



## Bylaws

Associated Students, Incorporated  
A CALIFORNIA NONPROFIT BENEFIT CORPORATION

### **MISSION STATEMENT**

The mission of Associated Students, Incorporated (ASI) at California State University, Bakersfield is to provide an official voice through which students' opinions and issues may be expressed regarding university and statewide affairs. ASI seeks to assist in the protection of the rights and interests of individual students and the student body as a whole. ASI provides resources and programs that encourage leadership development and broaden social, education, political, and cultural awareness for the betterment of the students.

## Table of Contents

Article 1 – Name .....	3
Article 2 – Corporate Logo .....	3
Article 3 – General Corporate Provisions .....	3
Article 4 – Membership .....	4
Article 5 – Governance .....	4
Article 6 – Eligibility to Become an ASI Representative .....	5
Article 7 – Requirements of ASI Representatives .....	6
Article 8 – Executive Officers .....	7
Article 9 – ASI Board Composition and Meetings .....	10
Article 10 – ASI Chairperson of the Board .....	13
Article 11 – ASI Directors .....	13
Article 12 – Vacancies, Resignations, and Removal from Office .....	13
Article 13 – Oath of Office .....	14
Article 14 – ASI Committees .....	14
Article 15 – ASI Employees .....	15
Article 16 – Amendment of Bylaws and Record-Keeping .....	16
Article 17 – Finance and Audit .....	16
Article 18 – ASI Elections .....	17
Article 19 – Referendum .....	17
Article 20 – Definitions & Miscellaneous Provisions .....	17
Article 21 – Dissolution .....	18
Article 22 – Viewpoint Neutrality Principles Applicable to Reallocation of Student Fees .....	18
Certification: .....	18

## **Article 1 - Name**

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Section 1 – Name. The official and legal name of this corporation shall be Associated Students California State University, Bakersfield, Incorporated, hereinafter to be referred to as “ASI.”

## **Article 2 – Corporate Logo**

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Section 1 – ASI Corporate Logo. The ASI corporate logo shall be the following symbol:



Section 2 – ASI Logo Use. The ASI corporate logo shall be used for all corporate official documents, certificates, awards, and promotional items.

Section 3 – ASI Logo Modification. The ASI corporate logo may be modified by a majority vote of the ASI Board of Directors at a regularly scheduled Board of Directors meeting.

## **Article 3 – General Corporate Provisions**

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Section 1 – Legal Standing of ASI. ASI is a student body organization and an auxiliary organization as defined in the California Education Code, §89901. ASI is organized and operated pursuant to the provisions of the California Education Code and regulations adopted by the California State University (“CSU”) Trustees contained in Title 5 of the California Code of Regulations.

Section 2 – Nonprofit Status. ASI is a non-profit public benefit corporation, which is organized and operated pursuant to the California Nonprofit Public Benefit Corporation law at California Corporations Code, § 5110 et seq.

Section 3 – Student Body Organization Standing. ASI operates as a student body organization pursuant to the California Education Code §89300 et seq. and is subject to the regulation of California, the CSU Trustees, and California State University, Bakersfield (“CSUB” or “University”) policies.

- A. University President Oversight. The University President is responsible for the educational effectiveness, academic excellence, and general welfare of CSUB. As a student body organization and an auxiliary, ASI recognizes that it is an integral part and is subject to the oversight and authority of the CSUB President.

Section 4 - Principal Place of Business. The principal place of business for the transaction of business of ASI shall be:

California State University, Bakersfield  
9001 Stockdale Highway, 56 Student Union  
Bakersfield, California 93311-1099

Section 5 – Nonpartisan Activities. ASI is organized for charitable purposes within the meaning of sections 501(c)(3) and 509(a) of the United States Internal Revenue Code. No substantial part of the activities of ASI shall consist of carrying on propaganda, or otherwise attempting to intervene in any political campaign, including the publishing or distribution of statements on behalf of any candidate for public office.

## **Article 4 – Membership**

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Section 1 – Membership. Membership in ASI shall be granted to all students currently enrolled at CSUB who pay the ASI fee. Membership shall end immediately after the student has graduated from CSUB unless they renew by continuing admission and enrollment at the University. If a member's admission and enrollment as a student is terminated during an academic semester, membership in ASI is immediately terminated.

Section 2 – Membership Rights. Members shall have the right to vote in ASI elections, hold office in ASI, be employed as a student employee by ASI, and participate in all activities sponsored in whole or in part by ASI. Members may also petition the ASI Board of Directors and appear before the ASI Board of Directors.

