

**ASSOCIATED STUDENTS, INC.**  
California State University, San Bernardino  
5500 University Parkway San Bernardino,  
CA 92407

**BOARD OF DIRECTORS  
AGENDA**

December 7, 2021

12:00 p.m.

Location (Virtual Conferencing):

<https://csusb.zoom.us/j/87932152061?pwd=WG53MnRNQTh0eUxIUHk5MGJQVWh3dz09>

Passcode for Virtual Conference (Required): asibod

Call to Order Roll Call

Approval of Minutes

Reports: Executive Officers, BOD Reps., ASI Committees and Campus-wide Committees

Adoption of Agenda

Open Forum (5 minutes/speaker)

Guest Speaker

**OLD BUSINESS:**

**BD 99-21** Revision of the ASI Bylaws. (Action) (Policy Committee) (Second Reading)

**BD 100-21** Revision of the ASI Elections Policy and Procedures. (Action) (Policy Committee) (Second Reading)

**NEW BUSINESS:**

**BD 103-21** Permission to transfer \$5,000.00 from Unallocated Reserves to A.S. Corporate Operating – Hospitality (660826-RN001-A4200) for hospitality requests for celebrations, staff team building and other catering needs. (Action) (Finance Committee)

**BD 104-21** Permission to transfer \$3,000.00 from Unallocated Reserves to A.S. Corporate Operating – Travel (606808-RN001-A4200) to cover travel expenses for ASI staff to attend the 2022 Auxiliaries Organization Association (AOA) Conference from January 9th to 11th. (Action) (Finance Committee)

**BD 105-21** Discussion of the Independent Campus Navigation for Blind and Low-Vision Individuals. (Discussion) (Barcenas)

**BD 106-21** Discussion of the update on free food on campus. (Discussion) (Barcenas)

ANNOUNCEMENTS

ADJOURNMENT

BYLAWS FOR THE REGULATIONS, EXCEPT AS  
OTHERWISE PROVIDED BY STATUTE OF ITS  
ARTICLES OF INCORPORATION, OF  
  
ASSOCIATED STUDENTS, INCORPORATED (ASI)  
CALIFORNIA STATE UNIVERSITY,  
SAN BERNARDINO

Approved, Updated and Adopted by the ASI Board of Directors  
~~Per BD 33-21 | April 6, 2021~~

**ARTICLE I**  
**Membership**

**Section 1. Active Membership.** The Corporation shall have only one class of members within the meaning of Section 5056 (a) of the California Corporation Code.

- A. Such members are hereinafter referred to as Members, and shall be limited to students enrolled at California State University, San Bernardino (hereafter referred to as CSUSB), other than students registered solely in extension classes.
- B. All Members must pay the semester Associated Students, Incorporated (hereafter referred to as ASI) membership fee described in Article I, Section 5 of these Bylaws, except for those members defined by the CSU or CSUSB as eligible for fee waivers.
- C. Members are entitled to vote in any ASI election, receive notices of meetings be appointed or elected as directors or executive officers, inspect certain books and records, and otherwise exercise rights of a member as set forth in the provisions of the California Non-profit Corporation Law.

**Section 2. Honorary Membership.** Honorary Membership may be granted to people who have served the ASI in exceptional capacities.

- A. Pursuant to Section 5332 of the California Corporations Code, Honorary Membership may be granted to any individual by a resolution of the Board of Directors (hereafter referred to as the BoD) passed by a majority vote of the filled voting positions present at the BoD meeting.
- B. Honorary Members are entitled to all ASI privileges exclusive of making motions, voting, and holding office, and will not be required to pay a membership fee.

**Section 3. Term of Membership.**

- A. Members. Membership shall be determined on a semester basis, with membership commencing on the first day of the semester for which membership fees were paid and terminating immediately prior to the first day of the subsequent semester. If a Member is terminated from enrollment either voluntarily or by the University their membership is expired.
- B. Honorary Members. A lifetime membership shall be granted to all Honorary Members unless otherwise specified by the ASI BoD.

**Section 4. Membership Not Transferable.** Membership in the Corporation is not transferable.

**Section 5. Membership Fees.**

- A. The membership fee is fixed pursuant to California Education Code Section 89300, and is subject to increase only upon approval by majority vote of the Members.
- B. The membership fee shall be collected at the time of registration with CSUSB, except as otherwise provided in the California Education Code Section 89301.
- C. In the case that membership terminates or is terminated mid semester, the membership fee is non-refundable, pursuant to University policy.

**Section 6. Special Advisors.**

- A. Special Advisor as designated by the ASI BoD. A Special Advisor shall function under the following criteria. Special Advisors:
  - 1. Are not voting members of the BoD.
  - 2. May not be counted for quorum.
  - 3. Cannot motion or second.
  - 4. Cannot vote.
  - 5. May participate in BoD discussions.
- B. Term. The term for Special Advisors will be one fiscal year or the balance of the fiscal year in which they are appointed if the appointment was made after July 1st.

**Section 7. Administrative Appointees.**

- A. Administrative Appointees are regular full-time employees of California State University, San Bernardino, California (CSUSB) or Associated Students, Incorporated and are voting members of the BoD by virtue of their employment position or appointment by the President of CSUSB. The following positions are named as Administrative Appointees:
  - 1. ASI Executive Director
  - 2. ASI Advisor (Dean of Students)
- B. Term. The positions designated above shall have an indefinite appointment to the BoD unless amended by law.

## **Article II** **Membership Voting**

**Section 1. Single Class of Membership.** The Corporation shall have one class of voting membership consisting of those persons identified in Article I, Section 1 of these Bylaws.

**Section 2. Member Voting Rights.** On each matter submitted to a vote of the Members, each Member shall be entitled to cast one vote. Proxy voting is prohibited.

**Section 3. Manner of Casting Votes.** ~~Cumulative Voting~~—Cumulative voting is prohibited.

### **Section 4. Action By Written/Electronic Ballot Without a Meeting.**

- A. ~~Ballots Generally~~—Notwithstanding any provision herein to the contrary, any matter or issue requiring the vote of the Members, including the election of directors, may be submitted for vote by ballot without the necessity of calling a meeting of the Members, so long as the requirements for action by ballot set forth in this Section 4 are met. Except as otherwise determined by the ASI BoD in a specific instance, and except for a request pursuant to Article IX, Section 2 of these Bylaws, for a special meeting, all matters to be put to a vote of the Members shall be conducted pursuant to a ballot as set forth in this Section 4.
- B. Content of Ballots. Any ballot distributed to the Members to vote on an issue shall set forth the proposed action and provide an opportunity to specify approval or disapproval of the proposal.

### **Section 5. General Election.**

- A. A General Election shall be conducted annually in accordance with current ASI Elections policy.
- B. Elections may only be conducted during the fall and spring semesters excluding the fall, spring, and summer breaks. No elections, or election activities, will be conducted during final exam week.
- C. In any election, no endorsement by ASI or its executive officers, directors, chairs or ~~volunteers~~ ~~employees~~ of the corporation in their position may be stated or implied. The current and past ASI logo cannot be used on any campaigning materials unless otherwise approved by the Elections Coordinator. Specifics of this provision will be stated in the ASI Election Policy.
- D. The grade point average (GPA) to run for any major student government office ~~as will be~~ defined in the ASI GPA Policy in accordance with the CSU Chancellor's Office Policy for Minimum Academic Qualifications ~~will be 2.75~~. The rules governing the specifics of the minimum to maintain office will be specified in the ASI GPA Policy.
- E. ~~No elected or appointed student executive officer, may hold an elected or appointed executive position~~ Students may not hold an individual executive office as defined in Article IV for more than two (2) terms whether or not those two terms are consecutive or non-consecutive terms, within a six-year period after the initial point of matriculation.
- F. The specific regulations governing all elections shall be stated in the Elections Policy. All amendments to the Elections Policy shall be made sixty (60) days prior to an election and approved by a simple majority of the ASI BoD.
- G. In the event of a conflict between the ASI Bylaws and the ASI Elections Policy, the ASI Bylaws will prevail.

**Article III**  
**Board of Directors**

**Section 1. General Corporation Procedures.**

- A. The ASI BoD shall be the primary policy making body of ASI and shall be the final authority for all the corporate matters of ASI.
- B. The ASI BoD shall interpret student issues and perspectives which shall then be carried out by the ASI executives, directors, chairs, committees (Standing, Regular or Ad Hoc), and employees.
- C. The ASI BoD may express its representative position by praise, censure, sanction, or suggestion to the administration, faculty, student body, or other groups. Censure or sanction may take whatever form the ASI BoD sees fit to impose on a case-by-case basis within the framework of its fiscal and corporate responsibilities. This includes, but is not limited to, such penalties as withholding funds, stipends/wages or funds granted through any other ASI committee, sub-committee or entity to whatever individual or organization. Once an item of potential sanction or censure is brought to the attention of the BoD, the BoD may appoint an ad-hoc committee to investigate the situation or the BoD may pursue other courses of action at their discretion. The decision of the BoD in resolving the issue(s) is final.
- D. The ASI BoD may delegate the management of the activities of the Corporation to any person/persons or committee (Standing, Regular, or Ad Hoc) composed of a minimum of two (2) or more voting Directors provided that:
  1. The activities and affairs shall be managed and all corporate powers shall be exercised under the ultimate direction of the ASI BoD.
  2. There are six types of actions which, regardless of ASI BoD resolution, cannot be delegated to any committee. They are:
    - a. the filling of vacancies on the BoD or in any committee.
    - b. the amendment or repeal of Bylaws or the adoption of any new Bylaws.
    - c. the amendment or repeal of any resolution of the BoD which by its express terms is not so amendable or repealable.
    - d. the appointment of other committees of the BoD or the members thereof.
    - e. the approval of any self-dealing transaction, as such transactions are defined in Sections 89906 - 89909 of the Education Code

**Section 2. Composition.** The ASI BoD shall be comprised of the following:

A. Voting student directors of the ASI BoD shall consist of:

1. President (Chair)
2. One (1) Director from the Palm Desert Campus.
3. One (1) Director from the College of Education (or Liberal Studies).
4. One (1) Director from the College of Arts and Letters.
5. One (1) Director from the College of Natural Sciences.
6. One (1) Director from the College of Social and Behavioral Sciences.
7. One (1) Director from Graduate Studies program.
8. One (1) Director from the College of Business and Public Administration.
9. Two (2) Directors At Large.
10. One (1) Director representing sustainability.
11. One (1) Director representing athletics (current or former CSUSB student athlete).
12. One (1) Director from the student resident housing complex.
13. One (1) Director representing international students.

~~13-14.~~ Vice President of Palm Desert Campus

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**Non-Student Voting Members**

1. One (1) Director (administration member) appointed by the University President.
2. The ASI Executive Director in their capacity as the Chief Financial Officer (CFO).
3. The ASI Advisor appointed by the University Vice President of Student Affairs.
4. One (1) Director (faculty member) appointed by the Faculty Senate.
5. One (1) Director (staff member) appointed by Staff Council.

B. **Special Advisors to the ASI BoD:**

1. The following positions are designated as Special Advisors to the ASI Board of Directors:
  - a. ASI Executive Vice President (Chair Pro Tem – Article IV, Section 3)

- b. ASI Vice President, Finance
- c. ASI Director of External Affairs
- d. ASI Director of Internal Affairs
- ~~e. ASI Director of Diversity and Inclusion~~
- ~~f. Special Representatives as appointed by the BoD~~

2. A non-student Special Representative's appointment is for one year, or until June 30th of the academic year of the appointment.

C. From time-to-time, there will be vacant positions on the BoD owing to the nature of student/faculty/staff schedules and other demands on BoD members' time which may compel a BoD member to resign from the Board of Directors. When vacancies on the BoD occur, members of the ASI leadership will conduct a recruiting effort to attract interested and qualified candidates to fill these positions. During these periods of vacant BoD positions, the BoD will continue to conduct business with the available members and will count quorum as specified in Article IX, Section 6A.

**Section 3. Qualifications & Eligibility.** The ASI Executive Director shall request the ASI Advisor to verify the qualifications of ASI BoD members.

- A. Undergraduate students, as defined by University policy, must meet the minimum academic eligibility requirements established for the California State University and ASI Policies and Procedures. Failure to meet the minimum academic eligibility requirements will require the student's resignation from office.
- B. Graduate students, as defined by University policy, are allowed to hold any ASI BoD position, providing that they are certified by the Dean of Graduate Studies in good standing and are regularly enrolled. Graduate students must meet the minimum academic eligibility requirements established for the California State University. Failure to meet the minimum academic eligibility requirements will require the student's resignation from office.
- C. Individuals that were previously elected or appointed to office and were unable to fulfill their duties as stated in these Bylaws, are ineligible to assume office.

**Section 4. Term of Office.** The ASI BoD student members shall serve terms of one (1) fiscal year in length.

**Section 5. Vacancies.** Student vacancies on the ASI BoD shall be filled by recommendation of majority vote of the ASI Vacancy Committee in accordance with article VI Section 2.

- A. If at the beginning of an academic semester there are insufficient students to compose a majority of the membership of the Board of Directors, the ASI President will nominate students to be appointed to the Board of Directors and the Administrative Appointees as designated in Article I, section 7 will vote to confirm those appointees until the BoD is composed of a majority of students and the vacant positions are filled.

**Section. 6 Resignation.** In the event a Director should resign, a written notice of their resignation shall be submitted to the Chair. In the event of an involuntary resignation (as defined by Article IX, Section 11 of these Bylaws) no such written notice is required.

**Section 7. Powers.** The activities and affairs of the Corporation shall be conducted and all corporate powers shall be exercised by or under the direction of the ASI BoD. The ASI BoD shall have the power and duty to:

- A. Delegate the management of the activities of the Corporation to any person(s) or committee(s), provided that the activities and affairs of the Corporation shall continue to be under the ultimate direction of the ASI BoD.
- B. Oversee and provide for the general direction of all executives, agents and employees of the Corporation, and ensure that their duties are properly performed.
  - 1. In the event that an elected or appointed agent of the Corporation fails to properly perform their duties as stipulated in the Articles of Incorporation, these Bylaws, ASI Corporate Policies and Procedures, or official acts of the ASI BoD, the ASI BoD may delegate such a duty to another executive, agent, or employee of the Corporation ensuring that it does not breach any contracts of employment.
  - 2. Such a delegation of power requires at least majority vote of the filled voting positions present at the BoD meeting and is not subject to veto (unless it is a breach of an employment contract).
- C. Approve new Bylaws or change existing Bylaws in accordance with Article XI, Section 3 of these Bylaws.
- D. Review, amend, approve and present the annual budget of the Corporation to the President of the University.
  - 1. Once the budget is approved, any changes contrary to the original amount allocated to any line item will not be increased more than five hundred dollars (\$500.00) without approval of the ASI BoD.
  - 2. The ASI BoD may transfer funds between any line item account in the ASI budget.
- E. Create such Policies and Procedures as it deems necessary for procedural and administrative purposes, subject to approval by a majority vote of the filled voting positions present at the BoD meeting.
- F. Shall resolve an election dispute in which the election was invalidated or the candidate was disqualified from running for office by the Election's Committee (See Article VI, Section 2, B1, 6) of these bylaws.

