the right to select an Acting Chair from their membership in the event that the Chair is unable to fulfill his/her duties, unless otherwise specified by this Constitution.
3. Meetings



- a. Meetings of Standing Committees may be called by the Chair, a signed petition of at least three (3) committee members, or a simple majority vote of the Board of Directors or the Student Senate.
  - b. Standing Committees need not maintain written minutes unless directed to by the Chair or stipulated to by this Constitution. All votes shall be recorded by the Chair.
- 4. Votes
  - a. All motions in Standing Committees shall be decided by a simple majority vote.
  - b. Each committee member shall have one (1) vote in all motions brought before his/her respective committee. In the event of a tie, the final decision shall be made by the Chair.
  - c. All votes in Standing Committees shall require a quorum of one-half (1/2) plus one (1) of each committee's membership.
- B. Elections Committee
  - 1. Composition
    - a. ASCMC shall maintain a standing Elections Committee, which shall include the President, Executive Vice President, Vice President of Student Activities, President Pro-Tempore, Executive Secretary, and two (2) additional Senators to be selected by a simple majority vote of the Student Senate.
    - b. The President Pro-Tempore shall chair the committee. In the event that an immediate decision regarding the Election Rules is necessary, the Chair shall have the power to make immediate decisions, subject to later approval or reversal by the committee. Both approval and reversal shall require a simple majority vote of the committee.
    - c. No member of the Elections Committee may be a candidate for an elected or appointed position and serve on the committee concurrently. In the event a member of the Elections Committee enters an election or applies for an office, the Student Senate shall appoint a senator to replace that member until the end of the election or selection process by a simple majority vote.
  - 2. The Elections Committee shall oversee, but is not limited to, the elections of the President, Executive Vice President, Vice President of Student Activities, the Dormitory Affairs Chair, and Class Presidents. The Elections Committee shall be responsible for administering all elections and initiatives of the Corporation, in accordance with the Election Rules below:
    - a. Requirements for eligibility of a candidate for any elected position are that the candidate be a member of the Corporation, and that he/she be on campus for the duration of his/her term, if elected.
    - b. Petitions

- i. The Elections Committee will supply all candidates with official campaign petition forms and notification of all relevant election dates.
  - ii. Candidates will have at least four (4) days to obtain signatures. Each candidate running for a campus-wide position (President, Executive Vice President, Vice President of Student Activities, the Dormitory Affairs Chair) must obtain two hundred (200) signatures from the entire student body, while each candidate running for Class President must obtain fifty (50) signatures from regular members from his/her class. On a day set by the Elections Committee, petitions must be submitted to the Elections Committee.
  - iii. The Elections Committee will hold a meeting for all candidates at which time all petitions must be submitted. No petitions may be submitted after the close of this meeting.
  - iv. Candidates must also submit a deposit of the amount designated by the Elections Committee. Petitions will not be complete without the deposit.
  - v. Upon submission of a complete petition and the adjournment of the candidates' meeting, campaigning may begin immediately.
- c. Campaigning
- i. Candidates for campus-wide elections may spend no more than fifty (50) dollars in a General Election. Candidates for a class president position may spend no more than forty (40) dollars in a General Election.
  - ii. Flyers
    - (1). Candidates may only use white recyclable paper 8 1/2 by 11 inch or smaller. Candidates may use color printing or designs.
    - (2). Candidates may not post flyers on glass or painted surfaces, except inside dormitory residents' windows with the consent of the resident(s).
    - (3). Candidates may not put flyers in mailboxes at Story House.
    - (4). Candidates may only place three (3) flyers in Story House and three (3) flyers on the kiosk outside of Collins Dining Hall.
    - (5). Candidates may not post flyers in classrooms, Collins Dining Hall, Marian Miner Cook Athenaeum, Frazee Game Room, or Crocker Reading Room.
    - (6). The Dean of Students Office must approve all flyers before copying.



- iii. Candidates will be allowed one (1) 3 feet by 6 feet banner that may be hung on the south railing at Appleby Hall. Banners and posters will not be allowed in any other public area. Banners and posters can be placed in dormitory residential rooms with the consent of the resident(s).
  - iv. Candidates may not generate and/or use distribution lists over any Claremont McKenna College e-mail system.
  - v. No ASCMC equipment, supplies, paid personnel, publications, or funding may be used to assist candidates.
  - vi. No Regular Member shall destroy, deface, obscure, or remove any campaign materials.
  - vii. Candidates are expected to behave in an ethical manner throughout the election process.
  - viii. Violation of any of the above rules shall be punishable by disciplinary action.
  - ix. Campaigning will last at least four (4) days from the petition filing.
- d. Initiatives—An initiative shall be defined as a constitutional amendment for the consideration and approval of the members of the Corporation. Initiatives may not be used to overturn or nullify decisions rendered by any body within ASCMC.
- i. To begin the initiative process, a regular member or an officer must inform the chair of the Elections Committee of his/her intent to put an initiative to the entire membership and request a meeting with the Elections Committee. The Elections Committee shall then meet with the member within one (1) academic week of the notice of intent. Upon meeting with the Elections Committee and receiving the official petition form the petitioner has up to three weeks to collect two-hundred (200) signatures from the entire student body in order for the initiative to be put to the regular membership.
  - ii. Initiative elections must be held during the academic year. However, the Elections Committee shall not be obliged to hold an election that would fall within fourteen days of the last official day of exams as scheduled by the CMC registrar. If an initiative election would occur during this period, the Elections Committee shall be obliged to hold it within two (2) weeks of the start of the following semester.
  - iii. All initiatives shall be governed by Petition and Campaigning regulations of the Election Rules for campus-wide elections as outlined above with the following exceptions:
    - (1). Deposits will not be collected.
    - (2). Banners hung from Appleby Hall are forbidden.

