Bill #15-03

ASI Bylaws Amendment – Updates to the ASI Bylaws

Article I. Origin
This bill is presented in accordance with the ASI Bylaws by Seth Borges, Board of Directors Representative, College of Agriculture, Food and Environmental Sciences, Young Choi, University Union Advisory Board Representative, College of Architecture and Environmental Design, and Amy Cornell, University Union Advisory Board Representative, Orfalea College of Business.

Article II. Purpose
The purpose of this Bill is to amend the ASI Bylaws to update the document to reflect current operational practices, organizational updates, and legal compliance. Additionally, amendments made include changes to reflect the update to the ASI Election Code.

Article III. Background
The ASI Recruitment and Development Committee has performed an extensive review of the ASI Election Code with the aid of legal counsel. This bill reflects the changes proposed to the ASI Election Code for the 2015-2016 Annual Spring Election to ensure consistency between the ASI Election Code and ASI Bylaws. Other changes include grammar, punctuation, proper capitalization, and clarification of language throughout the document to accurately display ASI Bylaws.

Article IV. Implementation
Amend 3.4.1 as follows in the ASI Bylaws:

3.4.1. Notice of Annual Spring Election. The Board of Directors shall give Members notice of the Annual Spring Election. The notice shall specify the date and time of the election, the names of eligible individuals who have submitted a Candidate Filing Form to be Directors or Officers, and the general nature of any other business to be transacted. The notice shall be given to Members in the following manner:

Amend 3.4.1.1 as follows in the ASI Bylaws:

3.4.1.1. Publication in the campus newspaper, the Mustang News, a minimum of once a week for three weeks preceding the election

Amend 3.4.1.3 as follows in the ASI Bylaws:

3.4.1.3. Distribution of information to Cal Poly clubs and organizations for three weeks preceding the election.

Amend 3.4.1.4 as follows in the ASI Bylaws:
3.4.1.4. Distribution of information to each Academic College Club Council for three weeks preceding the election.

Amend 3.4.2 as follows in the ASI Bylaws:

3.4.2. Notice of Special Elections. Whenever Members are to vote at a Special Election, the Board of Directors shall give Members notice of the Special Election that specifies the date and time of the election, and the general nature of the business to be transacted. The notice shall be given to Members in the following manner:

Amend 3.4.2.1 as follows in the ASI Bylaws:

3.4.2.1. Publication in the campus newspaper, the Mustang News, a minimum of once a week for three weeks preceding the election.

Amend 3.4.2.3 as follows in the ASI Bylaws:

3.4.2.3. Distribution of information to Cal Poly clubs and organizations for three weeks preceding the election.

Amend 3.4.2.4 as follows in the ASI Bylaws:

3.4.2.4. Distribution of information to each Academic College Club Council for three weeks preceding the election.

Amend 3.4.3 as follows in the ASI Bylaws:

3.4.3. Verification of Compliance. Written verification of compliance with the notice requirements of this section shall be performed by the Vice Chair of the Board and maintained in the Minute Book of the Corporation. Such verification shall create a presumption that proper notice was given to Members.

Amend 3.5.1 as follows in the ASI Bylaws:

3.5.1. Content of Electronic Ballots. Any electronic ballot distributed to the Members to vote shall set forth the proposed action and provide an opportunity to approve or disapprove.

Amend 3.5.2.1 as follows in the ASI Bylaws:

3.5.2.1. The Annual Spring Election shall be held no earlier than the 4th week of spring quarter. All student elections shall be held during a 24-hour period, Monday through Thursday.

Amend 3.5.2.2 as follows in the ASI Bylaws:

3.5.2.2. The Election Timeline shall be determined by the ASI Recruitment and Development Committee and approved by the Board of Directors.

Amend 3.5.2.3 as follows in the ASI Bylaws:
3.5.2.3. In the event that an electronic ballot is unavailable, written ballots shall be available to any Member at the Dean of Students Office. Written ballots must be returned to the Dean of Students Office by the end of the election. Written ballots shall be handled in accordance with normal balloting procedures outlined in the ASI Election Code.