**Section 8. General Responsibilities.**

- A. Committees. All student ASI BoD members shall participate and serve on a minimum of two (2) campus wide committees. Committee responsibility includes attendance at each meeting, active participation and reporting back to the BoD after each meeting.
- B. Office Hours. All ASI student BoD members shall establish and maintain a series of office hours to be no less than three (3) hours per week when non summer classes are in session. Office hours are to be interpreted as time spent, or attending meetings with deans/university officials, volunteering at ASI events, serving on campus-wide committees, working on reports, and developing engagement opportunities. The date and time of these office hours shall be displayed in a public location.
- C. Meeting Attendance. All student representatives to the ASI BoD are required to attend all ASI BoD meetings.



### **Section 9. Removal of Board Members**

Board Members of the corporation are subject from removal for breach of duties and responsibilities provided for in these Bylaws, the breach of any fiduciary duty, eligibility requirement or failure to comply with ASI Policy and Procedures. Any Board member who fails or ceases to meet any required qualification in effect at the beginning of the Board Members current term of office may be placed on the BoD agenda for removal; an action that any director can bring to the attention of the board.

#### **A. Breach of Duties and Responsibilities:**

1. Reports. Board Members are required to submit written reports on behalf of their constituency on the last Wednesday of every month to the ASI BoD Chair (not including summer), these reports must be placed on the ASI website.
2. Meeting Attendance. Board members who fail to attend four (4) regularly scheduled meetings in an academic year will be removed from office. An attendance report shall be kept by the Executive Vice President.
3. Committee Assignments. As stated in Article III section 8, Board Members who fail to meet their committee requirements throughout the academic year may be removed from office.
4. Office Hours. As stated in Article III section 8, Board members who fail to establish and attend office hours during the academic year may be removed from office.
5. Training & Orientations. Board Members will be found in breach of their responsibilities if they fail to attend trainings or orientations. Excusal from these responsibilities will require written communication submitted to the ASI President ahead of time. A training or orientation may only be considered mandatory after a majority of the BoD has voted in favor of having one at a regularly scheduled meeting. Board members may only be excused for valid medical emergencies or illnesses.
6. Eligibility. Board members who fail to maintain any academic requirements as stated in the ASI GPA policy, will be removed from office.

#### **B. Appeal Process**

1. Officers or Board Members that have been deemed of breach as stated in this section will have an opportunity to appeal to the BoD to remain in office should they be up for removal.
2. The ASI BoD can only remove a board member by a 2/3 vote of the voting filled ASI BoD during a regularly scheduled meeting.
3. No appeals can be made for academic or conduct removals.

**ARTICLE IV**  
**Executive Officers**

**Section 1. Officers.** The executive officers of the Corporation shall be the President; the Executive Vice President (Corporate Secretary); the Vice President, Finance; [the Vice President, Palm Desert Campus](#); the Executive Director; and the ASI Assistant Director.

- A. The terms of the executive officer positions shall coincide with the fiscal year. Each Officer shall hold office for a term of one fiscal (1) year and until their resignation, removal, or other disqualification from service. (Nonprofit Corporation Law, paragraph 5213c).
- B. All executive officers must meet the minimum academic eligibility requirements established for the California State University. Failure to meet the minimum academic eligibility requirements will require the executive officer's resignation from office.
  1. All executive officers are required to attend all ASI BoD meetings, and are subject to the provisions of Article IX, Section 11 of these bylaws regarding involuntary resignation.
  2. The ASI Executive Director and the ASI Assistant Director shall be designated executives of the corporation and will comply with their position descriptions, the ASI Personnel Policy, the ASI Bylaws, and ASI policy and procedures as applicable in executing the duties of their positions.
  3. The ASI Executive Director is designated as the Chief Financial Officer of the Corporation and will execute the duties of that position as enumerated in their position description, the ASI Bylaws, and ASI policies and procedures as applicable.
- C. Individuals that were previously elected or appointed to office and were unable to fulfill their duties as stated in these Bylaws, are ineligible to assume office.
- D. Wages.
  1. The elected student executive officers (President; Executive Vice President; and Vice President, Finance, [Vice President, Palm Desert Campus](#)) shall be:
    - a. paid an hourly rate to be determined by the ASI BoD.
    - b. entitled to a supplemental scholarship to be indexed against the in-state fees designated and/or revised by the California State University Chancellor's Office. The supplemental scholarship only applies to the Fall and Spring semesters of the elected executive officer's term of office. This scholarship may not be applied to past or future fees.
  2. Should a vacancy occur in any of the student executive positions prior to the expiration of their terms, then the individual who succeeds the incumbent will be awarded the basic wage and the supplemental scholarship coinciding with their term of office. Neither the basic wage nor the supplemental scholarship will be awarded retroactively.

E. Vacancy & Succession.

The following will serve as the succession plan for the corporation should a vacancy occur in any of the student executive officer positions prior the expiration of their terms:

1. If there is a vacancy for President, the Executive Vice President shall assume office.
2. If there is a vacancy for Executive Vice President, the Executive Vice President Pro Tem shall assume office (Article IV, Section 5), If no Executive Vice President Pro Tem has been elected, then the Vice President of Finance shall assume the duties of office until an Executive Vice President is appointed by the Board of Directors.
3. If there is a vacancy for Vice President of Finance, the Vice President of Finance Pro Tem shall assume office (Article IV, Section 6). If no Vice President of Finance Pro Tem has been elected, then the President shall appoint a Vice President of Finance from the BoD and be confirmed by a 2/3 majority of the voting BoD membership.

**Section 2. President.**

A. Responsibilities and Duties. The ASI President shall:

1. Be the chief executive officer and official spokesperson for ASI.
2. Ensure that the ASI Articles of Incorporation, Bylaws, and Policies and Procedures, Initiatives and Endorsements approved by the ASI BoD are adhered to and enforced.
3. Serve as a member of the ASI BoD and shall Chair the ASI BoD meetings in accordance with the provisions in Article III, Section 2 of these Bylaws.
4. Within the first three (3) weeks of each semester (except summer), the ASI President shall inform the ASI general membership of the activities undertaken on behalf of ASI.
5. Serve as the voting representative to the California State Student Association or designate in writing a designee.
6. Attend campus-wide boards and committees that are assigned specifically for the ASI President and report back to the Board of Directors on the matters discussed. The ASI President may choose to delegate these commitments to a designee so long as this change is reported to the Board of Directors in advance.
7. Submit and present written reports to the ASI BoD at each regularly scheduled meeting outlining corporate work.

B. Subject to the following stipulations regarding student appointments, the ASI President shall:

1. Appoint the ASI committee chairs (Standing and Regular unless otherwise stipulated in these Bylaws), subject to simple majority confirmation vote of the filled voting positions of the ASI BoD or remove committee chairs from office
2. Appoint and oversee all student representatives to the Faculty Senate committees.
3. Appoint Corporate Liaisons as they deem necessary.

4. Serve on or designate a representative to the Santos Manuel Student Union Board of Directors.

C. The ASI President may issue Executive Orders, subject to the following stipulations:

1. The President may issue Executive Orders on matters which are under the powers granted to the President, to be in effect until the President rescinds the order or leaves office.
2. If the ASI BoD is unable to meet, the President may issue an Executive Order on a matter that would be under the powers of the ASI BoD. This type of Executive Order shall only be in effect until such time that the ASI BoD can meet on the issue (i.e. a committee chair may be appointed and serve by an Executive Order until the ASI BoD can meet to approve or disapprove the appointment).
3. Executive Orders may not be issued to allocate funds or to express the opinion of the ASI. No Executive Order shall be issued to circumvent any Bylaw or Policy.

### **Section 3. Executive Vice President.**

A. Responsibilities and Duties. The ASI Executive Vice President shall:

1. Serve as a student representative to the Student Union Board of Directors or appoint a designee.
2. Serve as the Secretary of the Corporation as defined by the Articles of Incorporation and be responsible for:
  - a. ensuring Board of Directors' minutes are accurate and sign the completed minutes.
  - b. recording vacancies, absences, committee assignments, and changes in elected or appointed positions. This responsibility shall be completed in a report to the ASI BoD on a monthly basis.
3. Serve as a voting member and secretary of the ASI Finance Committee.
4. Serve as a Special Advisor to the ASI BoD.
5. Work with the Director of Internal Affairs to appoint all student representatives to university campus wide committees.
6. Appoint the three (3) ASI BoD voting student representatives to the ASI Executive Committee, as needed (Article VI Section 3).
7. Chair the ASI Personnel Committee and appoint, with a majority approval vote of the filled voting positions of the ASI BoD, all student representatives to the ASI Personnel Committee.
8. Assume the office of President in the event of vacancy and shall serve as the Chair Pro Tem of the ASI BoD. In the absence of the President, the Executive Vice President will assume all powers of the Chair and responsibilities within the ASI BoD.

9. Submit and present written reports to the ASI BoD on the activities of campus-wide, and other university committees to the ASI BoD, as well as notify the ASI BoD in the event of any vacancies as they occur at each regularly scheduled meeting.
10. Serve as a delegate on behalf of the ASI President on campus-wide boards or committees when needed.

#### **Section 4. Vice President, Finance.**

A. Responsibilities and Duties. The ASI Vice President, Finance shall:

1. Chair the ASI Finance Committee and appoint seven (7) students who are not currently sitting on the ASI BoD to serve as the at-large members upon majority approval of the ASI BoD. The ASI Finance Committee Chair shall have the authority to remove any student, in consultation with the Executive Director or the Assistant Director, who is not, or cannot, perform their duties as a member of the ASI Finance/Club Allocation Budget (CAB) Committee.
2. Chair the CAB committee. The membership comprising of the Finance Committee will also serve as the membership of the CAB committee.
3. Serve as a Special Advisor to the ASI BoD.
4. Conduct Club Allocation Budget (CAB) workshops. Oversee and maintain records of CAB awards, expenditures, and reimbursements for clubs.
5. The VP, Finance, in collaboration with the campus controller or their designee, will provide monthly reports to the BoD regarding Finance and CAB committee budget expenditures.
6. Serve as delegate and assume responsibility on behalf of the ASI President on campus-wide boards or committees as needed.
7. Submit and present written reports to the ASI BoD at each regularly scheduled meeting outlining corporate financial matters.

B. The ASI Vice President of Finance may increase line item amounts within the function of an operating expense by transfer from another line item in the same function. The aggregate increase for the fiscal period shall be determined by majority approval of the ASI BoD, but shall not be more than five hundred dollars (\$500.00).

#### **Section 5. Vice President, Palm Desert Campus**

A. Eligibility. The office of ASI Vice President of Palm Desert Campus may only be held by a student who is enrolled at all times at the Palm Desert Campus and in accordance with the academic policies of the corporation.

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B. Responsibilities and Duties. The ASI Vice President of Palm Desert Campus shall:

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1. Serve as the student representative on behalf of the Palm Desert Campus to the ASI BoD.

2. Chair the Palm Desert Advisory Committee (PDAC).

3. Have the authority to remove members from the PDAC subject to majority vote of the filled voting positions present at the BoD meeting.

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4. Ensure that the PDAC will establish a meeting schedule at the beginning of each semester.
5. Present a report of the actions and activities undertaken by the PDAC to the ASI BoD.
6. Serve as the main designee for all shared governance appointments at the Palm Desert Campus as a representative for PDC affairs.

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#### **Section 65. Executive Vice President Pro Tem.**

- A. An Executive Vice President Pro Tem shall be elected by the ASI BoD within the first three (3) regular meetings of the ASI BoD or the first three (3) regular meetings after a vacancy occurs.
- B. The Executive Vice President Pro Tem shall be a voting student member of the ASI BoD.
- C. In the event of a vacancy of the Executive Vice President, they shall assume the Executive Vice President's powers and responsibilities within the ASI BoD and shall retain all voting privileges of an ASI BoD member until a replacement candidate for their ASI BoD position can be appointed and confirmed.

#### **Section 76. Vice President, Finance Pro Tem.**

- A. A Vice President, Finance Pro Tem shall be elected by the ASI BoD from the three (3) ASI BoD representatives to the Finance Committee within the first three (3) regular meetings of the ASI BoD or the first three (3) regular meetings after a vacancy occurs. If none of the three (3) BoD representatives wish to take office then another qualified member of the Finance Committee may be elected.
- B. The Vice President, Finance Pro Tem shall be a voting student member on the Finance Committee. Should the student voting member resign from the Finance Committee, then another shall be elected as stated in section 6, subsection A.
- C. In the event of a vacancy of the Vice President, Finance, they shall assume the Vice President, Finance's powers and responsibilities within the Corporation and shall retain all voting privileges of an ASI BoD member until a replacement candidate for their ASI BoD position can be appointed and confirmed.

#### **Section 8. Vice President, Palm Desert Campus Pro Tem**

- A. Within the first three weeks of the academic year, one student will be elected from the PDAC membership to be the Vice President of PDC pro-tem.
- B. In the event of a vacancy of the Vice President of Palm Desert Campus, the Vice President of Palm Desert Campus Pro Tem shall assume the Vice President's powers and responsibilities within the PDAC and shall retain all voting privileges of the PDAC member until a replacement candidate for their PDAC position can be appointed by the ASI President and confirmed by the BoD.

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#### **Section 97. Removal of Executive Officers**

Executive Officers of the corporation are subject from removal for breach of duties and responsibilities provided for in these Bylaws, the breach of any fiduciary duty, eligibility requirement or failure to comply with ASI Policy and Procedures. Any Executive Officer who fails or ceases to meet any required qualification that

were in effect at the beginning of the Officers current term of office may be placed on the BoD agenda for removal. Removal of an ASI Executive Officer will require a majority vote by the ASI Board of Directors.

A. Breach of Duties and Responsibilities (Executive Officers)

1. Reports. Executive Officers are required to submit reports on behalf of their constituency to the ASI Corporate Office 72 hours in advance of each regularly scheduled meeting. Officers will have breached this responsibility after failing to submit a report 2 times in an academic semester (not including summer).
2. Meeting Attendance. Executive Officers of the ASI BoD who fail to attend (4) regularly scheduled meetings in an academic year may be removed from office.
3. Committee Assignments. Officers who fail to meet their board or committee requirements as specified in Article IV throughout the academic year may be removed from office. Officers will be found in breach if they fail to meet this requirement 5 times.
4. Training & Orientations. Officers may have been found in breach of their responsibilities if they fail to attend mandatory trainings or orientations. A training or orientation may only be considered mandatory after a majority of the BoD has voted in favor of having one at a regularly scheduled meeting. Board members may only be excused for valid medical emergencies or illnesses.
5. Eligibility. Officers who fail to maintain any academic requirements as stated in the ASI GPA policy, will be removed from office.

B. Appeal Process

1. Officers that have been deemed in breach as stated in this section will have an opportunity to appeal to the BoD to remain in office should they be up for removal.
2. The ASI BoD can only remove an officer in response to the breach in their responsibilities by a 2/3 vote of the voting filled ASI BoD during a regularly scheduled meeting.
3. No appeals can be made for academic or conduct removals.

C. Removal without cause.

1. Shall apply when the Officer (i) has been declared of unsound mind by a final order of court, (ii) has been convicted of a felony, (iii) if the Officer misses a specified number of meetings or fails to attend the specified number of meetings, as described in Article IV or (iv) as prescribed by the California Corporations Code.

