



Bylaws of the Associated Students of Monterey Peninsula College

Adopted by the Associated Students on May 2020

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Section 1 - Operation of the Council

1.01 - Meetings - The primary operation of the ASMPC Council shall be conducted through meetings. Meetings of the ASMPC Council, its Auxiliary Councils and Committees, shall be

defined as the congregation of members currently holding office to discuss and conduct business in the presence of quorum when the proper public notice is given in anticipation for said congregation.

- a. The time, date, and location for meetings of the ASMPC Council shall be established during the first meeting of the academic year for the Fall semester and the final meeting of the Fall semester for the Spring semester. The determination of the regular business meeting time, date, and location shall be conducted by the President through a survey of all elected official's availability.
- b. The time, date, and location for meetings of the ASMPC Council may be changed mid-semester by a two-thirds majority vote of the Council in the presence of quorum. Any change utilizing this section must be publicly displayed to the public no less than twenty four (24) hours before the upcoming meeting.
- c. Meetings of the ASMPC Council, Committees, and ASMPC Auxiliary Councils shall be announced to the public via public display and announced to members of the Council electronically in accordance with the Brown Act.
- d. All meetings of the ASMPC Council, Auxiliary Councils, and Committees must be open to the public. No secret meetings shall be authorized with the exception of the Judicial Council's internal impeachment proceedings.

1.02 - Meeting Types - Meetings of the ASMPC Council, Auxiliary Councils, and Committees shall be divided into three (3) types; regular business meetings, special meetings, and emergency meetings. All three types of meetings require the presence of quorum in order to discuss business and conduct action on behalf of the Council. However, the scope of each type of meeting is hereby defined.

- a. Regular Business Meetings - A regular business meeting shall be utilized to conduct all discussion and action items whenever possible. In accordance with the Ralph M. Brown Act, seventy two (72) hour notice to the public is required to conduct a regular business meeting. Regular Business Meetings are conducted at recurring set dates and times that are established by the ASMPC Council during the first meeting of the semester.
- b. Special Meetings - A special meeting is held when the seventy two (72) hour window for public notice cannot be reached and discussion must be conducted on specific items laid out on the agenda. Special meetings may be called with twenty four (24) hour notice by the presiding officer. Any actions taken during a Special Meeting must be upheld by a motion at the next regular business meeting.
- c. Emergency Meetings - An emergency meeting is held exclusively when drastic circumstances require immediate action. These circumstances are limited exclusively to work stoppage, crippling activity, or direct impairment of the ability for the ASMPC Council to conduct its Constitutionally-upheld duties and responsibilities. No public notice is required for an emergency meeting, but any actions taken must be upheld at the next regular business meeting.

1.03 - ASMPC Committees - The content of an ASMPC Council meeting may be diverse in nature. The ASMPC Council serves as the student government for Monterey Peninsula College and meetings shall be considered a gathering of student representatives who are responsible for invoking the student voice on any matter relevant to the students.

- a. The ASMPC Council shall have the authority to refer matters brought before it to ASMPC Auxiliary Councils or Committees who are better suited to address the matter.
- b. The ASMPC Council may also agree to create an ad hoc committee designed solely for the purpose of addressing a unique matter.
 - i. Such committees shall have an appointed chair and an effective reporting date where both a report on the matter and a decision on the committee's continued existence shall be made.
 - ii. Ad hoc, nor other ASMPC Committees, shall be required to maintain quorum during their meetings. However, all committee meetings must be made open to the public in accordance with the Brown Act.
- c. The flow of ideas and matters of business shall be bidirectional. Ideas may originate from ASMPC Committees and be directed to the ASMPC Council or vice versa.
- d. Meetings of ASMPC Committees shall be held to the Brown Act in terms of meeting notification, public notice, and the creation of records (minutes).

1.04 - Absentee Policy of the Council - Among the most essential duties of a member of the ASMPC Council is to participate in the dialogue, debate, and deliberation that is conducted in an ASMPC Council meeting. The representation of student interests is paramount to an effective ASMPC Council, and therefore the attendance of ASMPC Councilmembers is absolutely required.

- a. Valid reasons for missing, arriving late to, or departing early from an ASMPC Council meeting shall be restricted to the following.
 - i. Personal medical reasons.
 - ii. Educational purposes excluding regular class sessions.
 - iii. Assisting in ASMPC-affiliated or related events or responsibilities.
 - iv. Unusual conditions or extreme necessity.
- b. The ASMPC Council shall have the responsibility of assessing if a provided excuse meets the above-stated criteria.
- c. The required written notification for a council member's absence must include the name of the council member and the reason for which the council member will be absent from the meeting.
- d. The written notification must be sent to either the President or Secretary of ASMPC.
- e. The written notification may be submitted electronically to e-mail belonging to the aforesaid officials or to an official ASMPC e-mail account.
- f. All matters of excusal for absences or tardies shall be conducted during the Validation of Absentees portion of an ASMPC Council meeting.
- g. A motion to excuse requires a simple majority of the Voting Members to pass.
- h. If a motion is not made to excuse a council member's absence or tardy, it shall automatically be considered unexcused.
- i. Any member leaving a meeting before adjournment shall automatically be counted as having an unexcused absence unless a majority vote of the ASMPC Council voting members votes to validate the absence.
 - i. The President's veto shall not apply to this procedure.

- j. If a regular business meeting fails to meet quorum, attendance shall be recorded and Validation of Absentees shall be conducted during the next regular business meeting where quorum is met.

1.05 - Council Meeting Procedure and Order of Business - The ASMPC Council shall hold meetings that abide by the Robert's Rules of Order as established in the Constitution. In any instance where this section is not sufficiently clear nor descriptive, the Judicial Council shall refer to the Robert's Rules of Order for clarity.

- a. The primary action of the ASMPC Council shall be made through a motion.
 - i. Motions made by the ASMPC Council shall require a simple majority (half of the voting members plus one) to pass.
 - 1. Exceptions to this rule shall be denoted as requiring a two-thirds majority (rounded up) to pass.
 - ii. Motions made by the ASMPC Council shall require the endorsement of two (2) voting members of the ASMPC Council.
 - 1. A motion must first be made by the verbal affirmation of a council member.
 - 2. A motion may then be seconded by the verbal affirmation of a council member.
 - 3. Any motion that fails to meet this criterion is immediately considered 'killed.'
 - iii. A motion may be subject to a Presidential Veto.
 - 1. The President may, upon the passage of a motion, strike it down through a Presidential Veto that shall be effective at the moment of issuance.
 - a. The ASMPC Council may motion to overturn a Presidential Veto by passing a motion with a two-thirds majority of the gathered Voting Members.
 - 2. A Presidential Veto shall be verbally communicated by the ASMPC President and recorded.
 - a. The Veto shall effectively nullify any motion without a noted exception in the ASMPC Constitution or Bylaws.
 - iv. A motion may be subject to challenge by the Parliamentarian.
 - 1. If a violation of the Robert's Rules of Order is said to have occurred by nature of the motion, the Chief Justice of the ASMPC Council, who also serves as the Parliamentarian, may be empowered to issue a challenge.
 - a. In issuing a challenge, the Parliamentarian shall cite the specific violation of the Robert's Rules of Order made through the existence of the motion.
 - 2. A challenge made by the Parliamentarian pauses any motion on the table and converts it to a motion that requires two-thirds of the Voting Members or a majority of the Judicial Council to pass.
 - a. A successful challenge shall yield either the indefinite postponement (killing) of a motion or a motion to amend the main motion such that the challenge is avoided.