- (3). All campaign materials regarding initiatives must include the primary author's name, phone number, Story House box number, and email address.
  - iv. The exact wording of an initiative shall be submitted to the Elections Committee with an initiative's petition.
- e. General Election Procedures
  - i. Balloting shall take place outside Collins Dining Hall during posted meal hours. Balloting shall also take place at the Student Apartments for forty-five (45) minutes immediately following posted lunch hours at Collins Dining Hall and for forty-five (45) minutes immediately preceding posted dinner hours.
  - ii. Voting will not occur at the Student Apartments for Freshman Class elections or other elections where seniors cannot vote.
  - iii. No campaigning is allowed within view of the polling place.
  - iv. The Elections Committee, or those appointed by the Student Senate to assist in the election, shall oversee the distribution and collection of ballots.
  - v. At the close of dinner, the polls shall be closed and the votes tallied by at least three (3) members of the Elections Committee. These three (3) members must check the count and verify the result of the election.
  - vi. Results shall be posted at the Emmett Student Center and Story House
- f. Candidate Elections Rules
  - i. All General Elections Procedures apply to Candidate Elections.
  - ii. In the case of a candidate election, each Regular Member may vote in accordance with Instant-Runoff Voting (IRV) procedure on exactly one ballot in each election in which he/she is eligible to vote.
  - iii. The following instructions shall clearly appear on each ballot used for a candidate election, distributed by the Elections Committee:
 

*This election uses the Instant-Runoff Voting System. Please vote by placing a "1" next to the name of your first-choice candidate, and placing the numbers "2", "3", "4", etc. next to each candidate, in order of decreasing preference, with "2 " being placed next to your second choice candidate, "3 " being placed next to your third choice, and so on. Write-in votes are valid, provided it is for a student of Claremont McKenna College who will remain on campus for the duration of the term. You are not required to rank every candidate. No candidate may be ranked more than once, and only consecutive numbers may be used. If any of the above rules*

*are violated, the whole ballot will be considered invalid and will not be counted in the election.*

- iv. In order to win the election, a candidate must receive a majority, one-half (1/2) plus one (1) vote, to win an election. The counting process shall be conducted by the Elections Committee as follows:

- (1). All ballots shall be organized and counted according to first rank votes.
- (2). If no candidate has a majority of votes, the candidate with the least number of votes shall be eliminated, and each of the eliminated candidate's ballots shall be redistributed among the remaining, non-eliminated candidates by next available choice ranked. If all remaining candidates on a ballot have been eliminated, then that ballot shall be considered an abstention.

In the event of a tie between candidates with the fewest number of votes among first ranked votes, look forwards, and eliminate the candidate with the fewest number of second-rank votes among all ballots. If a tie persists, eliminate the candidate with the fewest number of votes among the third, fourth and subsequent rankings, among all ballots.

After the first round of candidate elimination and vote-redistribution, if there is a tie among candidates with the fewest number of votes, the candidate from among those tied, with the fewest votes in the previous round, is eliminated. If there is still a tie, the candidate with the fewest number of votes in the next most recent round, is eliminated. If a tie persists, repeat these until a candidate is eliminated.

- (3). If a candidate now has an absolute majority of votes, that candidate wins. If not, steps (2) and (3) shall be repeated until a winner has been determined.
- v. If any ballot violates the rules listed in the instructions to appear on each ballot (V.B.2.f.iii), it shall be considered invalid, and the whole ballot will not be counted. Any officer-elect who declines his/her office will be considered to have withdrawn from the election process and the ballots will be recounted according to steps (1)-(3), with the withdrawn candidate eliminated.
- g. Initiative Election Procedures



- i. In the case of an initiative election, each Regular Member has one vote in each election in which he/she is eligible to vote.
- ii. The following instructions shall clearly appear on each ballot used for an initiative election, distributed by the Elections Committee: "Please indicate 'yes' or 'no' for each initiative."
- iii. Initiatives must receive two-thirds (2/3) majority of the votes cast aye or nay. An initiative shall fail by default if less than 50% of the regular membership casts votes in the election.
- h. Absentee Voting
  - i. If a regular member receives an absentee ballot, he/she may not vote in person.
  - ii. Notices for absentee voting procedures shall be distributed to all Regular Members at least one week prior to the day of the elections. Any Regular Member may vote absentee.
  - iii. Regular Members must request a ballot from the Elections Committee or a designated member of said committee no later than midnight PST two (2) days prior to the election.
  - iv. A ballot shall be sent to a requestor's Claremont McKenna College email account with a listing of the candidate(s) for each election, a listing of the initiatives in their exact wording, an individualized five (5) digit confirmation code, and the following instructions:

*This is your absentee ballot. To use this ballot, reply to this message and keep the original text in your reply because you have an individualized confirmation code.*