**ARTICLE V**  
**Indemnification of Directors, Executive Officers and other Agents**

**Section 1. Right of Indemnity.**

- A. To the fullest extent permitted by law, the corporation shall indemnify its directors, executive officers, employees and other persons described in Section 5238 (a) of the California Corporations Code, including persons formerly occupying any such position, against all expenses, judgments, fines, settlements and other amounts actually and reasonably incurred by them in connection with and A preceding as that term is used in that Section, and including an action by or in the right of the corporation by reason of the fact that the person is or was a person described in that Section.
- B. "Expenses", as used in the bylaw, shall have the same meaning as in Section 5238(a) of the California Corporations Code.



**Section 2. Approval of Indemnity.** Any incident in which indemnification may be required will be reported immediately to ASI's insurance company and Executive Director. Indemnification decisions will be made based on the recommendations from ASI's insurance company and Executive Director.

**Section 3. Insurance.** The corporation shall have the right to purchase and maintain insurance to the fullest extent permitted by law on behalf of its directors, executive officers, employees and other agents, against any liability asserted against or incurred by any director, executive officer, employee or agent in such capacity or arising out of the director's, executive officers, employees or agent's status as such.

## **Article VI** **Committees**

### **Section 1. Meetings and Actions of Committees.**

- A. Meetings and actions of committees shall be governed by, held and taken in accordance with, the provisions of Article IX of these Bylaws, concerning meetings and procedures (including requirements of notice, posting and open meetings).
- B. Special meetings of committees may also be called by resolution of the ASI BoD. Notice of special meetings of committees shall also be given to any and all alternate members, who shall have the right to attend all meetings of the committee.
- C. Minutes shall be kept of each meeting of any committee and shall be filed with the corporate records (with the exception of the Personnel Committee).

- D. The ASI BoD may adopt rules consistent with the provisions of these Bylaws for the operation of any committee.
- E. Notwithstanding any sections of these Bylaws, members of any committee must meet the minimum academic eligibility requirements established for the California State University and ASI Policies and Procedures. Failure to meet the minimum academic eligibility requirements will require the student's resignation from any committee.
- F. The membership of all ASI committees, working groups or task forces may not have more than two members of ~~any-the same~~ chartered or recognized student organization, club, etc. appointed to that committee. The purpose of this restriction is to prevent conflict of interest issues and ensure the smooth operation of the committee.
- G. In the event that a member should resign, a written notice of their resignation shall be submitted to the Chair. In the event of an involuntary resignation (as defined in Article IX , Section 11 of these Bylaws), no such written notice is required.
- H. In respect to ASI policies and procedures, any Standing or Ad-hoc committee, except the Executive Committee (as provided for in Article VI, Section 2, Subsection 2) may only make recommendations to the ASI BoD.

## **Section 2. Standing Committees.**

- A. ASI Standing Committees shall operate in accordance with approved ASI BoD Policies and Procedures. Such Policies and Procedures may define or specify the membership of such committees, subject to this Section. The term of appointment for all standing committees will be for one fiscal year.
- B. Standing Committees will be responsible for developing agenda materials that are posted 72 hours in advance of a scheduled meeting.
- C. Quorum shall be present at a meeting of one half (1/2) of the voting membership of the committee.
- D. If not already designated below, standing committees will delegate the responsibility of collecting minutes for each scheduled meeting to a voting member.
- E. Chairs of each standing committee will be responsible for reporting back to the ASI BoD following their scheduled meeting.
- F. The Standing Committees of the ASI BoD are as follows:

### **1. Elections Committee.**

a. Purpose. The Elections Committee shall be responsible for:

- 1. Conducting all ASI elections in conformance with these bylaws, the corporation's Election Policy, University policies, and the California Non-profit Public Benefit Corporation Law.

- ~~2. Examining the qualifications of all candidates for any elected positions in accordance with CSUSB and ASI policy.~~
- ~~3. Formulating any special regulations pertaining to elections and executing them after approval by the ASI BoD.~~
- ~~4. Preparing and counting the ballots for ASI elections under the supervision of the Office of Student Engagement and reporting the results, together with any irregularities, to the ASI BoD.~~

~~5.2.~~ Ensuring that only current ASI members vote.

~~6.3.~~ Resolving disputes and charges of Election Policy violations.

- a) In accordance with the ASI Elections Policy and Procedures the Elections Committee will be responsible for announcing their decision on all violations in a timely manner to all parties involved. A reason for their decision must also be provided.
- b) The decision of the Elections Committee is final for all those violations that do not involve the disqualification of a candidate or the invalidation of an election. Should the Elections Committee determine that a violation is serious enough to warrant the invalidation of an election and/or the disqualification of a candidate, the decision to invalidate the election and/or disqualify a candidate must be presented to the Board of Directors (BoD) for review and final approval unless, in the case of the disqualification of a candidate, the disqualified candidate waives, in writing, their right to a BoD review. The decision of the Board of Directors is final.
- c) Before the BoD can rule on a decision made by the Elections Committee regarding the invalidation of an election or the disqualification of a candidate, the BoD will conduct a hearing in the following manner:
  - i. The hearing must be placed as an item on the BoD agenda for consideration.
  - ii. The Elections Committee, as well as the party to the invalidation of the election or the disqualification of a candidate will state their side of the issue before the BoD.
  - iii. The BoD will hear and carefully consider the facts surrounding the issues.
  - iv. The BoD will render a decision and close the item of business.
  - v. Any decision, whether the BoD upholds the Elections Committee decision or not, will be posted within 24 hours or as soon thereafter as possible in the event of a weekend or holiday.

b. Membership.

1. The Elections Committee ~~shall consist of the Coordinator~~Chair appointed by the ASI President (non-voting only to break a tie)

2. Three (~~32~~) members of the ASI BoD who are not running in the election (including re-election) confirmed by a majority vote of the filled voting positions present at the BoD meeting. ~~One of these positions shall be appointed as chair by the ASI BoD (voting)~~
3. A minimum of tThree (3) students at large who are not employed or currently holding a position in ASI in any capacity and not running for election, appointed by the ASI President and subject to a majority vote of approval of the filled voting positions present at the BoD meeting. (voting)
4. Director, Office of Student Engagement (non-voting)
5. Associate Dean of Students and Director of Student Conduct and Ethical Development or their designee (non-voting)
6. Responsibilities, terms of office, committee quorum, and removal of Elections Committee members shall be in accordance with the ASI Elections Policy and Procedures.

## 2. Vacancy Committee

### a. Purpose

1. Student vacancies on the ASI BoD shall be filled by the recommendation of majority vote of this committee and appointed by the ASI BoD. This committee will also be responsible for the onboarding and mentorship of newly appointed BoD positions.
  - a) Directors appointed to fill a vacancy shall serve the remainder of the term.

### b. Membership

1. Voting members of the ASI Vacancy Committee shall consist of:
  - a) One (1) student voting member of the BoD subject by a majority confirmation vote of the ASI BoD within the first three regular meetings. (Chair) (Voting)
  - b) Four (4) student voting members of the BoD subject by a majority confirmation vote of the ASI BoD within the first three regular meetings. (Voting)
  - c) Executive Director or designee as a special advisor. (Non-Voting)

### c. Responsibilities

1. Recruit, interview and recommend candidates to the ASI BoD for appointment.
2. Ensure newly appointed members to the ASI BoD participate in a successful onboarding process that includes mentorship from the Vacancy Committee.
3. Every attempt will be made to fill the vacancies promptly; however, a vacancy may go unfilled if there are no applicants for the position or the Board of Directors deems the candidate(s) not to be sufficiently qualified to fill the vacancy.

### **3. Executive Committee.**

#### **a. Purpose**

1. This committee shall be responsible for dealing with all emergency matters concerning the Corporation which normally would fall under the ASI BoD and that cannot be postponed.
  - a) All actions shall be reported to the ASI BoD at the next regularly scheduled meeting.
  - b) The Executive Committee is prohibited from acting in the following areas which are reserved specifically to the ASI BoD, as defined in Article III, Section 1, Subsection D of these Bylaws.

#### **b. Membership**

1. Voting members of the ASI Executive Committee shall consist of:
  - a) ASI President (Chair) (voting)
  - b) Three (3) student voting members of the BoD elected by the ASI BoD within the first three regular meetings of the ASI BoD.
  - c) ASI Executive Director (or their designee).
  - d) The ASI Advisor (or their designee).

#### **c. Terms.** Executive Committee terms are for one year, or until June 30th of the academic year of the appointment.

#### **d. Convening the Executive Committee**

The ASI BoD shall delegate to the Executive Committee the authority to act on behalf of the ASI BoD, when a quorum of the BoD cannot be met provided that the following criteria are met:

1. The Executive Committee is acting in accordance with the Articles of Incorporation and the Bylaws for all of its proceedings.

2. After attempting to conduct a meeting of the ASI BoD, it is found that the ASI BoD cannot meet, and subject to the restrictions of Article III, Section 1D, subparagraph 2.
3. All actions of the Executive Committee shall be reported to the ASI BoD at the next scheduled meeting.
4. The Executive Committee shall have a majority of student voting members in order to conduct business.

#### **4. Finance and CAB Committee.**

a. Purpose. This committee shall:

1. Receive, review and prepare recommendations to the ASI BoD on all financial matters concerning allocations and expenditures of Corporate funds.
2. Review the preparation of the annual budget as presented by the Chief Financial Officer (CFO) or their designee and present it to the ASI BoD for consideration and approval.
3. Reconvene as the Club Allocation Budget (CAB) Committee for the purposes of allocating funds in accordance with the CAB Policies and Procedures, reporting to the ASI BoD on all expenditures thereof. The CAB Committee shall follow the procedures set forth in Article IX of these bylaws in conducting meetings.
4. Have the authority to transfer funds up to five hundred dollars (\$500.00) inclusive between line items of the same budget function without referring the transfer item to the ASI BoD.
5. Assist the ASI Vice President, Finance and the CFO in planning and executing fiscal policies for the ASI BoD. Actions of the Finance Committee are subject to approval by the ASI BoD.

b. Membership

1. ASI Vice President, Finance (Chair)(voting)
2. ASI Executive Vice President (Chair Pro Tem) (voting)
3. Three (3) members of the ASI BoD (voting)
  - a) Confirmed by majority vote of the filled voting positions present at the BoD meeting.
  - b) One of the three (3) ASI representatives to the Finance Committee shall serve as Vice President, Finance Pro Tem as outlined in Article IV, Section 6.
4. Seven (7) students at large not serving on the ASI BoD (a minimum of one student who is taking a majority of their courses at the Palm Desert Campus),

appointed by the ASI Vice President, Finance and confirmed by a majority vote of the filled voting positions present at the BoD meeting.

5. ASI Executive Director/Chief Financial Officer or designee (voting)
6. Director, Office of Student Engagement or their designated representative (non-voting).

#### **5. Personnel Committee.**

a. Purpose. This committee shall:

1. Review and make recommendations to the ASI BoD on all matters related to elected and hired positions of the Corporation.
2. In order to protect the privacy of all parties involved, the Executive Director shall have full authority to address any and all personnel issues relating to, and including, all full-time or part-time non-student employees or student assistants. Any personnel issues involving the ED will be referred to the VP, Student Affairs or their designee.
3. Operate within the guidelines of the California Government Educational Code concerning personnel and the ASI BoD approved Personnel Policies and Management Plan.
4. Constitute the Search Committee for all ASI non-student part-time and regular full-time staff.

b. Membership

1. ASI Executive Vice President (Chair) (voting)
2. Two (2) voting members from the ASI BoD, appointed by the ASI Executive Vice President, subject to a majority approval of the filled voting positions of the ASI BoD.
3. One (1) representative from an ASI corporate entity, appointed by the ASI President, subject to approval by a majority vote of the filled voting positions present at the BoD meeting.
4. ASI Advisor (voting)
5. ASI Executive Director (voting)

c. Terms. Student voting members are for one fiscal year, or until June 30th of the academic year of the appointment.

## **6. Activities Committee.**

a. Purpose. The Activities Committee shall:

1. be charged with organizing educational, social, and cross cultural events on campus throughout the academic year with an underlying focus of creating greater visibility of ASI on campus.
2. operate within the policies of the Board of Trustees, the Chancellor's Office as well as ASI and California State University, San Bernardino policies.
3. will convene for any programming requests over \$6,000 that will utilize the Activities Committee Special Events account.

b. Membership

1. Programming Student Manager (Chair) (Voting)
2. Three (3) students-at-large not serving on the ASI BoD, or any other subcommittee, appointed by the Programming Student Manager and confirmed by a majority vote of the filled BoD voting positions present at the BoD meeting. (Voting)
3. One (1) Programming Specialists as appointed by the Programming Manger and confirmed by a majority vote of the filled BoD voting positions present at the BoD meeting. (Non-Voting)
4. Two (2) Board Members confirmed by a majority vote of the filled BoD voting positions present at the BoD meeting. (Voting)
5. ASI Executive Director or designee (voting)
6. Student member appointments are for one fiscal year, or until June 30th of the academic year of the appointment.

c. Powers

1. The ASI Activities Committee shall have discretion over the budget assigned to the ASI Activities Committee in the ASI Annual Budget.
2. The ASI Activities Committee shall have the authority to approve individual events over \$6,000 but adhere to threshold limits of ASI Bidding Policies.

## **7. Palm Desert Campus Advisory Committee.**



a. Purpose. This committee shall:

1. receive, review and prepare recommendations to the ASI BoD on all matters concerning ASI at PDC.
2. oversee the preparation of the annual PDC budget with the support of the ASI Executive Director/Chief Financial Officer and present it to the ASI Finance Committee for inclusion during the annual ASI budget preparation cycle.
3. shall allocate the Club Allocation Budget (CAB) funds in the PDC budget in accordance with the guidelines established in the CAB Policies and Procedures, reporting to the ASI BoD on all expenditures thereof.
4. have the authority to request the ASI BoD to transfer funds between the PDC line items without having to refer the request to the ASI Finance Committee.
5. have the authority to transfer funds up to five hundred dollars (\$500.00) inclusive between line items of the same budget function without referring the transfer item to the ASI BoD. The PDAC will not attempt to circumvent this provision by breaking down a large transfer into smaller increments of \$500.00. This provision can be exercised only once per semester. The PDAC is not authorized to move funds out of the PDC Unallocated or Reserve account. Budget transfer memos will be provided to the ASI office per the standard format for such transfers. All other requests for transfer of funds will be in accordance with normal ASI procedures described in these bylaws and ASI Financial Policy and Procedures.
6. conduct their meetings in accordance with Article IX of these bylaws and all applicable State laws and regulations governing meetings. Agenda items will be approved by the ASI Vice President, PDC prior to placement on the agenda. The approved agenda will be forwarded to the ASI office at least 72 hours prior to the meeting and will be in the standard ASI format for meeting agendas. Meeting minutes will be forwarded to the ASI office in the standard ASI format as soon as they are finalized.
7. conduct themselves at all times as a standing committee of the ASI BoD subject to these bylaws and ASI policy and procedures.

b. Membership

1. One (1) Board Member from the Palm Desert Campus (Chair)(Voting)
2. Vice President of Finance (Voting)
3. PDC Programs Manager (Voting)
4. The Dean, PDC or their designee. (Voting)
5. ASI President or Designee. (Voting)

6. Three (3) Students at large from PDC appointed by the ASI President and confirmed by a majority vote of the filled BoD voting positions present at the BoD meeting. (Voting)

c. Terms. Student member appointments are for one fiscal year, or until June 30th of the academic year of the appointment.