Section 3 – Non-Discrimination. ASI does not discriminate in its membership or employment on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, marital status, pregnancy, age, medical status, veteran or military status, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status. (See Education Code, § 220; Government Code, §§ 1940, 12943.) race, color, sex, religion, national origin, ethnic group identification, sexual orientation, marital status, pregnancy, age, physical or mental disability, medical condition, or veteran status.

## **Article 5 – Governance**

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Section 1 – Powers and Authority. The corporate powers, business, and affairs of the ASI shall be exercised, controlled, and conducted by the Board of Directors and ASI Executive Officers. The Board may delegate the management of the day-to-day activities of ASI to the management staff of ASI.

Section 2 – Duties and Responsibilities. All duties and responsibilities of the Board of Directors and Executive Officers shall be delineated in these Bylaws and other governing documents (“ASI Governing Documents”).

## **Article 6 – Eligibility to Become an ASI Representative**

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Section 1 – Eligibility Requirements. Students must meet the following requirements to be eligible for elected/appointed positions on the ASI Board of Directors (or its entities):

- a) Shall be an ASI-fee paying student and enrolled at CSUB.
- b) Shall not be a current student employee or professional employee in ASI.
- c) Student representatives, candidates, and incumbents for office must be in good standing at CSUB and shall not be on any academic, disciplinary, or administrative probation as may be determined by CSUB in accordance with CSUB Rules and Regulations. This status must be maintained for the duration of any member’s term of office.
- d) Maintain a minimum of 2.0 CSUB semester grade point average (“GPA”) in accordance with CSU Policy 1068 and a minimum of 2.5 cumulative GPA at CSUB. This includes the semester prior to election or appointment to maintain the minimum CSUB GPA requirement while in office.
- e) Undergraduate Candidates:
  - a. Must maintain at least twelve (12) CSUB semester units while running for office and must earn twelve (12) CSUB units per semester while holding office.
  - b. Must have completed at least one (1) semester prior to the election, earning a minimum of six (6) CSUB units.
  - c. Allowed to earn a maximum of 150 semester units or 125 percent of the units required for their declared baccalaureate degree, whichever is greater. Students holding more than this number of units will no longer be eligible for office and shall be required to resign from office.
- f) Graduate and Credential Candidates:
  - a. Must maintain six (6) CSUB semester units while running for office and must earn six (6) CSUB units per semester while holding office.
  - b. Must have completed at least one (1) semester prior to the election, earning a minimum of six (6) CSUB units.
  - c. Allowed to earn a maximum of 50 total semester units or 167 percent of the units required for the graduate or credential objective, whichever is greater. Students holding more than this number of units will no longer be eligible for office and shall be required to resign from office.
- g) Executive Officer Candidates. In addition to the requirements listed above, any candidate for an Executive Office position must have attended at least two (2) Board of Directors meetings and at least two (2) ASI committee meetings prior to running for or being appointed to an Executive Officer position or submit no less than two professional letters of recommendation by a member of the CSUB faculty and/or a previous or former employer. Candidates must also attend an Executive Officer seminar which shall be administered by the ASI Executive Director or ASI Election Coordinator.

- h) The eligibility requirements set forth herein must be maintained while in office. If at any time an officer or director becomes subject to probation by the University of any kind, the individual will be disqualified from serving as an officer or director and shall be required to resign from office.
- i) Minimum requirements for office are determined by CSU Policy 1068. Any exceptions or appeals must be reviewed by the Vice President for Student Affairs & Strategic Enrollment Management.
  - a. The student appealing the process or decision must submit a letter to the ASI Executive Director, which they shall then immediately communicate with the Vice President. Notice to the student shall be given within 5 business days by the ASI Executive Director.

**Section 2 – Verification.** Any student elected or appointed to the ASI Board of Directors (or entities) shall have their eligibility requirements verified at the time of filing for election or appointment and subsequent to the election or appointment. Academic and disciplinary eligibility shall be verified prior to the start of each semester or when ASI is notified of any changes by the officer/director or by the University.

**Section 3 – Term of Office.** ASI Executive Officers and Directors may serve no more than two terms in the same position. One person may not concurrently hold more than one appointed or elected office—unless it is to fill a vacant position only where necessary to continue the smooth operation of ASI, as defined in Article 12.

## **Article 7 – Requirements of ASI Representatives**

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**Section 1 – Start of Office.** ASI representatives shall commence their official responsibilities the Monday after they have been sworn into office at an ASI Board of Directors meeting, unless communicated upon otherwise.