*To vote, follow these instructions in your reply email:*

*For candidate elections, add the following instructions:*

*This election uses the Instant-Runoff Voting System. Please vote by placing a "1" next to the name of your first-choice candidate, and placing the numbers "2," "3," "4," etc. next to each candidate in order of decreasing preference, with "2" being placed next to your second choice candidate, "3" being placed next to your third choice, and so on. Write-in votes are valid, provided it is for a student of Claremont McKenna College who will remain on campus for the duration of the term. You are not required to rank every candidate. No candidate may be ranked more than once, and only consecutive numbers may be used. If any of the above rules are violated, the whole ballot will be considered invalid and will not be used in the election.*

*For initiative elections, add the following instructions:*



*For all elections, your vote must be received by 5:00 pm on the day of the election.*

- v. Balloting and vote tallying procedures shall be identical to the General Election Procedures.
- 3. The Elections Committee shall be responsible for overseeing the selection of the Campus Organizations Chair, the Chief Financial Officer, the Executive Secretary, the 4 (four) Event Commissioners, the Director of Student Security, and the Ayer Editor(s) in Chief. The Elections Committee shall also vet applicants for President Pro-Tempore.
  - a. Solicitation of Applications
    - i. The Elections Committee shall solicit applications from Regular Members interested in the Executive Secretary, Chief Financial Officer, Event Commissioner, and Campus Organizations Chair positions.
      - (1). Applications must be open and distributed to all regular members prior to the General Election.
      - (2). Applicants may apply for more than one position.
      - (3). Applications shall be due one (1) week following the end of the General Election.
    - ii. Applicants must meet the criteria and must be willing to fulfill the duties required by this Constitution. No individual may concurrently serve on the Board of Directors and a position selected by the Elections Committee, nor shall any individual be selected by the Elections Committee for more than one (1) position.
    - iii. An application shall consist of:
      - (1). A cover letter;
      - (2). A résumé; and
      - (3). A transcript from those applying for Chief Financial Officer.
  - b. Nominations
    - i. Nominees shall be selected based on the merit of their applications and qualifications for the office.
    - ii. Following the General Election, applications will be reviewed by a special Nomination Committee as described below. At all other times, applications will be reviewed by the Elections Committee.
      - (1). The Nomination Committee shall be composed of the President-Elect, the Executive Vice President-Elect, Vice President of Student Activities-Elect, the President Pro-Tempore, the Executive Secretary, and the two Senators serving on the Elections Committee. The President, Executive Vice President, and Vice President of Student Activities shall serve as non-voting advisory

members of the committee. The Chief Financial Officer and Controller shall serve as non-voting advisory members of the committee or of the Elections Committee when either is considering the nomination of a Chief Financial Officer, for that purpose only.

(2). The President Pro-Tempore shall chair the Nomination Committee.

iii. The Nomination Committee shall forward the names of all nominees to the Board of Directors for confirmation.

iv. The Nomination Committee may jointly nominate two persons to share the position of *Ayer* Editor in Chief.

c. Confirmations

i. The Board of Directors shall have the power to review and confirm all nominees by majority vote.

ii. If the Board of Directors does not confirm a nominee, the Student Senate will review the nomination. The Student Senate may confirm the nomination by a two-thirds (2/3) majority vote.

iii. If the Student Senate rejects the nomination, the Elections Committee must select a new nominee for the position.

4. The Elections Committee shall have the power to take action against candidates and/or Regular Members, and/or invalidate election results due to violations of the Election Rules. Punishment for violations shall include, but is not limited to: fines, public letters of apology, and/or expulsion from an election.

5. All conflicts or challenges about results or procedures of an election shall be brought before the Elections Committee for a hearing, at which time the committee shall have the power to render and enforce a decision.

6. All findings of the Elections Committee may be appealed by a two-thirds (2/3) majority vote of the Student Senate.

C. Budgeting Committee

1. Composition

a. The Corporation shall maintain a standing Budgeting Committee that shall include the President, Executive Vice President, Vice President of Student Activities, Campus Organizations Chair, Chief Financial Officer, President Pro-Tempore, and two Senators to be selected by a simple majority vote of the Student Senate, as well as the Controller in a nonvoting advisory capacity with all other full rights of membership.

b. The President shall chair the committee.

c. The Executive Secretary shall take minutes of all Budgeting Committee meetings.

d. Any member of the Board of Directors who has discretion over or a significant stake in a fund affected by the decisions of the Budgeting Committee may appear before the Committee in person to express his or



her position on the action the Committee should take with respect to that fund.

2. Powers of the Budgeting Committee

- a. The Budgeting Committee shall prepare the Annual Budget at its discretion.
- b. The Budgeting Committee shall have sole jurisdiction over budgetary allocations. It may also determine which organs within ASCMC shall administer each line-item.
- c. The Budgeting Committee shall select a Controller.
  - i. This shall be subject to the timeline, rules, regulations, and confirmation procedures detailed for the Elections/Nominations Committees as stated in Section IV.B.3, except:
    - (1). If a nominee is not confirmed, the Budgeting Committee shall select new nominee for that position.
    - (2). All applicants shall provide an academic transcript to the Committee along with their applications; and
    - (3). Shall demonstrate accounting knowledge through an interview process conducted by members of the Budgeting Committee and a professor from the accounting department of the College.