## 8. Policy Committee.

a. Purpose. The Policy Committee will be charged with:

1. Developing, amending, and analyzing corporate policies and procedures governing the corporation in accordance with Article VI.

b. Membership

1. One (1) Board Member who shall serve as chair to the committee and be confirmed by a majority vote of the filled BoD voting positions present at the BoD meeting. (Chair) (Voting)
2. ~~One (1)~~ Two (2) board member (Voting)
3. Two (2) ASI student corporate staff members appointed by the ASI President subject to approval by a majority vote of the filled voting positions of the ASI BoD. (Voting)

4. ASI Director of Internal Affairs. (Voting)

~~4-5.~~ ASI Director of External Affairs

~~5-6.~~ ASI Executive Assistant. (Voting)

~~6-7.~~ ASI Executive Director or designee. (Voting)

~~7-8.~~ ASI Associate Director. (Voting)

~~8-9.~~ Student member appointments are for one fiscal year, or until June 30th of the academic year of the appointment.

c. Powers

1. The Policy Committee will have the authority to review and amend corporate policies, procedures and bylaws. Although the committee may amend corporate documents as deemed necessary, amendments must be brought before the BoD for final approval.
2. Policy Committee will have the authority to create and recommend new policies to the BoD.

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## **9. Sustainability Committee.**

### a. Purpose: This committee shall:

1. Receive, review, and prepare recommendations to the ASI BoD on all sustainability measures.
2. Enhance the sustainability literacy of students, faculty, and staff through the implementation of programs.
3. Partner and collaborate with campus entities and The Office of Sustainability.
4. Assist in engaging the campus in on-going dialogue about sustainability and instilling a culture of sustainable long-range planning and forward-thinking design through their respective constituencies.
5. Disseminate information about campus sustainability efforts throughout the university and local community.
6. Coordinate and develop policies and procedures to make ASI operations more sustainable.
7. Recommend new or enhanced sustainability strategies to campus divisions for consideration or as deemed appropriate.

### b. Membership

1. Board of Director for Sustainability (Chair)(Voting)
2. ASI Executive Vice President (Pro-Tem)(Voting)
3. One (1) member of the ASI BoD (Voting)
4. Four (4) students at large, not serving on the ASI BoD, appointed by the board of director of sustainability and confirmed by majority vote of the filled voting positions present at the BoD meeting (Voting)
5. One (1) representative from the ASI student corporate staff appointed by the Board of Director for Sustainability subject to approval by majority vote of the filled voting positions present at the BoD meeting (Voting)
6. Representative from the Office of Sustainability (Non-voting)

## **10. Lobby Corps.**

- a. Purpose. The mission of the ASI Lobby Corps is to provide the means necessary to affect public policy on matters impacting higher education by lobbying to appropriate local and state officials.

b. Membership

1. Director of External Affairs (Chair)(Voting)
2. ASI President or designee (ex-officio)(Non-Voting)
3. Two (2) Board Members confirmed by a majority vote of the filled BoD voting positions present at the BoD meeting (Voting)
4. Six (6) students at large not employed or already serving in a leadership role within ASI nominated by the Director of External Affairs and confirmed by a majority vote of the filled BoD voting positions present at the BoD meeting. (Voting)
5. Student member appointments are for one fiscal year.

c. Powers

1. Communicate with local government officials and advocate on behalf of the interests of Cal State San Bernardino and the California State University System.
2. Organize lobbying trips to the State Capitol as part of the California Higher Education Student Summit.
3. Provide written legislative reports to the ASI BoD of Directors on legislation affecting higher education.
4. Make recommendations to the ASI BoD on legislative issues they should take a position on.
5. Appoint a Vice Chair among the membership listed in section b.

**Section 3. Regular Committees.** The ASI BoD shall have the authority to establish such Regular Committees as may be necessary.

A. Purpose.

1. Regular Committees are formed to assist the ASI BoD in the governance of the Corporation with respect to activities which may merit the ASI BoD's ongoing attention.
2. Regular Committees shall be established or renewed annually by the ASI BoD.

B. Membership.

1. Membership of each Regular Committee shall be defined by the ASI BoD.
2. The Chair of the ASI BoD shall appoint the chairperson of each Regular Committee.
3. Quorum shall be present at a meeting of one half (1/2) of the membership of the committee.

**Section 4. Ad Hoc Committees.** The ASI BoD shall have the authority to establish such Ad Hoc Committees as may be necessary.

- A. Purpose. Ad Hoc committees are formed to assist the BoD and to support BoD requests for services as necessary. Ad Hoc committees disband once the objective for which they were formed has been achieved or the BoD disbands them whichever occurs first.
- B. Membership.
  - 1. Membership of each Ad Hoc Committee shall be defined by the ASI BoD.
  - 2. The ASI BoD shall select among them a chair for each Ad Hoc Committee.
  - 3. Quorum shall consist of members present.

**ARTICLE VII**  
**Programs and Business Ventures**

**Section 1. Programs**

- A. The ASI BoD shall have the authority to establish programs, and the committees that manage and/or operate them, to meet the interests of the student body.
- B. Programs shall be established, or renewed, annually by the ASI BoD. The action of establishing a budget line item for an upcoming budget year shall be considered a renewal provided that the program/committee chair meets the requirement stated below for establishing Policies and Procedures.
- C. The chair of the established program/committees shall establish Policies and Procedures for their program/committee respectively.

1. If Policies and Procedures are already established, these Policies and Procedures are to be reviewed by the respective chair.
  2. If modifications are required, the chair will prepare and submit a draft to the ASI BoD for approval.
  3. Should no Policies and Procedures exist, the chair will have thirty (30) calendar days to place the approval request for their Policies and Procedures on the ASI BoD agenda.
  4. Approval of respective program/committee Policies and Procedures will require a majority vote of the filled voting positions present at the BoD meeting.
- D. Appointment, term of service, scope of authority and rules of quorum for programs/committees shall be stipulated by the ASI BoD at the time of establishment and be reflected in the Policies and Procedures of each program/committee.

## **Section 2. Ventures**

- A. Business ventures operated wholly or in conjunction with another entity will be under the direct supervision of the ASI Executive Director in consultation with the ASI Executive Vice President.
- B. Those revenue-generating ventures which fall under one of the ASI program/committees will be managed by that program/committee; however, all ventures will coordinate with the ASI Executive Director/Chief Financial Officer in consultation with the ASI Executive Vice President to assure that all reasonable and prudent precautions regarding risk management, insurance, budget, contracting, etc. have been taken.
- C. The ASI President or their designee has the authority to delay, suspend, or terminate any venture which, in the opinion of the ASI President or their designee does not conform to ASI Policies and Procedures, campus policy, or generally accepted business norms.
- D. The ASI Executive Director in consultation with the ASI Executive Vice President will present to the ASI BoD for their approval such Policies and Procedures as deemed necessary for the day to day operation of the venture.
- E. For those situations that fall outside of the approved Policies and Procedures, the ASI President or their designee has the authority to resolve those issues

## **ARTICLE VIII** **Initiative, Recall and Referendum**

**Section 1. Initiative.** Initiatives from the Associated Students at large may be submitted to the ASI BoD in the form of a petition containing the names, student identification numbers and signatures of ten percent (10%) of the student body.

- A. A special election shall be called by the ASI President unless the petition is completed less than thirty (30) days prior to a general election.
- B. A majority vote of the filled voting positions present at the BoD meeting in favor of the proposed initiative shall be required to adopt any initiative.

- C. A two thirds (2/3) majority vote of the filled voting positions present at the BoD meeting shall be required to ratify changes in the Articles of Incorporation.
- D. The provisions of this paragraph will not be used to overturn, void, or in any way change the results of an election.

**Section 2. Recall/Termination.** Any director or executive of the ASI BoD may be subject to recall by a petition containing the names, student identification numbers and signatures of fifteen percent (15%) of an office holder's constituency. In the event that the student executive or student director enters the criminal justice system for a felony charge or a misdemeanor charge egregious in nature, or is charged by the CSU and or CSUSB conduct process, Article IX, Section 12 of these bylaws will apply.

- A. The Office of Student Engagement shall verify the enrollment status of all students whose signatures appear on the petition.
- B. After verification, a special election shall be called by the ASI President.
- C. A simple majority vote of the filled voting positions present at the BoD meeting in favor of the petition shall be required to remove the office holder.

**Section 3. Referendum.** The ASI BoD will be empowered to direct the Elections Committee Coordinator to place certain matters including Articles of Incorporation or bylaw changes or business before the ASI membership.

- A. A majority vote of the filled voting positions present at the BoD meeting shall be required to enact a referendum on ASI policy.
- B. A two thirds (2/3) majority vote of the filled positions present at the meeting shall be required to ratify changes in the Articles of Incorporation.
- C. The ASI BoD must designate that a referendum is either binding or non-binding at the time the ASI BoD proposes the referendum to the electorate.

**Section 4. Results of Initiatives, Recalls and Referendums.** All initiatives, recalls and referendums shall be considered binding if done in coordination with the above processes unless they contradict federal, state or local law; the Articles of Incorporation; the ASI Bylaws or the purpose of the Corporation.

#### **ARTICLE IX** **Meetings and Procedures**

**Section 1. Meetings.** Unless otherwise specifically provided for in these Bylaws, all meetings of ASI and its committees shall be conducted in accordance with the latest edition of Robert's Rules of Order and in accordance with the provisions of the California Nonprofit Public Benefit Corporation Law.

**Section 2. Notice of Meetings.** The agenda of regular meetings of the ASI BoD, which shall contain the date, time, and place of the meeting and all the items to be acted on, shall be publicized at least 72 hours before a regular meeting.

**Section 3. Special Meetings.**

- A. A special meeting can be called by the President upon a twenty four (24) hour notice pursuant to paragraph 89922 of the Education Code for Auxiliary Organizations.
- B. A majority vote of the filled voting positions present at the BoD meeting shall be required to adopt an emergency item (as defined in Section 5 of this article) at a special meeting.

**Section 4. Closed Sessions.** Meetings shall be opened to the public. Meetings may be closed only for those reasons stated in paragraph 89923 of the Education Code for Auxiliary Organizations.

**Section 5. Submitting Agenda Items**

- A. Any student or paid employee of ASI at CSUSB may submit agenda items for consideration by the ASI BoD. The Chair shall put the item on the next agenda to be drawn up and, if appropriate, shall send the item to the appropriate committee and notify the ASI BoD of said action.
- B. Items that are not submitted within the 72 hours before a regular meeting requirement for inclusion at the next regularly scheduled meeting may be placed on as an "emergency item" provided it meets the following criteria:
  - 1. It directly impacts a function of the corporation, which, if not acted upon at the next regularly scheduled meeting, would have serious consequences in terms of the corporation's ability to meet its obligations.
  - 2. The emergency agenda item must be posted at least 24 hours prior to the emergency meeting.

**Section 6. Quorum.**

- A. Quorum for all meetings shall be a majority of its filled voting positions. Any Special Advisor members shall not be counted as part of the quorum.
- B. A meeting at which a quorum is initially present may continue to transact business notwithstanding the withdrawal of Directors, if any action is approved by at least a majority of the required quorum for such meeting.

**Section 7. Board Action.** The items listed below shall govern ASI Board of Directors' Actions:

- A. The ASI BoD may not take action on any item which has not been listed on the agenda that has been publicly distributed at least 72 hours in advance, with the exception of special meeting agenda items, which require requires 24 hours' notice in advance.
- B. The following actions will require two (2) readings prior to a vote of approval by the Board of Directors. A vote may be taken at the second reading:
  - 1. Approval of the annual ASI budget.
  - 2. Approval of ASI bylaws or policies.

**Section 8. Roll Call Vote.** The Chair of the ASI BoD shall recognize an order for a roll call vote when called for by any member.



**Section 9. Policies and Procedures.** New Policies and Procedures or revisions of existing Policies and Procedures, must be approved by a simple majority of the ASI BoD.

**Section 10. Presiding Officer.** The presiding officer and chair shall be as designated in these Bylaws or as designated under the ASI Policies and Procedures.

**Section 11. Involuntary Resignation.** All student members of the ASI BoD, and any committees described in these bylaws are required to attend all scheduled meetings. A student representative who fails to attend four (4) scheduled meetings in an academic year shall be considered to have resigned from their committee appointment, unless ASI BoD finds that extenuating circumstances justified the absences.

**Section 12. Involuntary Resignation Resulting from Criminal or Student Conduct Activity.** The following rules shall apply to all student executive members, student members of the ASI BoD and any committees described in these bylaws or otherwise affiliated with ASI, and student assistants employed by ASI who are charged by the criminal justice system with a felony as described in the California Penal Codes or a misdemeanor egregious in nature, or is charged by the CSU and or CSUSB conduct process while in office or employed:

- A. The student being charged shall immediately be placed on suspension without pay pending the final adjudication of the charge. The student will not be permitted to perform any of the duties of their position until the charge(s) has been resolved. Should the charge(s) be reduced to a misdemeanor(s) and the student be convicted of a misdemeanor, the student will be reinstated to their prior position unless the misdemeanor is egregious in nature. No back pay will be authorized while the student was on suspension pending the resolution of their case.
- B. If a student is convicted of a felony, that student's status of being on suspension will be changed to being terminated. If the student is an elected officer of ASI, their position will be vacated immediately and filled by the pro-tem for that position. If a pro-tem has not been selected, the executive position will be filled by a student member of the Board of Directors in good standing. The ASI Executive Director or, in their absence, the Assistant Director will inform the appropriate University officials of any change in status affecting the student and/or ASI. This provision of the bylaws is pursuant to the California Code of Regulations, Title 5 – Education; Chapter 1; Subchapter 4; Article 2; paragraph 41301 “Standards for Student Conduct”; sub-paragraph 18.
- C. A student who has a prior conviction of a felony and is on probation for the conviction may not be employed by ASI or be a member of the ASI BoD and will be terminated. Replacement of a student who is an elected officer of ASI will be conducted pursuant to Paragraph B above.
- D. In the event that the University wishes to take action against the student for violations of California State University or California State University, San Bernardino policies, then the student will be placed on suspension without pay pending the final decision and disposition of the university.

**ARTICLE X**  
**Nondiscrimination Policy**

**Section 1. Purpose Statement.** No person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any corporate activities or programs of ASI

- A. On the Basis of Sex. ASI as a Corporation, in conjunction with Title IX of the Education Amendments of 1972, shall not discriminate on the basis of sex in the corporate activities or programs it conducts.
- B. On the Basis of Disability. ASI as a Corporation, in accordance with Section 504 of the Rehabilitation Act of 1973, shall not discriminate on the basis of disability in the corporate activities or programs it conducts.

- C. On the Basis of Ethnicity, Color or National Origin. ASI as a Corporation complies with the requirements of Title VI of the Civil Rights Act of 1964 and shall not discriminate on the basis of ethnicity, color or national origin in the corporate activities or programs it conducts.
- D. On the Basis of Age, Marital Status, Religion, or Sexual Orientation. ASI as a Corporation does not discriminate on the basis of age, marital status, religion or sexual orientation in accordance with University Policy.

**Section 2. Sexual Harassment.** It is the policy of ASI to maintain a working and learning environment free from sexual harassment of its students, volunteers, and employees.