- b. A failed challenge shall yield no effect on the main motion aside from a parliamentary dissent recorded in the minutes.
 - v. A motion may be subject to Judicial Evaluation.
 - 1. If a violation of the ASMPC Constitution or Bylaws is said to have occurred through the existence or passage of a motion, any member of the ASMPC Council may request a Judicial Evaluation.
 - 2. The Judicial Council shall, by the process of Judicial Evaluation, determine if a motion is Constitutional, Unconstitutional, or Constitutionally Irrelevant.
 - a. The procedure for Judicial Evaluation shall clarify this in the corresponding section of the ASMPC Bylaws. (Section 6).
 - vi. A motion may be subject to secondary motions as denoted in the Robert's Rules of Order.
 - vii. All motions and information pertaining to a motion shall be recorded by the Secretary and be made available to the public upon request in the form of the Meeting Minutes.
- b. All actions, discussion, and conduct during an ASMPC Council meeting shall be recorded in the minutes by the Secretary in the form of the meeting minutes.
 - i. The effective date for all motions made by the ASMPC Council shall be upon the approval of the minutes for the ASMPC Council meeting where said motions were made, seconded, and voted upon.
 - 1. The ASMPC Council shall be required to approve the minutes for a previous meeting at each ASMPC Council meeting, or refer the minutes to the Secretary or an ad hoc committee for review.
 - ii. Information recorded specifically pertaining to a motion shall include the following:
 - 1. Name of the motion
 - 2. Primary and secondary endorsements by Voting Members.
 - 3. Amendments or secondary motions
 - 4. Key points of discussion
 - 5. Final vote on the motion including Ayes (Affirmation), Nays (Negation), and Abstentions.
 - a. Any member of Council may request a roll call vote on a given motion. In such case, the name of each Voting Member shall be recorded in tandem with their vote on the motion.
- c. Meetings of the ASMPC Council shall adhere to an agenda provided to all members of the ASMPC Council and prepared by the ASMPC President and Secretary in advance for every ASMPC Council meeting.
 - i. The agenda shall be distributed to every member of the ASMPC Council digitally and physically upon request.
 - ii. The agenda shall be made publicly available in accordance with the Ralph M. Brown Act as stipulated in the Constitution.

- iii. The agenda shall include the title of every matter of information, discussion, and action in addition to a brief description for each item in accordance with the Brown Act.
- d. Meetings of the ASMPC Council shall be divided into meetings that satisfy quorum and meetings that do not satisfy quorum as defined in the ASMPC Constitution. The agenda itself may be modified by the ASMPC Council by a motion meeting a two-thirds majority.
 - i. In meetings that satisfy quorum, a regular business meeting shall be held where motions may be made and voted upon.
The following order shall be upheld:
 1. The Call to Order made by the Chair by verbal affirmation.
 2. Roll Call conducted by the Chair.
 3. Brief introduction by the Chair and Public Comment
 - a. Public Comment shall be permitted to last no more than fifteen (15) minutes with three (3) minutes allocated per speaker.
 - b. In accordance with the Brown Act, the ASMPC Council may not take action during Public Comment but may offer a short reply pertaining to the matter.
 4. Consent Resolutions
 - a. Approval of the Previous Meeting's Minutes
 - b. Approval of the Meeting's Agenda
 5. Reports
 - a. Executive Reports
 - b. Auxiliary Council Reports
 - c. ASMPC Committee Reports
 - d. MPC Campus Committee Reports
 - e. Individual Reports
 6. Informational Items/Presentations
 7. Discussion Items
 8. Action Items
 - a. Financially-Involved
 - b. Council Action
 - c. Resignations
 - d. Appointments
 9. Open Forum
 10. Adjournment
 - ii. In meetings that do not satisfy quorum, a meeting may be held where motions may not be made nor voted upon.
 - iii. The following order shall be upheld:
 1. The Call to Order made by the Chair by verbal affirmation.
 2. Roll Call conducted by the Chair.
 3. Brief introduction by the Chair and Public Comment
 - a. Public Comment shall be permitted to last no more than fifteen (15) minutes with three (3) minutes allocated per speaker.

- b. In accordance with the Brown Act, the ASMP Council may not take action during Public Comment but may offer a short reply pertaining to the matter.
4. Reports
 - a. Executive Reports
 - b. Auxiliary Council Reports
 - c. ASMP Council Reports
 - d. MPC Campus Committee Reports
 - e. Individual Reports
5. Informational Items/Presentations
6. Open Forum
7. Adjournment

Section 2 - Council Powers and Duties

2.01 - Duties of the ASMP Council - There are certain duties and responsibilities allocated to every member of the ASMP Council without exception. These duties and responsibilities illustrate a necessary level of knowledge set as a requirement for a council member to hold office and effectively represent the interests of the students. The duties and responsibilities that every council member holds are the following.

- a. The council member shall be required to spend no less than four (4) hours per week participating with the Associated Students in office work, events, or tasks excluding regular meetings (only after a 90-minute mark).
- b. The council member shall be thoroughly knowledgeable of their position and the operation thereof.
- c. The council member shall be knowledgeable of the ASMP Constitution and Bylaws, particularly the tenets governing the conduct of the ASMP Council.
- d. The council member shall be responsible for following parliamentary procedure in all meetings held to the Brown Act.
- e. The council member shall adhere to the ASMP Code of Conduct and all legislation established in the ASMP Constitution and Bylaws.
- f. The council member shall be responsible for voicing the concerns of the students to the ASMP.
- g. The council member shall be responsible for taking the initiative to develop leadership, teamwork, and professional skills relevant to their position and personal development.
- h. The council member shall attend all of their assigned meetings regularly in accordance with the ASMP Attendance Policy with due diligence and a willingness to discuss, debate, and voice their honest opinions.
- i. The council member shall be required to participate in ASMP-related events for the benefit of the students at Monterey Peninsula College.

2.02 - Endorsements of the Associated Students - Community organizations, political activity groups, candidacy campaigns, and event organizers are common presenters at ASMP Council meetings. Oftentimes these organizations seek the endorsement of the Associated Students as a

means of benefitting their causes. Endorsements made by the Associated Students must be handled with deliberate care and for the benefit of the students at Monterey Peninsula College.

- a. This section of the ASMPC Bylaws serves as the ‘standing procedure’ for the ASMPC Council. Any conflicts between this section and the protocols established by the MPC Governing Board shall result in adherence to protocols established by the MPC Governing Board.
- b. An endorsement by the ASMPC Council shall be defined as the authorization for the use of the ASMPC logos, social media, letterhead, titles, and brand for the purpose of lending a benefit to a prescribed cause or endorsee.
- c. In order for a request for endorsement to be considered by the ASMPC Council, several points must be rationalized by the party requesting the endorsement.
 - i. The way(s) in which the students of Monterey Peninsula College benefit from this endorsement.
 - ii. The way(s) in which the needs of the students of Monterey Peninsula College are addressed by this endorsement.
 - iii. The way(s) in which this endorsement does not provide an exclusively personal gain for the party requesting it.
- d. Endorsements by the ASMPC Council shall be considered an Action Item on the ASMPC Council’s agenda.
 - i. An endorsement by the ASMPC Council shall be required to pass a two-thirds majority vote of the Voting Members during a regular business meeting in the presence of quorum to pass.
- e. Upon passage of a request for endorsement, the President of the Associated Students shall be empowered to provide a Letter of Endorsement to the requesting party bearing the ASMPC seal and the President’s signature and title.
- f. The Associated Students may retract an endorsement via the same way the original endorsement is passed through the Council. Additionally, a valid rationale for retraction must be provided and must be comprised of one of the following.
 - i. The original endorsement was conducted in violation of the ASMPC Governing Documents or protocol of the MPC Governing Board.
 - ii. New information has shown that the endorsement did not or no longer complies with the original requirements to be issued an endorsement.
 - iii. Members of the Associated Students have petitioned the ASMPC Council to retract the endorsement via the Student Initiative Power.
- g. The ASMPC Council shall never be permitted to endorse any organization that has committed any act of ‘hate speech’ as currently defined in the State of California Penal Code § 422.55 to § 422.75. This shall constitute any acts that are disparaging or discriminatory against an individual’s or group’s disability, gender, nationality, race or ethnicity, religion, or sexual orientation.