**Section 2 – ASI Meeting Attendance.** ASI Representatives shall commit to attend at least 80% of all regularly held ASI Board of Directors meetings, and 80% of all committee meetings, as scheduled.

**Section 3 – Conflict of Interest and Annual Statements.** All ASI Representatives are required to sign the Conflict of Interest Form and any other forms deemed necessary and appropriate by the ASI Executive Director.

**Section 4 – Full Faith and Willingness to Serve.** ASI Representatives shall commit to participate in their assigned duties and responsibilities in a manner that demonstrates willingness to meaningfully contribute to the goals of ASI. They shall commit to the following:

- a) Faithfully execute the duties of their office as described by ASI Governing Documents.
- b) Carry out their duties without prejudice to any person based on their race or ethnicity (including color and ancestry), religion (or religious creed), nationality, citizenship, age, medical condition, genetic information, gender (or sex), gender identity (including

- transgender), gender expression, sexual orientation, marital status, veteran or military status, or disability.
- c) Demonstrate the highest levels of honesty and integrity in their work as members of ASI, student-leaders of CSUB, and residents of the community.

**Section 5 – Resigning from Office.** If an ASI Representative is unable to continue their duties, or does not meet the eligibility requirements stated above, they must submit their written resignation to the ASI President or ASI Executive Director.

## **Article 8 – Executive Officers**

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**Section 1 – Composition.** The Executive Officers of ASI shall be the ASI President, ASI Executive Vice President, ASI Vice President of Finance, ASI Vice President of Campus Life, and ASI Vice President of University Affairs.

**Section 2 – Authority Management.** The ASI Board of Directors, consistent with Corporations Code Section 5213(a), may delegate or amend the duties of the ASI Executive Officers.

**Section 3 – Retreat & Trainings.** ASI Executive Officers shall be required to attend all ASI retreats and trainings scheduled by either the ASI President or ASI Executive Vice President.

**Section 4 – Compensation.** For ASI Executive Officers to be eligible for compensation in serving their respective offices, they must serve a minimum of ten (10) office hours per week per semester, including relevant breaks, and fulfill the responsibilities of their office.

**Section 5 – Advisory Committee.** The ASI Executive Officers shall meet weekly in an advisory capacity to discuss the operations and management of the organization. The ASI Executive Committee (“Executive Committee” or “Committee”) shall consist of the ASI President, ASI Executive Vice President, ASI Vice President of Finance, ASI Vice President of Campus Life, and ASI Vice President of University Affairs. The ASI Executive Director (or designee) shall sit on as the staff support to the committee. The Executive Committee shall also:

- a) Act on behalf of the ASI Board of Directors during periods when the ASI Board is not in session.
- b) Make fiscal decisions for ASI limited to no more than 5% of the current annual operating budget.
- c) Review and interview all candidates to the ASI Board of Directors.
- d) Recommend changes to the corporate structure to the ASI Board of Directors.

**Section 6 – Duties of ASI President.** Pursuant to Corporations Code, § 5213 (a), the ASI President shall be the Chief Executive Officer (“CEO”) of ASI and shall have general supervision, direction, and control of ASI. However, for purposes of California corporate filing requirements or legal liability, the CEO shall be designated as ASI Executive Director. The President shall have the general power and duties of management usually vested in the office of president of a corporation, together with such other powers and duties as may be prescribed by the ASI Board of Directors and the Bylaws, including:

- a) Being the official representative of the ASI to all persons and organizations within and outside the University (e.g. California State Student Association, Hill Day);
- b) Be the voting member at the California State Student Association (CSSA).
- c) Supervise and delegate the management duties of ASI to the ASI Executive Director.
- d) Initiate and oversee a process to fill vacancies on the ASI Board of Directors.
- e) Appoint a Chair no later than the third week of school.
- f) Sit on all ASI standing committees as an ex-officio member.
- g) Communicate to the student body goals, initiatives, and projects of ASI.
- h) Appoint a designee to any campus committee assignment for which they cannot attend.
- i) Supervise all student-lobbying efforts and legislative visits with the ASI Executive Vice President.
- j) Attend the week-long Panetta Institute in the summer, or choose a designee.
- k) Review, sign, and ensure the execution of business adopted by the ASI Board of Directors.
- l) Be responsible for the ASI Executive Director Evaluation after the ASI Spring Elections.
- m) Administer the Oath of Office to newly appointed/elected members, unless delegated upon;
- n) Be a voting member on the following campus committees:
  - i. The Student-Centered Enterprises, Inc. Board,
  - ii. Sponsored Programs Administration (SPA) Board,
  - iii. The Foundation Board,
  - iv. The Academic Senate and Budget Planning Committee,
  - v. The Strategic Planning and Budget Advisory Council,
  - vi. Master Plan Committee, and
  - vii. The Campus Fee Advisory Committee.
- o) Be a member of:
  - i. The University Council, and
  - ii. CSUB Police Advisory Council
- p) Chairs:
  - i. The Executive Committee, and
  - ii. The Instructionally-Related Activities (IRA) Committee.
- q) Meets regularly with the following:
  - i. CSUB President,
  - ii. CSUB Vice President for Student Affairs and Strategic Enrollment Management, and
  - iii. ASI Executive Director