**Section 3. Diversity of Opinion.** ASI encourages diversity of opinion in all its operations.

## **ARTICLE XI**

### **Bylaws**

**Section 1. Copies of the Bylaws.** An up to date copy of these Bylaws shall be maintained by the ASI corporate office. At the end of the last semester of each academic year, the ASI corporate office shall provide copies of these Bylaws and the Articles of Incorporation so that they will be made available to any interested Members.

**Section 2. Effective Date.** These Bylaws are effective upon approval of the ASI BoD.

### **Section 3. Amendments.**

- A. To approve new Bylaws or change existing Bylaws, the ASI BoD must have two (2) separate readings of the proposed new Bylaws or amendments at separate meetings.

- B. During these readings, the new Bylaws or amendments can be amended by a simple majority vote of the filled voting positions present at the BoD meeting.
- C. Bylaws must be approved by two thirds (2/3) vote of the filled voting positions present at the BoD meeting.

**Section 4. Construction and Definitions.** The construction of these Bylaws shall be governed by the general provisions, rules of construction, and definitions outlined by the California Non-profit Corporation Law.

## **ARTICLE XII**

### **Delegation of Authority**

There shall be an Executive Director of the Corporation who shall be appointed by the President of the University upon the recommendation of the Vice President for Student Affairs with consultation from the ASI President. The search for the Executive Director will be conducted in a manner consistent with University procedures.

The Executive Director is administratively responsible to the Vice President for Student Affairs or designee for all services, programs and fiscal matters pertaining to the Corporation. This is to ensure the Corporation is in compliance with; applicable laws, CSU system policies, as well as University policies. The Executive Director is responsible for the development of the student leaders of ASI, and operations of the Corporation. Specifically, they have responsibility for; training of student leaders, student assistants and volunteers, co-

curricular programming, assessment, accounting and fiscal procedures, personnel, marketing and all other matters related to achieving the mission of the ASI. They shall initiate programs or procedures, under authority of the Board of Directors, to support the mission of ASI.

The Executive Director will serve as the Chief Financial Officer of the Corporation. As such, he/she has full responsibility for the financial operations of and for maintaining the financial procedures of the Corporation in accordance with University and Chancellor's Office procedures, as well as all applicable laws. They have the responsibility to implement those policies and procedures established by the Board of Directors. The Executive Director will be responsible for the performance evaluations of all employees including student assistants, with exception of the Elected Officers, whom will be evaluated by the Board of Directors.



## Elections Policy and Procedures

Adopted per BD 138-20 | December 1, 2020

**Purpose:** — To establish the election procedures upon which all Associated Students, Inc. (ASI) elections (general and special), will be operated, and to establish the qualification and criteria for all ASI candidates for office.

**Scope:** — This policy applies to all corporate members who run for an ASI office or those other members who in any way may impact ASI elections or sponsored referenda.

Elections are at the very heart of governing the corporation and its operations; consequently, this policy has been created to ensure that strict standards in the conduct of ASI elections are stated and enforced. Should there be any conflict between this policy and the ASI bylaws, the ASI bylaws will prevail.

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### A. ELECTIONS COMMITTEE PURPOSE AND RESPONSIBILITIES

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#### 1) Elections Committee

- a) The Elections Committee shall administer the Elections Policy and ensure the fairness of the election and the adherence by the candidates to the elections regulations.
- b) **Membership.** The Elections Committee shall consist of:
  - i. Elections Coordinator (non-voting)
  - ii. Three (3) Board Members who are not seeking office or re-election confirmed by a majority vote of the filled BoD voting positions present at a BoD meeting. One of these positions shall be appointed as chair by the ASI BoD.
  - iii. Three (3) students at large not employed or already serving in a leadership role within ASI nominated by the ASI President or their designee and confirmed by a majority filled BoD voting positions present at a BoD meeting.
  - iv. Director, Office of Student Engagement (non-voting Advisor)
  - v. Associate Dean of Students and Director of Student Conduct and Ethical Development or their designee (non-voting Advisor)
- e) **Committee Members.** Committee Members may be suspended by the Elections Committee for violating elections policy. Elections Committee members at large are eligible to apply for Elections Coordinator if the position becomes vacant.
- d) **Affiliations.** Members of this committee including the Elections Coordinator must not be affiliated with any of the candidates during the ASI Elections process. Members who are a part of the same organization as a candidate running for office must disclose the information to the ASI Executive Director prior to their confirmation by the ASI Board of Directors. Failure to disclose any affiliated information will result in the immediate removal of a committee member.
- e) **Responsibilities.** The role of the Elections Committee during the elections process is as follows:
  - i. Administer and interpret campaign regulations as established by the ASI Board of Directors (BoD) through the Bylaws and this policy.

- ii. ~~Must meet either in person or virtually to rule on any violation of the Elections Policy and Procedures, whether submitted by the Elections Coordinator, a member of the committee or another student, faculty or staff. A simple majority is required to approve a violation and a record of this vote must be kept by the Elections Coordinator.~~
- iii. ~~In the event of the disqualification of a candidate or invalidation of an election, the Elections Committee must present their decision to the Dean of Students. In the case that the Dean of Students is not available, then the decision will be made by the Vice President of Student Affairs and Chair of the Elections Committee. Their decision is final.~~

**2) ~~Elections Coordinator~~**

- a) ~~The Elections Coordinator shall be a currently enrolled student hired by the ASI Executive Director, or their designee. In the event the Elections Coordinator is removed or resigns, the ASI Executive Director, or their designee is responsible for hiring a replacement.~~
- b) ~~The hiring of the Elections Coordinator shall follow all hiring procedures as set forth by the ASI Executive Director.~~
- e) **Responsibilities.** ~~The role of the Elections Coordinator is as follows:~~
  - i. ~~Set the timeline for every election in coordination with the Office of Student Engagement.~~
  - ii. ~~Advertise open positions of Elections Committee members.~~
  - iii. ~~Be responsible for the proper training and instruction of committee members particularly in proper election procedures and in facilitating a fair and unbiased violation process.~~
  - iv. ~~Report violations to the elections committee within 24 hours of a submitted complaint. A notice of receipt shall also be sent to the person submitting a violation.~~
  - v. ~~Publicize actions of the Elections Committee with regards to violations within 24 hours of the Committee's decision. All decisions made by the Elections Committee regarding violations are final except those resulting in the disqualification of a candidate or the invalidation of an election. These decisions will automatically be submitted in accordance to section A subsection 1e of this policy. Decisions made are final.~~
  - vi. ~~Make timely and necessary reports to the BoD as needed regarding all aspects of the elections process.~~
  - vii. ~~Publish election regulations and qualifications for the current election and make them available to all interested persons.~~
  - viii. ~~Distribute and collect all petitions and qualifications sheets for candidates for all elected offices.~~
  - ix. ~~Post all elections results. This posting shall include the number of votes received by each candidate.~~
  - x. ~~In collaboration with the ASI Programming Department, coordinate and administer election activities.~~
  - xi. ~~Provide written feedback to the BoD after the election regarding possible improvements for the following year.~~

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**~~B. QUALIFICATIONS FOR CANDIDACY FOR AN ELECTED OFFICE~~**

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**1) ~~Academic Criteria~~**

- a) ~~All students running for elected office must meet the academic qualifications set by the California State University Office of the Chancellor and in adherence to ASI policies to hold office. These criteria will be distributed with the elections packet.~~
- b) **Matriculation Status.** ~~A student must be regularly matriculated to the University, not through the College of Extended Learning, and currently attending classes at CSUSB.~~
- e) **Semester Units**
  - i. Undergraduate candidates for office:

- ~~1. Must be currently enrolled on campus and have completed at least one semester prior to an election.~~
- ~~2. Earn a minimum of 6 semester units during that election year~~
- ~~3. Undergraduate students are allowed to earn a maximum of 150 semester units required for a specific baccalaureate degree objective, whichever is greater.~~
- ~~4. Students holding over that number of units will no longer be eligible for ASI office. This requirement applies to candidates for ASI office and incumbent office holders.~~

~~ii. Graduate and Credential candidates for office:~~

- ~~1. Must be currently enrolled on the campus and have completed at least one semester prior to an election.~~
- ~~2. Graduate and credential students must be currently enrolled on the campus in a minimum of 3 semester units per term to be eligible.~~
- ~~3. Graduate and credential students are allowed to earn a maximum of 50 semester units required for the graduate or credential objective, whichever is greater.~~
- ~~4. Students holding over that number of units will no longer be eligible for ASI office. This requirement applies to candidates for ASI office and incumbent office holders.~~

~~d) Grade Point Average (GPA)~~

~~i. Undergraduate candidates for office:~~

- ~~1. Undergraduate candidates for office must maintain a minimum of 2.75 GPA in cumulative work as well as the semester prior to an election.~~
- ~~2. In order to assume office, Undergraduate candidates must have achieved a 2.75 GPA during the semester in which they were elected.~~
- ~~3. Candidates must be clear of any probation including academic and disciplinary cases for one semester prior to running for elected office.~~

~~ii. Graduate and Credential candidates for office:~~

- ~~1. Graduate and Credential candidates for office must maintain a minimum of 3.0 GPA in cumulative work as well as the semester prior to an election.~~
- ~~2. In order to assume office, Graduate and Credential candidates must have achieved a 3.0 GPA during the semester in which they were elected.~~
- ~~3. Candidates must be clear of any probation including academic and disciplinary cases for one semester prior to running for elected office.~~

~~2) Student Conduct Criteria~~

- ~~a) Neither candidates nor incumbents may be on academic probation (including progress point and academic administrative probation) or on disciplinary probation.~~
- ~~b) Candidates running for an elected office must be in good standing with the University with no current or pending disciplinary action with Student Conduct and Ethical Development or the Department of Housing and Residential Education.~~

~~3) Student Director (BoD Representative) requirement~~

- ~~a) All BoD candidates must be a member of the college or major for the office which they are running; or must have filed a change of major with the Admissions and Records Office by petition deadline.~~
- ~~b) The Graduate Student BoD candidates must be enrolled in a graduate program.~~
- ~~c) The Housing Student BoD candidates must be residents in good standing under the Department of Housing and Residential Education. If at any time the student no longer resides within the Department~~



of Housing and Residential Education, then that student shall have involuntarily resigned their position and the vacancy must be filled in accordance with the vacancy procedures of the ASI Bylaws.

d) ~~Student at large BoD candidates may be any regularly matriculated student.~~

#### **4) ~~ASI Requirements to Run for an Elected Office~~**

a) ~~Candidates for offices shall be members of the Associated Students, Inc. as defined in Article 1, Section 1 of the ASI Bylaws at the California State University, San Bernardino.~~

b) ~~No member of the ASI can be a candidate for more than one office.~~

c) ~~Candidates running for an elected office must be in good standing with the University with no current or pending disciplinary action with Student Conduct and/or the Department of Housing and Residential Education.~~

d) ~~In order to run for office and be placed on the ballot, students must submit an "Application for Elected Positions with A.S.I." with the following completed forms to the office of Associated Students, Incorporated by the stated election application deadline:~~

i. ~~"Statement of Intent" agreeing to all the responsibilities for their respective office as outlined in Article IV (executive officers) or Article III (Board of Directors) and a fair election process~~

ii. ~~A candidate's Statement~~

iii. ~~A Code of Conduct Pledge~~

iv. ~~Elections Policy Acknowledgement Form~~

e) ~~All balloted candidates for office must attend an election and candidate briefing. Special accommodations will be made for students who can prove they have a class during any of the briefings.~~

#### **5) ~~Verification to Hold Office (Certification of Result)~~**

a) ~~Before a candidate can hold office, the academic and disciplinary criteria will be verified.~~

b) ~~If the candidate does not meet the criteria outlined within this policy (including Spring Semester academic requirements) or has violated this policy, then the runner-up (provide all the criteria are met by this candidate) will be announced the winner and assume office even after the academic semester has concluded in which the election was held.~~

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### **~~C. ELECTIONS PROCEDURES~~**

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#### **1) ~~Roles of the Office of Student Engagement (OSE)~~**

a) ~~The Director of the Office of Student Engagement or their designee will serve as the advisor to the Elections Committee ensuring that all violations are assessed in an objective manner and that all meeting minutes are documented.~~

b) ~~Determine academic eligibility and notify prospective candidates of their eligibility to run for office.~~

c) ~~Manage the balloting procedures both in person and electronically.~~

d) ~~Provide timely and accurate election results to the University President, Vice President of Student Affairs, the ASI Advisor and the Executive Director of ASI.~~

#### **2) ~~Roles of the Office of Student Conduct~~**

a) ~~The Associate Dean of Students and Director of Student Conduct and Ethical Development or their designee will serve as an advisor to the Elections Committee ensuring that all policies are adhered to and violations are assessed in an objective manner.~~

#### **3) ~~Timeline of Election Process~~**

a) ~~As Stated under Article II, Section 5 of the ASI Bylaws, the following statements are true:~~

i) ~~A General Election shall be conducted annually in accordance with current ASI Elections Policy~~

- ~~ii) Elections may only be conducted during the fall and spring semesters excluding the fall and spring breaks. Elections may not be conducted during final exam week of any semester.~~
- ~~iii) All amendments to the Elections Policy shall be made sixty (60) days prior to an election and approved by a simple majority of the ASI BoD.~~

#### ~~4) Palm Desert Campus Elections~~

~~Palm Desert Campus (PDC) election will be conducted in accordance with the procedures set forth in this policy. The Elections Coordinator will be responsible for the management of any elections process and the transportation of elections materials, from the Palm Desert Campus to the San Bernardino Campus.~~

- ~~a) Any campaigning on PDC will comply with this policy.~~
- ~~b) The Elections Committee, in collaboration with the PDC administration and the Office of Student Engagement, will coordinate the hiring of PDC students to be official poll workers (if needed) who also help to advertise the election.~~
- ~~c) A minimum of one polling location will be set up at PDC with the same guidelines of this Policy.~~

#### ~~5) Voting Procedures for General Elections, Run-Off Elections, and Recall Elections~~

- ~~a) As a means to become a more sustainable corporation and for the purposes of making elections accessible to all students, elections and the casting of ballots shall be completed online.~~
- ~~b) **Ballots.** For the purposes of this policy, ballots will be accessible electronically and by paper (only in the case of systematic failure) and will be kept with the Office of Student Engagement until after the election.~~
- ~~c) Electronic voting will take place in accordance with this policy and will conclude at 11:59pm (Pacific Standard Time) on the last day of an election. Ballots that are submitted after this deadline will not be counted towards the official count and will be considered invalid.~~
- ~~d) Students may cast their vote electronically through an approved administrative computing website approved by CSUSB Information Technology Services.~~
- ~~e) Students in need of certain accommodations may choose to cast their ballot in person at the ASI Office (both at the San Bernardino and Palm Desert Campuses) on election days so long as they present their California State University, San Bernardino identification card (Coyote One Card) or a valid picture identification card.~~
- ~~f) Any paper ballots that are used are to be alphabetized once they have all been cast. All ballots will be checked against the PeopleSoft rosters.~~
- ~~g) Ballots without names and/or student identification number on them will not be counted.~~
- ~~h) The ASI Elections Coordinator and Director for the Office of Student Engagement will oversee the vote count and confirm the results of the election. Results of an election shall be posted in a timely manner.~~