D. The College Judiciary Board Selection Committee—This Constitution recognizes all powers, duties, procedures, and jurisdictional restrictions of the College Judiciary Board as stated in the “Claremont McKenna College Judiciary Procedures.”

1. Composition

- a. Each spring semester, the College Judiciary Board Selection Committee shall convene to select six (6) Regular Members for appointment to the College Judiciary Board.
  - i. The College Judiciary Board Selection Committee shall consist of the Executive Vice President, the Senior Justices of the current College Judiciary Board, and two Senators selected by a simple majority vote of the Student Senate.
  - ii. The ASCMC Executive Vice President shall chair the committee.
- b. The College Judiciary Board Selection Committee shall submit its recommendations of Student Justices to the Student Senate for individual confirmation by a two-thirds (2/3) majority vote.
- c. The names of those persons approved by the Student Senate shall then be submitted to the CMC President for final approval and appointment.
- d. Student Justices shall be appointed in the spring semester of their sophomore year and serve a two (2) year term.
- e. Student Justices may resign their position by submitting a written resignation to the Chair of the College Judiciary Board and the Executive Vice President.

- f. In the event of a vacancy, the College Judiciary Board and the Executive Vice President shall convene immediately and make a recommendation for a new appointment within the same graduating class as the resigning Student Justice. All other procedures shall be followed as described for the appointment of Student Justices.
  2. Powers of the College Judiciary Board within ASCMC—The College Judiciary Board may impose punishment on Regular Members.
- E. Audit and Oversight Committee
  1. Composition
    - a. The Audit and Oversight Committee shall be advised by a professor in the accounting department nominated by the President Pro-Tempore and confirmed by a simple majority vote of the Board of Directors.
    - b. The President Pro-Tempore and the faculty advisory of the Audit and Oversight Committee shall jointly nominate members through an application process open to the entire on-campus regular membership, including one Chair, to serve on or chair the Committee, who must be confirmed by a simple majority vote of the Budgeting Committee.
    - c. The selection process must be completed by the end of April, except in cases arising from a member's resignation or inability to continue as a member of the Committee at any point during his or her term, in which case the replacement shall be chosen in the same manner as expediently as possible.
    - d. The Audit and Oversight Committee shall have no more than 5 members and no fewer than 3.
    - e. The Controller shall sit in on Audit and Oversight Committee meetings in an advisory capacity and shall have no vote, nor count for the membership limit.
    - f. Members and the Chair shall begin their terms on the first day of May and shall end their terms on the last day of April the following year.
  2. Responsibilities and Powers—The Audit and Oversight Committee shall oversee internal controls and financial disclosures, and shall ensure the Chief Financial Officer is accountable and that student fees are used responsibly, through the powers and responsibilities listed here:
    - a. Audit—Starting no later than the first two weeks of an academic year and ending no later than October, the Committee shall complete a full audit of the Corporation's finances from the previous academic year.
      - a. The Committee shall check that proper receipts and substantiation exist for reimbursements, and that records of all financial activities are maintained and followed.
      - b. The Committee shall monitor that internal controls are being properly followed.
      - c. This audit shall be published openly and transparently to the entire regular membership.
    - b. Oversight—The Committee shall maintain a checklist of financial activities needing oversight and shall task a member of the Committee with ensuring the checklist is followed for the duration of his/her term. The checklist should include:

- a. Oversight of duties relating to collection and filing of employment forms and tax returns,
- b. Ensuring the completion of Conflict of Interest forms and Confidentiality Agreements from all officers as provided for by the Board of Directors by the end of September, and
- c. Checking that monthly reconciliations have been completed and revenues are recognized in revenue accounts by the end of the first week of the following month.

V. Student Activities Committee—The Student Activities Committee, hereafter referred to as the SAC, shall primarily be responsible for coordinating extracurricular activities both alcoholic and non-alcoholic that benefit the general student body of CMC and the Claremont Colleges.

A. Composition

1. The Vice President of Student Activities, assisted by the Event Commissioners, shall direct the activities of the SAC. He/she shall be responsible for maintaining any needed records for SAC meetings, with the stipulation that an accurate and up-to-date attendance roster that must be filed for each meeting
2. The SAC shall be composed of the 4 (four) Event Commissioners, the Director of Student Security, and the Dormitory Affairs Council Chair.
3. SAC may grant Associate SAC Membership to any Regular Member through a simple majority vote of SAC. Associate SAC Membership may be repealed by a simple majority vote of SAC.

B. SAC Meetings

1. All SAC meetings shall be open to Regular Members.
2. Special meetings of the SAC may be called by a request of one-third (1/3) of the SAC membership or the SAC Chair.
  - a. Special meetings must be publicly announced to regular members at least 24 hours before they occur.

C. Powers of the SAC

1. The SAC shall be consulted by the Vice President of Student Activities on the use of the Student Activities budget allocation.
2. The SAC shall have the power to mediate all scheduling conflicts among ASCMC events.
3. The SAC may plan, coordinate, and implement events on and off campus, except those that fall under the direct authority of the Senate.
4. The SAC shall retain the authority to form, change, or revoke Operating Procedures for rules of order through a simple majority vote. Any such procedures created shall apply only to the SAC, and shall expire after the Spring Break of each academic year.

VI. Dormitory Affairs Council—The Dormitory Affairs Council, hereafter referred to as the DAC, shall be responsible for coordinating extracurricular dormitory activities.

