

Constitution of the Associated Graduate Students of the University of California, Irvine

July 26, 2005

Preamble

We, the graduate students at the University of California, Irvine (UCI), by the authority of the Regents of the University of California, declare ourselves a unique and autonomous body within the university community. We further declare that we will maintain an organization whose purposes shall be to provide a forum for the expression and recognition of graduate students' needs and rights; to represent graduate students in the university community and elsewhere; to promote those needs and rights; and to participate in the governance of this university.

Name

The name of this organization, the official graduate student government recognized by the Regents of the University of California, shall be the Associated Graduate Students (AGS).

Article I: Membership

All registered graduate students who pay the AGS fee shall be voting members of the AGS. All voting members shall be eligible to seek and/or hold an AGS office or AGS Council position.

No member of the AGS shall be discriminated against because of race, age, sex, religion, marital status, national origin, sexual preference, or physical abilities.

Article II: Representation

The Associated Graduate Students Council (hereafter referred to as Council) and Officers, separately and together shall represent the AGS. Representation shall include campus representation, University of California system-wide representation, and representation to external non-university individuals and groups.

Article III: The AGS Council

Section 1.

It shall be the responsibility of the Council to represent AGS, and to fulfill the provisions of this Constitution and its Bylaws.

The AGS Council is encouraged to communicate with other campus groups which represent the needs of graduate students. Examples of these groups include cross cultural, disabled, gay and lesbian, international, non-traditional, and single-parent student groups. Such communication shall be coordinated with the VP-Internal Affairs.

The AGS Council shall administer its fees and monies. It shall attempt to become financially independent of the AGS fee levied on AGS members.

Membership of the Council will be elected from the academic units (schools, departments, or programs). The recognized units and the basis for representation shall be defined in the Bylaws.

The quorum required to conduct business during Council meetings shall be the smallest number of Council members greater than fifty percent of the number of sitting Council members. The Council shall conduct business with Robert's Rules of Order, Revised, subject to the provisions of this Constitution and Bylaws. Council members must be present to vote.

Section 2.

The primary responsibility of each Council member shall be to represent his/her constituency to the Council. Council members shall be elected in their respective academic units during the Spring quarter. Council members terms shall begin on July 1 and continue through June 30 of the following calendar year.

Section 3.

Medical students shall be represented on the AGS Council as prescribed in the AGS Bylaws.

Section 4.

The Council shall fulfill its responsibilities in an organized and timely manner. A quarterly meeting schedule shall be established and publicized. The Council shall meet not less than once in each calendar month of the regular academic terms, and as necessary during summer sessions. All meetings of the Council shall be open to anyone wishing to attend, except when the Council deals with personnel matters, pending litigation, or investments.

Section 5.

Council members are subject to removal by their appropriate constituency. Upon the presentation to the AGS President of a petition requesting the removal of Council member which contains the valid signatures of at least ten percent of that Council member's constituents, the President shall prepare and conduct the recall election of that Council member within fifteen days. The Council member shall be removed if a simple majority of at least twenty percent of that Council members constituents votes to remove. The recall election process must be approved by Council to be considered valid.

Section 6.

Council members shall be subject to removal for failure to provide representation for their academic unit. Failure to provide representation and the mechanism for removal of a Council member for this reason shall be defined in the Bylaws.

Section 7.

Upon removal or resignation of a Council member, that seat shall be declared vacant. Vacant seats shall be filled as soon as is reasonably possible by appointment or special election as determined by Council. Appointments shall be made by the President and must be approved by a 2/3 majority of Council members present at a meeting in which there exists a quorum. If a special election is held, the President shall conduct it.

Article IV: AGS Officers

Section 1.

There shall be established Officers of AGS; the President and four Council Officers; the Vice President-Internal Affairs of the AGS Council, the Vice President-Administrative Affairs of the AGS Council, the Vice President-Financial Affairs of the AGS Council, and the Vice President-External Affairs of the AGS Council. The immediate past president shall be a non-voting ex-officio Council member. The order of succession shall be as listed above.

Section 2.

All Council Officers must be members of the AGS. The President may not concurrently hold a Council position.

a) AGS President

Sub-Section 1.

The official term of the President and Council Officers shall begin on July 1 and continue through June 30 of the following calendar year. The month of June shall be a "transition" period. During this period, both new and current Officers shall work together to assure a smooth transition.

Sub-Section 2.

The President of AGS shall be chosen from the voting AGS membership in a general election of all voting members of AGS during the Spring quarter. The timing of this election shall be as indicated in the Bylaws. The President shall receive a stipend beginning in July and continuing through June of the following year of an amount to be approved by Council. The President shall receive a half-time stipend during the June "transition" period. The duties of the President shall include but not be limited to:

- A. Serving as the Chief Executive Officer of AGS.
- B. Representing AGS to the Chancellor and the campus administration, the Dean of the Graduate Division, and non campus individuals and groups, for the promotion of graduate student needs and rights.
- C. Preparing and presenting during the Spring quarter an Annual Report indicating the activities and accomplishments of the Council during the preceding year. This report shall be available to all groups and individuals who request a copy.
- D. Preparing, administrating, and expending, in conjunction with the Vice President-Financial Affairs, the AGS budget as indicated in this Constitution and its Bylaws.
- E. Coordinating fundraising for the AGS in conjunction with the VP-Financial Affairs. Creating long-term recommendations for the advancement of AGS.
- F. Preparing and conducting elections as directed by this Constitution and the Council.

