



**The Constitution  
of  
The Associated Students  
of  
Mesa Community College**

Amended March 2009

## **PREAMBLE**

We, the Students of Mesa Community College, in order to form a democratic student union; to serve Student interests; to provide for the advancement of the College Community; to build a progressive institution, a proactive student body, and innovative educational environment; hereby establish this constitution.

## **ARTICLE I NAME**

This organization shall be known as the Associated Students of Mesa Community College (hereafter referred to as “ASMCC”) of the Maricopa County Community College District.

## **ARTICLE II PURPOSE**

The primary purposes of this organization shall be:

### **SECTION 1**

Work to advance the needs and interests of Mesa Community College (hereafter referred to as “MCC”) students by promoting and maintaining a democratic form of student government. ASMCC shall strive to work with students, staff, faculty, and administration to accomplish this goal.

### **SECTION 2**

Develop, implement and regulate programs that will further the intellectual, social, physical, personal and leadership development of MCC students.

### **SECTION 3**

Develop communication with all enrolled students in order to provide them with pertinent information and services.

### **SECTION 4**

Encourage and support high standards of student achievement.

## **ARTICLE III MEMBERSHIP**

### **SECTION 1**

Membership shall not be limited by age, race, color, religion, sex, sexual orientation, national origin, physical or mental disability, medical condition, ancestry, marital status, or citizenship.

### **SECTION 2**

Any student enrolled in one or more credit hour at MCC shall be considered a member of ASMCC.

### **SECTION 3**

All ASMCC members shall be eligible to vote in all regular and special ASMCC elections.

## **ARTICLE IV EXECUTIVE BRANCH**

The management and administration of ASMCC shall be vested in the Executive Branch, which shall appoint any necessary staff and shall maintain student administration as hereinafter provided.

### **SECTION 1 - EXECUTIVE BOARD**

The Executive Board shall maintain the necessary standards by using initiative and effective management of available resources, such that the Executive Board fulfills its obligations to the membership of ASMCC.

#### **A. MEMBERSHIP**

1. The Executive Board shall consist of the President, Executive Vice President, Vice President of Communications, and Vice President of Fiscal Affairs as voting members.
2. One non-voting faculty/staff advisor appointed by the College President and approved by the Executive Board.
3. Executive Board members shall not serve as an officer of any MCC sponsored club, organization, or special interest group.

#### **B. POWERS AND DUTIES**

1. Management of the Executive Branch shall be vested in the Executive Board, who shall utilize staff and resources, and maintain student administration.
2. The Executive Board shall have the power to make decisions on behalf of ASMCC, except where such a decision is specifically given to another ASMCC officer or assembly.
3. The Executive Board shall convene whenever called upon by the President of ASMCC, the Director of Student Life and Leadership, the Dean of Student Affairs, or the College President.
4. Approval of the Associated Students Executive Board account shall rest only with the Executive Board.
5. The members of the Executive Board shall maintain office hours on a weekly basis.

#### **C. EXECUTIVE OFFICERS' POWERS AND DUTIES PRESIDENT**

1. Shall be the official representative and spokesperson for ASMCC.
2. Shall preside at and conduct all Executive Board meetings.
3. Shall serve as an ex-officio member of all ASMCC committees.
4. Shall preside at and conduct all cabinet meetings.
5. Shall have the power to create and appoint any committee deemed necessary by the Executive Board.

6. Shall supervise all business activities of ASMCC.
7. Shall establish and maintain good communication with the administration and faculty.
8. Shall develop agendas for the Executive Board and Cabinet.
9. May delegate powers except where such delegation is expressly prohibited by this Constitution, the Statutory Law, or the current Bylaws.
10. Shall have other powers as stated or described elsewhere in this Constitution, the Statutory Law, or the Bylaws.
11. Shall appoint Executive Officers in the event of their vacancy, subject to the approval of the Student Senate.
12. Shall appoint Commissioners as stipulated in this Constitution, the Statutory Law, and in the Bylaws.

#### **EXECUTIVE VICE PRESIDENT**

1. Shall assist the President in the performance of the duties of that office.
2. Shall serve as a member of the Executive Board, and the Student Senate.
3. Shall serve as an ex-officio member of the Cabinet.
4. Shall preside as Chair and conduct all Senate meetings unless the duty is delegated to a Chair Pro Tem selected from the Executive Board, Cabinet, or Student Senate of ASMCC.
5. Shall develop agendas for Student Senate meetings.
6. Shall assume the duties of the President during his/her absence and shall succeed to that office should it become vacant.
7. Shall serve on campus committees as appointed by the President.