A. Composition



1. The DAC Chair shall be responsible for directing the activities of the DAC. He/she shall be responsible for maintaining all records needed for DAC meetings, with the stipulation that an accurate and up-to-date attendance roster must be filed for each meeting.
2. The DAC shall be composed of the Dormitory Presidents.
  - a. Dormitory Presidents shall be elected by a majority vote of a given dormitory or residential group.
  - b. Dormitory Presidential elections shall be conducted by the corresponding Resident Assistant during the first week of each academic semester, or when there is a vacancy in the position.
  - c. Dormitory Presidents shall serve until the end of the academic semester, and may hold up to one (1) other office within ASCMC.
    - i. Dormitory Presidents shall conduct dormitory meetings at least once per month during the academic year.
    - ii. Dormitory Presidents must inform their constituency of events, issues, or concerns of ASCMC.
    - iii. Dormitory Presidents shall each month at a dormitory meeting inform his/her constituency of all expenditures of dormitory funds and current financial status. After the meeting, the Dormitory President shall post said report in a public area in the dormitory.
  - d. Dormitory Presidents may be expelled from office by a petition of one-half (1/2) of his/her constituency, upon three consecutive absences with or without proxy from DAC meetings.
3. The DAC shall grant Associate DAC Membership to any Regular Member through a simple majority vote of the DAC. Associate DAC Membership may be repealed by a simple majority vote of the DAC.

#### B. DAC Meetings

1. All DAC meetings shall be open to Regular Members.
2. Special meetings of the DAC may be called by a request of one-third (1/3) of the DAC membership or the DAC Chair.
  - a. Special meetings must be publicly announced to regular members at least 24 hours before they occur.
  - b. Absences at special DAC meetings which are not announced to Dormitory Presidents at least 48 hours in advance are exempted from the attendance requirement.

#### C. Powers of the DAC

1. The DAC shall plan, coordinate, and implement dormitory events and activities.
  - a. The organizer(s) of a dormitory event are not to be intoxicated during the hours of the event.
  - b. The organizer(s) of a dormitory event are liable for the event, including property damage, alcohol consumption, and ensuring the application and enforcement of all CMC policies.



2. The DAC shall have a DAC Slush Fund as part of its budget allocation, which shall be used at the discretion of the DAC Chair with the consultation of the DAC.
3. Each dormitory or residential group shall be granted seven dollars and fifty cents (7.50) per student per semester to be spent by the Dormitory President; all remaining dormitory funds shall be returned to the DAC Slush Fund at the end of each academic semester.
4. The DAC shall be responsible for the maintenance of dormitory entertainment equipment.
5. The DAC may impose charges upon dormitory funds with a two-thirds (2/3) majority vote of the DAC. Any imposed charges may be appealed and overturned by a two-thirds (2/3) majority vote of the Student Senate.
6. The DAC Chair shall have the authority to penalize the DAC account of any dormitory hall or residence group upon the occasion of two consecutive absences without proxy by a dorm's President.
  - a. The initial penalty shall be in the amount of \$50.
  - b. Subsequent consecutive absences shall incur a penalty equal to 150% of the previous fine levied.
  - c. All funds from such penalties shall be set aside in a special account designated as DAC Fines, and shall be redistributed at the discretion of the Dorm Activities Council at the end of each semester.
  - d. No dormitory hall or residence group shall be penalized an amount exceeding 50% of its annual budget.
  - e. Any absences shall be immediately reported to the absent President's constituent group via electronic means by the DAC Chair.
7. The DAC shall retain the authority to form, change, or revoke Operating Procedures for rules of order through a simple majority vote. Any such procedures created shall apply only to the DAC, and shall expire after the Spring Break of each academic year.

VII. Student Life Council—The Student Life Council, hereby referred to as the SLC, shall primarily be responsible for coordinating and promoting non-alcoholic extracurricular activities that benefit the general student body of CMC.

A. Composition

1. The SLC Chair shall direct the activities of the SLC. He/she shall be responsible for maintaining any needed records for SLC meetings, with the stipulation that an accurate and up-to-date attendance roster must be filled for each meeting.
2. The SLC shall be composed of volunteers, associate members, and two members from each of the following bodies: SAC, DAC, and Student Senate.
  - a. The representatives from each representative body shall be chosen by a simple majority vote of that body's membership.





- b. Volunteers shall be sought from the Regular Membership and shall be awarded Associate SLC Membership.
3. The SLC may grant Associate SLC Membership to any Regular Member through a simple majority vote of the SLC. Associate SLC Membership may be repealed by a simple

B. SLC Meetings

1. All SLC meetings shall be open to Regular Members.
2. Special meetings of the SLC may be called by a request of one-third (1/3) of the SLC membership or the SLC Chair.

C. Powers of the SLC

1. The SLC shall be consulted by the SLC Chair on the use of the SLC budget allocation.
2. The SAC may plan, coordinate, and implement non-alcoholic events on and off campus.
  - a. Preference shall be given to events which occur on the campuses of the Claremont Colleges, especially CMC.
  - b. The SLC should work in coordination with the Associate Dean for Student Activities in planning events whenever possible and reasonable.
3. The SLC shall retain the authority to form, change, or revoke Operating Procedures for rules of order through a simple majority vote. Any such procedures created shall apply only to the SLC and shall expire after the Spring Break of each academic year.