G. Chairing all meetings and functions of the Council or AGS, except during absences or the Joint Council Meeting as described in the Bylaws.

H. Performing any other duties as assigned by Council.

Sub-Section 3.

The President of AGS is subject to removal by the members of AGS. Upon presentation to the Vice President-Administrative Affairs of a petition requesting the removal of the President which contains the valid signatures of ten percent of the members of AGS, the Vice President-Administrative Affairs shall hold a recall election for the office of President. The Vice President-Administrative Affairs shall prepare and conduct the recall election of the President subject to the approval of Council. The President shall be removed from office if a simple majority of at least twenty percent of the members of AGS votes to remove.

Sub-Section 4.

Upon removal of the President, the office of President shall be declared vacant. If the office of President becomes vacant for this or any other reason, a special election of all members of AGS shall be held as soon as possible to fill the vacancy.

b) Council Officers

Sub-Section 1.

Vice Presidents shall be elected by a simple majority of Council members in attendance at the appropriate meeting as specified in the Bylaws. The Officers shall receive a stipend beginning in July and continuing through June of the following calendar year of an amount to be approved by the Council. The Officers may also receive a half-time stipend during the June "transition" period as determined by Council. The duties of the Council Officers are described in the Bylaws. Council Officer positions may be combined.

Sub-Section 2.

Council Officers are subject to removal by the Council. Upon an affirmative vote of a simple majority of sitting Council members, the Council shall consider removal of a Council Officer. A Council Officer shall be removed if 2/3 of the sitting Council vote to remove. Upon removal, or if that Council Officer's position becomes vacant for any reason, a Council member to fill that position may be elected by a simple majority of sitting Council members.

c) AGS Staff

The AGS Council has the authority to create Staff positions and make appointments to these positions. Typical positions may include commissioners, delegates, an editor, a director of social programming, staff positions in any enterprise owned or operated by AGS, and AGS office staff.

Article V: Finances

Section 1.

Graduate students have needs and priorities which require the application of their established fees in the interest of graduate students, as determined by the AGS Council. The administration of the use of these fees is the responsibility of the Council as defined in this Constitution.

Section 2.

The monies collected as AGS fees will be used in the interests of all members of AGS. AGS may contract with ASUCI for inclusion of all AGS members in ASUCI sponsored activities, programs, and services, if any.

Section 3.

The Council may raise funds for specified purposes in any manner consistent with campus rules and regulations and state laws, with the exception of the imposition of an additional graduate student fee, or an increase in the fee. Additional fees or an increase in the AGS fee may only be approved by an affirmative vote of at least 2/3 of all members of AGS in an open referendum in which at least twenty percent of those members vote.

Section 4.

The purpose and use of any additional fee must be clearly stated, and pro and con arguments must be included in the referendum. The administration of any monies raised by an additional fee will be consistent with the stated purposes and uses indicated in the referendum and must be consistent with the applicable provisions of this Constitution.

Section 5.

The President and the Vice President-Financial Affairs shall prepare the AGS budget in a clearly defined manner. Council shall approve this budget at the appropriate meeting as stated in the Bylaws. The fiscal year of AGS shall commence on July 1 and end on June 30 of the following year.

Section 6.

Council shall allocate Graduate Student Project Funds within the following Project Funding guidelines:

1. Departments on campus should not get AGS funding.
2. Costs of education that students normally should pay for are not eligible for funding (i.e., fees, rent, costumes, books, travel, etc.).
3. Projects which form a central part of degree projects, such as those required for thesis, dissertation typing, plays, sculpture, etc., should not be funded unless there is a clear demonstration that there is a benefit for the graduate population at large (i.e., advertising events).
4. Council should fund projects that are available to all graduate students, or should give money to many different groups so that nearly all or all graduate students benefit from AGS funding.
5. AGS project funds are intended to improve the social and academic environment of the UCI campus for graduate students.
6. Mechanism for funding allocation will be described in the Bylaws.

Article VI: Elections

The following rules apply to elections conducted by the AGS Council for the members of AGS. These elections include but are not limited to:

- A. Election of Council members
- B. Election of the AGS President
- C. Any referendum or recall vote
- D. Constitutional revision

Section 1.

The election must be prepared and conducted by the highest ranking AGS Officer who is not running for office, herein known as the Election Officer. The election procedures and schedule must be approved by the AGS Council by a simple majority no later than four weeks before the election.

Section 2.