Amend 3.5.2.5 as follows in the ASI Bylaws:

3.5.2.5. All candidates must be registered under the procedures outlined in the ASI Election Code to be considered eligible for any elected position within ASI.

Amend 3.5.3.1 as follows in the ASI Bylaws:

3.5.3.1. Calculation of ASI Membership. ASI Membership shall be the number of persons regularly admitted and enrolled as matriculating students at Cal Poly during the fifth week of the academic quarter immediately prior to the academic quarter in which the election is to be held (“ASI Membership”). For a fall quarter Special Election, ASI Membership shall be determined by the previous spring quarter enrollment. For the Annual Spring Election, ASI Membership shall be determined by the enrollment at the beginning of classes for winter quarter.

Amend 3.5.3.2 as follows in the ASI Bylaws:

3.5.3.2. Quorum Requirements in General Elections. Except as provided below with regard to the election of Directors, in order for an election by Members to be valid, the number of votes cast in the election must exceed the greater of one percent (1%) of the ASI Membership or 125 votes.

Amend 3.5.3.3.2 as follows in the ASI Bylaws:

3.5.3.3.2. Two and one-half percent (2.5%) of the Members majoring in that Academic College or 50 votes, of total enrollment in that Academic College if less than 5000 but more than 1000; or

Add 3.5.6 as follows in the ASI Bylaws:

3.5.6. The election results process shall be supervised by the Chair of the ASI Recruitment and Development Committee and the Dean of Students’ Representative. No other person shall participate unless approved by the Chair of the ASI Recruitment and Development Committee and the Dean of Students’ Representative.

Amend 3.6.2.2 as follows in the ASI Bylaws:

3.6.2.2. Presentation to the ASI Board of Directors. Upon receiving a written request for a Special Election from a person(s) authorized to call for a Special Election, the request shall be submitted to the Board of Directors. The Board of Directors shall determine whether the matter is a proper subject for a Special Election, and if so the Board of Directors shall schedule the Special Election.
Amend 3.6.2.3 as follows in the ASI Bylaws:

3.6.2.3. Scheduling of a Special Election. If the Board of Directors determines that the matter is a proper subject for a Special Election, the Board of Directors shall schedule a date that is not less than 35 or more than 90 calendar days following receipt of the written request. The Special Election shall be scheduled and conducted in accordance with the guidelines set forth in Section 3.6.

Amend 3.7 as follows in the ASI Bylaws:

3.7. Membership Fee Election. In addition to the requirements contained in these Bylaws, any election involving the establishment or alteration of ASI membership fees for the Corporation shall comply with the California Education Code; Title 5, California Code of Regulations; and any policy adopted by the Trustees of the CSU or the University President.

Amend 4.3.5.1.6 as follows in the ASI Bylaws:

4.3.5.1.6. If a voting member of the ASI Recruitment and Development Committee plans to be a Candidate or Campaign Manager (for another candidate) in the next student election, that member of the Committee shall be removed and replaced with a new voting member at the time of the decision. A decision by a voting member of the ASI Recruitment and Development Committee to be a Candidate or Campaign Manager must be submitted in writing to the Chair of the Board before the close of the Annual Spring Election filing period.

Amend Board of Directors Definition in the Glossary of Terms in the ASI Bylaws:

Board; Board Member; Board of Directors. The terms “Board,” “Board Member,” and “Board of Directors” mean the 24 student-elected representatives who serve as the corporate governing board of ASI.

CERTIFIED As the true and correct copy, in witness thereof, I have set my hand and seal of the Associated Students, Inc. this ___ day of ____, 2015.

ASI Secretary

ADOPTED at the regular meeting of the Board of Directors by majority/unanimous vote on _____________. 2015.

ASI Chair of the Board

ASI Executive Director
Sponsored by:

Seth Borges, Board of Directors Representative, College of Agriculture, Food and Environmental Sciences;

Amy Cornell, University Union Advisory Board Representative, Orfalea College of Business

Young Choi, University Union Advisory Board Representative, College of Architecture and Environmental Design