Section 7 – Duties of the ASI Executive Vice President (EVP): The ASI EVP shall serve as the Chief Operations Office (“COO”) and second-in command of ASI. They shall serve as ASI President in the temporary absence of the ASI President and shall have the following duties and responsibilities:

- a) Ensure that all ASI representatives meet responsibilities as set forth by all governing documents of ASI and enforce accountability requirements.
- b) Record and maintain an accurate log on all ASI representatives and their involvement in the organization.

- c) Report to the ASI Board of Directors on any political matters involving student advocacy, including but not limited to:
  - i. Federal, State, or local legislation,
  - ii. CSSA items, or
  - iii. CSU Board of Trustees items.
- d) Represent CSUB at CSSA along with, and at the discretion of, the ASI President.
- e) Organize at least one voter registration drive and/or campus civic engagement event each semester with the Campus Life Committee.
- f) Organize student lobbying and legislative efforts with the ASI President.
- g) Schedule and meet with all new ASI representatives.
- h) Serve as an ex-officio member on all ASI committees.
- i) Organize projects and initiatives that affect the organization.
- j) Maintain a relationship with the Bakersfield College Student Government Association and other community organizations.
- k) Be a voting member on the bi-weekly Academic Support and Student Services (AS&SS) Committee of the Academic Senate.

Section 8 – Duties of the ASI Vice President of Finance. The ASI Vice President of Finance shall serve as the Chief Financial Officer (“CFO”) and shall serve as ASI President in the temporary absence of both the ASI President and ASI Executive Vice President. However, for purposes of California corporate filing requirements or legal liability, the CFO shall be designated as CSUB’s Vice President of Business & Administrative Services. The ASI Vice President shall have the following duties and responsibilities:

- a) Chair the ASI Finance Committee and the Student Leadership Council.
- b) Establishes annual goals and responsibilities of the Finance Committee.
- c) Oversees the projects and initiatives of the ASI Directors in the Finance Committee.
- d) Review, track, and approve of all expenditures from the ASI Budget.
- e) Prepare a financial report for the ASI Board of Directors at the end of each semester.
- f) Can request a detailed financial report from any division, club, or activity of ASI.
- g) Proposes the next annual fiscal budget to the ASI Board of Directors with consultation from the ASI Executive Director.
- h) Monitors the manner in which ASI funds are spent by clubs and organizations.
- i) Ensures all ASI funding decisions that involve ASI reallocating mandatory student association fees for viewpoint expressive events use the policies and procedures adopted by the ASI Board of Directors regarding viewpoint neutral funding criteria.
- j) Assists clubs/organizations in funding jointly sponsored activities.
- k) Collaborates with other clubs, organizations, and departments to achieve an increase in student life on campus.
- l) Prepares funding requests and resolutions for consideration of the Finance Committee.
- m) Communicates with all clubs/organization regarding funding requests.
- n) Accurately logs and maintains a list of funding requests approved by the Finance Committee.
- o) In collaboration with the ASI Executive Director, will monitor and recommend changes to the Finance Code and Guideline.
- p) Maintains records/history of club/organization requests for assessment.
- q) Abides by the Finance Committee Codes and the ASI Club Funding Policy.

Section 9 – Duties of the ASI Vice President of Campus Life. The ASI Vice President of Campus Life shall have the following duties and responsibilities:

- a) Chair the ASI Campus Life Committee.
- b) Oversee the progression of various initiatives set forth by the Directors within the Campus Life Committee.
- c) Establishes annual goals and responsibilities of the ASI Campus Life Committee.
- d) Conducts assessment of committee goals/activities.
- e) Appoints a representative to sit on the Campus Programming Committees.
- f) Represents ASI with campus programs to propose diversified, cultural and educational events, which recognize the interests and needs of all members of the student body.
- g) Updates the ASI Board of Directors on campus life recommendations.
- h) Coordinates ASI involvement in Campus Programming events to further the goals and programs set by the committee.
- i) Publicizes all ASI-related services to CSUB students.
- j) Assists with publicizing all Campus Programming events and activities to students.
- k) Be a voting member on the Student-Centered Enterprises Inc. Board.
- l) Abides by the ASI Campus Life Committee Code.