#### ~~6) Vote Requirements~~

- ~~a) In order to be elected, a candidate running for executive office must receive a simple majority (50%+1) of the votes cast for the office in question. For the ASI BoD positions, the candidates receiving the largest number of votes will be elected.~~
- ~~b) If no candidate receives a simple majority of the votes cast for the office in question, a runoff election will be held between the two (2) candidates receiving the largest number of votes in the general elections. In the case where there are only two (2) candidates and neither receives a simple majority (50%+1), the candidate receiving the largest number of votes shall be declared the winner.~~

#### ~~7) Term of Office~~

- ~~a) A term of office for all those elected in the general ASI election shall be in conjunction with one fiscal year (as defined by the University) immediately following their election and at the beginning of the following academic year, unless they resign or are removed according to established procedures. The candidate elected into office shall be known as "elect".~~

- b) ~~Anyone elected in a special election shall take office after the results of said election are certified and shall remain in office until the end of the fiscal year they are elected in, unless they resign or are removed according to established procedures.~~

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## **D. CAMPAIGN REGULATIONS**

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### **1. Requirements and Restrictions**

- a) ~~Campaign materials or activities must be used or take place only during the time specified by the Elections Committee.~~
- b) ~~The deliberate or innocent use of ASI and Student Union equipment and supplies is forbidden.~~
- c) ~~Candidates cannot distribute materials in classrooms once class is in session without the professor's permission. It is up to the instructor's discretion to allow candidates to take class time for presentation.~~
- d) ~~Candidates may not tamper with, remove, relocate, conceal or otherwise touch any other candidate's campaign materials including the reposting of an online image or post via a social media platform. Candidates are responsible for the actions of their Campaign Team. This may be considered grounds for disqualification.~~
- e) ~~No campaigning in the Pfau Library building. The intent of this provision is to prohibit campaigning, or, any related activities, in all areas of the Pfau Library building that include those areas which are being used as classrooms.~~
- f) ~~No campaigning, or posting, or distributing of campaign materials may be done within fifty (50) feet of the San Bernardino campus ASI Office and five feet (5) from the Palm Desert Campus ASI Office).~~
- g) ~~The time and place of the election and any polling place must be posted by Elections Committee no later than one week prior to the election dates.~~
- h) ~~No candidate names shall be broadcasted over any AV equipment. However, music can be played.~~

### **2. Campaign Expenses**

- a) ~~Campaign Spending Minimums and Maximums~~
- i. ~~The campaign expenses, fair market value, including donated or in-kind goods and services, for any candidate shall not exceed a maximum of (\$700) per individual candidate and (\$500) per individual candidate running on a ticket in a non-run-off election.~~
- ii. ~~The described campaign expenses shall not exceed (\$250) for run-off elections.~~
- iii. ~~Any cost associated with internet campaigning shall be included in the above caps.~~
- b) ~~All candidates including those who have been elected into office must submit a financial report of campaign expenses by the deadlines listed in the elections timeline. Failure to submit any financial reports by the given deadlines may result in disqualification.~~
- c) ~~Campaign expenses shall be carefully scrutinized by the Elections Committee.~~

### **3. Materials, Posting, and Advertising**

- a) ~~Posters and Signs: All posters and signs may not exceed 8ft. x 5ft. and must follow the restrictions addressed throughout this policy.~~
- b) ~~A disclaimer must be on all campaign materials, including any social media posts or bios (this includes each individual online account), in 12-point font and read "ASI as a corporation does not endorse any candidate or ticket in the election". No other wording or variation is acceptable and will be deemed a violation.~~

- ~~e) No campaign posting (on bulletin boards, walls, glass doors, etc.) in locations that strictly prohibit it as stated by a specific location or in the following locations: Student Affairs offices, or in Pfau Library building. No posting within 50 feet of Pfau Library building or polling locations.~~
- ~~d) Food and beverage giveaways are prohibited. —~~
- ~~e) Campaigning at the Palm Desert Campus must follow PDC posting rules. PDC posting rules can be found in the main PDC office building.~~
- ~~f) Candidates may not post more than (1) one flyer per bulletin board on campus. Flyers or posters may not cover another candidate's flyer.~~
- ~~g) Writing on windows of private cars with permission of the owner is allowed.~~
- ~~h) No campaigning in any parking lots, this includes placing flyers on vehicles.~~
- ~~i) No posting on glass, trees or painted surfaces especially lamp posts.~~
- ~~j) Taping and chalking any campaign materials to sidewalk is not allowed.~~
- ~~k) No staked signs may be used for campaigning (this includes wired signs or anything that goes into the ground).~~
- ~~l) The issuance of any money or monetary equivalents that can be exchanged for real goods to potential voters as part of a campaign will be considered grounds for disqualification.~~
- ~~m) All campaign materials must be removed by noon the next business day after the last day of voting.~~
- ~~n) Candidates who use any social media electronic platforms such as unique pages for campaigning purposes must add the ASI Elections Coordinator to them. Failure to add the ASI Elections Coordinator to these platforms within 24 hours of their creation.~~
- ~~o) Candidates or their campaign teams may not use CSUSB academic based platforms to campaign such as blackboard, Coyote Connection, and MyCoyote.~~

#### **4. —Breach of Conduct**

- ~~a) Any candidate who is found participating, sharing or promoting false statements that damage another candidate's reputation or their campaign via online electronic platforms may be disqualified and be referred to the University for disciplinary action.~~
- ~~b) The "liking", reposting or affirming of an online post that discriminates against protected classes is considered a violation.~~
- ~~e) During its normal operations, inclusive of campaign activities, Associated Students Inc. follows the California Department of Fair Employment and Housing protections afforded to the following classes; race, color, religion (includes religious dress and grooming practices), sex/gender (includes pregnancy, childbirth, breastfeeding and/or related medical conditions), gender identity, gender expression, sexual orientation, marital status, medical Condition (genetic characteristics, cancer or a record or history of cancer), Military or veteran status, National origin (includes language use and possession of a driver's license issued to persons unable to provide their presence in the United State is authorized under federal law), ancestry, disability (mental and physical including HIV/AIDS, cancer, and genetic characteristics), genetic information, Request for family care leave, Request for leave for an employee's own serious health condition, request for Pregnancy Disability Leave, retaliation for reporting patient abuse in tax-supported institutions, age (over 40) ("Protected Classes"). Associated Students Inc. neither supports or condones any derogatory or harassing comments made towards such Protected Classes. Any individual connected with Associated Students, Inc. and is found to make derogatory or harassing comments towards a Protected Class will be separated from Associated Students, Inc. However Associated Students, Inc. does support open non-derogatory or non-harassing conversations directly regarding topics of issues dealing with Protected Classes.~~

## **5. —Endorsements—**

- a) ~~For the purposes of this policy, an endorsement is defined as support of any candidate for elected office.~~
  - i. ~~These endorsements can also be made on social media through a public posting or by sharing online content from a candidate. Following a candidate on social media, liking a status or commenting on a post is not considered an endorsement.~~
- b) ~~ASI resources may not be used to endorse a candidate. ASI resources included things such as wages and social media platforms.~~
- c) ~~Candidates running for re-election may use their current ASI titles on campaign materials so long as the ASI logo is not used.~~
- d) ~~The current and past Associated Students, Inc. logo may not be used on candidate's campaign materials without prior approval from the ASI Elections Coordinator~~
- e) ~~Clubs and Organization Endorsement of Candidates in the Election~~
  - i. ~~Clubs and organizations may choose to endorse a candidate on their own terms without the candidate having prior knowledge.~~
  - ii. ~~If a candidate wishes to use an endorsement on their own campaign materials, the candidate must submit an endorsement form to the ASI office no later than the last business day before campaigning begins in order to use endorsements on any printed campaign material (with the exception of social media for which the form will be accepted 24 hours in advance of each post). Endorsement forms will be available in accordance with the election packet disbursement.~~
  - iii. ~~Candidates who fail to file an endorsement form or falsify an endorsement, will be faced with a violation.~~

## **6. —Campaigning at on-campus housing locations and the Santos Manuel Student Union.**

- a) ~~Posting Accountability~~

~~Candidates may campaign at these locations so long as they adhere to all posting policies as set forth by the University and their individuals departments and/or buildings.~~

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## **E. VIOLATIONS**

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~~In order to ensure the fairness of an election, candidates will be subject to follow the rules within this policy. Failure to do so will result in a violation. The Elections Committee shall be sole determiner of whether or not a violation has occurred during the elections process.~~

### **1. —Disqualification of a Candidate or invalidation of an election—**

- a. ~~Candidates may be disqualified or an election invalidated for a violation of the Elections Policy by a two-thirds vote of the members of the Elections Committee.~~
- b. ~~Any decision of the Elections Committee is final except those which result in the disqualification of a candidate or in the invalidation of an election. These decisions must be presented to the Board of Directors in accordance with the ASI Bylaws, Article VI, Section 2, paragraph B, subparagraph 1, 6 by the Elections Committee for review and final approval, unless in the case of a disqualified candidate, they waive, in writing, their right to review.~~

~~C. If the BoD is unable to meet to render a decision on the disqualification of a candidate or invalidation of an election, then the decision (including any appeals) will be submitted to the Office of the Vice President for Student Affairs and Chair of the Elections Committee for review. Their decision is final.~~

## ~~2.—Report of a violation~~

- ~~a.—Any report of a violation by a student, faculty, staff or candidate must be submitted to the Elections Committee in the form of a signed statement within (24) hours after the violation took place or was identified (except Saturdays, Sundays, or campus holidays) on a Elections Violation Report Form. ASI Elections Violation Report Forms can be found online during an election cycle.~~
- ~~b.—Violation hearings will be carried out within twenty four (24) hours after the Elections Committee receives the violation form. If violation is not issued within 24 hours, then that violation in question will becomes invalid. Violations that require extensive investigations may be excluded from the (24) hour rule as long as the candidate in question is not issued a violation and are informed within (24) hours of the necessity for an extensive investigation. Extensive investigations for a particular violation may not be carried out for over (72) hours.~~
- ~~c.—Decisions on 24 hour suspensions can be made by the Elections Coordinator without consultation of the Elections Committee so long as the candidate in question is given an opportunity to justify their action. A candidate in question may only avoid a 24 hour campaign suspension violation if an only if they can prove that there was no clear violation of any policy.~~
- ~~d.—If the policy is unclear or the ASI Elections Coordinator cannot properly interpret the policy, then the Elections Coordinator will move the action to the Elections Committee and make a decision by majority vote.~~
- ~~e.—A candidate is free to campaign under the regulations of this policy up until a violation is officially issued with its specific restrictions.~~
- ~~f.—No “anonymous” violations will be accepted by the Elections Committee.~~
- ~~g.—The meeting of the Elections Committee shall remain open to the public.~~
- ~~h.—Deliberations of violations the ASI Elections Committee shall be conducted in closed session pursuant to CA Education Code Section 89307.~~

## ~~3.—Election Policy Code Violation Penalties~~

~~The Elections Committee has established the following Election Violation Penalties which can be levied against candidates who are judged to be in violation of the spirit or breach of the Elections Policy. The purpose of the penalties are to encourage fairness throughout the election for all candidates.~~

- ~~a.—24 hour campaign suspension; candidates will have 2 hours to remove all posted campaigning materials on campus and online.~~
- ~~b.—48 hour campaign suspension—candidate will have 2 hours to remove posted all campaigning materials on campus and online.~~
- ~~c.—Disqualification from Election.~~

## ~~4.—Election Committee Rules Violation Procedure~~

- ~~a.—The Elections Committee has the authority to levy penalties as it deems appropriate in the order listed. If a candidate engages in misconduct or violates their Statement of Intent or Code of Conduct Pledge, the Elections Committee may assess a higher level penalty.~~

- b. ~~The election penalties may be progressive as deemed necessary by the Elections Committee based on the offense.~~
- c. ~~Before a violation is given, the candidate in question will have an opportunity to justify their action and be given an opportunity to elaborate on why they believe a violation was invalid. The decision of the Elections Committee is final.~~

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## **F. RECALL ELECTIONS**

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### **1. ~~Recall Procedures~~**

- a. ~~Recall procedures shall take effect when a petition bearing the signatures of 15% of an office holder's constituency is presented to the Elections Coordinator of the Elections Committee. In the absence of the Elections Coordinator, any member of the Elections Committee may accept the petition.~~
- b. ~~The office holder being subject to recall may not replace himself/herself.~~

### **2. ~~Petition Requirements~~**

- a. ~~Each petition must contain the printed name, signature and student ID number of all those signing the petition.~~
- b. ~~Each petition must state who is being recalled and from what office he/she is being recalled. Petitions must contain the following statement: "We, the undersigned, declare under penalty of the perjury that we are members of this ASI office holder's constituency, and that we wish to have this ASI office holder face a recall election."~~

### **3. ~~Elections Committee Responsibilities~~**

- a. ~~It will be the responsibility of the Elections Coordinator to notify the office holder that is being recalled, the ASI Advisor and the Office of Student Engagement. If there is not an Elections Committee/ Elections Coordinator, the BoD shall appoint a temporary Elections Coordinator for the duration of the recall election.~~
- b. ~~An election date shall be set by the Elections Committee, which shall fall within fifteen (15) to twenty (20) school days receipt of the petition. The date must fall within a regular academic semester— fall or spring (excluding the summer semester).~~
- c. ~~The recall election shall be publicized by the committee as soon as possible, but it must be publicized at least five (5) school days after receipt of the petition.~~

### **4. ~~Campaign Regulations~~**

- a. ~~All campaign regulations of the Bylaws shall be adhered to. Only those members of the office holder's constituency shall vote.~~

### **5. ~~Ballot Procedures~~**

- a. ~~The ballot for the recall election shall contain the following provisions:-~~
- b. ~~It shall state: "Shall (office holder) be recalled from the office of (office)? "Yes" "No"~~
- c. ~~If a majority of the vote is "Yes", then the office holder shall be removed from the office immediately upon the announcement of the results.~~
- d. ~~If a majority of the voter's vote "No", then the office holder shall be retained in office and shall not again be subject to recall for at least sixty (60) calendar days.~~

### **6. ~~Recall Election Succession Procedures~~**

- a. ~~The succession to an office successfully vacated by a recall election will be in accordance with the ASI Bylaws.~~
- b. ~~If no candidate wins a majority, a run-off shall be held within one (1) week between the two (2) candidates who received the most votes.~~

~~7. Resolving conflicts between the ASI Elections Policy and Procedures, and the ASI Bylaws~~

- a. ~~In the event of a conflict between the provisions of the ASI Elections Policy and Procedures and the ASI Bylaws, the ASI Bylaws shall take precedence over the ASI Elections Policy and Procedures.~~

~~*Approved with revisions per BD 07-18 | February 6<sup>th</sup>, 2018*~~  
~~*Approved with revisions per BD 13-19 | February 5, 2019*~~  
~~*Approved with revisions per BD 13-20 | February 11<sup>th</sup>, 2020*~~  
~~*Approved with revisions per BD 138-20 | December 1<sup>st</sup>, 2020*~~



Last Updated: 12/01/2020

Board Agenda ID: BD 138-20

Scope: This policy applies to all corporate members who run for an ASI office or those other members who in any way may impact ASI elections or sponsored referenda.

Purpose: To establish the election procedures upon which all Associated Students, Inc. (ASI) elections (general and special), will be operated, and to establish the qualification and criteria for all ASI candidates for office. Elections are at the very heart of governing the corporation and its operations; consequently, this policy has been created to ensure that strict standards in the conduct of ASI elections are stated and enforced. Should there be any conflict between this policy and the ASI bylaws, the ASI bylaws will prevail.