VIII. Student Security—Shall be responsible for providing security services for parties and events of ASCMC and those of other colleges.

A. Composition

1. The Director of Student Security shall oversee the staff and day-to-day operations of student security.
2. The Director of Student Security shall serve from the Monday following Spring Break in the year of his/her selection to the close of Spring Break the following year.
3. The Director of Student Security shall be chosen by an application process by the ASCMC Elections Committee.
4. The Director of Student Security may be a regular member or not. If the latter is the case, the Director shall be considered an employee of the corporation and shall be subject to the same benefits and liabilities thereof.
5. The Director of Student Security for the following academic year will solicit applications for those wishing to serve as student security staff in the spring semester preceding his/her term.
  - a. Student security staff is not required to live on campus for a full academic year.
  - b. The roster of student security staff shall have no limit, but must contain a minimum of eight (8) members.

- c. Members must be students in good standing.
6. The Elections Committee will vet the student security staff applications presented to it by the new Director of Student Security and pass on what the committee deems to be an appropriate list to the Executive Board for approval.
7. Wages shall be agreed upon at the beginning of an academic year by the Director of Student Security and the Board of Directors for the duration of one (1) year.
8. The Director of Student Security shall be considered a member of the Student Security Staff.

B. Powers

1. The Director of Student Security shall draft operating procedures to be approved by the Board of Directors.
2. Student Security may provide their services to other bodies so long as this does not interfere with the ability to provide services to ASCMC.
3. The Property Manager is ultimately responsible for the maintenance of student security equipment.

IX. Disciplinary Procedures and Resignations

A. Censures

1. Each body reserves the right to censure any ASCMC officer for inappropriate behavior. Grounds for what constitutes inappropriate behavior are at the discretion of the body issuing the censure.
2. Censures may be recorded in public or private minutes.
3. A censure may be issued to any officer of ASCMC by a simple majority vote of the Senate or Board of directors. However, Senate-based censures (public or private) of members of the Administrative Council may only come from the Senate Administrative Affairs Committee, of which the President Pro-Tempore shall serve as an advisor.

B. Suspensions, Removals, and Resignations

1. Grounds for Suspension and Removal—An officer may be suspended or removed from office for any of the following actions:
  - a. Criminal conduct, including violation of the rules of Claremont McKenna College, and/or violation of local, state, or federal law;
  - b. Failure to adequately perform prescribed duties; and
  - c. Failure to respond to a legislative subpoena.
2. An officer may be suspended from his/her office by simple majority vote of the Senate and the Board of Directors, and may be removed from office by a two-thirds (2/3) majority vote by both branches.
  - a. In the event of a suspension, the Student Senate shall select a qualified Senator by simple majority vote to temporarily serve for the time of an officer's suspension, unless the suspended officer is either the President or the Executive Vice President.
  - b. Both branches must agree on the length of the suspension; however, it may not exceed one academic semester.



- c. In the event of an expulsion or resignation, the ASCMC Elections Committee shall take all necessary measures to fill the open position in accordance with the Election or Selection Procedures.

X. Finances—The Corporation shall act in accordance with Articles II, III, and VI of the Articles of Incorporation for the Associated Students of Claremont McKenna College, Inc., with regard to all financial matters.

A. Student Body Fees

1. Annual fees shall be compulsory of all Regular Members and shall be collected in accordance with the procedures of the Claremont McKenna College Student Accounts Office.
2. A proposed change in the Student Body Fees shall be set by the Budgeting Committee, with a two-thirds ( $2/3$ ) majority vote of the Board of Directors and the Student Senate, and subject to the final approval of the CMC Board of Trustees, prior to the academic year the change in fees is to go into effect.
  - a. Every Regular Member shall be charged the same Student Body Fees.
  - b. Student Body Fees shall be no more than one hundred and fifty (150) dollars per semester.
3. All Student Body Fees shall be placed in the Student Body Fund, which shall constitute the Annual Budget.
4. Student Body Fees may not be used for the purchase of alcohol.

B. Fines, Charges, and Compensation

1. Payments of fines, charges, or compensation made to ASCMC shall be placed in the General Fund.
2. Charges incurred by Regular Members must be paid before any transcript of record can be secured.

C. General Fund

1. The General Fund shall be administered by the Board of Directors.
2. The Chief Financial Officer shall maintain records of all financial transactions of the General Fund at the ASCMC offices.
3. These records shall be open to any Regular Member for inspection at any time.
4. Any funds not allocated to some other specific fund shall be moved to the General Fund, and shall be dispersed by the Board of Directors by a simple majority vote.