2.03 - Council Code of Conduct - The members of the ASMPC Council shall be required to abide by a stringent Code of Conduct. The Code of Conduct is written as set of ethical and moral standards necessary to the efficacy of the Council as a whole and as a safeguard against common pitfalls that such organizations are susceptible to. The ASMPC Council Code of Conduct is comprised of the following:

- a. The council member shall devote their time, energy, and ability to the benefit of the ASMPC Council and the students of Monterey Peninsula College.
- b. The council member shall work in the spirit of cooperation and mutual development in all of their affairs.
- c. The council member shall treat their peers, fellow students, staff, and the public with dignity, respect, and professionalism.
- d. The council member shall voice their honest opinion and disagreement regardless of the common consensus.
- e. The council member shall base their decisions on all available facts, vote their honest conviction, and uphold the final decision of the ASMPC Council.
- f. The council member shall resist every temptation and deny every opportunity to use their position and authority for personal gain or the benefit of any institution or organization aside from the students of Monterey Peninsula College.
- g. The council member shall respect the letter and the intent of the governing documents, Ralph M. Brown Act, and Robert's Rules of Order.
- h. In the event of conflict personal and professional, the council member shall seek a resolution benefitting the ASMPC Council and the individuals in conflict.
- i. The council member shall hold accountable every member of the ASMPC Council to this Code of Conduct and ensure the President and all officers abide by the will of the students of Monterey Peninsula College.
- j. The council member shall maintain the utmost professionalism and diligence when working in the ASMPC Office, ensuring that student needs are met and office procedures are followed.

2.04 - Conflicts of Interest - It shall be the standard procedure of the ASMPC Council to conduct business in the best interests of the students of Monterey Peninsula College. Therefore, it shall be the responsibility of the members of the ASMPC Council to prevent bias and corruption to the best of their abilities.

- a. A Conflict of Interest shall be declared to exist if a member of the ASMPC Council would perform an action on behalf of their role as a representative of the Associated Students of Monterey Peninsula College while simultaneously having a personal, invested interest in the matter at hand.
- b. In the event that a member of the ASMPC Council has a Conflict of Interest, that member of the ASMPC Council shall be required to recuse themselves from any vote or action relating to said Conflict of Interest.
- c. If it is the belief of any member of the ASMPC Council that another member of the ASMPC Council has a Conflict of Interest that is not disclosed, that council member may charge the council member with a Conflict of Interest.

- d. Charges of a Conflict of Interest shall be reviewed and ultimately decided upon by the Judicial Council. Should a member of the Judicial Council be charged with a Conflict of Interest, that member shall temporarily vacate their position and be replaced by the President of the ASMPC Council until the end of deliberations.
- e. If a member of the ASMPC Council recuses themselves due to a Conflict of Interest or is found guilty of a charge of a Conflict of Interest, that member of the ASMPC Council may not vote or take any decisive action on the matter. Said council member shall be permitted to discuss the topic but must preface any partisan discussion with the fact that they have a Conflict of Interest.

2.05 - ASMPC Council Participation Hours Policy - The members of the ASMPC Council shall be required to spend no less than four (4) hours per week participating in an ASMPC event or activity, office hours, or other task conducted for the explicit benefit of the ASMPC Council.

- a. All time spent acting for the benefit of the ASMPC Council may be included and recorded for the acquisition of Participation Hours with the exception of the first ninety (90) minutes following the Call to Order of a regular business meeting of the ASMPC Council.
- b. A council member who accrues no less than five (5) violations of this policy in any semester shall be automatically removed from office without evaluation.
- c. A council member who accrues no less than three (3) consecutive violations of this policy in any semester shall be automatically removed from office without evaluation.
- d. The ASMPC Council shall exclude from any records or reports any week where there are less than four (4) regular business days of operation and regular class sessions at Monterey Peninsula College.
 - i. Additionally, the ASMPC Council shall exclude both the first week of classes and the 'finals' week from their records or reports so as to prevent reasonable violations of this policy.
- e. A violation of this policy shall be determined to exist if a council member has logged less than four (4) hours of participation for a given week by the Monday following the week on record.
 - i. A violation of the Participation Hour policy may be excused by the Council if the provided reason for violation satisfies the same guidelines illustrated in the Attendance Policy.
 - ii. The stipulation for such excusal shall be that the reason for violation would have made it impossible or unreasonably difficult for a Council Member to adhere to the Participation Hour policy during said week.
- f. It shall be a responsibility of the ASMPC Secretary to maintain a publicly accessible record of the council member's participation at all times.

2.06 - Powers and Duties of the Voting Members - The Voting Members of the ASMPC Council, comprised of the Senators, Directors, Student Trustee, and SSCCC Statewide Representative shall have the following powers and be held accountable to fulfilling the following duties:

- a. The Voting Members shall draft, propose, debate, and enact or kill any and all legislation involving the welfare of the students at Monterey Peninsula College.
- b. The Voting Members shall, excepting the Student Trustee and SSCCC Representative, be empowered to make motions, second motions, and vote.
 - i. The Student Trustee and SSCCC Representative shall be entitled to a non-binding advisory vote but may not make nor second motions.
- c. The Senate Voting Members shall be responsible for sitting on at least one (1) MPC Campus Committee and one (1) ASMPC Auxiliary Council for the duration of their term of office.
 - i. The Student Trustee, SSCCC Representative, and Directors are exempt from this requirement as their own duties encapsulate this need.
 - ii. A list of authorized MPC Campus Committees that satisfy this requirement shall be maintained and updated by the Executive Council.
- d. The Voting Members shall have the authority to appropriate all funds allocated to the ASMPC Council.
- e. The Voting Members shall have the authority to approve or deny the proposed ASMPC Council Budget and may render any revisions to said Budget by majority motion and approval of the Judicial Council.
- f. The Voting Members shall have the authority to override a Presidential Veto with a two-thirds majority vote.
- g. The Voting Members shall supervise all general or special elections for officers and legislation in the ASMPC Council.

2.07 - President - The President of the ASMPC Council serves as a central figure for experienced decision-making and Council operation. The President is responsible for the conduct of the ASMPC Council and must aspire to meet rigorous leadership, professionalism, tact, and resilience standards.

- a. The President shall serve as the Chair of the ASMPC Council during all regular, special, and emergency ASMPC Council meetings when present and able.
- b. The President shall serve as the official representative of the students at Monterey Peninsula College.
- c. The President shall allocate all duties and responsibilities not established in the governing documents to the council members most appropriate for the conduct of said duties and responsibilities.
- d. The President shall be empowered to introduce legislation to the Voting Members in the form of resolutions.
- e. The President shall enforce the actions of the ASMPC Council through their words and conduct.
- f. The President shall have the power to veto any action made by the Voting Members during the same legislative session that such motion was passed.
- g. The President shall be responsible for the appointment of qualified students to positions filling mid year vacancies.

- h. The President shall be considered the official representative of the ASMPC Council for the purposes of signing any official documents or conducting any actions on behalf of the ASMPC Council.
- i. The President shall serve as the Chair of the Executive Council.
- j. The President shall work closely with the Secretary to create agendas for regular meetings of the ASMPC Council.
- k. The President shall work closely with the Treasurer to create the annual budget for the ASMPC Council and oversee its enforcement.
- l. The President shall preside over the meetings of the Judicial Council in the event that the Chief Justice is subject to impeachment, Judicial Evaluation, or the position is vacant.
- m. The President shall have the authority to delegate the above-prescribed responsibilities in any case where they are not confident in their ability to perform said responsibility adequately.
- n. The President shall not have the right to vote ordinarily but shall have a supremacy vote to resolve ties.
- o. The President shall not count for or against quorum.

2.08 - Vice President - The Vice President of the ASMPC Council serves as the second-in-line in succession of leadership. Additionally, the Vice President is responsible for the oversight of the Senate's obligations and the enforcement of ASMPC governing documents.