Section 10 – Duties of the ASI Vice President of University Affairs. The ASI Vice President of University Affairs shall have the following duties and responsibilities:

- a) Chairs
  - i. The ASI University Affairs Committee, and
  - ii. ASI Academic Advisory Assembly
- b) Organizes all campus-related issues that pertain to students.
- c) Establishes annual goals and responsibilities of the ASI University Affairs Committee.
- d) Oversee the progression of various initiatives set forth by the Directors within the University Affairs Committee.
- e) Serve to advance the organization's image and student's rights through advocacy and representation in issues regarding higher education.
- f) Oversee the development of policy position and student perspective resolutions and initiatives on behalf of the organization and direct those resolutions to responsible individuals, the ASI Board of Directors and/or external organizations, as appropriate.
- g) Communicate regularly with appropriate University staff (e.g. Residential Halls, Facilities, Food Services, etc.).
- h) Oversee the documentation and implementation of solutions regarding all Academic and University related issues and concerns of CSU Bakersfield students.
- i) Conducts student surveys pertinent to the ASI.
- j) Be a voting member on the bi-weekly Academic Affairs Committee of the Academic Senate.
- k) Abides by the University Affairs Code.

## **Article 9 – ASI Board Composition and Meetings**

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Section 1 – Composition. The ASI Board of Directors shall be composed of the following members:

- a) Non-Voting Members:
  - i. ASI Chairperson of the Board
  - ii. ASI President
- b) Voting Members:
  - i. ASI Executive Vice President
  - ii. Vice President of Finance
  - iii. Vice President of Campus Life
  - iv. Vice President of University Affairs
  - v. College Directors:
    - a) Arts & Humanities
    - b) Business & Public Administration
    - c) Natural Sciences, Mathematics, and Engineering
    - d) Social Sciences and Education
    - e) CSUB-Antelope Valley
  - vi. Director of ASI Outreach
  - vii. Director of Athletic Engagement
  - viii. Director of Clubs & Organizations Outreach
  - ix. Director of Diversity and Inclusion
  - x. Director of Graduate Students
  - xi. Director of Student-Housing Relations
  - xii. Director of Students with Disabilities
  - xiii. Director Transfer Students
  - xiv. Director of Veterans Affairs
- c) Advisors:
  - i. ASI Executive Director
  - ii. ASI Leadership and Programs Coordinator
- d) Liaisons
  - i. Academic Senate
  - ii. Alumni Association
  - iii. Campus Programming
  - iv. Campus Recreation and Well-Being
  - v. Student Involvement
  - vi. Vice President for Student Affairs and Strategic Enrollment Management
  - vii. University President

Section 2 – Voting. ASI Board members that have voting privileges shall be entitled to one vote and shall not be allowed to vote by proxy or secret ballot.

Section 3 – Remuneration. All ASI Representatives are not employees of ASI. They shall receive remuneration as established by the ASI Board of Directors during their annual review and approval of the ASI Budget.

Section 4 – Training and Leadership Development. All ASI Representatives are required to attend mandatory trainings, orientations, and retreats. Any ASI Representative that fails to attend

a retreat, orientation, or training, will be subject to removal, unless excused and communicated upon to the ASI Executive Vice President.

Section 5 – Transition Process. Following the election of the new ASI Board of Directors, a mandatory orientation shall be held in the summer after the spring semester concludes. All ASI Representatives are encouraged to meet with their successors for a transition meeting and all incoming ASI Representatives shall be encouraged to sit in on ASI Committee or Board of Directors meetings after the election concludes. Concurrently, all incoming ASI Representatives to the ASI Board of Directors shall be sworn in at the ASI Banquet and End-of-Year Ceremony.

Section 6 – Meeting Pursuance. Meetings of the ASI Board of Directors shall be pursuant to the Gloria Romero Open Meeting Act of 2000 as contained in the California Education Code section 89305 et. seq. and be conducted by the current edition of Robert's Rules of Order.

Section 7 – Definition of Meeting. A meeting is defined as any congregation of a majority of the voting members at the same time and place to hear, discuss, or deliberate upon any time that is within the subject matter jurisdiction of the Board of Directors. (Cal. Educ. Code, § 89305.1(b)(B).)