D. Stipends

1. Regular Stipends

- a. The Budgeting Committee may allocate the following stipends, not to exceed the following amounts.
  - i. These stipend amounts shall be effective beginning with the 2012-2013 officers.
  - ii. The President shall receive for his/her services the payment of one semester of his/her room & board expenses for the academic

- year he/she is to hold the office. This compensation may take the form of either a check or a credit to his/her student account.
- iii. The Chief Financial Officer shall receive five hundred (500) dollars per semester.
  - iv. The Executive Vice President shall receive four hundred (400) dollars per semester.
  - v. The Campus Organizations Chair shall receive three hundred and fifty (350) dollars per semester.
  - vi. The Vice President of Student Activities shall receive four hundred (400) dollars per semester.
  - vii. The Senior and Junior Class Presidents shall each receive three hundred (300) dollars per semester.
  - viii. The Director of Student Security shall receive one hundred fifty (150) dollars per semester.
  - ix. The President Pro-Tempore, Executive Secretary, Sophomore Class President, and Freshman Class President shall each receive two hundred (200) dollars per semester.
  - x. The Property Manager and the Webmaster shall each receive one hundred (100) dollars per semester.
  - xi. The *Ayer* editor in chief shall receive a stipend of two hundred fifty (250) dollars per semester. In the case of dual editors in chief, each shall receive the two hundred fifty (250) dollars per semester. This stipend is contingent upon the *Ayer's* revenues meeting or exceeding its expenses.
  - xii. The Controller shall receive two hundred (200) dollars per semester.
  - xiii. The Budgeting Committee may consider alternative additional compensation schemes for any or all of the *Ayer* editor(s) including compensation schemes tied to the financial results of the publication, subject to the approval of the Student Senate.
  - xiv. The Dormitory Affairs Council Chair and the Event Commissioners shall each receive three hundred (300) dollars per semester.
- b. Payment shall be made at the end of each academic semester, following a review by the Budgeting Committee. Spring semester payments shall only be made to the outgoing administration.
    - i. The Budgeting Committee reserves the right to alter, revoke, or temporarily withhold Regular Stipends for unsatisfactory work.
    - ii. One may appeal the Budgeting Committee's decision on his/her stipend to the Student Senate, which will uphold or reject the Budgeting Committee's stipend decision by a two-thirds (2/3) majority vote.



- iii. In the event of rejection of the Budgeting committee's stipend decision, the Student Senate shall make a recommendation to the Board of directors on an appropriate stipend.
    - iv. The Board of Directors shall decide by simple majority vote on an appropriate stipend that may be no less than the Student Senate's recommendation.
- 2. Special Stipends shall consist of all stipends not otherwise specified in this Constitution.
  - a. The Board of Directors and the Student Senate may allocate funds from the General Fund or Student Senate Budget allocations, respectively, for the purposes of providing Special Stipends.
  - b. Special Stipends may neither exceed one hundred (100) dollars nor be duplicated during a semester.

E. Budget

- 1. Allocations from the Student Body Fund shall be used for the Annual Budget.
- 2. The Budgeting Committee shall be responsible for creating, compiling, and distributing the Annual Budget prior to the year it is to be used.
- 3. The Budgeting Committee shall allocate funds for the good of ASCMC.
  - a. The President shall receive a budget allocation of one hundred (100) dollars for ASCMC-related expenses.
  - b. The Student Senate shall receive a Senate Budget, which shall be no less than three (3) percent of the Student Body Fund.
  - c. The Campus Organizations Chair shall receive a Campus Organizations Budget, which shall be no less than two (2) percent of the Student Body Fund.
  - d. The DAC shall receive a DAC Budget.
    - i. The DAC Budget shall receive fifteen (15) dollars per Regular Member at the beginning of each semester to be allocated to the dorm or residential group in which he/she resides. Any funds remaining in a dorm's account at the end of the fall semester shall be carried over in its account and included in its budget for the spring semester. Funds remaining at the end of the spring semester will not carry over in a dorm's account into the next fiscal year.
    - ii. The DAC Budget shall receive an additional allocation for the DAC Slush Fund, which is to be no less than five hundred (500) dollars.
  - e. At least one fourth (1/4) of the Student Activities budget allotment must go towards non-alcoholic extracurricular activities.
- 4. The prepared Annual Budget must be approved by a two-thirds (2/3) majority vote of the Board of Directors and the Student Senate.

5. At least one-fifth (1/5) of the following budget allocations may not be spent until after Spring Break: the General Fund, the Student Senate Budget, the SAC Budget, the DAC Slush Fund, and the Class Presidents' budgets.

F. Budgetary Constraints

1. Any single expenditure from ASCMC funds by an officer of the Corporation with an expected or real value equal to or greater than \$1000.00 but not exceeding \$1999.99 must be approved by the Chief Financial Officer at least two (2) weeks prior to the occurrence of the event or transaction for which said expenditure is required, and/or prior to any contract or agreement, whether written, verbal, or otherwise, is entered into; whichever occurs first. This approval may be requested and granted per the relevant guidelines of the Operating Procedures of the Board of Directors.
  - a. The Chief Financial Officer reserves the right to reject any such expenditure by the officer(s) in question. Specific reasons for the denial of expenditure must be presented to the requesting officer per the relevant guidelines of the Operating Procedures of the Board of Directors. These reasons for denial must also be communicated to the Board of Directors at its next regular meeting following the issuance of the denial in question.
  - b. Should the Chief Financial Officer reject the proposed expenditure, the officer may petition the Board of Directors to overturn the Chief Financial Officer's decision. The Board of Directors may overturn the decision by a simple majority vote.
  - c. If the Board of Directors upholds the rejection of expenditure, the officer seeking expenditure may also petition the Student Senate to overturn the Board of Directors's decision. The Student Senate may overturn the decision by a two-thirds majority vote.
2. Any single expenditure from ASCMC funds by an officer of the Corporation with an expected or real value equal to or greater than \$2000.00 must be approved by a simple majority vote of the Board of Directors at least two (2) weeks prior to the occurrence of the event or transaction for which said expenditure is required, and/or prior to any contract or agreement, whether written, verbal, or otherwise, is entered into; whichever occurs first.
  - a. The Board of directors reserves the right to reject any such expenditure by the officer(s) in question. If an expenditure is rejected, the Board of Directors shall communicate the specific reasons for the rejection of expenditure in writing to the requesting officer.
  - b. If the Board of Directors rejects the expenditure, the officer seeking expenditure may petition the Student Senate to overturn the Board of Directors's decision. The Student Senate may overturn the decision by a two-thirds majority vote.