- a. The Vice President shall serve in the full capacity of the ASMPC President, with all of the responsibilities assigned above, in any case where the ASMPC President is unable or unwilling to fulfill said responsibilities.
 - i. This condition shall immediately go into effect in such case that charges of impeachment or judicial evaluation be successfully made against the President.
- b. The Vice President shall chair all meetings of the Legislative Council and shall serve as the primary enforcer of the responsibilities for all Senate members of the ASMPC Council.
 - i. This responsibility shall include ensuring that all Senate members of the ASMPC Council sit on at least one (1) ASMPC Auxiliary Council and one (1) MPC Campus Committee throughout their term of office.
- c. The Vice President shall serve as an Associate Justice in such case that there are at least two (2) vacancies in the Judicial Council.
- d. Shall be delegated additional relevant responsibilities as needed by the President.
- e. The Vice President shall not have the right to vote.
- f. The Vice President shall not count for or against quorum.

2.09 - Treasurer - The Treasurer of the ASMPC Council is responsible for the creation, maintenance, and adjustment of all financial documentation and records pertaining to the ASMPC Council.

- a. The Treasurer shall serve as the ex-officio Treasurer for all ASMPC Auxiliary Councils and ASMPC Standing Committees.

- b. The Treasurer shall be responsible for creating an annual budget based on realistic financial allocations presented to the ASMPCC Council at the first regular business meeting of the ASMPCC Council in May.
- c. The Treasurer shall maintain records for all financial transactions incurred by the ASMPCC Council and subsidiary organizations.
- d. The Treasurer shall provide a detailed financial report regarding the standing of all accounts and funds relevant to the ASMPCC Council at every regular business meeting.
- e. The Treasurer shall initialize all check requisitions and financial documentation relevant to the ASMPCC Council.
- f. The Treasurer shall not have the right to vote.
- g. The Treasurer shall not count for or against quorum.

2.10 - Secretary - The Secretary of the ASMPCC Council serves as the record-keeper and archivist of all material relevant to the ASMPCC Council.

- a. The Secretary shall be responsible for attending all meetings of the ASMPCC Council and recording the minutes of every meeting in as much detail as is humanly possible.
- b. The Secretary shall be responsible for the creation, editing, and public posting of the agenda in accordance with the Brown Act.
- c. The Secretary shall be responsible for editing, proofreading, and presenting the recorded minutes for approval of the ASMPCC Council at following meetings.
- d. The Secretary shall be empowered to work closely with the Chairs of ASMPCC Auxiliary Councils and Committees to ensure that their requirements for agenda-posting and minutes recording are adequately met.
- e. The Secretary shall also be responsible for the maintenance and upkeep of the ASMPCC Participation Hours and Attendance records.

2.11 - Chief Justice - The Chief Justice of the ASMPCC Council serves as the highest interpreter of the ASMPCC Constitution and Bylaws in addition to the on-site expert on parliamentary procedure.

- a. The Chief Justice shall preside over all meetings of the Judicial Council
- b. The Chief Justice shall also serve as the Parliamentarian of the ASMPCC Council and shall thus have an advanced understanding of the Robert's Rules of Order and Ralph M. Brown Act in addition to the ASMPCC Governing Documents.
- c. The Chief Justice shall be responsible for the coordination of the Judicial Council in all of its affairs and businesses.
- d. The Chief Justice shall serve as an advisor to the President and the Executive Body in all decisions that involve the Associated Students.
- e. If a violation is given, it should be approved by the Chief Justice and the Associate Justices.
 - i. Approve or disapprove violations
 - 1. Judicial members can discuss violations being given. Not including automatic violations from missing meetings. The

purpose of keeping violations in check is so that people who deserve a violation get one and those who don't, shouldn't. We should be able to give a second opinion on why people should be excused or unexcused from a violation.

- ii. Question executive and ASMPC member's decision on violations especially pertaining to matters involving members. (Defend & cite reasons of violation)

2.12 - Associate Justices - The Associate Justices of ASMPC shall be responsible for assisting the Chief Justice as the interpreters of the ASMPC Constitution and Bylaws and as experienced experts in the legislation governing the conduct of the ASMPC Council.

- a. The Associate Justices shall sit on at least one (1) ASMPC Auxiliary Council as their Justice Representative.
- b. The Associate Justices shall assist in the maintenance, update, and enforcement of the Constitution and Bylaws of their respective Auxiliary Councils.
- c. The Associate Justices shall actively engage and participate in the Judicial Council meetings.
- d. Keep check of violations
 - i. Judicial members can discuss violations being given. Not including automatic violations from missing meetings. The purpose of keeping violations in check is so that people who deserve a violation get one and those who don't, shouldn't. We should be able to give a second opinion on why people should be excused or unexcused from a violation.
- e. Approve or disapprove of violations
- f. Should monitor everyone, including executive members
 - i. Be able to question authority

2.13 - Directors - The Directors of the Associate Students serve as the chairs of their respective Auxiliary Councils and as the point of reference for their respective fields of operation.

- a. The Director of Activities shall be responsible for the operation of events and the representation of the Associated Students therein.
 - i. The Director of Activities shall be responsible for chairing meetings of the Activities Council.
 - ii. The Director of Activities shall set the dates, times, locations, and operational capacity for every event hosted by the Associated Students on behalf of the ASMPC Council.
- b. The Director of Organizations shall be responsible for the communication, coordination, and collaboration among the student-led organizations and clubs operating at Monterey Peninsula College.
 - i. The Director of Organizations shall facilitate funding, promotions, and discussion among the student-led organizations and clubs in the spirit of offering a diverse and educational environment for the students at MPC.

- ii. The Director of Organizations shall be responsible for chairing meetings of the Inter Club Council and shall serve as the official representative of the Associate Students in that regard.
- c. The Director of Representation shall be responsible for ensuring that the interests of the students at Monterey Peninsula College are represented by the actions and conduct of the ASMPC Council.
 - i. The Director of Representation shall be responsible for chairing meetings of the Student Representative Council.
 - ii. The Director of Representation shall be responsible for the conduct of surveys and the accumulation of student opinion regarding matters of current concern or interest.
- d. The Director of Student Welfare shall be responsible for the continued operation of various services offered by the Associated Students for the benefit of all students and additionally work to acquire resources, facilities, and/or any other means of achieving an added benefit for the students at MPC.
 - i. The Director of Student Welfare shall be responsible for the administration and chairing of the Student Welfare Council.
 - ii. The Director of Student Welfare shall utilize funds and available resources to maximize the benefit for students at MPC in services including the food pantry, discounted bus passes, student identification card benefits, and student housing.
- e. Directors are in charge of organizing their members as well as adding and removing them from their Auxiliary meeting.
 - i. Aside from removals regarding attendance policies and resignations, Directors must provide a formal email, or notification, of reason for the affected member's removal along the appropriate guidelines that the affected member shows non-cooperation or neglect of duties, intolerable disrespect, absence or lack of professionalism, etc.
 - 1. Directors must prove a valid and reasonable purpose for removing their members.
 - 2. Director may refer to their own written Bylaws for further validation

2.14 - Division Senators - Senators of a specified division as codified in the ASMPC Constitution shall be responsible for ensuring a healthy and proactive relationship between their assigned division and the ASMPC Council.

- a. Division senators shall be encouraged to regularly meet with faculty members of their respective division and serve as the point of contact between the division and the ASMPC Council.
- b. Division senators shall, to the best of their abilities, encourage student and faculty participation within their respective division and with all ASMPC events and activities.
- c. Division senators serve as the primary voting members of the Associated Students and shall be responsible for making motions and taking legislative action that defines the course of the Associated Students.

- d. Division senators shall have the right to vote at any meeting of the ASMPC Council.
- e. Division senators shall be counted for quorum at any ASMPC Council meeting..

Section 3 - The Legislative Council

3.01 - Composition - The Legislative Council shall be composed of all Voting Members of the ASMPC Council including all Senators and Directors.