Section 8 – Regular Meetings of the ASI Board of Directors. Regular meetings of the ASI Board of Directors shall be held at the annually established date, time and location for the academic year.

- A. The Board of Directors shall annually establish the date, time, and location for holding regular meetings at the first Board of Directors meeting of the academic year.
- B. The Board of Directors must hold a minimum of 10 regular meetings per semester throughout the academic year.
- C. No regular meetings shall be held during the week of final exams unless called by the Chairperson of the ASI Board of Directors.

Section 9 - Quorum and Voting Requirements. Quorum for the ASI Board of Directors meetings shall be a majority of the voting members in office. Every act or decision done or made by a simple majority vote of the voting Board of Directors present at a duly held Board of Directors meeting at which quorum is present is the act of the ASI Board of Directors, except as otherwise provided by these Bylaws.

- A. For purposes of this section, a voting member of the ASI Board of Directors is not considered to be present at the meeting if the member disqualifies himself/herself from discussing or voting on a matter before the Board of Directors.

Section 10 – Transactions Requiring a Two-Thirds (2/3) Vote. The following acts require a two-thirds (2/3) vote of the ASI Board of Directors in office in order to be effective:

- a) Adopting, repealing, or amending the Bylaws.
- b) Removing members from office.
- c) Approving appointments to fill vacant positions on the Board of Directors.
- d) Reconsidering an Act of the ASI Board of Directors.
- e) Approving the annual schedule of meetings.

Section 11 – Notification of Advisors and Liaisons. All Advisors and Liaisons to the ASI Board of Directors are entitled to the same notice and rights to attend meetings of the ASI Board of Directors and Committees as the voting members, including the right to attend closed sessions unless otherwise determined by the President of ASI.

## **Article 10 – ASI Chairperson of the Board**

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Section 1 – General Duties. The ASI Chairperson of the Board shall oversee and regulate the ASI Board of Directors meetings in an objective manner that preserves decorum, facilitates the conducting of business, and ensure fair and adequate debate in accordance with Robert's Rules of Order.

Section 2 – Appointment. The ASI President will appoint a candidate for ASI Chairperson to the ASI Board of Directors. The ASI Board of Directors shall confirm via a two-thirds (2/3) majority vote.

Section 3 – Communication to the Board of ASI Board of Directors Meetings. The ASI Chairperson shall be in charge of organizing and compiling agenda items with the management team of ASI. They shall communicate weekly with the ASI Board and ASI Liaisons on ASI Board of Director meetings.

## **Article 11 – ASI Directors**

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Section 1 – General Duties. Each Director shall serve/represent the best interests of students at CSUB. They shall also have the following duties and responsibilities:

- a) Serve as a voting member of the ASI Board of Directors.
- b) Be knowledgeable and follow all of ASI's Governing Documents.
- c) Uphold at least four (4) office hours per week.
- d) Attend weekly ASI Committee meetings.
- e) Contribute to the goals of the ASI Board.
- f) Attend/Assist with ASI events.
- g) Attend a student club or organization meeting.
- h) Meet with a Campus Administrator at least once a semester.
- i) Adhere to all signed documents of the organization.
- j) Attend 80% of meetings each semester unless prior approval is given. Requests should be submitted to the ASI Executive Vice President 48 hours in advance.

## **Article 12 – Vacancies, Resignations, and Removal from Office**

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Section 1 – Vacancy of ASI Representatives. A vacancy of any office of ASI shall be deemed to exist on the occurrence of any of the following:

- a) The death, resignation, departure, or removal of the ASI Representative;
- b) One of the ASI positions is not filled through the duly held election or selection process.

Section 2 – Removal of ASI Representative. In the event that an ASI Representative is considered for removal, they shall be brought to the ASI Board for review during an ASI Board of Directors meeting. ASI Representatives may be removed for not following ASI Governing Documents or CSUB Student Code of Conduct rules.

Section 3 – Resignation of an ASI Representative. Any ASI Representative may resign by giving written notice to the ASI President or ASI Executive Director. The resignation shall be effective upon delivery of the notice, unless the notice specifies a later time for the effectiveness of such resignation. If the resignation is effective at a future time, a successor may be designated to take office when the resignation becomes effective.

Section 4 – Filling Vacancies of the ASI Board of Directors. The ASI President shall appoint a candidate for consideration to the ASI Board of Directors, after consultation from the ASI Executive Committee. The ASI Board of Directors shall then decide whether the candidate can fill the vacancy.

- A. Vacancy of the ASI President. In the event that the ASI President is unable to perform the functions of their office and is removed or resigns, the ASI Executive Vice President shall then become temporary ASI President until the ASI Board of Directors votes in a new ASI President.