## A. ELECTIONS COMMITTEE PURPOSE AND RESPONSIBILITIES

### 1. Elections Committee Appointment and Tenure

- a. All student members of the elections committee are appointed by the ASI President and approved by a majority of the ASI BoD.
- b. Members may only serve one year term appointments, concurrent with the ASI Presidents term of office.
- c. Members shall not take part in any campaign for or against any candidate(s) or ballot issue(s) during their term in office, with the exception of the right to vote.
- d. Members who are a part of the same organization as a candidate running for office must disclose the information to the ASI Elections Committee Chair prior to their confirmation by the ASI Board of Directors (BoD). Failure to disclose any affiliated information will result in the immediate removal of a committee member.
- e. Any person who is a member of the Elections Committee at any point during an academic year is ineligible to run within that same academic year.
- f. Members may be suspended by the elections committee chair for violating elections policy.

### 2. Elections Committee Membership

- a. Elections Committee Chair (may only vote to break ties).
- b. A minimum of three (3) students not employed or already serving within ASI in any capacity.
- c. Three (3) members of the ASI BoD.
- d. Director of the Office of Student Engagement serving as an advisor (non-voting).
- e. Director of Student Conduct and Ethical Development or their designee serving as an advisor (non-voting).

### 3. Elections Committee Responsibilities

- a. Members shall administer and interpret the Elections Policy, and ensure the fairness of the election and the adherence by the candidates to the elections regulations established by the ASI BoD through the Bylaws and this policy.

- b. Members shall hear all formal complaints and render binding decisions concerning election disputes and violations related to Elections, the ASI Bylaws, and those applicable university rules and regulations.
- c. Members shall recruit students to run for office in the ASI Elections.
- d. At the direction of the Elections Committee Chair, the Elections Committee shall:
  - i. work with the ASI Productions Office to develop an elections marketing plan including a theme, materials, and key information designed to inform the student body about an upcoming election;
  - ii. make marketing presentations in classrooms and at club/organization meetings to publicize election information;
  - iii. recruit ASI members, who are not running in the elections, to help with election publicity and marketing;
  - iv. publicize voting information, election dates, election times, and election locations, no less than four business school days before each election.
- e. Prior to each general election, the Elections Committee Chair, with the assistance of the Elections Committee, will:
  - i. Establish timelines for applicants to make a formal declaration of candidacy and to file the online application form.
  - ii. Announce and publicize an open filing period of at least ten (10) business days (two calendar weeks).
  - iii. Prepare the Application for Elected Positions with ASI Office for potential candidates, to include files under section B of this policy and the following:
    - 1. Letter from the Elections Committee Chair with instructions on how to file for office;
    - 2. ASI Elections Policy
    - 3. General Elections Calendar
    - 4. Candidate Expense Forms

#### 4. Elections Committee Chair Appointment and Tenure

- a. The elections committee chair shall be appointed by the ASI President and approved by majority of the ASI BoD.
- b. The tenure of office for the elections committee chair shall be one year, to be concurrent with the term of the President who appoints them. In the event of a vacancy, the ASI President may issue a non-renewable 30-day appointment to fill the position until an elections committee chair is approved by the ASI BoD.
- c. The Chair of Elections may not hold any other elected ASI office nor be eligible for election to any ASI office. They may not take part in any campaign for or against any candidate(s) or ballot issue(s) during their tenure in office, with the exception of the right to vote.
- d. The Elections Committee Chair is advised by the ASI Executive Director as well as a the ASI Advisor or their designee.

#### 5. Elections Chair Responsibilities

- a. Serve as Chair of the Elections Committee.
- b. Be a non-voting, ex-officio member on the ASI Board of Directors.
- c. Administer the Elections Policy and ensure the fairness of the election and the adherence by the candidates to the elections regulations.
- d. Assist students in application process for ASI elections.
- e. Work with advisors to complete all requirements for the online voting system including ballot preparation, candidate statements and pictures, email alerts, request for voter information and institutional research data.

- f. Arrange for the preparation of all election materials including election packets, official publicity and marketing.
- g. Preside over all complaints regarding elections conduct, violations of the ASI Elections Policy and or applicable university policies and procedures.
- h. Maintain documentation of all Elections Committee agendas and minutes, including those that address election irregularities.
- i. Arrange for the secure handling of all election's materials, including confidential information.
- j. Coordinate requests for students needing special voting accommodations due to disability.
- k. Oversee the purchase, management and storage of all election-related supplies
- l. Be responsible for the proper training and instruction of election committee members particularly in proper election procedures and in facilitating a fair and unbiased violation process.
- m. Have the power, through the Elections Committee process, to conduct a formal hearing on any candidate charged with violating any section of this policy and all policies relating to ASI and all related university policies and procedures.
- n. Publicize and make available the guidelines and policies on campaigning, campaign publicity and posting relations pertinent to the elections process.
- o. Publicize the elections schedule and all necessary filing information through the official student newspaper and the ASI website, no later than the first day filing opens and run through the last day of elections.
- p. Be responsible for scheduling Elections Committee members to oversee various aspects of the elections process.
- q. Preside over the mandatory candidate orientation meeting, which is scheduled for the purpose of distributing and explaining the various elections rules and processes to candidates.
- r. Submit election results to the ASI BoD at the first meeting following the last day of voting. The results should be considered an information agenda item and shall serve as the confirmation of results of the ASI election.
- s. Be responsible for preparing and distributing the agenda, and distributing the minutes to the ASI Elections Committee and other relevant stakeholders.
- t. Ensure that permanent files of the minutes, election(s) results, and other historical information are kept by the ASI Office.

#### 6. Elections Committee Meetings

- a. The Elections Committee shall meet weekly as voted upon by the committee during the regular semester.
- b. Quorum for the Elections Committee shall be:
  - i. At least four voting members present, including the Elections Committee Chair.
  - ii. At least one of the two advisors.
- c. Voting members of the Elections Committee may have no more than three unexcused absences from official meetings, hearings or other official Elections Committee obligations. Any member of the Elections Committee who has more than three unexcused absences from any Elections Committee meetings, hearings or other official Elections Committee obligations shall be considered as having vacated their seat on the Committee.

## **B. QUALIFICATIONS FOR CANDIDACY FOR AN ELECTED OFFICE**

### 1. Academic Criteria

- a. All students running for elected office must meet the academic qualifications set by the California State University Office of the Chancellor and in adherence to ASI policies to hold office.
- b. A student must be regularly matriculated to the University, not through the College of Extended Learning, and currently attending classes at CSUSB.

### 2. Semester Units

- a. Undergraduate candidates for office:
  - i. Must be currently enrolled on campus and have completed at least one semester prior to an election.
  - ii. Earn a minimum of 6 semester units during that election year
  - iii. Undergraduate students are allowed to earn a maximum of 150 semester units required for a specific baccalaureate degree objective, whichever is greater.
  - iv. Students holding over that number of units will no longer be eligible for ASI office. This requirement applies to candidates for ASI office and incumbent office holders.
- b. Graduate and Credential candidates for office:
  - i. Must be currently enrolled on the campus and have completed at least one semester prior to an election.
  - ii. Graduate and credential students must be currently enrolled on the campus in a minimum of 3 semester units per term to be eligible.
  - iii. Graduate and credential students are allowed to earn a maximum of 50 semester units required for the graduate or credential objective, whichever is greater.
  - iv. Students holding over that number of units will no longer be eligible for ASI office. This requirement applies to candidates for ASI office and incumbent office holders.

### 3. Grade Point Average (GPA)

- a. Undergraduate candidates for office:
  - i. Undergraduate candidates for office must maintain a minimum of 2.75 GPA in cumulative work as well as the semester prior to an election.
  - ii. In order to assume office, Undergraduate candidates must have achieved a 2.75 GPA during the semester in which they were elected.
  - iii. Candidates must be clear of any probation including academic and disciplinary cases for one semester prior to running for elected office.
- b. Graduate and Credential candidates for office:
  - i. Graduate and Credential candidates for office must maintain a minimum of 3.0 GPA in cumulative work as well as the semester prior to an election.
  - ii. In order to assume office, Graduate and Credential candidates must have achieved a 3.0 GPA during the semester in which they were elected.
  - iii. Candidates must be clear of any probation including academic and disciplinary cases for one semester prior to running for elected office.

#### 4. Student Conduct Criteria

- a. Neither candidates nor incumbents may be on disciplinary probation.
- b. Candidates running for an elected office must be in good standing with the University with no current or pending disciplinary action with Student Conduct and Ethical Development or the Department of Housing and Residential Education.

### **C. REQUIREMENTS FOR CANDIDACY FOR AN ELECTED OFFICE**

#### 1. Student Director (BoD Representative) Requirements

- a. All BoD candidates must be a member of the college or major for the office which they are running; or must have filed a change of major with the Admissions and Records Office by petition deadline.
- b. The Graduate Student BoD candidates must be enrolled in a graduate program.
- c. The Housing Student BoD candidates must be residents in good standing under the Department of Housing and Residential Education. If at any time the student no longer resides within the Department of Housing and Residential Education, then that student shall have involuntarily resigned their position and the vacancy must be filled in accordance with the vacancy procedures of the ASI Bylaws.
- d. Student-at-large BoD candidates may be any regularly matriculated student.

#### 2. Petition for Elected Office (Application)

- a. Candidates for offices shall be members of the Associated Students, inc. as defined in Article I, section 1 of the ASI Bylaws at the California State University, San Bernardino.
- b. No member of the ASI can be a candidate for more than one office. In order to run for office and be placed on the ballot, students must submit an "Application for Elected Positions with A.S.I." with the following completed forms to the office of Associated Students, Incorporated:
  - i. Candidate Application
  - ii. "Statement of Declaration" agreeing to all the responsibilities for their respective office as outlined in Article IV or Article III of the ASY Bylaws
  - iii. "Candidate Statement" of no more than 150 words that will be used as ballot information
  - iv. Elections Policy Acknowledgement Form agreeing to the regulations set forth on this policy and to a fair election

#### 3. Filing as a Ticket

- a. Applicants for ASI President and Executive Vice President will declare themselves as filing jointly for the respective positions, which will be known as a Ticket. The joint names of each Ticket will occupy one spot on the final ballot.
- b. In the event of withdrawal or disqualification of either applicant on a Ticket, the remaining applicant shall have 5 business days from the time of being notified or the close of filing, whichever is later, to find a replacement. Failure to do so before the deadline will result in automatic disqualification from the ballot.

#### 4. Mandatory Candidate Orientation

- a. All candidates are required to attend a mandatory candidate orientation meeting. Failure to attend will result in the disqualification of the candidate from the ballot. Exceptions (class schedule, medical or other emergencies) can be made by the elections committee.

- b. The Elections Committee Chair along with the advisors to the Elections Committee will present candidates with an overview of the elections process including:
  - i. Current ASI Elections Policy
  - ii. The ASI Bylaws
  - iii. Current ASI minimum academic requirements
  - iv. Overview of Campaign Regulations
  - v. Overview of Conduct and Violation Procedures
  - vi. Overview of Expense Forms
  - vii. Online voting information including rules on candidate statements and timelines on the results reveal.

5. Verification to Hold Office (Certification of Results)

- a. Before a candidate can hold office, the academic and disciplinary criteria will be verified.
- b. If the candidate does not meet the criteria outlined within this policy (including Spring Semester academic requirements) or has violated this policy, then the runner-up (provide all the criteria are met by this candidate) will be announced the winner up until the end of the academic semester of that election. Vacancies beyond the end of the academic semester of an election shall be filled in accordance with the succession plan in the ASI Bylaws.

## **D. ELECTION PROCEDURES**

1. Determining Applicant Eligibility

- a. Applicant eligibility will be determined by the Elections Committee Chair in consultation with the advisors of the Elections Committee.
- b. It is the ultimate responsibility of the applicant to ensure that they are eligible to run for and hold office.
- c. The Elections Committee Chair will advise all applicants of their official determination of eligibility to run within one (1) calendar week of the close of filing.
- d. Students are considered applicants from time of filing until eligibility for candidacy has been verified. They are then candidates until the elections results have been accepted by the ASI BoD. Verification process for eligibility shall be as follows:
- e. Should an applicant be determined ineligible to run due to academics, they may file an appeal by contacting the Director of Student Engagement within 3 calendar days of being notified.
- f. All applicants must have paid ASI fees as part of their tuition in order to be eligible for candidacy.

2. Role of Office of Student Engagement

- a. The Director of the Office of Student Engagement or their designee will serve as the advisor to the Elections Committee and Chair.
- b. Meet with the Office of the Registrar prior to an election to determine students who are eligible to vote in an election and provide enrollment information to the campus department overseeing the ballot.
- c. Determine academic eligibility.
- d. Manage the balloting procedures both in person and electronically.
- e. Provide timely and accurate election results to the University President, Vice President of Student Affairs, the ASI Advisor and the Executive Director of ASI.

### 3. Role of Office of Student Conduct

- a. The Associate Dean of Students and Director of Student Conduct and Ethical Development or their designee will serve as an advisor to the Elections Committee and Chair
- b. Ensure violations are assessed in an objective manner in accordance with this policy.
- c. Determine conduct eligibility.

### 4. Timeline of Election Process

- a. A General Election shall be conducted annually in accordance with current ASI Bylaws and Elections Policy.
- b. Elections may only be conducted during the fall and spring semesters excluding the fall and spring breaks. Elections may not be conducted during final exam week of any semester.
- c. Any amendments to the Elections Policy shall be made sixty (60) days prior to an election and approved by a simple majority of the ASI BoD.
- d. All ASI Elections will be conducted over a two-day consecutive period concluding on the second day at 11:59pm (Pacific Standard Time).

### 5. Palm Desert Campus Elections

- a. Palm Desert Campus (PDC) election will be conducted in accordance with the procedures set forth in this policy. The Elections Committee Chair will be responsible for the management of any elections process and the transportation of elections materials, from the Palm Desert Campus to the San Bernardino Campus.
- b. Any campaigning on PDC will comply with this policy.

### 6. Voting Procedures for General Elections, Run-Off Elections, and Recall Elections

- a. As a means to become a more sustainable corporation and for the purpose of making elections accessible to all students, elections and the casting of ballots shall be completed online.
- b. For the purposes of this policy, ballots will be accessible electronically and by paper (only in the case of systematic failure) and will be kept with the Office of Student Engagement until after the election.
- c. Electronic voting will take place in accordance with this policy and will conclude at 11:59pm (Pacific Standard Time) on the last day of an election. Ballots that are submitted after this deadline will not be counted towards the official count and will be considered invalid.
- d. Students may cast their vote electronically through an approved administrative computing website approved by CSUSB Information Technology Services.
- e. Students in need of certain accommodations may choose to cast their ballot in person at the ASI Office (both at the San Bernardino and Palm Desert Campuses) on election days so long as they present their California State University, San Bernardino identification card (Coyote One Card) or a valid picture identification card.
- f. Any paper ballots that are used are to be alphabetized once they have all been cast. All ballots will be checked against the PeopleSoft rosters.
- g. Ballots without names and/or student identification number on them will not be counted.
- h. The Elections Committee Chair and Director for the Office of Student Engagement will oversee the vote count and confirm the results of the election. Results of an election shall be posted in a timely manner.