3.02 - Responsibilities - It shall be the responsibility of all members of the Legislative Council to discuss and deliberate on any form of legislation brought before the ASMPC Council. These forms of legislation shall include motions and proposals brought before the ASMPC Council and, in certain circumstances, ASMPC Auxiliary Organizations.

3.03 - Meetings and Conduct - The Legislative Council shall be automatically convened during any regular business meeting of the ASMPC Council. All motions and proposals brought before the ASMPC Council shall be accepted or annulled by members of the Legislative Council.

- a. The sole exception to this rule shall be in the event of a Presidential Veto (which may be overridden by a two-thirds majority vote of the Legislative Council) or a ruling of Unconstitutionality by the Judicial Council.
- b. The Legislative Council shall not be required nor permitted to meet independently of the ASMPC Council.

Section 4 - The Executive Council

4.01 - Composition - The Executive Council shall be comprised of the President, Vice President, Secretary, Treasurer, Student Trustee, and the Student Senate of California Community Colleges Representative.

4.02 - Responsibilities - It shall be the responsibility of all members of the Executive Council to administer and lead the conduct of the ASMPC Council in all of its affairs.

4.03 - Meetings and Conduct - The Executive Council shall be automatically convened during any regular business meeting of the ASMPC Council but may also convene separately from the ASMPC Council.

- a. The Executive Council shall meet no less than once per month to discuss any business relating to leadership, personal development, and positive change for the benefit of the ASMPC Council. The Executive Council shall also address any administrative business that does not fall under the scope of the Legislative or Judicial Councils.

Section 5 - The Judicial Council

5.01 - Composition - The Judicial Council shall be comprised of the Chief Justice and two (2) Associate Justices.

5.01 - Responsibilities - The Judicial Council shall be responsible for the proper administration and enforcement of the governing documents for the ASMPC Council, all ASMPC Auxiliary Councils, and ASMPC Standing Committees. Additionally, the Judicial Council shall review all complaints made against members of the ASMPC Council and shall serve as the highest interpreters of the governing documents should a need for clarification arise.

5.03 - Meetings and Conduct - The Judicial Council shall be required to convene at least one (1) time per month in a time, manner, and place according to the Ralph M. Brown Act.

- a. It is highly recommended that the Judicial Council should convene weekly or monthly (depending on the severity of the situation) to discuss upcoming Judicial projects and administered violations or violations to be reviewed.

Section 6 - Judicial Evaluation

6.01 - Initiation - By request of any member of the ASMPC Council, the Judicial Council may be empowered to conduct Judicial Evaluation of a Councilmember, action, or ASMPC-affiliated activity. The passage of said request by no less than a two-thirds majority of the present Voting Members shall serve as a prerequisite to the conduct of Judicial Evaluation.

- a. An official request to initiate Judicial Evaluation must be signed by a Council member and assert specific violations of the ASMPC Constitution or Bylaws at length.
- b. The Chair shall be required to present the request for Judicial Evaluation at the next regular business meeting following the request's submission.
- c. In the event that Judicial Evaluation is called upon a member of the Judicial Council, the President or appointed representative shall perform the responsibilities of that Judicial Council member(s) for the duration of the Judicial Evaluation.
- d. In the event that a request for Judicial Evaluation be called upon the Chair, the Chair shall be obligated to recuse themselves and the subsequent ranking officer of the ASMPC Council shall serve as the Chair for the remainder of discussion and action regarding the request.
- e. The vote to initiate Judicial Evaluation shall be conducted by a roll-call voice vote.

6.02 - Judicial Council Implementation - When a request successfully passes to initiate Judicial Evaluation, the ASMPC Judicial Council is required to address the content of said request in the next Judicial Council meeting to be held no later than two (2) weeks after the passing of the request.

- a. When addressing a valid request for Judicial Evaluation, all members, including the Chief Justice, must be present.
 - i. If a member of the Judicial Council cannot attend the meetings within the allotted two-week time frame, the Council may appoint a temporary justice for the duration of the Judicial Evaluation proceedings.
- b. All involved parties in the Judicial Evaluation shall be invited to attend this meeting of the Judicial Council.

- c. The Judicial Council shall, during this meeting, determine the accuracy of the claims made in the original request and determine their official position by majority vote.
 - i. The Judicial Council shall inform their decision based on relevant facts and information presented.
 - ii. If sufficient evidence does not exist to determine a charge as Unconstitutional beyond a reasonable doubt, the Judicial Council shall be obligated to dismiss it as Constitutionally Irrelevant.
 - iii. No member of the Judicial Council may be permitted to abstain from a decision on Judicial Evaluation.

6.03 - Decision Making - The Judicial Council shall, in executing Judicial Evaluation, determine the constitutionality of the actions of a Councilmember, action, or ASMPC-affiliated activity. The Judicial Council shall come to a decision of either ‘unconstitutional,’ ‘constitutional,’ or ‘constitutionally irrelevant’.

- a. The decision of the Judicial Council shall be officially published to the public and announced during the next regular business meeting of the ASMPC Council following the Judicial Council meeting.
- b. If the ruling of the Judicial Council is ‘constitutional,’ the Councilmember, action, or ASMPC-affiliated activity in question are upheld and may not be subject to another Judicial Evaluation.
- c. If the ruling of the Judicial Council is ‘unconstitutional,’ the action or ASMPC-affiliated activity is nullified. If the actions of a Council Member are deemed in violation of the Constitution, the Council Member will be reprimanded in a manner in accordance with the severity of the constitutional infraction.
- d. If the ruling of the Judicial Council is ‘constitutionally irrelevant,’ the Judicial Evaluation is recorded but no action is taken regarding the motions, actions, events, activities, or Council Members in question.
- e. The decision of the Judicial Council may be reversed by a Presidential Veto made within two (2) days of publishing the decision. The Presidential Veto itself may be overturned by a two-thirds majority of all Voting Members of the ASMPC Council.

6.04 - Consequences of Judicial Evaluation - In the event that the Judicial Council determines that the actions of an ASMPC Council Member, Council Activity, or Council Action were unconstitutional, the Judicial Council shall be empowered to present a Recommendation of Consequence to the ASMPC Council regarding the appropriate reprimand.

- a. The Judicial Council may recommend that Unconstitutional Council Activities be cancelled, nullified, disavowed, or altered to comply with ASMPC Governing Documents.
 - i. Any such act shall require the majority approval of the ASMPC Council’s Voting Members in the presence of quorum.
 - ii. Public notice regarding the Council decision shall be publicly displayed alongside ASMPC Agendas.
- b. In the event that the Judicial Council has found that a member of the ASMPC Council has conducted actions that are in violation of the ASMPC Governing

Documents, the Judicial Council shall be required to determine an appropriate consequence commensurate with the actions of the Council Member and deliver it to the ASMPC Council during the presentations of the results regarding the Judicial Evaluation.

- i. The Judicial Council recommendation must include a consequence of adequate severity to warrant a general understanding of consequence for the Council Member's actions.
- ii. The Judicial Council recommendations must detail a consequence that fairly reprimands the ASMPC Councilmember and preferably addresses the root cause of the Council member's violations.
- iii. The scope of the Judicial Council's recommendations must detail consequences not lesser than partial stipend reduction and not greater than articles of impeachment.
- iv. Examples of authorized consequences include a partial or full revocation of stipend, a specialized probationary agreement that restricts the Council member's privileges, re-appointment of the Council member to a Senator (if not already), or other fitting reprimands as determined by the ASMPC Council with the approval of the ASMPC Faculty Advisor.
- v. The Judicial Council recommendation shall be required to pass a two-thirds majority vote by the Voting Members of the ASMPC Council in the presence of quorum.
 1. Should the ASMPC Council fail to reach a sufficient consensus on any consequence or reprimand offered, the only consequence incurred on the evaluated party shall be a single-bracket reduction in End-of-Semester Stipend.
- vi. Motions regarding the authorization of consequences shall not be subject to a Presidential Veto nor challenge by the Parliamentarian save for violations of this section.
- vii. Motions regarding the authorization of consequences shall be considered final and binding.

