

Los Medanos College Associated Students (LMCAS)

**BYLAWS**

A California Community College  
Student Government Organization  
Revised April 8, 2020 at LMCAS Senate Meeting

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# **BYLAWS OF THE LOS MEDANOS COLLEGE ASSOCIATED STUDENTS (LMCAS)**

A California Community College Student Government Organization

## **I. NAME**

The name of this California Community College Student Government Organization is the Los Medanos College Associated Students, hereinafter referred to as LMCAS.

## **II. MISSION AND VISION**

The Los Medanos College Associated Students (LMCAS) are dedicated to the proposition that students must be included in the making of decisions that affects them.

It is vital that the students of Los Medanos College, hereinafter referred to as LMC, are provided with the proper representation in every element of campus business, and the Associated Students are that representation. The LMCAS positions are held with the intentions of giving the student body a voice and the means in which to use it.

We promise to investigate student problems and take the appropriate actions, to encourage the development of responsible student participation in the overall policy and decision making process of the LMC community, to foster an awareness of the students' role in the academic community, to enhance the quality and scope of education at the College, to bridge the gap between the students and the faculty, and to provide means for responsible and effective participation in the organization of student affairs.

We do hereby establish these bylaws, for the purpose of best representing LMC student needs by addressing student issues and protecting student interests.

## **III. PRINCIPAL OFFICE AND MEETING TIME**

The principal office of the LMCAS is located at LMC, Pittsburg, California. The LMCAS Senate Meetings shall be held every Monday from 1-3 PM during the fall and spring semesters, unless changed by a 2/3 vote.

## **IV. PURPOSE AND LIMITATIONS**

### **A. Primary Purposes**

The following are the primary purposes for the formation of this student government organization:

1. To provide the student perspective at all levels: Local, District, Region, and State-wide;

2. To serve to mediate and alleviate student's concerns through active representation and advocacy;
3. To provide services such as: scholarships, information, and educational programming.

#### B. Powers

The body accomplishes these purposes through the following powers to:

1. Create standing and ad-hoc committees;
2. Serve as representatives on LMC and District-wide standing and ad-hoc committees;
3. Create policies and draft resolutions, guidelines and other governing documents;
4. Work with our sister colleges in the district (Diablo Valley College and Contra Costa College) and in SSSCC Region III;
5. Inform students about policies;
6. Advocate for or against issues that affect the student body;
7. Help build a diverse campus through accessible programs;
8. Organize events to boost campus morale.

#### C. Limitations

The LMCAS is limited by all of the following regulations, in order of precedence:

1. Federal Regulations;
2. California Laws (e.g. Title V, Ed Code, Ralph M. Brown Act);
3. Contra Costa Community College District (CCCCD) Governing Senate Policies;
4. LMC Policies;
5. These Bylaws and any Guidelines created.

#### D. Order of Rules

For the purpose of these bylaws, the strictest rule prevails when there is any inconsistency. If there is any ambiguity, these bylaws shall provide guidance on what actions to be taken.

### **V. MEMBERSHIP**

All regularly enrolled students at LMC are eligible for the following privileges:

1. To vote at election (vote by proxy shall not be permitted);
2. To take part in any program or event that the LMCAS sponsors (if qualified);
3. To pay student rates at all LMCAS and LMC activities where such rates are offered and for publications sponsored by the LMCAS.

## VI. STUDENT SENATE

### A. General Governing Powers

The following specific powers and responsibilities shall be included among general governing powers of the Senate:

1. To adopt operating rules to govern activities, enterprises and undertakings of the LMCAS, and to adopt other regulations subsidiary to such rules;
2. To establish committees as it shall determine, and to define the membership, structure, authority and responsibilities of such committees;
3. To confirm appointments made by the President of the LMCAS, hereinafter referred to as President, as provided for in these Bylaws;
4. To remove an LMCAS Senate Member as provided for by law or by these Bylaws; to remove appointees according to provisions set forth in operating rules;
5. To adjudicate disputes as provided for in these Bylaws.

### B. Senate Membership

#### 1. Elected Officials

The following Senate Members shall be elected by the students of LMC and will serve for one (1) year and shall comprise of the Executive Cabinet:

- a. President
- b. Vice President
- c. Commissioner of Campus Events
- d. Commissioner of Publicity and Outreach
- e. Treasurer

Appointed Senators can serve a maximum of three (3) years and shall consist of fifteen (15) members appointed by the current Senate. Applications are available at the Student Life Office and online.