## 7. Vote Requirements for Candidates

- a. In order to be elected, a candidate running for executive office must receive a simple majority (50%+1) of the votes cast for the office in question. For the ASI BoD positions, the candidates receiving the largest number of votes will be elected.
- b. If no candidate for executive office receives a simple majority of the votes cast for the office in question, a runoff election will be held between the two (2) candidates receiving the largest number of votes in the general elections. In the case where there are only two (2) candidates and neither receives a simple majority (50%+1), the candidate receiving the largest number of votes shall be declared the winner.

## 8. Term of Office

- a. A term of office for all those elected in the general ASI election shall be in conjunction with one fiscal year (as defined by the University) immediately following their election and at the beginning of the following academic year, unless they resign or are removed according to established procedures. The candidate elected into office shall be known as "elect".
- b. Anyone elected in a special election shall take office after the results of said election are certified and shall remain in office until the end of the fiscal year they are elected in, unless they resign or are removed according to established procedures.

## 9. Election Results

- a. Elections results may be obtained under the advisement of the Director of Student Engagement by the Elections Committee Chair following the close of voting.
- b. Election results shall be announced by the Elections Committee Chair at the Elections Reveal event held directly after the close of the official election period
- c. Election results will be posted outside of the ASI Office at both the San Bernardino and Palm Desert Campuses, on the ASI website, and electronically emailed to the student body.

## 10. Resolving conflicts between the ASI Elections Policy and Procedures, and the ASI Bylaws

- a. In the event of a conflict between the provisions of the ASI Elections Policy and Procedures and the ASI Bylaws, the ASI Bylaws shall take precedence over the ASI Elections Policy and Procedures.

# **E. CAMPAIGN REGULATIONS**

## 1. Requirements and Restrictions

- a. Campaign materials or activities must be used or take place only during the time specified by the Elections Committee. It is the responsibility of the candidate to be knowledgeable of what can and cannot be done during the election period. Any questions should be posed to the Elections Committee Chair or Elections Committee advisors.
- b. The deliberate or innocent use of ASI and Student Union equipment and supplies is forbidden.
- c. Candidates cannot distribute materials in classrooms once class is in session without the professor's permission. It is up to the instructor's discretion to allow candidates to take class time for presentation.
- d. Candidates may not tamper with, remove, relocate, conceal or otherwise touch any other candidate's campaign materials including the reposting of an online image or post



- via a social media platform. Candidates are responsible for the actions of their Campaign Team. This section may be considered grounds for disqualification.
- e. No campaigning in the Pfau Library building. The intent of this provision is to prohibit campaigning, or, any related activities, in all areas of the Pfau Library building that include those areas which are being used as classrooms.
  - f. No campaigning, or posting, or distributing of campaign materials may be done within fifty (50) feet of the San Bernardino campus ASI Office and five feet (5) from the Palm Desert Campus ASI Office).
  - g. No candidate names shall be broadcasted over any AV equipment.

## 2. Campaign Expenses

- a. Campaign Spending Minimums and Maximums
  - i. The campaign expenses, fair market value, including donated or in-kind goods and services, for any candidate shall not exceed a maximum of (\$700) per individual candidate and (\$500) per individual candidate running on a ticket in a non-run-off election.
  - ii. The described campaign expenses shall not exceed (\$250) for run-off elections.
  - iii. Any cost associated with internet campaigning shall be included in the above caps.
- b. All candidates including those who have been elected into office must submit a financial report of campaign expenses by the deadlines listed in the election's timeline. Failure to submit any financial reports by the given deadlines may result in disqualification.
- c. Campaign expenses shall be carefully scrutinized by the Elections Committee.

## 3. Materials, Posting, and Advertising

- a. All posting and distribution of materials, billboards and other materials will be done in accordance with current university guidelines and policies.
- b. All campaign materials are subject to review and approval by the Chair of the Elections Committee.
- c. All posters and signs may not exceed 8ft. x 5ft. and must follow the restrictions addressed throughout this policy.
- d. A disclaimer must be on all campaign materials, including any social media posts or bios (this includes each individual online account) in 12-point font and read "ASI as a corporation does not endorse any candidate or ticket in the election". No other wording or variation is acceptable and will be deemed a violation.
- e. No campaign posting (on bulletin boards, walls, glass doors, etc.) in locations that strictly prohibit it.
- f. Food and beverage giveaways are prohibited.
- g. Campaigning at the Palm Desert Campus must follow university guidelines for that campus.
- h. Candidates may not post more than (1) one flyer per bulletin board on campus. Flyers or posters may not cover another candidate's flyer.
- i. Writing on windows of private cars with permission of the owner is allowed.
- j. No campaigning in any parking lots, this includes placing flyers on vehicles.
- k. No posting on glass, trees or painted surfaces especially lamp posts.
- l. Taping and chalking any campaign materials to sidewalk is not allowed.
- m. No staked signs may be used for campaigning (this includes wired signs or anything that goes into the ground).

- n. The issuance of any money or monetary equivalents that can be exchanged for real goods to potential voters as part of a campaign will be considered grounds for disqualification.
- o. All campaign materials must be removed by noon the next business day after the last day of voting.
- p. Candidates who use any social media electronic platforms such as unique pages for campaigning purposes must add the Elections Committee Chair to them. Failure to add the Elections Committee Chair to these platforms within 24 hours of their creation will result in the elimination of that platform use for that candidate.
- q. Candidates or their campaign teams may not use CSUSB academic based platforms to campaign such as blackboard, Coyote Connection, and MyCoyote.

#### 4. Breach of Conduct

- a. Any candidate who is found participating, sharing or promoting false statements that damage another candidate's reputation or their campaign via online electronic platforms may be disqualified and be referred to the University for disciplinary action.
- b. The "liking", reposting or affirming of an online post that discriminates against protected classes is considered a violation.
- c. During its normal operations, inclusive of campaign activities, Associated Students Inc. follows the California Department of Fair Employment and Housing protections afforded to the following classes; race, color, religion (includes religious dress and grooming practices), sex/gender (includes pregnancy, childbirth, breastfeeding and/ or related medical conditions), gender identity, gender expression, sexual orientation, marital status, medical Condition (genetic characteristics, cancer or a record or history of cancer), Military or veteran status, National origin (includes language use and possession of a driver's license issued to persons unable to provide their presence in the United State is authorized under federal law), ancestry, disability (mental and physical including HIV/AIDS, cancer, and genetic characteristics), genetic information, Request for family care leave, Request for leave for an employee's own serious health condition, request for Pregnancy Disability Leave, retaliation for reporting patient abuse in tax-supported institutions, age (over 40) ("Protected Classes"). Associated Students Inc. neither supports or condones any derogatory or harassing comments made towards such Protected Classes. Any individual connected with Associated Students, Inc. and is found to make derogatory or harassing comments towards a Protected Class will be separated from Associated Students, Inc. However Associated Students, Inc. does support open non -derogatory or non-harassing conversations directly regarding topics of issues dealing with Protected Classes.

#### 5. Endorsements

- a. For the purposes of this policy, an endorsement is defined as support of any candidate for elected office. These endorsements can also be made on social media through a public posting or by sharing online content from a candidate. Following a candidate on social media, liking a status or commenting on a post is not considered an endorsement.
- b. ASI resources may not be used to endorse a candidate. ASI resources included things such as wages and social media platforms.
- c. Candidates running for re-election may use their current ASI titles on campaign materials so long as the ASI logo is not used.
- d. The current and past Associated Students, Inc. logo may not be used on candidate's campaign materials without prior approval from the Elections Committee Chair.

- e. Clubs and organizations may choose to endorse a candidate on their own terms without the candidate having prior knowledge.
  - f. Candidates who falsify an endorsement will be disqualified.
6. Campaigning in on campus housing and the Santos Manuel Student Union
- a. Candidates may campaign at these locations so long as they adhere to all posting policies as set forth by the University and their individuals departments and/or buildings.

## **F. VIOLATIONS**

1. Disqualification of a Candidate or invalidation of an election
- a. In order to ensure the fairness of an election, candidates will be subject to follow the rules within this policy. Failure to do so will result in a violation. The Elections Committee shall be sole determiner of whether or not a violation has occurred during the elections process.
  - b. Candidates may be disqualified or an election may be invalidated by a two-thirds vote of the members of the Elections Committee.
  - c. Any decision of the Elections Committee is final except those which result in the disqualification of a candidate or in the invalidation of an election. These decisions must be presented to the Board of Directors in accordance with the ASI Bylaws, Article VI, Section 2, paragraph B, subparagraph 1, 6 by the Elections Committee for review and final approval, unless in the case of a disqualified candidate, they waive, in writing, their right to review. If the BoD is unable to meet to render a decision on the disqualification of a candidate or invalidation of an election, then the decision (including any appeals) will be submitted to the Office of the Vice President for Student Affairs and Chair of the Elections Committee for review. Their decision is final.
2. Report of Violation
- a. If any candidate or student observes a candidate, ticket, or campaign team member violating the elections policy or university policies and procedures that govern student conduct, they are permitted to report the offense formally (in writing) to the Elections Committee.
  - b. Formal complaints will be accepted through submission of an ASI Elections Violation Report Form found on the ASI website or in the ASI Office.
    - i. The ASI Elections Violation Report Form shall include the name of the individual filing the complaint, their contact information and the section of a policy that is believed to have been violated.
  - c. The Elections Committee Chair and Advisors will make every effort to resolve any and all complaints or disputes informally. Candidates who run for office are expected to comply with all efforts to resolve complaints informally whenever possible.
  - d. Failing to reach an informal resolution or if the candidate fails to comply with the informal resolution, the Elections Committee will convene and have the ability to resolve the complaint by any of the following procedures:
    - i. The Elections Committee may decide to hold a formal hearing within twenty-four (24) hours of receiving any formal complaint.
    - ii. The Elections Committee may also decide to dismiss complaints without a formal hearing or to hold a formal hearing at any time up until or at their next regularly scheduled committee meeting.

- iii. If the complaint is against the Elections Committee Chair, that complaint should be filed directly with the ASI BoD at a scheduled meeting.
- iv. The Elections Committee Chair will notify the Elections Committee, Advisors and candidates involved of the date and time of the formal hearing.
- v. Both parties involved in the complaint may present pictures, eye witness accounts, or written statements at the hearing.
- vi. Any and all evidence must be brought to the hearing to be considered during committee deliberations. The Elections Committee Chair will Chair the hearing and make sure that order ensues. If a candidate fails to maintain order during a hearing, the Elections Committee has the right to cancel the hearing, or to decide the complaint without the evidence that candidate would have provided.
- vii. The candidate making the complaint will have the opportunity to present their complaint and evidence first (along with all their witness statements).
- viii. Following the presentation of evidence from both sides, the Elections Committee will have the opportunity to ask questions and gather information from any persons present.
- ix. Complainants will not use the elections hearing as an opportunity to question or challenge one another. The hearing is an opportunity for the Elections Committee to gather information on issues pertaining to the complaint in question only.
- x. The Elections Committee may vote at any time to close the hearing and move into closed session for deliberations.
- xi. The Elections Committee has the right to impose any or all of the following sanctions against an individual candidate, or ticket who is found to have violated the A.S. Elections Policy, university policies or procedures concerning student behavior:
  - 1. Require an individual/candidate/ticket/campaign volunteers to refrain from any/all types of campaigning for a period of at least one hour, not to exceed a period of two weeks, prior to or during the course of an election (including during the hours of voting). Candidates will be given 2 hours to remove all campaign materials both physically and electronically.
  - 2. Recommend to the ASI BoD that a candidate/ticket be disqualified from assuming office.
  - 3. Recommend to the ASI BoD that the Presidential and/or specific ASI elections be declared null and void.
    - i. A special election would then be held in accordance with this policy and the ASI Bylaws.
- e. A candidate is free to campaign under the regulations of this policy up until a violation is officially issued with its specific restrictions.
- f. No “anonymous” violations will be accepted by the Elections Committee.
- g. The meeting of the Elections Committee shall remain open to the public.
- h. Deliberations of violations the ASI Elections Committee may be conducted in closed session pursuant to CA Education Code Section 89307

## **G. RECALL ELECTIONS**

### 1. Recall Procedures

- a. Recall procedures shall take effect when a petition bearing the signatures of 15% of an office holder’s constituency is presented to the Elections Coordinator of the Elections Committee. In the absence of the Elections Coordinator, any member of the Elections Committee may accept the petition.

b. The office holder being subject to recall may not replace themselves.

## 2. Petition Requirements

- a. Each petition must contain the printed name, signature and student ID number of all those signing the petition.
- b. Each petition must state who is being recalled and from what office he/she is being recalled. Petitions must contain the following statement: "We, the undersigned, declare under penalty of the perjury that we are members of this ASI office holder's constituency, and that we wish to have this ASI office holder face a recall election."

## 3. Elections Committee Responsibilities

- a. It will be the responsibility of the Elections Coordinator to notify the office holder that is being recalled, the ASI Advisor and the Office of Student Engagement. If there is not an Elections Committee/Elections Coordinator, the BoD shall appoint a temporary Elections Coordinator for the duration of the recall election.
- b. An election date shall be set by the Elections Committee, which shall fall within fifteen (15) to twenty (20) school days receipt of the petition. The date must fall within a regular academic semester - fall or spring (excluding the summer semester).
- c. The recall election shall be publicized by the committee as soon as possible, but it must be publicized at least five (5) school days after receipt of the petition.

## 4. Campaign Regulations

- a. All campaign regulations of the Bylaws shall be adhered to. Only those members of the office holder's constituency shall vote.

## 5. Ballot Procedures

- a. The ballot for the recall election shall contain the following provisions:
  - i. It shall state: "Shall (office holder) be recalled from the office of (office)? "Yes" "No"
  - ii. If a majority of the vote is "Yes", then the office holder shall be removed from the office immediately upon the announcement of the results.
  - iii. If a majority of the voter's vote "No", then the office holder shall be retained in office and shall not again be subject to recall for at least sixty (60) calendar days.

## 6. Recall Election Succession procedures

- a. The succession to an office successfully vacated by a recall election will be in accordance with the ASI Bylaws.
- b. If no candidate wins a majority, a run-off shall be held within one (1) week between the two (2) candidates who received the most votes

## ASI Budget Request

Purpose: Hospitality Funds  
Submitted By: Alfredo Barcenas  
Date of Event: December 2021 and Spring 2022  
Proposal Amount: \$5,000.00



### Summary

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A request of **\$5,000.00** is being brought forward to cover the costs associated with hospitality requests for celebrations, staff team building and other catering needs that arise from internal special events. Funds from this account were significantly depleted last year due to operations being solely online without the need for hospitality requests.

The request in accordance with the ASI Finance Policy and ASI Hospitality Policy proposes a transfer of funds from unallocated reserves to the ASI Hospitality account: 660826-RN001-A4200.

## ASI Budget Request

Purpose: Travel Funds  
Submitted By: Alfredo Barcenas  
Date of Event: January 9 – 11, 2021  
Proposal Amount: \$3,000.00



### Summary

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A request of **\$3,000.00** to send the ASI Executive Director and Associate Director to the 2022 AOA Conference. The conference focuses on the development and professional connection of all auxiliary units within the California State University system. This year's conference theme is "Better Together," which exemplifies the fellowship and resilience of all our auxiliaries to overcome adversity in the most unprecedented times.

The request in accordance with the ASI Finance Policy and proposes a transfer of funds from unallocated reserves to the ASI 606808 RN001 A4200 – Travel.