#### **VICE PRESIDENT OF COMMUNICATIONS**

1. Shall ensure the preparation of agendas for the Senate, Cabinet, and the Executive Board Meetings.
2. Shall ensure the minutes of the Executive Board and Student Senate meetings are recorded.
3. Shall ensure that office files for the minutes of the Executive Board, Cabinet, and Student Senate meetings are maintained.
4. Shall ensure that copies of all minutes are sent to the following: Vice President of Student Affairs, Dean of Student Affairs, Director of Student Leadership, Cabinet members and Executive Board members.
5. Shall distribute copies of all Executive Board and Senate Meeting minutes to the following: College President, Vice President of Student Affairs, Dean of Student Affairs, the Director if Student Life and Leadership, Cabinet Members, and Executive Board Members.
6. Shall assist the President in establishing and maintaining good communication with the administration and faculty.
7. Shall handle all official internal and external correspondences of ASMCC, and shall assist Officers in other communication areas.
8. Shall ensure that all ASMCC files and materials are organized and maintained in a professional and useful manner.

9. Shall be responsible for matters deemed necessary by the President.
10. Shall serve on campus committees as appointed by the President.
11. Shall serve as a member of the Executive Board and the Student Senate.
12. Shall serve as an ex-officio member of Cabinet.

**VICE PRESIDENT OF FISCAL AFFAIRS**

1. Shall monitor all budgets related to ASMCC.
2. Shall notify, within 5 business days, all organizations that are allocated ASMCC funds.
3. Shall present regular ASMCC fiscal reports to the Student Senate and to any Senator upon request.
4. Shall serve as a member of the Executive Board and the Student Senate.
5. Shall serve on campus committees as appointed by the President.
6. Shall serve as an ex-officio member of the Cabinet.
7. Shall assist in drafting ASMCC budget proposals in cooperation with the Executive Board.

**D. Term of Office**

Elected or appointed Officers shall hold office starting from the day after Commencement to the day of Commencement the following year.

**SECTION 2 - CABINET**

The Cabinet shall assist the Executive Board in fulfilling its duties in the management and running of ASMCC.

**A. MEMBERSHIP**

1. The Cabinet shall consist of all Commission Chairs.
2. Cabinet members shall not serve as officers of an ASMCC sponsored Club or Organization.

**B. POWERS AND DUTIES**

The Cabinet shall:

1. Assist the Executive Board in fulfilling its obligations to ASMCC members.
2. Develop goals and objectives set forth by the Student Senate.
3. Form committees, as necessary, to expedite the accomplishment of goals and objectives.
4. Present findings and make proposals to the Executive Board and Student Senate, or any other body deemed necessary.

**C. MEETINGS**

1. The Cabinet shall meet when necessary to resolve business, with the minimum of one meeting every two weeks.
2. Meetings shall be conducted in an informal manner, with the Chair invoking Robert’s Rule of Order if necessary to maintain order.

**D. PRESIDING OFFICER**

1. The President of ASMCC shall preside over and conduct all Cabinet meetings as Chair.
2. A Chair Pro Tem shall be appointed by the ASMCC President in her/his absence.
3. The Chair shall be responsible for coordinating the efforts of the Cabinet.

**SECTION 3 - COMMISSIONS**

**A. MEMBERSHIP**

Commissions shall consist of Commissioners appointed by the ASMCC President, subject to the approval of the Executive Board.

**B. POWERS AND DUTIES**

Commissioners, under the direction of the Executive Board, shall assist in the management and running of ASMCC in the capacity of that Commission.

**C. PRESIDING OFFICER**

The ASMCC President shall appoint a Chair of each commission, subject to the approval of the Student Senate.

**ARTICLE V JUDICIAL BRANCH**

Judicial powers of ASMCC shall be delegated to the Student Court. The Judicial Branch shall have original jurisdiction over grievances of ASMCC members arising under this Constitution, the Statutory Law, and Bylaws. In addition, the Judicial Branch shall have appellate jurisdiction to review decisions of the Election Committee.

**SECTION 1 - STUDENT COURT**

**A. MEMBERSHIP**

1. The Student Court shall consist of nine ASMCC students to act as Justices, five Standing and four Alternate Justices, appointed each year by the President of ASMCC with the approval of the Student Senate.
2. No member of the Executive Board, Cabinet, or the Student Senate shall be a member of the Student Court, unless there is an unavailability or vacancy of Justices and the Student Senate (by 2/3 majority vote in the affirmative) declares an emergency that warrants the immediate attention of the Student Court.
3. The nine Justices shall elect, by a majority vote, a Standing Justice of the Student Court to act as Chief Justice to represent the Student Court for the duration of the academic year.
4. An Alternate Justice shall not act as Chief Justice at any time. Should the need arise for an alternate to take the place of the Chief Justice, the

standing Chief Justice shall appoint one of the four remaining Standing Justices to act in said office.