#### 2. Appointed Positions

The President may appoint the following positions. The appointment of these positions must come from the then current voting membership of the Senate; however, there are no restrictions on number of meetings attended beyond the requirements to be a Senator:

- a. Sergeant-at-Arms
- b. Parliamentarian

#### 3. Requirements

- a. Candidates for Senator positions must meet Education Code

requirements for being a member of a student organization and must meet any applicable CCCCD Senate Policies regarding minimum academic standards. They shall also complete an application packet, which must be received by the 5<sup>th</sup> (fifth) week of classes each term. If a candidate does not meet this deadline, then they shall be considered for appointment as a representative until the following semester.

- b. Candidates for Officer Positions on the LMCAS must also meet all of the above, and shall have attended 5 meetings of the Senate prior to the date of election, 2 of which must have been served as a Senator.

### C. Senator and Officer Requirements

The following are requirements of all Senators and Officers:

1. Must complete 2 office hours each week during the term in which they serve. All senators must sign in at the Student Life Office before beginning their office hours;
2. Must attend all regularly scheduled Senate and planning meetings;
3. Must serve on at least one (1) College or District-wide Committee during the term in which they serve;
4. Must complete projects that are assigned to them or by extension, their committee;
5. Must attend all semester retreats that are organized by the LMCAS;
6. Must make class announcements about LMCAS deadlines and activities when able.

### D. Student Representatives

1. A student representative must submit an LMCAS Representative Application and must meet the following minimum requirements: a 2.0 GPA; currently enrolled at LMC; and willing to attend LMC Committee meetings;
2. Representatives will be assigned to an LMC Committee based on their interests and availability, and attend the meetings as scheduled;
3. Representatives will serve as the official representative of the Senate, speaking on behalf of, and voting on committee matters, as approved by the Senate;
4. Representatives must make written and/or oral committee reports to the Senate, no later than a week after attending the committee meeting.

### E. Duties of Elected Officers

1. **The President** shall be the Chief Executive Officer and the official representative of the LMCAS. The President shall be an ex-officio member of all LMC and District-wide Committees that have student representation. The President will chair all Senate meetings. The President shall only vote in the case of a tie, unless the Senate has three or fewer members, then the President becomes a voting member of the Senate until there are more than three members. The President shall prepare all agendas for the Senate meetings per Brown Act regulations. The President shall post both the agenda and minutes for the Senate meetings per Brown Act Regulations. The

President shall be responsible for coordinating and tracking student representation on all LMC and District-wide committees and shall coordinate all research, evaluation, development, and application of student issues approved by the Senate. The President shall serve on the Shared Governance Committee (SGC) as a voting member, and shall have other powers and perform such other duties as may be assigned by the Senate or these Bylaws. The President shall serve on the Student Trustee Advisory Council (STAC). The President or their designee shall also serve on the District Governance Council (DGC). The President at the end of their term shall comprise an oral or written report that details the work of the Senate during their term.

2. **The Vice President**, in the absence of the President, shall be vested with the powers of, and perform the duties of the President. The Vice President shall serve as the Chief Operating Officer. The Vice President shall be an ex-officio member of all LMCAS committees. The Vice President shall coordinate and track student involvement on all LMCAS committees. The Vice President shall perform such other duties as may be assigned by the President, Senate or these Bylaws.
3. **The Treasurer**, in the absence of the President and Vice President, shall be vested with the powers of, and perform the duties of the President. The Treasurer shall serve as the Chief Financial Officer. The Treasurer is responsible for the annual budget and maintenance of adequate and correct records of all fiscal affairs and business transactions of the LMCAS. The Treasurer shall perform such other duties as may be assigned by the President, Senate or these Bylaws.
4. **The Commissioner of Campus Events** contributes to the LMC experience by hosting activities and events that positively celebrates and appreciates the LMC community. They shall also be in charge of all LMCAS events on campus, including Welcome Week and the Academic Competition. They shall be the LMCAS representative for the Inter-Club Council. The Commissioner of Campus Events will also coordinate and act as logistical support for any co-sponsored events, including LMCAS Senate members' attendance.
5. **The Commissioner for Publicity and Outreach** educates the LMC community on student involvement/leadership opportunities through recruitment, public relations and marketing. They shall post agendas, after their preparation, in accordance to the Brown Act. As well, they shall be responsible for providing copies of agenda packets to LMCAS Senate members and to the public. They shall also be responsible for posting minutes and agendas to the LMCAS website. They shall maintain the official file with all LMCAS documents, and shall respond to any member of the public wishing to review that file or receive a copy (pursuant to the California Public Records Act). They shall also conduct any recruitment for LMCAS Senate membership.

## F. Duties of appointed officers of the Senate

1. The Sergeant-at-Arms shall be vested with the following duties  
To keep official time on all agenda items and to inform speakers when time has elapsed;
  - a. To enforce decorum at LMCAS Senate Meetings;
  - b. To utilize the then current version of Robert's Rules of Order in order to accomplish Subsection (a) and (b).
  