6.05 - Probationary Agreements - Among the plausible consequences issued against a member of the ASMPC Council who is guilty of violating the ASMPC Governing Documents is the probationary agreement. These agreements are considered binding documents whereas both parties uphold several imperative tenets to facilitate the resolution of concerns and charges expressed in the original request for Judicial Evaluation.

- a. Terms of the Probationary Agreements shall include clauses of Restriction, Oversight, and Resolution.
- b. The Restriction Clause shall detail the privileges that are revoked from the ASMPC Council Member for the duration of the Probationary Agreement.
 - i. The Term of the Probationary Agreement may not exceed the remainder of the academic year for which the Councilmember is presently in office for.
 - ii. Privileges that may be revoked from the Councilmember include:
 1. Use of ASMPC Office Computers (Save for official ASMPC Council business).

2. Access to the ASMPC Office and resources for non-ASMPC use.
 3. Nullification of ASMPC Parking Pass.
 4. Nullification of ASMPC Priority Registration.
 5. Revocation of ASMPC Graduation Stole/Certificate/Commendation/Award.
- iii. As an alternative to revoking privileges, the ASMPC Council may assign one of its members to serve as a direct superior to the Councilmember with the authority to immediately nullify decisions made by the Council Member and ensure that the duties and responsibilities of that Councilmember are being properly fulfilled.
1. This assigned Councilmember may not be a party who has originally requested the Judicial Evaluation, nor the President of the Associated Students.
 2. If this option is pursued but no suitable ASMPC Councilmember is found to fulfill the required role, the ASMPC Faculty Advisor may serve as the direct superior.
- iv. The Oversight Clause shall clearly detail the names, dates, and established goals of the Probation Agreement.
1. The Oversight Clause shall include an appointed Point of Contact regarding the Probation Agreement who is obligated to closely monitor the progress of the Probation Agreement and all relevant parties involved.
 2. The Oversight Clause shall detail at least one (1) ASMPC Council meeting where a full report shall be delivered regarding the progress of the Councilmember and whether or not the Point of Contact recommends the termination of the Probation Agreement.
- v. The Resolution Clause shall detail the circumstances for which the Probation Agreement and Term may be ended.
1. All modifications to the Probation Agreement must pass a two-thirds majority vote of the ASMPC Council's Voting Members in the presence of quorum.
 - a. 'Modifications' may include premature termination or extension.
 2. The Resolution Clause shall detail the date of final report to the ASMPC Council regarding the agreement and any specialized stipulations the Council has required for the Agreement's fulfillment.
 3. The ASMPC Council shall be required to certify the fulfillment of a Probation Agreement during the same regular business meeting that the report is given.
 4. If the terms of the Resolution Clause are not met or if the ASMPC Council fails to certify the fulfillment of the Resolution Clause, the Probation Agreement shall expire at the cessation of the academic year for which the Councilmember has been in office.

Section 7 - Parliamentary Procedure and Governing Documents

7.01 - Invocation - The ASMP Council, for the administration of its regular meeting proceedings and those of its Auxiliary Councils and Committees, adopt the Robert's Rules of Order (Fourth Edition) as its official standard for parliamentary procedure.

7.02 - Competency - It shall be the responsibility of all members of the ASMP Council to be proficient in the execution and conduct of the Robert's Rules of Order and the implementation thereof by the ASMP Council.

7.03 - Judiciary Responsibility - It shall be the responsibility of the Judicial Council, and specifically that of the Chief Justice, to ensure that members of the ASMP Council are versed in Robert's Rules of Order. The Judicial Council shall be permitted to utilize experienced officers, official meeting proceedings, and the requirement for attendance in the fulfillment of this responsibility.

7.04 - Parliamentarian - It shall be the responsibility of the Chief Justice to become particularly advanced in the understanding of the Robert's Rules of Order. The Chief Justice shall serve as the Parliamentarian of the ASMP Council, and shall hold the authority to authorize motions to temporarily suspend Robert's Rules of Order as needed. Motions to Suspend the Robert's Rules of Order shall require authorization from the Parliamentarian.

- a. A Parliamentarian that refuses to authorize a motion to suspend the Robert's Rules of Order may be overridden by a two-thirds majority vote by the Voting Members of the ASMP Council.
- b. Associate Justices of the ASMP Council shall also be considered responsible for becoming proficient in their understanding of the Robert's Rules of Order, to check the decision of the Parliamentarian and take the place of the Parliamentarian where they are unable to perform their duties.

7.05 - Official Documents - It shall be the responsibility of the ASMP Secretary, in conjunction with the Judicial Council, to create official forms of the ASMP Council relevant to the conduct of meetings and business as required. Such documents shall be implemented as an Appendix to the ASMP Bylaws, and shall be approved or nullified by the ASMP Council just as any amendment to the ASMP Bylaws would be.

7.06 - Conflicts of Governing Documents - In the event that a conflict is deemed to exist between the governing documents of the ASMP Council, the Judicial Council shall determine the appropriate course of action in both resolving said conflict and ensuring that said conflict does not substantially impede the proceedings and business of the ASMP Council.

- a. Conflicts between the ASMP Constitution and the ASMP Bylaws shall always result in adherence to the ASMP Constitution.
- b. Conflicts between the ASMP Constitution or Bylaws and the Ralph M. Brown Act shall always result in adherence to the Ralph M. Brown Act.

Section 8 - Council Ordinances

8.01 - Purpose - Ordinances of the ASMP Council shall be established to clarify or temporarily override the Bylaws of the ASMP Council or Auxiliary Council as required. Ordinances shall

relate specifically to the conduct of the ASMPC Council in addition to rules and regulations regarding ASMPC-affiliated events, activities, and allocated rooms and offices. Ordinances may not supersede any portion of the ASMPC Constitution nor policy of the MPC Governing Board.

8.02 - Duration - Ordinances of the ASMPC Council shall be, upon the certification of the minutes bearing that Council's approval of the ordinance, effective for the remainder of that council's elected term in office. At the expiration of an ordinance's effective term, said ordinance may be renewed by the subsequently elected ASMPC Council at the beginning of the Fall semester. An ordinance that is not renewed in this manner shall be considered nullified effective at the beginning of the Council's elected term.

8.03 - Approval - The approval of an ASMPC Council Ordinance shall require the passing of a two-thirds majority vote of the ASMPC Council in presence of quorum. An ordinance must be presented, in full text, to the ASMPC Council in the presence of quorum no less than one (1) week prior to the final vote on the ordinance.

8.04 - Availability - An updated record of all currently effective and previously effective ASMPC Council Ordinances shall be made available to the public upon written request. The recording and archiving of effective Ordinances shall be the responsibility of the ASMPC Council Secretary and the Judicial Council.

8.05 - Enforcement - Ordinances of the ASMPC Council, upon their approval, are effectively considered temporary Bylaws. As a result, enforcement of Council Ordinances shall fall to the Executive and Judicial Councils. Violations of an ordinance shall constitute grounds for Judicial Evaluation under normal procedures. Violations of Council Ordinances at a time where the ordinance is not in effect shall not warrant any form of punishment.

Section 9 - Training and Education

9.01 - Required Member Proficiency - All members of the ASMPC Council shall be required to be proficient in the administration of the food bank and the student identification card system. Additionally, members of the ASMPC Council are required to be proficient in understanding the layout of the college and the locations of all major divisions and administrative centers.

- a. Members of the ASMPC Council shall, to the best of their ability, acquire relevant knowledge pertaining to these subjects but shall not be held liable for a lack of knowledge should no training be initially offered.
- b. Members of the ASMPC Council shall also be required to familiarize themselves with the ASMPC Constitution, Bylaws, Robert's Rules of Order, and the Ralph M. Brown Act to a level of proficiency befitting the operation of the ASMPC Council.
- c. Members of the ASMPC Council shall also be familiar with office rules and procedures including the use of ASMPC Computers and technology.