## **Article 13 – Oath of Office**

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Section 1 – Application. The Oath of Office of the ASI shall be affirmed by all newly elected or appointed members of ASI. The Oath of Office shall be a statement to defend the actions of the ASI, support its governing documents, and execute the duties of the office.

Section 2 – Oath of Office. “I, (name), as duly elected, or appointed, member of the CSUB ASI, shall to the best of my ability fulfill the duties of my office as provided by the ASI Bylaws. I will uphold this representative government, maintain academic freedom and defend student rights. I will continue to enhance my leadership qualities, scholastic standards and work to improve the University, I so solemnly swear.”

Section 3 - Administration of Oath. The Oath of Office shall be administered to the succeeding ASI President by the retiring ASI President, or designee. After the new ASI President is sworn in, they shall then administer the Oath of Office to the newly elected ASI members. Members that are appointed following the annual election shall be sworn in at the Board of Directors meeting in which they are appointed by the ASI President, or designee.

## **Article 14 – ASI Committees**

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Section 1 – Standing Committees of ASI. ASI Standing Committees shall consist of Finance, Campus Life, and University Affairs. Each committee shall follow the policies and procedures set forth by their Codes.

Section 2 – Advisory Committee. The Executive Committee shall serve as an advisory management group that operates solely for the benefit of ASI and its members.

Section 3 – Ad Hoc Committees. The ASI Board of Directors shall have the authority to establish Ad Hoc Committees. The ASI President shall have the authority to appoint the Chair of the ad hoc committee and the Board of Directors must vote in the committee membership. The action establishing an ad hoc committee shall include the following:

- a) The purpose of the committee.
- b) The date by which its work should be concluded and reported to the ASI Board of Directors.
- c) The membership of the committee, including whether persons who are not members of the Board of Directors may serve on the Committee.
- d) Such Committees shall act in advisory capacity to the Board of Directors only.

## **Article 15 – ASI Employees**

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Section 1 - General. Salaried employees, including the Executive Director, shall assist the ASI Board of Directors in their duties. Salaries, working conditions, and benefits shall be set in accordance with all applicable federal and state law including the relevant provisions of the California Education Code and the California Code of Regulations, Title 5.

- A. Salaried employees of the ASI are State employees under the Division of Student Affairs and Strategic Enrollment Management.

Section 2 – ASI Executive Director. The ASI Executive Director shall have the following duties and responsibilities:

- a) Serves as the Chief Administrative Officer and. However, for purposes of California corporate filing requirements, the ASI Executive Director shall serve as the CEO of ASI.
  - a. The ASI Leadership and Programs Coordinator shall be listed as the Secretary for CA corporate filing purposes.
- b) Supports the ASI Board of Directors in fulfilling their duties, responsibilities, and goals of the ASI.
- c) Shall keep a full and complete record of the proceedings of the Board of Directors and shall supervise the keeping of the records of meetings.
- d) In cooperation with the Board of Directors, serves as the University Administrator in charge responsible for the financial, legal, and administrative management of the ASI.
- e) Have oversight responsibilities of all ASI employees.
- f) Serves as a member of the Student Affairs and Strategic Enrollment Management team and reports directly to the Associate Vice President for Student Affairs and Strategic Enrollment Management.

## **Article 16 – Amendment of Bylaws and Record-Keeping**

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Section 1 – Amendment of Bylaws. These Bylaws may be amended, repealed, or adopted by a two-third (2/3) vote of the ASI Board of Directors. Should an amendment to the Bylaws severely and adversely affect the rights and privileges of ASI members, the ASI Board of Directors may approve to put the matter via a referendum.

- A. When there are Bylaw changes, the approved Bylaws will be sent to the CSU Chancellor's Office and to CSUB's Vice President of Business and Administrative Services.

Section 2 – Record-Keeping. An up-to-date copy of these Bylaws shall be maintained by the ASI Administration and the ASI Executive Vice President. The ASI Bylaws shall also be published on the ASI website.

## **Article 17 – Finance and Audit**

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Section 1 - Standards of Investment. All ASI funds shall be held, deposited, or invested in accordance with the provisions of applicable law, including without limitation the provisions of California Education Code section 89301 and California Corporations Code section 5240.

Section 2 – Audit. The ASI shall annually contract for and receive an audit of the funds of ASI conducted by a certified public accountant, in accordance with California Education Code Section 89900. The audited financial statement shall be submitted and published as required by law.