2. The Parliamentarian shall be vested with the following duties:
  - a. To enforce the then current edition of Robert's Rules of Order at all official LMCAS Senate meetings;
  - b. To enforce the application of these Bylaws, the LMC Constitution, the LMC Code of Conduct, the Brown Act and all other relevant regulations;
  - c. To provide interpretation of the aforementioned regulations to eliminate any ambiguity;
  - d. To call together a Rules Committee as needed to examine any problems arising from ambiguity in these governing documents.

## G. Executive Officer Vacancies

In the event of a vacancy of an Executive Officer for any reason except recall, the following rules shall be applied sequentially in order to fill the vacancy:

1. The order of succession shall be: President, Vice President, Treasurer, Commissioner of Campus Events, Commissioner of Publicity and Outreach. If an officer chooses not to succeed their predecessor, then the next officer in line shall be offered the position.
2. After following the order of succession, vacancies shall be filled by a majority vote of the then current voting membership of the Senate, pursuant to qualifications set forth in these Bylaws.
3. If the Senate is unable to fill the vacancy, then a special election shall be held to fill the vacant position(s), pursuant to the Election Guidelines and these Bylaws.

In the event that an Executive Officer is removed by recall, then a special election shall be held pursuant to the Election Guidelines and these Bylaws.

## H. Compensation and Reimbursements

Senate Members shall serve without salary. However, the Senate may authorize payment of stipends pursuant to the Stipend Guidelines set forth by the body. These stipends shall be only authorized when there is a specifically funded line-item within the budget for that purpose.

## VII. SANCTIONS

### Cause for Sanction

1. Violation of any of the mandates of these bylaws;
2. Missing more Senate/Planning meetings or Office Hours than allowed in the Stipend Guidelines;
3. Misconduct/unprofessionalism at any meeting or event sponsored by the LMCAS;
4. Misrepresentation of the LMCAS or the individual role within the LMCAS;
5. Neglecting duties/responsibilities as outlined within these bylaws;
6. Violation of any federal or state laws, or CCCCD/LMC Policy;
7. Election fraud.

### B. Allowable Sanctions

For all sanction votes, a 2/3 majority is required to pass.

1. Warning *with* or *without* Probationary period. This requires a written notice of wrongdoing and can have a period of time attached in which further violations may escalate the process to a higher sanction;
2. Removal from office or removal of privileges. This involves the taking away of position on Senate or any privileges including vote;
3. Committee removal;
4. Suspension. Any sanction of suspension must include the length of time and the status of the member's vote during suspension.

### C. Appeal Process

1. Once notified by letter, the said member has 2 weeks to notify the President of their appeal;
2. All privileges (i.e. voting) will be placed on hold until the result of the appeal is rendered;
3. If said Senate member does not agree with the verdict of the appeal, the member may write a letter and appeal to the College President;
4. Senators will have one (1) opportunity to appeal any suspensions or decisions made regarding their membership during their entire term of office.

## VIII. ELECTIONS

Elected Officers shall serve from June 1 to May 31. All elections shall be held per the regulations set in the Election Guidelines adopted by the Senate. Reference that document for the conduction of elections and any ensuing conflicts or complaints.



## **IX. MEETINGS OF THE LMCAS**

### **Call of Meetings**

Meetings of the LMCAS may be called at any time with proper notice by the President or the Vice President or by a majority of the then current membership of the Senate.

#### **A. Frequency of Meetings**

Regular meetings of the Senate shall be held at least weekly according to a regular and well-publicized schedule. If meetings are not scheduled during the months of June, July, and August, the Senate may appoint a Committee of members, consisting of at least one Officer to carry out routine and necessary business and to act upon such other matters as the LMCAS may specify in the appointment resolution. The LMCAS may further limit the authority of said Committee.

#### **B. Quorum**

A majority of the then current voting membership of the Senate shall constitute a quorum of the transaction of business, except as otherwise provided by these Bylaws. A quorum shall exist if a majority of said membership is physically at the meetings.

#### **C. Conduct of Meetings**

1. Meetings shall be conducted in accordance with the then current edition of Robert's Rules of Order;
2. Each member shall have one (1) vote and shall not be held by proxy;
3. All action taken by the LMCAS shall be by majority vote of those present and voting, except otherwise provided by these Bylaws.

## **X. SENATORIAL POSITIONS AND COMMITTEES**

Senators may choose to be appointed to any of the following positions:

- A. Senator for Access, Diversity and Equity (ADE): Working towards achieving full educational inclusion, access and diversity at LMC.
- B. Senator for Sustainability: Integrating environmental responsibility, sustainability and accountability into LMC and the LMC community through education, policy and practice.
- C. Senator for Legislative Affairs: Promoting democracy on campus by educating the LMC community about campus, local, state and national legislation that affects the college and students and promoting voting and voter registration.

