

**Associated Students of Saint Mary's College**  
**Resolution to Amend the Associated Students Governing Documents**

**Authored By:** Julia Harrison, Class of 2020, and J.R. Aguirre, Class of 2022

**Introduction Date:** April 26th, 2020

WHEREAS,

Recognizing the dissolution of the Judicial Tribunal, and the need to allocate another judicial body within the Associated Students;

Acknowledging the need to amend the Associated Students Governing Documents to reassign the roles previously assigned to the Judicial Tribunal;

Acknowledging the need for a judicial branch within the Associated Students to allocate disciplinary action as seen fit;

THEREFORE,

The Associated Students of Saint Mary's College hereby calls for the creation of the Judicial Council, to be made up of all members of the Associated Students Executive Council, in order to carry out the duties of the dissolved Judicial Tribunal. The Judicial Council will be overseen by the director of SIL, and the Associated Students President will designate one Chief Justice within the Judicial Council to ensure that duties are performed properly.

Approved by the Associated Student Senate and submitted to the Associated Students President:

Approve

Veto

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Dante Fregoso

President

Associated Students of Saint Mary's College

## **AMENDMENTS TO THE AS BYLAWS**

### **ORIGINAL Article II The Executive Branch**

#### **Section 2.02 Shared Rights and Responsibilities of the Executive Council**

- A. The Executive Council is comprised of the Associated Students President, the Vice President for Administration, the Vice President for Finance, and the Vice President for Student Organizations.
- B. All Executive Council members shall serve as liaisons between the student body and the College administration.
- C. All Executive Council members must maintain a cumulative grade point average of 3.0 or higher and be free of college disciplinary probation, academic probation, and free of academic dishonesty at the time of election and throughout the time spent in office.
- D. All Executive Council members shall uphold and defend the Constitution, Bylaws, Election Code, and all College policies.
- E. All Executive Council members must have completed the EDUC: 85 - Orientation Leadership Seminar, prior or during their Executive Term.
- F. All Executive Council members shall attend all non-religious Shared Mission Events, as defined by the College's master calendar.
- G. All Executive Council members shall attend all Senate Retreats, Fall and Mid Year, and Executive Retreats.
- H. All Executive Council members shall provide a report to the Senate at every Senate meeting.
- I. All Executive Council members shall complete at least 10 weekly office hours in the office of the Associated Students, located in Student Involvement and Leadership.
- J. All Executive Council members shall oversee one Senate class as assigned by the Vice President for Administration.
- K. All Executive Council members shall serve on the Election Commission, chaired by the Associated Students President.
- L. All Executive Council members shall fulfill and uphold the terms and conditions of the Saint Mary's College Student Leader Agreement.
- M. All Executive Council members shall receive compensation in the form of a Leadership Award at the end of each academic semester.

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- L. All Executive Council members shall fulfill and uphold the terms and conditions of the Saint Mary's College Student Leader Agreement.
- M. All Executive Council members shall receive compensation in the form of a Leadership Award at the end of each academic semester.
- N. All Executive Council members shall be members of the Judicial Council, in order to oversee judicial proceedings within the Associated Students.
- O. One member of the Executive council will be assigned as the Chief Justice of the Judicial Council, designated by the Associated Students President.

**ORIGINAL Section 2.03 Associated Students President**

- A. Rights and Responsibilities
  - i. The President shall be the official representative and primary liaison of the Associated Students and the Association to the Saint Mary's College Board of Trustees, Saint Mary's College Board of Regents, administration, faculty, staff, community, and all subsidiary entities, boards, committees, and the local community.
  - ii. The President shall be the chief officer responsible for the implementation of legislation passed by the Senate.

- iii. The President shall be an ex-officio member of every Association board, committee, organization, media, and class delegation.
- iv. The President shall appoint students to serve on College committees, boards, and task forces.
- v. The President shall have the power to veto legislation passed by the Senate.
- vi. The President shall appoint members of the Judicial Tribunal.
- vii. The President shall be the Chair of the Election Commission.
- viii. The President shall, in conjunction with the Associated Students advisor(s) plan and attend Executive Council Retreats.
- ix. The President shall, by and with the approval of the Executive Council, appoint the Executive Intern.
- x. The President shall appoint each class delegation of the Legislative Branch as a representative of one of the four Schools of Saint Mary's College: the Kalmanovitz School of Education, the School of Science, School of Liberal Arts, and School of Economic and Business Administration.

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- xx. The President shall appoint each class delegation of the Legislative Branch as a representative of one of the four Schools of Saint Mary's College: the Kalmanovitz School of Education, the School of Science, School of Liberal Arts, and School of Economic and Business Administration.
- xxi. **The President shall appoint one Executive Council member to act as the Chief Justice of the Judicial Council.**

## **ORIGINAL Article V The Judicial Branch**

### **Section 5.01 Composition**

The Judicial Tribunal shall be composed of five justices. The five Justices shall be nominated by the President and confirmed by two-thirds affirmative vote of the Senate.

- A. The Associated Students President must nominate one Association member for the position of Chief Justice. The Chief Justice shall schedule, convene and chair the Judicial Tribunal and serve as liaison between the Tribunal, Student Involvement and Leadership, the Associated Students Senate, Campus Activities Board, any organization under the Associated Students, and the Executive Council, as well as participate in the Student Organization Council, chaired by the Vice President for Student Organizations.
- B. The Associated Students President must nominate four Association members for the remaining positions of Associate Justices.
- C. Justices shall serve until the date of commencement, their resignation, or until a vote of no confidence is taken with regard to him or her in the Senate. A judicial vote of no confidence requires a two-thirds affirmative vote of the Senate. Vacancies shall be filled in accordance with the initial nominating processes.