**B. JUDICIAL POWERS AND DUTIES**

1. The Student Court shall keep all ASMCC actions consistent with this Constitution, MCC policies, Maricopa County Community College District policies, public laws, and other constitutions governing ASMCC.
2. The Student Court shall have original jurisdiction over all disputes brought forth by the members of ASMCC, arising under the ASMCC Constitution, Statutory Law, and Bylaws.
3. The Student Court is the final arbiter in case appeals. No case brought to the Student Court shall be reexamined in a semester.
4. The Student Court shall review all official ASMCC actions as presented by the Judicial Commission.
5. A dispute may be brought before the Student Court by any ASMCC student.
6. All rulings require a majority vote of the full membership of the Student Court. Rulings shall be rendered in writing, posted, and placed in a permanent ASMCC file for public reference.
7. The permanent file shall be referred to as Statutory Law: The Rulings of the Student Court.

**SECTION 2 - STATUTORY LAW BOOK: RULINGS OF THE STUDENT COURT**

- A. The Statutory Law shall provide a permanent set of working laws, by which the Student Court can make interpretations for rulings in disputes between ASMCC members.
- B. Original Rulings of the Student Court: the Statutory Laws, shall set precedence for future cases brought before the Student Court.
- C. Statutory Laws are not subject to alteration by the Student Senate.

**ARTICLE VI - LEGISLATIVE BRANCH**

The Student Senate shall represent the voice of the ASMCC student membership, and shall ensure that the wishes of the ASMCC membership are propagated.

**SECTION 1 STUDENT SENATE**

The legislative and specified fiscal power of ASMCC shall be vested in the Student Senate.

**A. MEMBERSHIP**

The voting membership of the Student Senate shall consist of:

1. The Executive Vice President, Vice President of Communications, and the Vice President of Fiscal Affairs.
2. Commission Chair of each Commission.
3. One Club designated Senator from each ASMCC recognized club or campus organization.
4. One alternate Senator per club may be designated and recognized as a voting member in the absence of the designated Senator.
5. Independent Senators
  - Seats shall be made available for Independent Senators:
    - i. Students may not be members of MCC student clubs, campus organizations, or special interests groups.
    - ii. The number of Independent Senate seats available shall be one quarter (25%) of the total Senate membership at the beginning of the semester.
    - iii. Independent Senators shall be confirmed by the Senate.
9. One faculty/staff advisor appointed by the College President and approved by the Student Senate as a Senator of ASMCC.

**B. POWERS AND DUTIES**

1. The legislative power of ASMCC shall be vested with the ASMCC Student Senate subject to the ASMCC President's line item veto, which may be overridden by a two-thirds (2/3) majority vote in the affirmative of the Student Senate.
2. The Student Senate shall hold fiscal power over the Associated Student Activities account and may conduct hearings for budget requests.
3. The Student Senate shall have the ability to create, revise and amend bylaws that govern Student Senate Procedure, and ASMCC activities.
4. The Student Senate shall assume whatever additional responsibilities it deems necessary to fulfill its obligation to students, provided, that those responsibilities are not specifically assigned to another organization.
5. The Student Senate shall pass no legislation that is inconsistent with this Constitution, as interpreted by the Student Court.

**C. MEETINGS**

1. The Student Senate shall meet at least once every two weeks during the academic year, not to coincide with Executive Board or Cabinet meetings, at a publicly announced time and place.
2. A quorum of fifty percent plus one (50% + 1) of the total Student Senate membership shall be in attendance before official business may be conducted.

**D. PRESIDING OFFICER**

1. The Executive Vice President shall chair the Student Senate.
2. The Executive Vice President shall designate a Chair Pro Tem to preside in the absence of the Chair.

**E. PROCEDURE**

1. The Student Senate shall have the power to determine its rules and procedures, to establish committees, and to discipline its members.
2. The Presiding Officer of the Student Senate may consult with the faculty/staff advisor to the Student Senate, as necessary, on parliamentary questions.
3. Robert's Rule of Order: Newly Revised will be the parliamentary resource of the Student Senate and its subsidiary bodies.
4. In the event that Robert's Rules of Order and the Bylaws conflict, the Bylaws take precedence.
5. All Student Senate meetings shall be open to all students, faculty, staff, and administration.
6. The Student Senate shall not approve official business pertaining to the Associated Students Activities account, without the presence of the voting faculty/staff advisor or the Student Life and Leadership representative to the Student Senate.

**ARTICLE VII PRESIDENTS' COUNCIL**

The Presidents' Council shall promote unity and communication between individually recognized ASMCC clubs, and provide feedback to the Executive Board on the collective and individual needs of these clubs.

**SECTION 1 – MEMBERSHIP**

- A. The Presidents' Council shall be comprised of the ASMCC President and the Presidents' or appointed representative of each ASMCC recognized Club or Organization.
- B. The President of ASMCC shall act as chair and select the date, time, and location of each meeting. A minimum of two meetings per semester shall be required, which will not coincide with the Executive Board, Cabinet, or Student Senate meetings.