A reasonable time must be allowed for nominations and voting. Nominations must be closed no later than five days before the election begins. At least three days must be allowed for voting.

Section 3.

All campaign advertisements must follow election procedures.

Section 4.

At the meeting immediately following the close of the election, Council will consider ratification of the election results. At this meeting, the Election Officer shall make a short presentation on how the election was run. Council must approve the election process by a 2/3 majority votes for the results to be ratified, or else the election is invalidated.

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Section 5.

The following are the only causes to invalidate the election results, as determined by the AGS Council:

- A. Biased election procedure by any school or department
- B. Bias on the part of the election officer

C. Violation of the election procedures

Section 6.

Once the Council ratifies the election results, they may not be reconsidered, and those results are final.

Section 7.

Referendums may be placed on an AGS Elections ballot by a motion from Council passed by simple majority of Council or by AGS members who present a petition containing the valid signatures of at least ten percent of the current members of AGS. A referendum shall require an affirmative vote of AGS in an open election, in which at least twenty percent of those members vote, to pass.

Article VII: Judiciary Committee

Section 1.

All judicial powers of AGS shall be vested in the Judiciary Committee. The Judiciary Committee shall include a Council Officer appointed on an ad hoc basis.

Section 2.

The President, Council Officers, and Council members cannot serve on the Judiciary Committee with the exception of the Council Officer. The Chair of the Judiciary Committee shall be the Council Officer appointed by the President and approved by the Council on an ad hoc basis.

Section 3.

The at-large members shall be nominated by the President and approved by the Council by a 2/3 vote after June 1 and no later than the first meeting of the fall quarter. Vacancies shall be filled by the same procedure. Terms of at-large members shall last until the first meeting of the fall quarter of the following year or until new members are appointed after June 1 of the following year. At-large terms are renewable.

Section 4.

At-large members are subject to removal by the Council. Upon an affirmative vote of a simple majority of sitting Council members, the Council shall consider removal of an at-large member. An at-large member shall be removed if 2/3 of the sitting Council members vote to remove. Upon removal, that at-large position shall be declared vacant.

Section 5.

The Judiciary Committee shall have jurisdiction in the following areas when any member of AGS or the Chancellor or his/her designate refers cases to it.

A. Interpretations of the Constitution, Council Bylaws, election procedures, or other rules and regulations.

B. The constitutionality of any Council legislation.

Section 6.

When presented with a case, the Judiciary Committee shall meet and render a decision based on facts, the AGS Constitution, the Council Bylaws, election procedures, University rules and regulations and precedents. The Judiciary Committee shall prepare a written report of its proceedings accompanied by its written decision. All decisions of the Judiciary Committee shall be public and its written report shall be available to the public.

Section 7.

All decisions of the Judiciary Committee, within its jurisdiction, shall be final unless overruled by a 3/4 vote of the sitting members of Council based on biased proceedings or a failure to provide due process.

Article VIII: Associated Medical Students

Section 1.

The Associated Medical Students (hereafter referred to as "AMS") shall be a unique and autonomous body within AGS and the University community whose purpose shall be to promote and provide for the distinct needs and priorities of medical students. The Associated Medical Students Council shall represent AMS and its Officers as described in the AMS Constitution.

Section 2.

The AMS Constitution shall be ruled binding and valid upon approval by a majority vote of each of the four classes within the College of Medicine and is subject to review by the Chancellor.

Section 3.

The AMS Council and the AMS Officers, separately and together, shall represent AMS either directly or through AGS as deemed appropriate by the AMS Council. Representation shall include campus representation, University of California system-wide representation, and representation to external non-university individuals and groups.

Section 4.

The monies collected as Associated Graduate Students fees from medical students will be used in the interests of all members of AMS. AMS shall remit monies to AGS for inclusion of all members in AGS and ASUCI sponsored activities, programs, and services. The AMS Council and the AGS Council must approve the portion of monies remitted and services provided. All medical students shall be considered members of AGS as prescribed in the AGS Bylaws.

Section 5.

The AMS Council and the AGS Council shall work together on those issues which affect both medical and graduate students. It shall be the responsibility of AMS Officers and Council to inform AGS of the needs and priorities of medical students. It shall be the responsibility of AGS Officers and Council to inform AMS of issues that may be of importance to medical students. It shall be the responsibility of both organizations to develop and maintain a strong rapport.

Article IX: Constitutional revision

Section 1.

The Constitution shall be reviewed at least once every four years. During a re-ratification procedure, at the direction of the Council, a Constitutional Committee shall develop a revised Constitution and present it to the AGS Council.

Section 2.

Amendments or revisions of this Constitution may be proposed by a motion from Council passed by a simple majority of those Council members present at a meeting of AGS, or AGS members by presenting a petition containing the valid signatures of at least ten percent of the current members of AGS. This vote shall be conducted in an open referendum according to Article VI, Section 7, and shall include complete explanations of the proposed changes with associated pro and con arguments as submitted. The Bylaws of this Constitution may be changed by a 2/3 vote of sitting Council members.