- A. In accordance with Government Code, section 12586, subdivision (e), the ASI Board of Directors shall appoint a separate Audit Committee of the Corporation, which shall be separate from the Finance Committee. Members of the finance committee may serve on the audit committee; however, the chairperson of the audit committee may not be a member of the finance committee and members of the finance committee shall constitute less than one-half of the membership of the audit committee.

Section 3 – Acceptance of Gifts. ASI shall not accept and grant, contract, bequest, trust or gift unless it can be accepted and used for purposes consistent with policies adopted by the Trustees and the University.

Section 4 – Use of Funds. The ASI Board of Directors, in accordance with the policies adopted by the Trustees and the University, shall approve all ASI expenditures and fund appropriations.

Section 5 - ASI Annual Budget Procedure. Per CSU Executive Order 0369, ASI will follow the budget procedures and processes described within.

Section 6 – Adjustment of Campus-Based Fees. To adjust, remove, or add a Student Body fee, ASI shall follow the requirements outlined in CSU Executive Order 1102.

## **Article 18 – ASI Elections**

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Section 1 – General Elections. ASI Elections shall be scheduled annually to take place in the Spring Semester. ASI Elections shall take place to elect new ASI Representatives for the following year. Referendums or special topics may also be included in the general election.

Section 2 – Date of ASI Elections. ASI Elections shall take place two weeks prior to Spring Break, with voting for candidates taking place the Wednesday and Thursday prior to Spring Break.

Section 3 – Special Election. An ASI Election may be called to determine a special topic (e.g., referendum, bylaw language, recall election). Special Elections may be called at the discretion of the ASI Board of Directors.

Section 4 – Run-Off Elections. If needed, a Run-Off Election may be called when candidates during a General Election receive a tie or no candidate receives a majority of the vote. Run-Off Elections shall commence on the following Wednesday and Thursday after Spring Break.

## **Article 19 – Referendum**

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Section 1 – Process. The ASI Board of Directors shall be empowered to place certain matters, questions, or initiatives before the student body. A majority vote of the ASI Board of Directors shall be sufficient to bring matters to a referendum.

Section 2 – Schedule. All referendums shall take place during the regularly scheduled general election, unless otherwise noted

Section 3 – Student Body Fee. All increases or decreases to the Student Body Fee shall require a referendum before the student body. It shall be deemed successful when approved by a majority of members casting votes in a general or special election. Any successful referendum shall take effect at the beginning of the next fiscal year after the election.

## **Article 20 – Definitions & Miscellaneous Provisions**

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Section 1 – Definitions.

- a) Business Hours. The business hours of the corporation shall be Monday through Friday, 8:00 am to 5:00 pm, with the exception of holidays or as required by the University or ASI Board of Directors.

- b) Fiscal Year. The Fiscal Year shall begin on the first day of July and shall terminate on the last day of June the following year.
- c) Majority. A majority of members shall constitute fifty percent plus one (50%+1) of the voting members present.
- d) Two-Thirds. A two-thirds (2/3) vote shall be defined as two-thirds of the total number of Board members regardless of the number of members present.

Section 2- Corporate Affiliations. ASI shall not affiliate with any organization that participates in discriminatory practices, or knowingly conducts business with any establishment that participates in discriminatory practices.

## **Article 21 – Dissolution**

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Section 1 - Dissolution. Upon dissolution of this corporation, net assets other than trust funds shall be distributed to a successor approved by the President of the campus and by the Chancellor. If, upon dissolution, this corporation holds any assets in trust, such assets shall be disposed of in such a manner as may be directed by decree of the Superior Court of the county in which this corporation's principal office is located upon petition therefor by the Attorney General or by any person concerned in the liquidation. In no event shall any assets be distributed to any member, director, or officer of this corporation.

## **Article 22 – Viewpoint Neutrality Principles Applicable to Reallocation of Student Fees**

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Section 1 – Principle. All ASI decisions regarding reallocating Student Association Fees for viewpoint expressive events shall be done in a viewpoint neutral way. Further details on the viewpoint neutral principles can be found within the ASI Viewpoint Neutrality Policy. The ASI Board of Directors shall adopt policies and procedures to ensure implementation of this standard.

### **Certification:**

These Bylaws were reviewed and approved at a regularly scheduled ASI Board of Director meeting taking place on the date listed below.

Reviewed and Approved on 12/5/2025.

Reviewed by ASI Legal Counsel on 1/13/26.

Final Approval by ASI Board on 2/3/26.

*Anthonio Reyes*

Anthonio Reyes, ASI President

*Mike Kwon*

Mike Kwon, ASI Executive Director