9.02 - Training - It shall be the responsibility of the Executive Council or any delegated authority to train new members of the ASMPC Council in the aforesaid responsibilities.

- a. Training for new members of the ASMPC Council should be held immediately after the meeting of their appointment or as soon after as possible where scheduling permits.
- b. Training on all matters of legislation shall be considered the responsibility of the Judicial Council.
- c. The Judicial Council shall be required to host training on the governing documents and parliamentary procedure no less than once a semester.

9.03 - Semester Training Meeting - It shall be the responsibility of the President and the Executive Council to hold a meeting at the beginning of the semester for the purpose of training all members of the ASMPC Council, regardless of their history of the Council, on the administration of their duties, the governing documents, and the overall conduct of the Council.

- a. The Judicial Council shall be required to assist the Executive Council in the administration of this responsibility as it relates to ASMPC-related legislation.
- b. The Semester Training Meeting shall be held at the beginning of the Fall and Spring semesters.

9.04 - ASMPC Handbook - The ASMPC Council, primarily the Executive Council, shall be responsible for creating and maintaining a handbook of all essential information for members of the ASMPC Council, including details on the proper administration of their duties and how to access resources of the Council.

Section 10 - Council Evaluations

10.01 - Evaluation Overview - The ASMPC Council Evaluations shall serve as a metric for the performance of a Council Member during a given semester of their term of office. The evaluation shall comprise multiple components designed to provide a well-rounded and relatively unbiased perspective as to the Council Member's performance.

10.02 - Evaluation Applicability - An evaluation shall be conducted every semester on all members of the ASMPC Council who have spent no less than two (2) months of the semester as an elected or appointed member of the ASMPC Council.

- a. A resigning member of the ASMPC Council may request an evaluation to receive their stipend if they have spent at least two (2) months of that semester on the ASMPC Council.
 - i. Inversely, a member of the ASMPC Council shall be allowed to resign without an evaluation should they desire, but in doing so forfeit the right to any stipend.

10.03 - Evaluation Time and Location - The ASMPC Council Evaluations shall be held during the last meeting of the ASMPC Council prior to Finals Week for both the Fall and Spring semesters. The evaluation shall be held in the regular meeting location and shall be conducted as an Action Item during a meeting in accordance with the Ralph M. Brown Act.

- a. Evaluations on any member of the ASMPC Council who has resigned with the intention of receiving a stipend shall be conducted during the same regular business meeting where their resignation is presented to the ASMPC Council.

- b. A member of the ASMPC Council who is required to submit an evaluation but is not able to attend the meeting requiring their evaluation shall be permitted to electronically file their evaluation directly to the ASMPC Advisor or the President, depending on their preference.
- c. Only the Advisor Evaluation and Peer Evaluation shall be conducted during this time. All other portions of the evaluation, including the final results tabulation, shall be conducted in a closed session after the meeting.

10.04 - Stipend Brackets - The ASMPC Stipends shall be determined based on two (2) brackets divided on the basis of a Council Member's position on the ASMPC Council.

- a. The President, Vice President, Chief Justice, Secretary, Treasurer, SSSCC Representative, Student Trustee, and Directors shall be eligible for a maximum stipend of three hundred (300) USD. This shall be considered the Upper Bracket
- b. The Senators and Associate Justices shall be eligible for a maximum stipend of two hundred and fifty (250) USD. This shall be considered the Lower Bracket

10.05 - Council Evaluation System [APAP] - The ASMPC Council Evaluations shall consist of four (4) equally weighted sections. These sections are the advisor Evaluation, the Peer Evaluation, the Attendance Record, and the Participation Hours Record.

- a. Each section of the evaluation shall be worth a total of one hundred (100) points, with the grand total of all four (4) sections being four hundred (400) points.
- b. The advisor Evaluation shall consist of a simple survey completed by the ASMPC advisor that is identical to that of the Peer Evaluation.
 - i. The ASMPC advisor shall rate every member of the ASMPC Council from a scale of one (1) to ten (10) on the advisor's perception of their Work Ethic, Initiative, Teamwork, Leadership, and Professionalism.
 - ii. The sum of the scores for all five (5) categories shall be summed out of fifty (50) points and then multiplied by two (2) to receive the advisor Evaluation percentage.
- c. The Peer Evaluation shall consist of a simple survey completed by all members of the ASMPC Council who meet the prerequisites for evaluation.
 - i. The Council Member shall rate every member of the ASMPC Council, excluding themselves, on a scale of one (1) to ten (10) on the Council Member's perception of their Work Ethic, Initiative, Teamwork, Leadership, and Professionalism.
 - ii. The sum of all scores submitted shall be multiplied by two (2), then divided by the number of Council members participating in the evaluation to receive the Council Member's Peer Evaluation score.
- d. The Attendance Record shall be considered from a simple basis that is dependent on a Council Member's attendance during ASMPC Council meetings.
 - i. Starting with one hundred (100) points, a total of ten (20) points shall be deducted for every unexcused absence, ten (10) points for every unexcused tardy, and five (5) points for every excused absence. The resulting number shall be considered the Council Member's Attendance Record score.

- e. The Participation Hours Record shall be considered from a simple basis that is dependent on a Council Member's participation with the ASMPC Council during the recorded semester.
 - i. Starting with one hundred (100) points, a total of ten (10) points shall be deducted for every weekly violation of the ASMPC Participation Hours policy. The resulting number shall be considered the Council Member's Participation Hours Record score.
- f. The final evaluation score shall be acquired by taking the sum of all four (4) sections to obtain the total sum out of four hundred (400) possible points. The total sum shall be divided by four (4) to receive the Council Member's final evaluation score out of one hundred (100) percent.
- g. The full results of a Council Member's evaluation, including a breakdown of this scoring system and their personal scores for each section, shall be provided to the Council Member and to any administrative member of Monterey Peninsula College upon request.

10.05 - Tabulation of the Scores - The evaluation scores shall be calculated in a closed session comprising three (3) individuals whose attendance is mandatory. These individuals shall include the President, Chief Justice, and ASMPC advisor. The tabulation of the scores shall take place immediately after the meeting where the peer and advisor evaluations were conducted, and all sensitive documentation shall be left in the possession of the ASMPC advisor.

10.06 - Evaluation Scores and Stipends - Stipends shall be allocated to members of the ASMPC Council on a proportional basis to their evaluation score. This system is designed to positively incentivize excellent performance within the Council while also ensuring fairness in the operation of the Council.

- a. Council Members who receive sixty (60) to sixty nine (69) percent as the result of their test shall be eligible to receive one-fourth of their maximum stipend.
 - i. Upper Bracket: 75 USD
 - ii. Lower Bracket: 63 USD
- b. Council Members who receive seventy (70) to seventy-nine (79) percent as the result of their test shall be eligible to receive one-half of their maximum stipend.
 - i. Upper Bracket: 150 USD
 - ii. Lower Bracket: 125 USD
- c. Council Members who receive eighty (80) to eighty-nine (89) percent as the result of their test shall be eligible to receive three-fourths of their maximum stipend.
 - i. Upper Bracket: 225 USD
 - ii. Lower Bracket: 188 USD
- d. Council Members who receive ninety (90) percent and above as the result of their test shall be eligible to receive the entirety of their maximum stipend.
 - i. Upper Bracket: 300 USD
 - ii. Lower Bracket: 250 USD

10.07 - Further Incentives - Any non-stipend incentive offered for the purposes of motivating the actions or conduct of a Council Member shall be authorized solely by the ASMPC advisor.

Section 11 - Committees

11.01 - Authority - The ASMPC Council shall have the authority to activate and appoint the membership of committees for the purpose of conducting business relevant to the ASMPC Council. Business conducted within committees activated by the ASMPC Council shall ultimately be determined by the Executive Council with the consent of a majority of Voting Members.