Only one senator can be appointed to any of these positions at one time, but that

senator may opt to form a committee to assist them in their endeavors. These committees can consist of Officers, Senators, Representatives or members of the LMC public.

## **XI. BUDGET AND FINANCES**

### Section 1: Authority

The LMCAS Senate is granted fiscal responsibility for an annual budget by the College and the District under the supervision of the LMCAS Advisor.

### Section 2: Fiscal Year

The fiscal year of LMCAS shall be from July 1 to June 30 of the following year.

### Section 3: Annual Budgeting

- A. Annual Budgeting shall occur in the Spring semester and be used to allocate funding for the following fiscal year.
  - 1. The Annual Budget will provide direction and funding for the various programs, services, and administration of the LMCAS.
- B. The LMCAS Treasurer shall propose an Annual Budget.
- C. The Annual Budget must be proposed in an open public meeting of the LMCAS at least one (1) week prior to ratification.
- D. Amendments, revisions and additions to the proposed Annual Budget shall be approved by a majority vote of the LMCAS Senate, including those changes made through a request for support.
- E. The Annual Budget of the LMCAS shall be ratified by a majority vote of the LMCAS Senate.

### Section 4: Budget Requests

- A. Throughout the year, members of the LMCAS Senate, individuals, organizations and other constituencies may request funds from the LMCAS.
- B. The LMCAS may re-allocate funds from the annual budget or allocate contingency funds to support such requests.
- C. All requests for funds not part of the annual budgeting process must be submitted in writing at least 4 days prior to the meeting at which it will be discussed.
  - 1. Requests for funding shall include a detailed budget, description, and justification.
- D. Requests for funding must appear on a public meeting agenda in order for the LMCAS Senate to take action on such requests.
  - 1. Request for funding forms should be completed by all relevant parties before it is brought to a public meeting.

- E. Requests for funding should appear on a public meeting agenda as a discussion item at least one week prior to action being taken.

The individual(s), organization, or constituency shall have the opportunity to speak on behalf of the Budget Request.

- F. Requests for funding shall be approved by a majority vote of the LMCAS Senate.

#### Section 5: Fund Use

The LMCAS and any organization or entity funded by the LMCAS is required to use LMCAS funds in accordance with any and all policies and procedures as set forth in these Bylaws, College and District policies, and in accordance with the laws of the State of California.

### **XII. ADVISOR**

#### Section 1: Advisor

- A. The primary advisor to the LMCAS shall be the Director of Student Life, or their designee. The duties of the advisor shall be to attend all meetings of the LMCAS Senate and to provide training and advice for members of the LMCAS as outlined in these Bylaws. The advisor shall advise the LMCAS in matters of District and College policy, California State Law, and other pertinent regulations. Furthermore, upon request, they shall also advise the LMCAS Senate on matters of parliamentary procedure.
- B. The Advisor shall advise the LMCAS in matters of administration, budgeting, business procedures, and other matters as requested by the LMCAS.
- C. The Advisor shall hire all office employees that are funded through the LMCAS. They or their designee shall supervise and evaluate all employees. The Advisor shall provide the LMCAS Senate with opportunity to give input regarding the hiring and evaluation of all office employees that are funded through the LMCAS.

### **XIII. RECORDS, REPORTS AND REVIEWS**

#### A. Maintenance of Records and Inspection

The AS shall keep in its principal office, the original copy of its Bylaws, as amended or otherwise altered to date, which shall be open to inspection by all Senate members, employees of the AS and students at large during office hours. Senate members shall have the right to inspect all books, records, documents and the physical properties of the AS, except that only the AS President shall have authority to inspect records involving matters of personnel and pending litigation or confidential settlement agreements. Such rights shall be subject to reasonable regulation with regard to time, place and manner and reasonable charges for copying or supervision where circumstances justify.

## B. Annual Reports and Audits

The AS shall make available for public record at least one (1) annual report of AS business affairs, including complete financial statements, funds managed by the AS, and results of operating for the fiscal year then ended, as well as such other reports and audits as may be required by law, or by Senate of Trustees of the Colleges of Contra Costa policy.

## **XIV. PROHIBITION OF DISCRIMINATION**

The AS shall not discriminate on the basis of race, religion, creed, sex, handicap, age, citizenship, national origin, sexual orientation, gender identity, veteran status or marital status. There shall be no written or implied form of discrimination in the Bylaws, activities, agreements or agreements of any senate, committee, subsidiary organization, affiliate group or agency of the LMCAS.

## **XV. AMENDMENT OF BYLAWS**

Notwithstanding the provisions of these Bylaws, the Senate may amend the Bylaws to remove inconsistencies and ambiguity, achieve consistency with applicable law or policy, correct obsolete terms, which do not abridge the rights of Senate members or students at large. A two-thirds (2/3) vote of those present and voting shall be required.