**SECTION 2 - POWER AND DUTIES**

- A. The Presidents' Council shall act as a roundtable advisory forum on campus Club and Organization affairs.
- B. The Presidents' Council shall pass no legislation or hold any control over any other body.

## **ARTICLE VIII MCC CAMPUS CLUBS, ORGANIZATIONS, AND SPECIAL INTEREST GROUPS**

The students of MCC shall have the option of forming campus sponsored clubs, organizations and special interest groups. Ultimate sanction shall rest with the College President. All campus Clubs, Organizations, and Special Interest Groups are subject to the operational requirements as established by ASMCC, MCC, and Maricopa County Community College District policies.

## **ARTICLE IX IMPEACHMENT AND DISMISSAL**

Articles of impeachment must be drafted and may only be brought forth by members of the Student Senate against any Executive Officer, Commissioner, Justice, Senator, or any appointed or elected official of ASMCC. Impeachment is defined as, “to bring accusation of misconduct in office.” Dismissal is defined as, “the removal of an impeached official.”

### **SECTION 1 IMPEACHMENT**

- A. Impeachment proceedings shall supersede all other Student Senate business.
- B. Impeachment proceedings shall not exceed 16 school days.
- C. The Student Senate may form a committee to investigate all charges of impeachment. The findings of the committee shall be presented to the Student Senate.
- D. A majority vote (50% +1) in the affirmative of the full Student Senate membership shall approve impeachment.
- E. Impeached Justices may not serve in their own dismissal trials.

### **SECTION 2 DISMISSALS FROM OFFICE**

The dismissal of an impeached official shall be determined by a trial in the Student Court.

- A. The Student Court, upon review of the Student Senate findings, shall determine if there are sufficient grounds to dismiss the impeached official.
- B. Within two weeks of the Student Senate’s vote to impeach, the Student Court shall issue a judgment for or against dismissal.
- C. Should the Student Senate decide against the Student Court’s rulings for dismissal of an impeached official, the Student Senate on a two-thirds (2/3) majority vote in the affirmative, can overrule the Student Court’s decision.

- D. Should the Student Senate decide in favor of the Student Court's ruling for dismissal, then the Student Senate shall accept the Student Court's decision with a majority (50%+1) vote in the affirmative.
- E. The Student Senate vote is final.

## **ARTICLE X REFERENDUM AND INITIATIVE**

### **SECTION 1 – REFERENDUM**

The Student Senate may refer any proposed legislation to the ASMCC membership. A majority (50%+1) vote in the affirmative of ASMCC members voting is required for passage.

### **SECTION 2 – INITIATIVE**

- A. Any member of ASMCC may petition for initiative measures. Such a petition must be signed by no less than one-quarter (1/4) of the number of ASMCC members that voted in the prior General Election.
- B.
  1. The petition shall be presented to the Executive Board who will validate signatures, and will authorize a Special Election within 30 days of receiving such a petition.
  2. A majority (50%+1) vote in the affirmative of those ASMCC members voting shall be required for passage.
  3. An extension on Special Elections may be granted by a 2/3 majority vote of the Senate.
- C. ASMCC budgetary matters shall not be subject to referendum or initiative.

## **ARTICLE XI BYLAWS**

The Student Senate may enact, amend, or repeal bylaws. Bylaws shall be established to include additional rules, provisions, and regulations of ASMCC. Unless otherwise stated, Bylaws passed by the Student Senate shall not expire.

## **ARTICLE XII AMENDMENTS**

### **SECTION 1**

Amendments to this Constitution shall be initiated by a two-thirds (2/3) majority vote in the affirmative by two-thirds (2/3) of the total membership of the Student Senate.

**SECTION 2**

Upon affirmative vote of an amendment by the Student Senate, the Executive Board shall schedule a special election within 30 days of the vote but in no case less than two weeks after the vote.

- A. The Executive Board shall send a copy of the proposed amendment to the appropriate Dean or designee of the college who will be responsible for submitting any constitutional change to the President of the College for transmittal to the Governing Board General Counsel.
- B. The Executive Board shall publish a copy of the Special Election ballot in the college newspaper at least two weeks prior to the election.

**SECTION 3**

Unless otherwise stated in the amendment, amendments shall become effective upon approval. Acceptance by a majority (50%+1) vote in the affirmative of those ASMCC members voting, in the Special Election, shall constitute approval.

**ARTICLE XIII RATIFICATION**

This Constitution shall have full force and effect following passage by the majority of those students voting in a campus-wide election. This Constitution shall supersede and repeal all previous ASMCC Constitutions and Bylaws.