11.02 - Council Interaction - Upon the activation of a committee, business of the ASMPC Council may be referred to said committee by majority vote. Likewise, a committee may refer business of significant import to the ASMPC Council as needed.

11.03 - Conduct - The business of an ASMPC Council Committee shall be dictated by the motion made to activate it. The business carried out by a committee shall be reported to the ASMPC Council at every regular business meeting.

- a. The meetings of an ASMPC Council Committee shall be publicly accessible and follow the legal standards set forth by the Ralph M. Brown Act and the ASMPC Constitution. Public notice of meetings shall be required and an accurate record of the conduct of all meetings shall be kept by the Committee Chair.
- b. ASMPC Council Committees shall not be required to attain quorum in order to conduct their regular business. If the ASMPC Council Committee moves to utilize any funding appropriated to it in the absence of quorum, said motion shall require the approval of the ASMPC Council in the presence of quorum.

11.04 - Committee Chair - Upon the activation of a committee, the ASMPC Council shall also appoint a Committee Chair to serve as the executive liaison between the ASMPC Council and the ASMPC Council Committee.

- a. The Committee Chair must be sworn member of the ASMPC Council during their time serving as the Committee Chair.
- b. The Committee Chair shall provide a written report to the ASMPC Council at every ASMPC Council meeting following a meeting of their committee in which business was conducted.

11.05 - Deactivation - The ASMPC Council shall have the authority to deactivate an ASMPC Council Committee should it believe that it is no longer needed for the conduct of regular business. A motion to deactivate an ASMPC Council Committee shall require a two-thirds majority vote in approval of deactivation.

- a. The Committee Chair of an ASMPC Council Committee may request that their committee be deactivated if business is believed to be conducted.
- b. A deactivated ASMPC Council Committee shall not be permitted to convene nor conduct business until reactivated by the ASMPC Council.

Section 12 - Appointments to Office

Section 12.01 - Existence of a Vacancy

- a. A vacancy shall be considered to exist if at any point a position of the Judicial, Legislative, or Executive Council(s) is not currently filled by a student meeting the minimum criteria established by the Associated Students for membership on the ASMPC Council.
- b. In the case of the Senators, a vacancy shall be considered to exist if, at any time, there are fewer than ten Senators currently holding office, regardless of their Departmental titles.

Section 12.02 - Public Notification of a Vacancy

- a. The President of the Associated Students shall be responsible for notifying the ASMPC Council and the public of a vacancy within one (1) week of the vacancy.
- b. Notification to the public shall constitute no less than a written announcement posted alongside the ASMPC Council agenda.
 - i. The President shall be encouraged to utilize social media, MPC Announcements, and any other reliable communication method to clearly indicate the existence of a vacancy to the public.
- c. The ASMPC Council shall be notified via bulletin or other special notice drafted and sent to all members of the ASMPC Council.
- d. The public notice shall be comprised of at least the following information:
 - i. The positions on the ASMPC Council that are currently vacant.
 - ii. A short summary of the application process for the vacant positions.
 - iii. The listed date where appointments are currently scheduled to be made.

Section 12.03 - Presidential Nomination

- a. It shall be a responsibility of the ASMPC President, in conjunction with the rest of the ASMPC Council, to reach out and seek qualified students at Monterey Peninsula College who are willing to participate as officers of the Associated Students.
- b. Interested students who wish to apply for the position must fill out and submit to the President an Application for Appointment.
 - i. The Application for Appointment shall be maintained in both physical and digital forms by the ASMPC Secretary.
 - ii. The Application for Appointment shall include fields to identify whether or not a student meets the minimum logistical requirements for participating on the ASMPC Council.
 - iii. The Application for Appointment shall include fields that allow a candidate to express unique personal qualities and background that provide a reasonable illustration of the candidate's qualifications and capabilities for fulfilling the duties of the office they seek.
 - iv. The Application for Appointment shall not include any fields that would enable discrimination against or for an applicant based on age, gender, sex, race, religious orientation, or sexual orientation.
 - v. The Application for Appointment may be altered by any member of the Executive Council without motion so long as it complies with the clauses of this section.

- vi. The applicant for this position must have served for a minimum of one full (start to finish) semester as an ASMPC member.
- c. The President shall be responsible for meeting with an applicant who has submitted an Application for Appointment prior to the ASMPC Council meeting in which the nomination would be made and decided.
 - i. The meeting between the President and the applicant shall be considered confidential and no records shall be recorded nor kept.
 - ii. During this meeting, the President shall be responsible for properly articulating the duties and responsibilities of the office that the candidate is seeking, in addition to offering personal recommendations.
 - iii. Additionally, the candidate shall be invited to convey any concerns or questions in addition to elaborating on personal circumstances that may affect the candidate's ability to perform the duties and responsibilities of the office they seek.
 - iv. In lieu of the President, any member of the Executive Council may serve in the President's role in conducting the interview.
 - 1. The President may, at their discretion, invite any other member of the ASMPC Council to participate in the interview.
- d. The President shall be responsible for offering a nomination to a qualified applicant within two (2) weeks of a vacancies existence.
 - i. If the President is unwilling to nominate an otherwise qualified applicant within this two (2) week period, any member of the Voting Members may offer a nomination to a qualified applicant.
 - ii. If there are two or more qualified applicants for a single position, the President shall meet with all qualified applicants and invite them to attend the next ASMPC Council meeting for the nomination's review.
- e. The official nomination for office shall be made by the President during the ASMPC Council meeting following the candidate's interview.
- f. A submitted Application for Appointment shall be posted for review of the ASMPC Council no less than twenty-four (24) hours prior to the meeting in which the Council shall review the nomination.
- g. All concerns regarding the qualifications or abilities of a candidate may be directed to the President of the Council and will be ultimately expressed during the ASMPC Council's review of the candidate.

Section 12.04 - Appointment

- a. The ASMPC Council shall review any Applications for Appointment during the allocated time for such matters as described in the Agenda.
- b. At the specified time, the President shall introduce all of the candidates to the ASMPC Council and read over each candidate's Application for Appointment.
- c. Upon the completion of reading the Applications for Appointment, the candidates will be invited to rise from their seats to address questions from the ASMPC Council.
- d. Moderated by the Chair, the ASMPC Council shall be invited to ask questions to the candidates one by one for no longer than fifteen (15) minutes per candidate.

- i. Questions by the ASMPC Council may be personal in nature, but may not discriminate against the candidate's age, sex, gender, race, religious orientation, nor sexual orientation.
 - ii. Members of the ASMPC Council may also state concerns that they have about the candidate, offering the candidate an opportunity to address them directly.
 - iii. The President shall be required to state concerns that they have received and offer the candidate an opportunity to address them directly.
- e. Upon the completion of questions for every candidate, the candidates shall be required to leave the room to enable internal deliberations by the ASMPC Council.
- f. At the start of internal deliberations, the President shall begin first by stating their initial recommendation and invite all members of the council to discuss the recommendation and alternatives.
 - i. Upon the completion of internal discussion, the President shall issue their final recommendation and request that the ASMPC Council motion to approve it.
 - 1. If the motion passes by simple majority, the candidate will be considered Appointed to the Office noted by the motion effective the day of the ASMPC Council meeting.
 - 2. If the motion fails to receive a first, second, or majority passage, any member of the Voting Members may make an alternative motion.
 - ii. Once a motion has met majority consent of the Voting Members, every candidate will be invited to return to the meeting room and the President shall announce the results.
- g. Upon a candidate's appointment, the Vice President shall be considered responsible for ensuring the newly appointed Council Member is fully updated on ASMPC Council protocol, procedures, and relevant information.
 - i. Although the Vice President is personally responsible for this task, it shall be the responsibility of all members of the ASMPC Council to welcome and assist a newly appointed member of the ASMPC Council.