3. The Social Life Council may only spend its funding on non-alcoholic activities. The definition of what constitutes a non-alcoholic activity shall be determined by the Social Life Council Chair.
  - G. Non-Guarantee of Reimbursements—ASCMC will not guarantee reimbursement for all expenditures.
    1. If the President and/or the Chief Financial Officer determine that a check request or purchase is illegitimate, the Chief Financial Officer shall deny the request and notify the organization's authorized person of the decision. The Chief Financial Officer shall also inform the organization of the next opportunity to appeal the decision to the Board of Directors, which can overturn such a decision by a simple majority vote.
    2. If an amount requested exceeds the remaining balance of a particular organization's account, the request will be denied and returned to the organization's authorized person. The organization is responsible for any amount in excess of its budget allocation.
  - H. Exceeding of Budget Allocations—If an officer exceeds his/her budget allocation, the Budget Committee must deduct the exceeded amount from his/her stipend.
  - I. Check Requests—All check requests should be submitted within the two week period after the event for which they were proposed. In the event that a Regular Member submits a check request after the two week academic period following an event, ASCMC reserves the right to deny the check request and assumes no financial liability.
- XI. Statement of Non-Liability and Personal Responsibility—Members of the Board of Directors shall not be personally liable for the debts, liabilities, or other obligations of the Corporation to entities or individuals outside the Corporation.
- XII. Statement on Conflicts of Interests
- A. All officers shall avoid any conflict between their respective business, professional, extracurricular, academic, or personal interests, and the interests of ASCMC in all actions they take on behalf of the organization.
  - B. If the officer has a direct or indirect interest or relationship with any organization or individual that has any transaction with ASCMC, the officer shall recuse himself/herself from involvement with the issue, and shall abstain from any vote.
  - C. If the President, Executive Vice President, President Pro-Tempore, or Chief Financial Officer thinks that there has been a conflict of interest by any member of the corporation, they may ask the Senate or Board of Directors to consider the matter.
  - D. In the event that either body finds that an officer has a conflict of interest in the contested matter, that body shall determine the appropriate action to rectify the situation.
- XIII. Status of the Constitution within ASCMC—This Constitution shall be the supreme law within ASCMC and no laws, operating procedures, or other guidelines or decisions may contradict it.



#### XIV. Constitutional Amendments

- A. All changes, additions, or deletions to this Constitution shall be considered amendments to this Constitution.
- B. All amendments, other than amendments resulting from initiatives, shall require a two-thirds (2/3) majority vote by the Board of directors and the Student Senate.
- C. The President Pro-Tempore shall be empowered to make minor typographical and formatting changes to the Constitution exempt from this requirement. Such changes must be presented to the Student Senate before being enacted and may be made subject to the requirements of Section XIV.B by a one-fifth vote.
- D. All amendments shall be recorded by the Executive Secretary and the President Pro-Tempore.

#### XV. Student's Bill of Rights

- A. Intent—In order to maintain CMC's tradition of academic and social excellence and to engage the student body in improving campus life, the students of Claremont McKenna College hereby establish the following guiding principles for student government.
- B. Rights—ASCMC shall lobby the College to recognize and protect these and other student rights:
  - 1. The right to specific written requirements for earning degrees and academic honors; no changes in requirements should affect students after admission, except with their consent.
  - 2. The right to select any housing option (assuming the availability of single-sex bathrooms) without regard to gender.
  - 3. The right to enroll in or withdraw from the College meal plan at the start of each semester.
  - 4. The right to drink in one's room or in open campus areas any day of the week, assuming compliance with laws and other college rules.
  - 5. The right to consistent and uncensored access to information technologies, including but not limited to high-speed Internet connections, e-mail, and online registration.
  - 6. The right for transfer students to receive appropriate credit for courses they completed before arriving at the College; and the right to enroll in and receive academic credit for enrollment in a high-quality off-campus study program of one's choosing.
  - 7. The right to electricity on campus and compensation for future voluntary interruptions.
  - 8. The right to a non-binding referendum on a major increase in enrollment or any other fundamental changes to College life.
  - 9. The right for ASCMC to advise the College prior to the adoption of new academic requirements, including but not limited to course creation and cancellation; the Teacher Review Board should be a mandatory component of the College's tenure process.





10. These rights should not be construed as forfeiting or restricting other student rights that are not mentioned in this document.
- C. Implementation—ASMC shall initiate discussions with appropriate College officers with the goal of recognizing and protecting the aforementioned rights.
- D. Expectations—The administration, Board of Trustees, and faculty should respect the student body's wishes. We call on the College to move swiftly and in good faith to ensure these rights.

*Compiled and formatted July 19 2015 by President Pro-Tempore Michael J. Irvine '16, based on the Constitution of 2 October 2014 and taking into account all amendments between such times.*