### **Section 5.02 Qualifications**

- A. No member of the Judicial Tribunal may be a member of the Associated Students Senate or Executive Council.
- B. The Chief Justice must have a cumulative grade point average of 2.75 or higher and be free of college disciplinary probation, academic probation, and free of academic dishonesty at the time of appointment and throughout time spent in office.
- C. The Associate Justices must have a cumulative grade point average of 2.50 or higher and be free of college disciplinary probation, academic probation, and free of academic dishonesty at the time of appointment and throughout time spent in office.
- D. Members of the Judicial Tribunal must receive training from Student Involvement and Leadership before conducting any hearings.

### **Section 5.03 Rights and Responsibilities**

- A. The Judicial Tribunal shall hear and make determinations concerning all petitions and appeals arising from the action or lack of action of any officer, representative, any group of officers and/or representatives, or any matters based on Constitutionality.
- B. The Judicial Tribunal shall review all cases of elected officer attendance, behavior, and failure to uphold responsibilities of office.
- C. All decisions of the Judicial Tribunal shall be understood as final and binding rulings on the Constitution, Bylaws, and Election Code and these decisions may be cited to establish precedent in future cases.
- D. The Judicial Tribunal shall have the authority to create and publish a set of rules and procedures which govern the judicial process.
- E. In the case of a conflict of interest, a Judicial Tribunal member must temporarily recuse themselves from all matters concerning the case.
- F. The Chief Justice of the Judicial Tribunal shall serve on the Student Organization Council, chaired by the Vice President for Student Organizations.
- G. The Judicial Tribunal shall uphold the Constitution, Bylaws, Election Code, and the Saint Mary's College of California Student Code of Conduct.

## **AMENDED Article V The Judicial Branch**

### **Section 5.01 Composition**

The Judicial Council shall be composed of four members. The four members are required to be members of the Executive Council. These members will be reviewed by the Director of Student Involvement and Leadership regularly.

- A. The Associated Students President will designate one Executive Council member to act as the Chief Justice. The Chief Justice shall schedule, convene and chair the Judicial Tribunal and serve as liaison between the Tribunal, Student Involvement and Leadership, the Associated Students Senate, Campus Activities Board, any organization under the Associated Students, and the Executive Council, as well as participate in the Student Organization Council, chaired by the Vice President for Student Organizations.
- B. The Judicial Council shall be composed of the Associated Students President, Vice President for Administration, Vice President for Organizations, and Vice President for Finance, will all be members of the Judicial Council.
- C. Members shall serve until the date of commencement, their resignation, or until a vote of no confidence is taken with regard to him or her in the Senate. A judicial vote of no confidence requires a two-thirds affirmative vote of the Senate. Vacancies shall be filled in accordance with Article II Section 2.07A.

### **Section 5.02 Qualifications**

- A. Every member of the Judicial Council must be a member of the Executive Council and follow the concurrent requirements for executive membership, outlined by Article II.
- B. Members of the Judicial Council must receive training from Student Involvement and Leadership before conducting any hearings.

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## **AMENDMENTS TO THE AS CONSTITUTION**

### **ORIGINAL Article I The Association**

#### **Section 1.03 Membership & Organization**

- A. All registered undergraduate students of Saint Mary's College of California shall be members of the Association.
- B. All undergraduate student organizations may petition to be recognized by the Associated Students, upon completion of the new organization application process.
- C. There are four branches of the Associated Students government: The Executive Council, The Senate, The Judicial Tribunal, and Campus Activities Board.

#### **Section 1.06 Discipline**

A member of the Associated Students may be dismissed from office in the following ways:

- A. Any member in violation of the Governing Documents may be brought in front of the Judicial Tribunal, which has the right and responsibility to handle cases, in accordance with their interpretation of the Governing Documents.
- B. Any member in violation of the Student Code of Conduct shall be removed in a method consistent with the Bylaws.

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The Executive Council shall meet at the discretion of the Associated Students President.

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- A. **The Executive Council meetings should encompass the Judicial Council meetings.**
- B. **The Executive Council should meet regularly at the discretion of the President, to allow for clear discussion of Judicial Council matters.**

## **ORIGINAL Article VI The Judicial Tribunal**

### **Section 6.01 Judicial Authority**



The Judicial Authority of the Association shall be vested in the Judicial Tribunal of the Associated Students.

### **Section 6.02 Purpose**

The Judicial Tribunal shall have the judicial authority to hear any case of Associated Students misconduct arising under the Constitution, Bylaws, Election Code, and Saint Mary's College of California Student Code of Conduct.

- A. The Judicial Tribunal shall be granted all rights enumerated in the Bylaws.
- B. The Judicial Tribunal shall perform all duties prescribed in the Bylaws.

### **Section 6.03 Composition**

The Judicial Tribunal shall be composed of a Chief Justice and four Associate Justices as determined by the Bylaws. Justices shall be appointed as outlined in the Bylaws.

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- B. The Judicial **Council** shall perform all duties prescribed in the Bylaws.

### **Section 6.03 Composition**

The Judicial **Council** shall be composed of the Associated Students President, Vice President for Administration, Vice President for Organizations, and Vice President for Finance, will all be members of the Judicial Council.